



# 2021 FINDINGS ON THE WORST FORMS OF CHILD LABOR



**Ensuring the Future of Work is  
Fair for All**  
*Data as a Driver for Global Action*

**The Year in Review**  
*Tackling Inequalities for All*

# DOWNLOAD

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



### COMPLY CHAIN

Reduce child labor and forced labor in global supply chains

**NEW:** Examples on how to integrate worker voice and empowerment into all aspects of your social compliance system

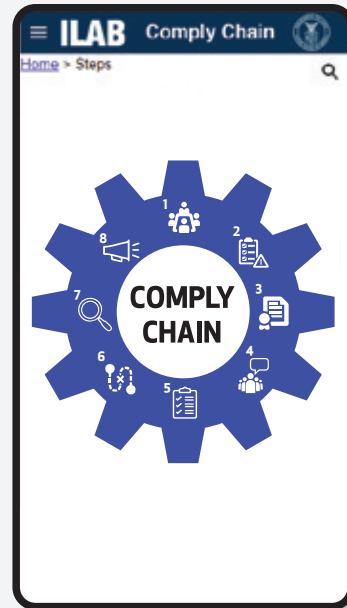
*iDisponible en español!*

*Disponible en français!*

*Tersedia dalam Bahasa Melayu!*

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

Learn from **innovative company examples**



Discover **best practice** guidance

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



### Sweat&Toil

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

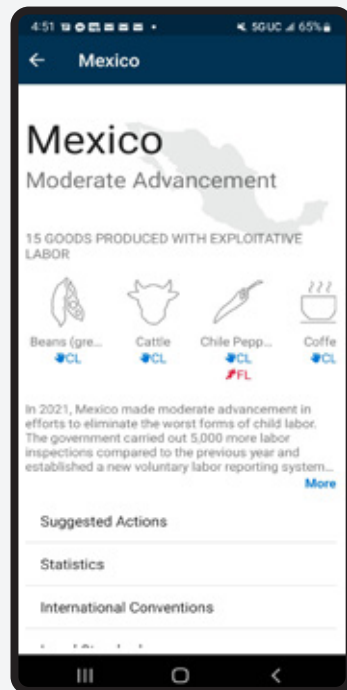
**NEW:** Uncover details on 32 new additions to the List of Goods

**NEW:** Discover data visualizations on goods produced with exploitative labor by sector and region, statistics on working children, and regional progress on child labor

**NEW:** Check out updates on ILAB's projects

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

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



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

Find child labor **data** and the sectors in which children work





# ACCESS

## ILAB'S BETTER TRADE TOOL



The **BETTER TRADE TOOL** is a resource for users interested in learning about labor exploitation risks in global supply chains.

Consider adding the Better Trade Tool to your compliance, sourcing, trade, and supply chain toolbox.

Identify child labor and forced labor **risks in global supply chains**

**Access** 6-years of U.S. import trade data

**BETTER TRADE TOOL**

Instructions: Select any option from the dropdown menu on the right. Users may also make selections in the top table. Select "keep only" to apply filter. To remove, select reset button in the toolbar below.

See below for aggregate value of U.S. imports for year selected.

Year	Country	Good	Labor Exploitation	U.S. Import
2020	Afghanistan	Bricks	Child Labor, Forced Labor, Forced Child Labor	\$0
		Carpets	Child Labor	\$1,030,690
		Coal	Child Labor	\$0
		Popcorn	Child Labor	\$0

See below for additional details on 10-digit tariff codes and U.S. import value/volume per year.

Year	Country	Good	Labor Exploitation (Added - Removed)	Tariff Code	Tariff Code Description	U.S. Import
2020	Afghanistan	Bricks	Child Labor (2009) - Forced Labor (2013) - Forced Child Labor (2013)		This good was not imported	\$0 (\$)
		Carpets	Child Labor (2009)	5702.10.5000	TEXTILE CARPET, H-	\$495,653 (\$,594 M)
				5702.10.4000	TEXT FLOOR COVERING, HAND-HOOKED/NAND	\$1,814,354 (\$1,758 M)

Total U.S. Imports based on selections above: \$292,924,324,642

10/1/2021  
BETTER\_TRADE\_TOOL\_7.2020

View Harmonized Tariff Schedule code **classifications for goods** on ILAB's Lists

Conduct **trade analysis** up to the 10-digit Harmonized Tariff Schedule code

Access the Department's new Better Trade Tool on our website at [dol.gov/BetterTradeTool](https://dol.gov/BetterTradeTool)



©Jan Sochor/LatinContent Editorial/Getty Images  
Brian, a 10-year-old Salvadoran boy, works at a brick  
factory, Istahua, El Salvador, December 21, 2013.



# How to Access Our Reports

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

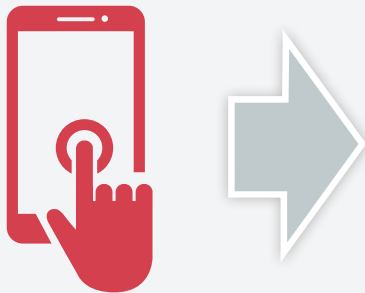
## On Your Computer

All three of the 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](http://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 *Better Trade Tool* on our website at [dol.gov/BetterTradeTool](http://dol.gov/BetterTradeTool). This tool's dynamic dashboards and custom queries allows users to view U.S. and global trade at potential child labor and forced labor risks in global supply chains and conduct trade data analysis.



## On Your Phone

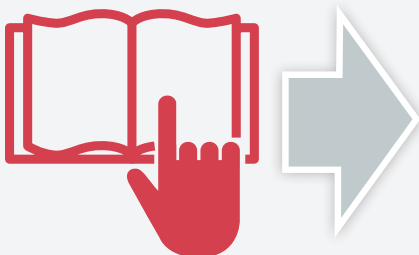
The Department's *Sweat & Toil* mobile application contains more than 1,000 pages of research from all three reports. *Sweat & Toil* helps you easily sort data by region, country, assessment level, good, and type of exploitation, all without the need for an internet connection. The app also includes information from USDOL's technical assistance and cooperation projects around the world. Additionally, the app includes new data visualizations allowing users to view goods produced with exploitative labor by region and sector, as well as the sectoral distribution of where children work by country. You can download the free app from Apple's App Store or the Google Play Store and access the data on our website at [dol.gov/AppSweatToil](http://dol.gov/AppSweatToil).



The Department's *Comply Chain: Business Tools for Labor Compliance in Global Supply Chains* mobile application is a practical, step-by-step guide for companies on ways to develop strong social compliance systems to reduce child labor and forced labor in supply chains. Whether new to social compliance or wanting to improve existing systems, companies can explore modules including stakeholder engagement, code of conduct provisions, auditing, remediation, reporting, and engagement, among others. This year there are considerable content updates across all areas of *Comply Chain*, including a dozen of specific examples that incorporate worker voice as a fundamental component of each step in a due diligence set of best practices to address child labor and forced labor in global supply chains. You can download the free app from Apple's App Store or the Google Play Store or access it online at [dol.gov/AppComplyChain](http://dol.gov/AppComplyChain).

## On Paper

The *Sweat & Toil* magazine is published in hardcopy and provides an overall summary of the *Findings on the Worst Forms of Child Labor*, regional findings related to meaningful efforts made and gaps for countries to address, the assessment levels of each of the 131 countries, and the updated *List of Goods Produced by Child Labor or Forced Labor*. 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](http://dol.gov/ChildLaborReports).







© Madeleine Jettre/Alamy

A young boy fuels a motorbike. Thong Sala, Ko Pha Ngan Island, Thailand. January 20, 2014.

# Foreword

Eliminating egregious labor abuse requires all of us—governments, businesses, unions, workers, and civil society—to play our part. ILAB’s *reporting* shines a light on child labor and forced labor, pressuring governments to answer for egregious practices. We provide concrete policy recommendations for governments to enhance social protection and create the conditions for decent work – key factors in combating child labor and forced labor. Our tools and resources strengthen unions’, worker organizations’, and civil society’s advocacy and outreach and provide companies with the tools to root out child labor and forced labor from their supply chains.

The United States takes our responsibility to end child labor and forced labor seriously. Workers in the U.S. and around the world should not have to compete with unscrupulous producers who use child labor and forced labor and undercut the well-being of working families. In December 2021, President Biden signed the Uyghur Forced Labor Prevention Act (UFLPA) to strengthen the U.S. government’s ability to combat forced labor and protect U.S.-bound supply chains from these labor abuses. As a member of the Forced Labor Enforcement Task Force, the Department of Labor will continue to work to develop a UFLPA enforcement strategy that ensures U.S. businesses and consumers do not unwittingly support violations of human and labor rights.

But we all know that the most powerful force for change in the workplace is workers themselves. For over a century, workers have acted through unions to lead the fight to end child labor. At its first convention in 1881, the American Federation of Labor passed a resolution calling on states to set a minimum age for work. More than 140 years later, the fight continues on a global scale, with 160 million children engaged in child labor worldwide. Winning that fight requires workers to have the right

to organize and bargain collectively for family-sustaining wages, benefits, and social protection. It requires that workers have the voice and support to denounce exploitative and dangerous working conditions, and collectively advocate for better ones—so

that families can find economic security and let their children be children, and so that no one’s labor is forced from them. That is why the Department of Labor announced the Multilateral Partnership for Organizing, Worker Empowerment, and Rights last year (M-POWER). M-POWER supports workers having the right to choose strong, independent, and democratic unions and helps workers’ representatives have an equal footing with employers and governments worldwide in critical social and economic decisions.

Our reports do more than provide information; they have the potential to catalyze action. So don’t just read our reports, use them. Eliminating child labor and forced labor requires us all—governments, employers, unions, workers, and civil society—to do our part. You have a part to play in the fight to end child labor and forced labor and secure decent work for all. Advocate for workers everywhere to have a voice in the workplace. Hold businesses and governments accountable for respecting and upholding workers’ rights. Together, we will fight for all workers’ rights morning, noon, and night.



Marty Walsh  
Secretary of Labor

*Marty Walsh*

Marty Walsh  
Secretary of Labor  
September 2022





© Brian Inganga/AP Images

Irene Wanzila, age 10, works at Kayole Quarry breaking rocks with a hammer along with her younger brother, older sister, and their mother, who lost her cleaning job at a private school when COVID-19 pandemic restrictions were imposed. Nairobi, Kenya. September 29, 2020.



# Statement

This year's edition of *Sweat and Toil* comes at a critical time. Global estimates from the International Labor Organization show millions continue to toil in abusive labor conditions. Many of them labor in the shadows, out of reach of regulation. They work in homes, mines, or fields that labor inspectors rarely visit, and at the bottom end of global supply chains, far out of sight of the consumers who ultimately purchase their products. At the Bureau of International Labor Affairs (ILAB), our reporting makes these unseen people visible, exposing the countries responsible for labor rights abuses.

This year, ILAB is working under an expanded mandate to conduct research and global supply chain tracing to track inputs made with child labor or forced labor, instead of looking only at final goods. In making people more aware of the entire supply chain, we are upping the ante for governments, companies and consumers alike. We are drawing attention to critical supply chains in clean energy—highlighting China's use of forced labor in polysilicon production (a key input in solar panels) and the use of child labor in the Democratic Republic of the Congo for the mining of cobalt (an input in lithium-ion batteries). The information is out there for companies and consumers to leverage against regimes that promote and prop up exploitative labor practices. ILAB's reporting and tools are making an unprecedented amount of information on abusive labor practices around the world available to the public. Our research complements whole-of-government efforts like the Burma Business Advisory, which highlights the risks of doing business in Burma due to corruption, illicit finance, and human rights abuses, including forced labor.

But our reporting is not just about sharing data. Our reporting also informs the Biden-Harris

Administration's bold commitment to put worker rights at the center of trade and foreign policy. Under this administration's leadership, the United States has taken many significant steps: added its voice to the statement of the G7—a group of seven of the world's

advanced democracies—to affirm there is no place for forced labor in a rules-based multilateral trading system; pledged to combat child labor during the International Year for the Elimination of Child Labor; and launched the forward-looking M-POWER (*Multilateral Partnership on Organizing, Worker Empowerment, and Rights*) initiative, the U.S. government's largest commitment ever to securing workers' right to free, independent, and democratic trade unions on a global scale.

The protection of human rights, including labor rights, is essential to uplifting American values and interests. And the protection of children from child labor is vital for safeguarding children's future as citizens of their countries and the world. As you read this edition of *Sweat and Toil*, know that ILAB is using this data and analysis to drive change. Through our reporting, labor diplomacy, trade enforcement, and technical assistance programs, we are working to promote worker rights, decent work, and stable livelihoods for working families around the world.

*Thea Mei Lee*

Thea Mei Lee  
Deputy Undersecretary for International Affairs  
September 2022



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



© Jude Al-Safadi/UNICEF/UN0368705

20 girls and boys celebrate World Children's Day at a UNICEF-supported Makani Center in an informal tented settlement on the outskirts of Amman, Amman, Jordan. November 19, 2020.



# Acknowledgments

The U.S. Department of Labor's Bureau of International Labor Affairs (ILAB) published this report under the leadership of Thea Lee, Deputy Undersecretary for International Affairs; Mark Mittelhauser, Associate Deputy Undersecretary for International Affairs; Molly McCoy, Associate Deputy Undersecretary for International Affairs; Oliva Lopez, Chief of Staff; Marcia Eugenio, Director of the Office of Child Labor, Forced Labor, and Human Trafficking (OCFT); and Margaret Jungk, Deputy Director, OCFT.

Chanda Uluca, Kyle Livingston, Austin Pedersen, and Nadia Al-Dayel managed the research, writing, and production of this report, with major contributions from James Gyenes, Sandi Giver, Claudia Guidi, Dan Arp, Rachel Raba, Caleb Owen, and Jillian Slutzker Rocker. The following OCFT staff carried out the underlying research that made the report possible: Paulo Araujo, Oryza Astari, Sarah Calle, Maria Campbell, Marco Campos, Sara Christopher, Marina Medina Cordero, Jennifer Fendrick, Matt Fraterman, Ashley Hagemann, Caitlin Harwood, Laurel Hoffner, Jacqueline Jesus, Emilija Kusakatova, Eric Martin, Sadikshya Nepal, Alex Silberman, and Sarah Solomon. Alexa Gunter, Ashby Henningsen, Elizabeth Stark Ketchum, Jarrett Basedow, Kevin Lentz, Nahjae Nunes, Patricia Gomoljak, and Siyuan Xie provided vital research and administrative support.

Other personnel within ILAB who made important contributions include Tanya Andrade, Irtaza Barlas, Joan Barrett, Anna Berger, Brian Campbell, Ryan Carrington, Sarah Casson, Wei-Cheng Chen, Kathryn Chinnock, Holly Christofferson, Danielle Crooks, Makee Cross, Lorena Dávalos, Mary Ellison, Tina Faulkner, Abe Henry, Leena Khan, Natalie Kosloff, Marie Ledan, Adam Lee, Yune Lee, Raymond Marolt, Ethel Moreno, Olivia Negus, Diana Piñeros, Carter Quinley, Carlos Quintana, Ingris Ramos, Julia Reinitz, Sherry Richmond, Crispin Rigby, Carolina Rizzo, Kathleen Ryou, Chad Salitan, Doris Senko, Tanya Shugar, Pablo Solorio, Shelley Stinelli, Leyla Strotkamp, Sarah Sunderlin, David Thalenberg, Evan Tuch, Laura Van Voorhees, Pilar Velasquez, Chris Watson, Rob Wayss, Kevin Willcutts, and Halima Woodhead.

Micole Allekotte, Derek Baxter, and Summer Silversmith from the Department's Office of the Solicitor, along with Jay Berman and Ashley Higgins from the Office of the Assistant Secretary for Policy, made major contributions. Other staff from ILAB, the Employment and Training Administration, Office of Public Affairs, Office of the Solicitor, Office of the Assistant Secretary for Policy, and the Wage and Hour Division who contributed include Andy Bailey, Megan Baird, Sarah Dean, Jaclyn Dennis, Christine Feroli, Jane Garrido, Alexander Green, Rob Hines, Michael Kravitz, Laurie Mangicaro, Jessica Matthis, Ed McCarthy, Mason Navarrete, Giorleny Altamirano Rayo, Cindy Riggs, Alisa Tanaka-Dodge, Ambreen Tariq, Philip Vieira, and Tracy Wolf.

Personnel at the U.S. Department of State's regional bureaus; embassies and consulates around the world; Bureau of Democracy, Human Rights, and Labor; Office to Monitor and Combat Trafficking in Persons; and the United States Trade Representative coordinated valuable research and

reviews of the report. Personnel from these agencies who made significant contributions include Robin Cromer, David Rey, Brandon Strassberg, and Jennifer Oetken.

Karen Cleek and Francis Knab of Graphic Visions produced the report's graphics and layout, and Suteera Nagavajara, Shannon Conrad, Jo Ann Ruckel, and Marina Ratchford of ICF made significant contributions to the copyediting, fact checking, and technical editing of the report. With support from the Department's Office of Public Affairs, Saliha Keddache, Praveen Bhatt, Gnanendra Kumar, and Vikram Malhotra of Zolon Tech, Inc. updated the *Sweat & Toil* and *Comply Chain* mobile applications.

With ongoing support on database development and integration from Aparna Darisipudi, ILAB's Strategic Integrator, and Nathaniel Arrington, Damian C. Rodriguez, Gary Thai, Keith Grabhorn, Andy Bailey, Sarath Yerra, and Kristen Parrish, and the rest of the Enterprise Data Platform and Website and Content Management teams in the Department's Office of the Chief Information Officer, Lindsey Chung, Delsie Sequeira, and Megan Spellacy of ICF supported development of new *Better Trade Tool* visualization dashboards and new *Sweat & Toil* API.

Photographs in this report are used with permission from Ahmed Abdulhaleem, AFP, Jude Al-Safadi, All-a-Shutter, Alamy Stock Photo, Alamy Live News, Anadolu Agency, AP Images, Javier Arcenillas, ArtWorks for Freedom, Mika Baumeister, Blickwinkel, Joerg Boethling, Patrick Brown, Geoffrey Buta, Simon Buxton, Muntaka Chasant, Michael Robinson Chavez, Kay Chernush, Marcel Crozet, Dalia Villages Moreno, DPA, DPA Picture Alliance, Kieran Dodds, Juan Pablo Marín García, Getty Images, Godong, Hans Filipo Cortés González, Jonas Gratzner, Daniel Ricardo López Gutiérrez, Erico Hiller, Mohammed Ponir Hossain, Brian Inganga, International Labor Organization, iStock, Madeleine Jettre, Nicholas Kajoba, Junior Kannah, Juan Karita, Palash Khan, KYTan, LatinContent Editorial, LightRocket, Nicolas Marino, Juana Ordoñez Martínez, Mauritius Images GmbH, Bill Mead, Migin, the New York Times, Cristian Nicollier, Novarc Images, Ali Ihsan Ozturk, Vinay Panjwani, Panos Pictures, Fernando Pastorelli, Larry C. Price, Pulitzer Center on Crisis Reporting, Redux Pictures, Esteban Vega La-Rotta, Gilles Sabrie, Andrés Giovanni Roza Samer, Wan Shanchao, Mark Schiefelbein, Schuttersnap, Shutterstock, slpu9945, Jan Sochor, Stringer, Tansh, UNICEF, Unsplash, Angelica Vergara, Ray Waddington, the Washington Post, Xinhua, ZUMAPRESS.com, and ZUMA WIRE. All other photos were taken by U.S. Department of Labor staff.

Copies of this and other reports in ILAB's child labor and forced labor series may be obtained by contacting the Office of Child Labor, Forced Labor, and Human Trafficking, Bureau of International Labor Affairs, U.S. Department of Labor, 200 Constitution Avenue NW, Room S-5315, Washington, DC 20210. Telephone: (202) 693-4843; 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).





© Kieran Dodds / Panos Pictures

Boys drive oxen and donkeys to tread out grain. Bahir Dar, South Gondar, Ethiopia. February 2016.



# Table of Contents

## FOREWORD

## ACKNOWLEDGMENTS

## PURPOSE OF THIS REPORT .....1

Research Focus of the Findings on the Worst Forms of Child Labor .....1

## ENSURING THE FUTURE OF WORK IS FAIR FOR ALL .....5

## 2021 FINDINGS ON THE WORST FORMS OF CHILD LABOR

The Year in Review: Tackling Inequalities for All .....21

Overview of 2021 Assessment .....22

## THE U.S. EXPERIENCE ..... 45

## ABOUT THE IQBAL MASIH AWARD .....52

Blue Dragon Children's Foundation .....53

## APPENDICES

APPENDIX 1: Acronyms and Abbreviations ..... 55

APPENDIX 2: Definitions Related to Child Labor and Forced Labor ..... 58

APPENDIX 3: ILO Instruments Related to Child Labor and Forced Labor ..... 60

APPENDIX 4: How to Read a TDA Country Profile ..... 62

APPENDIX 5: TDA Country Assessment Criteria ..... 66

*TDA Country Assessments, by Assessment* .....68

*Comparisons in TDA Assessments From 2020 to 2021, by Country* .....74

APPENDIX 6: TDA Laws and Ratifications, by Country ..... 80

APPENDIX 7: Reference Materials—Key Concepts and Definitions ..... 88

APPENDIX 8: Research Framework and Organization of TDA Country Profiles ..... 97

APPENDIX 9: TDA Guidance Questions ..... 106

## REFERENCES .....110

<b>COUNTRY PROFILES . . . . .</b>	<b>115</b>	COSTA RICA . . . . .	419
AFGHANISTAN . . . . .	116	CÔTE D'IVOIRE . . . . .	429
ALBANIA . . . . .	125	DJIBOUTI . . . . .	440
ALGERIA . . . . .	134	DOMINICA . . . . .	448
ANGOLA . . . . .	141	DOMINICAN REPUBLIC . . . . .	452
ANGUILLA . . . . .	150	ECUADOR . . . . .	465
ARGENTINA . . . . .	154	EGYPT . . . . .	474
ARMENIA . . . . .	165	EL SALVADOR . . . . .	482
AZERBAIJAN . . . . .	174	ERITREA . . . . .	494
BANGLADESH . . . . .	184	ESWATINI . . . . .	501
BELIZE . . . . .	197	ETHIOPIA . . . . .	509
BENIN . . . . .	207	FALKLAND ISLANDS (ISLAS MALVINAS) . . . . .	520
BHUTAN . . . . .	217	FIJI . . . . .	524
BOLIVIA . . . . .	224	GABON . . . . .	532
BOSNIA AND HERZEGOVINA . . . . .	233	GAMBIA, THE . . . . .	539
BOTSWANA . . . . .	244	GEORGIA . . . . .	547
BRAZIL . . . . .	252	GHANA . . . . .	557
BRITISH VIRGIN ISLANDS . . . . .	265	GRENADA . . . . .	567
BURKINA FASO . . . . .	268	GUATEMALA . . . . .	572
BURMA . . . . .	277	GUINEA . . . . .	587
BURUNDI . . . . .	292	GUINEA-BISSAU . . . . .	596
CABO VERDE . . . . .	301	GUYANA . . . . .	603
CAMBODIA . . . . .	309	HAITI . . . . .	612
CAMEROON . . . . .	324	HONDURAS . . . . .	623
CENTRAL AFRICAN REPUBLIC . . . . .	335	INDIA . . . . .	634
CHAD . . . . .	347	INDONESIA . . . . .	654
CHILE . . . . .	357	IRAQ . . . . .	665
CHRISTMAS ISLAND . . . . .	366	JAMAICA . . . . .	674
COCOS (KEELING) ISLANDS . . . . .	370	JORDAN . . . . .	684
COLOMBIA . . . . .	374	KAZAKHSTAN . . . . .	693
COMOROS . . . . .	385	KENYA . . . . .	703
CONGO, DEMOCRATIC REPUBLIC OF THE . . . . .	393	KIRIBATI . . . . .	716
CONGO, REPUBLIC OF THE . . . . .	407	KOSOVO . . . . .	723
COOK ISLANDS . . . . .	415	KYRGYZ REPUBLIC . . . . .	733



LEBANON . . . . .	743	SAINT HELENA, ASCENSIÓN, AND TRISTÁN DA CUNHA . . . . .	1055
LESOTHO . . . . .	751	SAINT LUCIA . . . . .	1058
LIBERIA . . . . .	758	SAINT VINCENT AND THE GRENADINES . . . . .	1065
MADAGASCAR . . . . .	766	SAMOA . . . . .	1071
MALAWI . . . . .	776	SÃO TOMÉ AND PRÍNCIPE . . . . .	1078
MALDIVES . . . . .	787	SENEGAL . . . . .	1084
MALI . . . . .	794	SERBIA . . . . .	1093
MAURITANIA . . . . .	807	SIERRA LEONE . . . . .	1102
MAURITIUS . . . . .	819	SOLOMON ISLANDS . . . . .	1110
MEXICO . . . . .	828	SOMALIA . . . . .	1117
MOLDOVA . . . . .	846	SOUTH AFRICA . . . . .	1130
MONGOLIA . . . . .	857	SOUTH SUDAN . . . . .	1140
MONTENEGRO . . . . .	867	SRI LANKA . . . . .	1152
MONTSERRAT . . . . .	875	SURINAME . . . . .	1161
MOROCCO . . . . .	878	TANZANIA . . . . .	1170
MOZAMBIQUE . . . . .	886	THAILAND . . . . .	1182
NAMIBIA . . . . .	895	TIMOR-LESTE . . . . .	1194
NEPAL . . . . .	904	TOGO . . . . .	1203
NICARAGUA . . . . .	917	TOKELAU . . . . .	1212
NIGER . . . . .	927	TONGA . . . . .	1215
NIGERIA . . . . .	936	TUNISIA . . . . .	1221
NIUE . . . . .	946	TUVALU . . . . .	1229
NORFOLK ISLAND . . . . .	949	UGANDA . . . . .	1235
NORTH MACEDONIA . . . . .	953	UKRAINE . . . . .	1247
OMAN . . . . .	962	UZBEKISTAN . . . . .	1257
PAKISTAN . . . . .	967	VANUATU . . . . .	1267
PANAMA . . . . .	988	WALLIS AND FUTUNA . . . . .	1275
PAPUA NEW GUINEA . . . . .	999	WEST BANK AND THE GAZA STRIP . . . . .	1278
PARAGUAY . . . . .	1008	WESTERN SAHARA . . . . .	1285
PERU . . . . .	1018	YEMEN . . . . .	1289
PHILIPPINES . . . . .	1028	ZAMBIA . . . . .	1296
RWANDA . . . . .	1044	ZIMBABWE . . . . .	1305





© Patrick Brown/UNICEF/UN0402419

Children at work mining for gold. Village of Luhihi, South Kivu  
Province, Democratic Republic of the Congo. November 5, 2020.





# Purpose of This Report

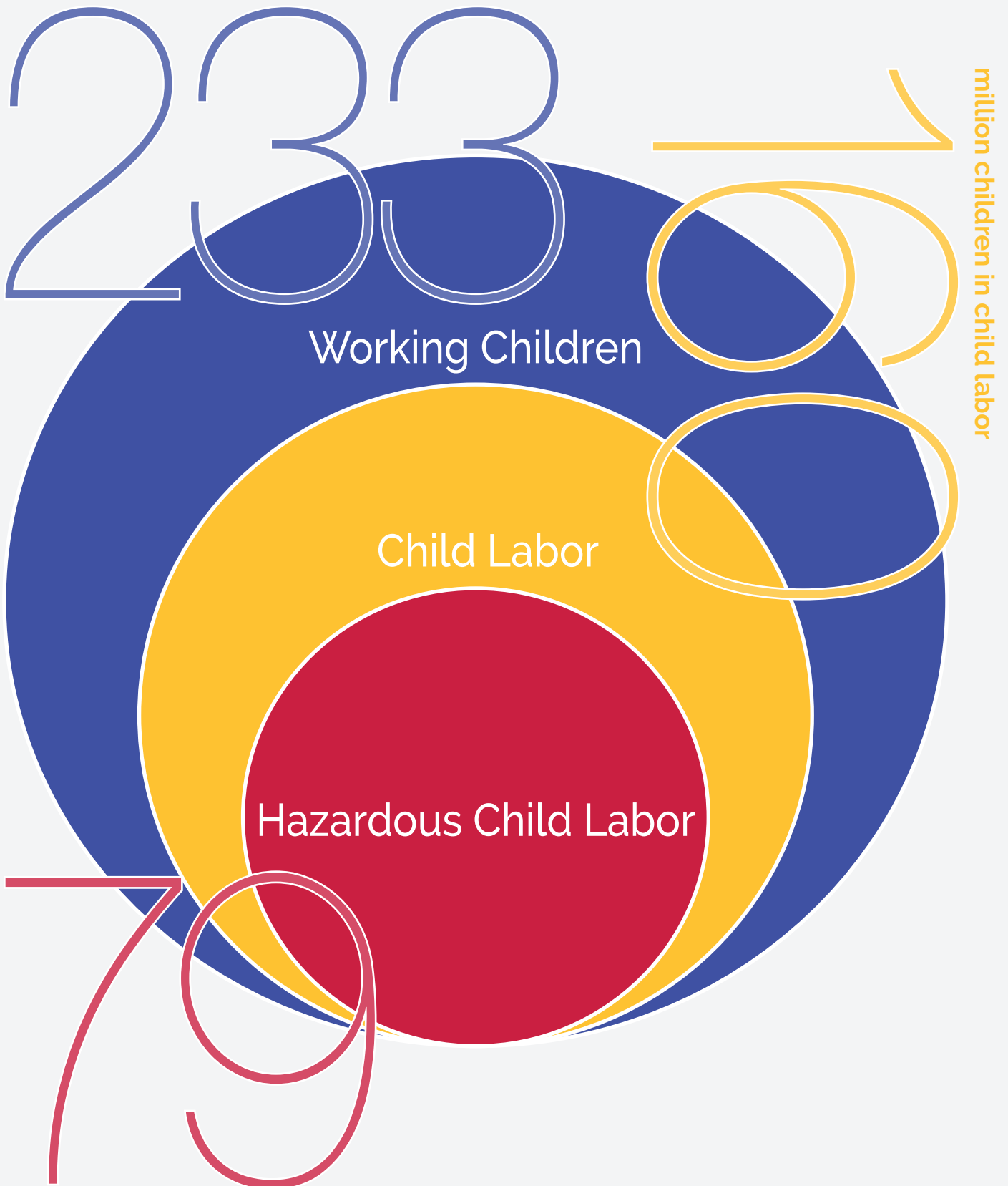
## Research Focus of the Findings on the Worst Forms of Child Labor

The U.S. Department of Labor has prepared the 2021 *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 must implement its commitments to eliminate the worst forms of child labor for the President of the United States to designate the country a beneficiary developing country under the Generalized System of Preferences (GSP) program (subject to an exception if designation is in the national economic interest of the United States). (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. The 2021 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



\*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 definition contained in International Labor Organization Convention No. 182 on the Worst Forms of Child Labor (ILO C. 182), which defines “child” as a person under age 18.

### Reporting Period

The reporting period for this year’s report is January 2021 through December 2021. In certain cases, significant events or government efforts that occurred in early 2022 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 primarily guided by International Labor Organization Convention No. 138 on Minimum Age (ILO C. 138) and ILO C. 182. Child labor includes work below the age of 15 (14 in developing economies where specified at the time of ratification of C. 138)

or the higher minimum age as established in national legislation (excluding permissible light work) and the worst forms of child labor. 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





© Palash Khan/Tansh/Alamy

A Bangladeshi child works in a plastic bottle recycling factory beside the Buriganga River. Dhaka, Bangladesh. April 1, 2014.





# Ensuring the Future of Work is Fair for All

As the world began to recognize the gravity of COVID-19 in early 2020, the term “essential worker” emerged as new vocabulary. From a narrow definition of front-line workers in public health, medicine, and emergency services, the list of “essential workers” expanded, to include workers in sectors like transportation, education and childcare, agriculture and food production, and retail and delivery. As the pandemic wore on and economies suffered shortages of goods and workers, as well as higher consumer prices, the concept of essential workers gave way to recognition of a new reality: *All* workers are essential. Workers drive the massive, global supply chains that deliver everything we rely on in our daily lives, from baby food to solar panels.

## Increased Vulnerability

The pandemic disrupted economies across the globe, with acute consequences for workers. Many workers who abruptly lost their jobs temporarily or permanently sought other ways to earn needed income, including informal work. The burden of the pandemic fell heavily on countries, communities, and individuals least able to absorb the shock, especially already disadvantaged people and vulnerable groups. According to 2020 estimates from the World Bank, between 703 and 729 million people live in extreme poverty surviving on less than \$1.90 a day, and as many as 150 million people may be pushed into extreme poverty because of the pandemic. Poverty is associated with vulnerabilities beyond low income: Individuals who are poor lack mechanisms to cope with economic shocks and suffer disproportionately from poor health, hunger, and inadequate access to education and social services. Poverty forces people to take risks to survive, making them more vulnerable to labor exploitation. These vulnerabilities are more severe for systemically and institutionally oppressed racial and ethnic minority groups.

## Worker Safety and Health

As the world builds back from this pandemic, workers cannot be an afterthought. Worker safety is now top of mind, especially for the “essential workers” who risked their health staying on the job throughout the pandemic. In June of 2022, the International Labor Organization’s tripartite government, employer, and worker representatives made a

landmark decision to adopt a resolution to add the principle of a safe and healthy working environment to the ILO's Fundamental Principles and Rights at Work. (6) A safe workplace does not mean just physical safety, but safety in knowing that human rights and all Fundamental Principles and Rights at Work are respected and honored. Safe workplaces protect workers against COVID-19 and occupational illnesses, and also protect workers' rights to freedom of association and collective bargaining. A safe workplace is free from discrimination in respect of employment and occupation. And a safe workplace is free from child labor and forced labor.

## ILAB's Research and Reporting

As the largest government agency in the world dedicated to improving global working conditions and countering labor abuses, the Bureau of International Labor Affairs (ILAB) is uniquely positioned to address labor abuses in supply chains on a global level.

ILAB's research collects timely, accurate, and reliable information about the problem of global labor abuses, including relevant laws, regulations, policies, and best practices.

Our reporting—like our annual *Findings on the Worst Forms of Child Labor* report, our biannual update of the *List of Goods Produced by Child Labor or Forced Labor*, and this year's update to our *List of Products Produced by Forced or Indentured Child Labor*—is especially vital this year due to additions that have been identified as downstream goods made with inputs produced by child labor or forced labor. In addition, the International Labor Organization's new global estimates on forced labor show an increase from 24.9 to 27.6 million people worldwide since 2016. (120)

The *Findings on the Worst Forms of Child Labor* report focuses on the efforts of 131 countries and

territories to eliminate the worst forms of child labor through legislation, enforcement mechanisms, policies, and social programs. This year's *Findings on the Worst Forms of Child Labor* 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.

ILAB's *List of Goods Produced by Child Labor or Forced Labor* and the *List of Products Produced by Forced or Indentured Child Labor* highlight particular goods and products with evidence of abusive labor practices. In this research, ILAB employs 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 year, for the first time, ILAB put in place measures to respond to a new congressional mandate under the Frederick Douglass Trafficking Victims Prevention and Protection Reauthorization Act of 2018 (TVPPRA). With this new mandate, the TVPPRA requires ILAB reporting to include in our *List of Goods Produced by Child Labor or Forced Labor*, as practical, goods that are produced with inputs made with forced or child labor in violation of international standards. For example, if cotton produced by forced labor in one country is imported by another country to produce garments, then those garments could be placed on our List. This year, for the first time, the List identifies specific supply chains that include inputs made in violation of international labor standards.

ILAB's reports provide actionable information to U.S. federal government agencies to safeguard federal procurement and prevent the import of goods made with prohibited labor. We also use these reports to help foreign governments build their capacity to end labor exploitation in their countries. Together, these reports also serve as a foundation and critical



resource for many companies as part of their ongoing efforts to reduce labor abuse across their supply chains and global production networks.

### *Using ILAB's Research: Tools for the Public*

In addition to the three flagship reports on international child labor and forced labor, ILAB produces other tools for the public that leverage our research. Beyond the *Sweat & Toil* app that covers detail from ILAB's reports, be sure to read on and learn more about *Comply Chain*—a standard set of best practices to address child labor and forced labor in global supply chains—and the *Better Trade Tool*, which matches our reporting on goods at risk of being produced with child labor or forced labor with international trade data.

ILAB's mobile app *Sweat & Toil* allows users to access more than 1,000 pages of research from all three of ILAB's flagship reports in an accessible digital format. The app also includes information on ILAB's country programs. This year, the app was updated with data visualizations to allow users to identify goods produced by child labor or forced labor by region or sector, explore regional trends, and display the sectoral distribution of child labor in countries where this information is available. These data visualizations will help stakeholders easily identify trends and use this research to make data-driven decisions.

ILAB provides companies with a practical, step-by-step guide to address child labor and forced labor in global supply chains through *Comply Chain: Business Tools for Labor Compliance in Global Supply Chains*. As child labor and forced labor continue to present serious and material risks to companies and industries, this smartphone and web-based app assists companies and industry groups seeking to develop robust social compliance systems for their global production. *Comply Chain* provides detailed guidance on eight critical elements of social compliance, including numerous real-

world examples on everything from responsible recruitment to worker voice. *Comply Chain* is designed for companies that do not have such a system in place or those needing to strengthen their existing systems. It is available in English, French, Malay, and Spanish.

This year's version of *Comply Chain* includes content updates and highlights a dozen specific examples of worker voice across all steps in the process. Worker voice—broadly defined—encompasses three main categories: representation, empowerment, and engagement. Worker voice is the freedom that workers have to represent their interests, individually and/or collectively. Worker voice is worker empowerment to raise concerns and address conditions and terms of employment. And worker voice is also workers being valued for skills and talents and a partnership to collaborate with management on company vision, process improvement, and project development. As just one example, *Comply Chain* highlights the vital role of active and strong unions as the constant eyes and ears in the workplace, and shows how effective unions can consistently advocate for positive change and labor compliance as opposed to one-time audits.

In 2021, ILAB launched the data-driven *Better Trade Tool*, which integrates ILAB's reporting with U.S. import trade data, including Harmonized Tariff Schedule codes. The *Better Trade Tool* is a resource for users interested in learning about labor exploitation risks in global supply chains. This year, updates include addition of full year 2021 U.S. import trade data, insights into U.S. preferential trade agreements, and global trade data. Tools like the *Better Trade Tool* help companies take steps to integrate more responsible sourcing practices to minimize child labor and forced labor risks. Read more about how the U.S. government as the single largest purchaser of goods and services in the world leverages resources to demonstrate leadership in the realm of public procurement in Box 1.

## Box 1

## The Role of Public Procurement in Promoting Responsible Business Practices

How do highways get built, and how do government offices obtain the equipment and manpower necessary to provide services to constituents? The answer is public procurement: the process by which a government agency, such as the U.S. Department of Labor (USDOL), purchases goods and services from an external source, often through a competitive bidding process. Public procurement represents an average of 13 to 20 percent of global GDP. (7) Because public procurement is such a large share of the economy, governments can set the standards for decent work and model expectations for private sector counterparts by exercising and promoting responsible business practices.

Since 2001, the U.S. has relied on the **List of Products Produced by Forced or Indentured Child Labor** ("EO List," pursuant to Executive Order 13126) to ensure that U.S. federal government agencies do not procure any goods that are produced by forced or indentured child labor. As of this year's publication, the EO List includes 35 products from 26 countries, with the latest addition of bricks from Cambodia.

In addition, the **Federal Acquisition Regulation (FAR), "Ending Trafficking in Persons"** implements anti-trafficking in persons practices for federal contractors and subcontractors. The FAR also requires that contracting officers check USDOL's EO List when issuing solicitations. (8) The EO List alerts contracting personnel that there is a reasonable basis to believe that certain goods may have been mined, produced, or manufactured by forced or indentured child labor. Any federal contractors who supply or wish to supply products on the EO List must certify to the contracting agency that they have made a good faith effort to determine whether forced or indentured child labor was used to produce the items supplied. (9)

USDOL is a co-chair of the Procurement & Supply Chains Committee of the Presidential Interagency Task Force to Monitor and Combat Trafficking in Persons Senior Policy Operating Group, comprising senior officials representing 20 federal agencies and departments that coordinate U.S. government-wide efforts to address trafficking in persons. The committee serves as a forum through which government agencies can coordinate and strengthen procurement safeguards and supply chain efforts, including during the pandemic, when it focused on the procurement of medical and healthcare supplies, such as personal protective equipment.

### *ILAB Projects: Knowledge in Action*

ILAB research influences the design and funding of innovative technical assistance projects to combat labor abuses in global supply chains through collaborative efforts with governments, civil society, unions and democratic worker organizations, companies, and other partners. Since 1995, ILAB has implemented more than 350 projects in 99 countries in partnership with more than 90 organizations and with the support and association of a variety of governments and private sector partners. As the

world demands more joint global action on child labor, forced labor, and human trafficking, ILAB is a crucial partner and mentor to those committed to upholding worker rights. Learn more about how ILAB's projects are helping to address entrenched issues of child labor in Box 2.

In El Salvador, Guatemala, and Honduras, an estimated 1.4 million children are engaged in child labor, a figure that has likely increased due to pandemic-related job loss, school closures, and lockdowns. For families experiencing poverty or an



## Box 2

## From Child Laborer to Tailor-in-Training

Felicia started working at the age of 13. One of 18 children, her family could not afford her school fees and needed their children's labor to put food on the table. Felicia joined her siblings in the intensive and hazardous work of planting, harvesting, and selling cocoa and palm fruit.

On many small farms, like the one on which Felicia toiled, children engaging in agricultural work carry heavy loads, use sharp tools, burn fields, and handle dangerous agrochemicals, all of which can harm their development and health.

"I thought harvesting palm fruit was a normal thing until I got my legs twisted after I fell from a palm tree," Felicia recalls.

Felicia's story is not uncommon. In Ghana, where she lives, the average girl only receives 4 years of education and is vulnerable to child labor, especially on smallholder farms in the country's cocoa supply chain. Ghanaian girls make up more than half of the child laborers engaged in cocoa production. These challenges, along with early pregnancy and violence, hinder opportunities for girls between the ages of 10 and 19, and this trend has worsened as a result of the COVID-19 pandemic.

The Bureau of International Labor Affairs' **Adwuma Pa project** is working to change this by providing women and adolescent girls more opportunities for education and training to help them secure decent work in and outside of the cocoa sector. These strategies help reduce participants' risk of child labor, forced labor, and other labor rights violations. The project has helped women and adolescent girls increase their earning potential as well as their ability to express their voice on behalf of themselves as workers.

Through the project, Felicia enrolled in a 3-month intensive soft skills training when she was 17 years old and is currently completing a vocational training program in which she is learning to become a tailor. With her new confidence and job skills, she will have a better chance to chart a future with economic autonomy, away from the fields where she toiled as a child.

"The vocational training has been a life-changer for me. As I speak now, if not for the vocational training I am enrolled in, I would have been at the farm by now," she says. "I see myself as becoming one of the best fashion designers in the Tano South Municipality. All my family members have been encouraging me to keep focused on the training to achieve my dreams."

economic shock like the ones caused by COVID-19 or 2020's devastating hurricanes Eta and Iota, workers' access to decent work and enjoyment of full labor rights can determine whether families must send a child into child labor for income, find work in the informal economy that may turn out to be exploitative, or even migrate abroad to find work elsewhere. In December 2021, ILAB awarded the Pan American Development Foundation a new project that seeks to strengthen civil society and workers' organizations' ability to partner with other actors to combat labor exploitation in the region. The project will directly

support 45 civil society and workers' organizations to improve their operations and ability to address labor exploitation. These organizations represent indigenous, Afro-descendant, and Garifuna populations, and the project provides an opportunity to increase equitable access to services for these vulnerable groups. The project will also encourage governments and the private sector to proactively engage with civil society and workers on these issues. Learn more about one of ILAB's other projects in Latin America below in Box 3, in Malaysia in Box 4, and general project information in Figures 1 and 2.





© All-a-Shutter/Alamy

Young children sell goods on a cobblestone street. Panajachel, Guatemala. March 15, 2019.



## Box 3

## Cleaning Up the Coffee Supply Chain in Latin America

The Cooperation On Fair, Free, Equitable Employment (**COFFEE**) Project is a 4-year initiative that aims to reduce the risk of labor exploitation in coffee supply chains by building capacity within the private sector, civil society, and government to better understand, identify, address, and prevent labor abuses. The COFFEE project has created a Socially Sustainable Sourcing Toolkit comprising 17 tools that businesses and other stakeholders can selectively apply to proactively identify and address the root causes of labor abuses in their operations. The toolkit is based on ILAB's **Comply Chain** app, which provides a practical, step-by-step guide to critical elements of social compliance.

The COFFEE project has developed a set of eight online training modules on these topics, which have already been implemented with 58 participants from key private-sector stakeholders in Mexico. At the 2022 Specialty Coffee Expo, the largest coffee industry event in North America, the COFFEE project publicly launched its toolkit, which is now available on the **project's website**. In addition to the Socially Sustainable Sourcing Toolkit and training modules, the COFFEE project is implementing pilot projects in Brazil, Colombia, and Mexico to identify, address, and prevent labor risks in those countries' coffee supply chains. Each pilot has a unique theme, with Brazil focusing on ethical recruitment, Colombia exploring alternatives to piece-rate pay, and Mexico working on capacity building within the private sector.

## Box 4

## Empowering Migrant Workers in Malaysia

Migrant workers are particularly vulnerable to egregious forms of labor exploitation, including forced labor and child labor, and often lack access to unions or other capable organizations that enable them to safely advocate for their rights or collectively voice their needs. The ILAB-funded, \$5 million **MY Voice Project to Combat Forced Labor and Child Labor in the Production of Goods in Malaysia** is designed to help meet these challenges through strategies that emphasize the role of worker voice in finding solutions. MY Voice will deliver training modules and workshops to increase understanding among trade unions, civil society, migrant worker community leaders, government labor inspectors, and recruitment agencies in Malaysia about the root causes of forced labor and child labor in two key industries—palm oil and garment production. The project will encourage participants to take action to prevent, identify, and remediate labor rights abuses in these sectors. In addition, MY Voice will leverage partnerships with multinational companies to improve suppliers' compliance with labor standards through models that incorporate worker voice. The project will also provide technical support to integrate worker perspectives into palm oil and garment companies' management and compliance systems, including company risk assessments, policies, communication, compliance monitoring, performance reporting, and worker grievance mechanisms. The new MY Voice project is just one example of ILAB's work in the region. Just last year, ILAB launched its **Comply Chain** due diligence toolkit in Malay, the official language in Malaysia.

Figure 1

# ILAB's Projects

## Addressing Issues Related to the List of Goods Made with Child Labor or Forced Labor

ILAB funded **54** active projects & initiatives within **48** countries in 2021





Figure 2

# 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 70,000** 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

## *Counterfeiting and Labor Rights Violations*

During the pandemic, many consumers increasingly shifted their buying online, taking part in digital trade. As digital trade has grown in scope and scale, consumers—and even businesses—have increasingly struggled to determine who is making the goods and products they buy, and under what conditions.

Research has shown that persistent labor abuse overlaps with bad practices like counterfeiting, and that many counterfeit goods find their way to online marketplaces.

Non-governmental organizations and industry representatives have reported that factories in China making counterfeit products often have unsafe working conditions that violate local or international environmental, health, and safety standards. Detecting these facilities is difficult because facility operators take measures to evade notice of their illegal operations. For example, some factories producing counterfeit goods operate at night or with blacked-out windows and limited ventilation, even if they use dangerous chemicals. Yet, law enforcement raids on counterfeiting facilities rarely involve participation from labor inspectors, which means labor rights abuses go undetected and unresolved, and workers who have been compelled by coercion or force to produce counterfeit goods have little recourse.

According to ILAB research of global data, products most commonly counterfeited include garments, electronics, footwear, and fashion accessories—product categories also associated with labor exploitation, including child labor and forced labor. China is the top country of origin for counterfeit goods seized by U.S. Customs and Border Protection, as well as the country with the greatest number of products made with forced labor, including state-sponsored forced labor. In the early days of the pandemic, when the global demand for personal protective equipment (PPE) and other COVID-19-related products was high, there were many reports of labor violations in the production of

counterfeit goods. These counterfeit products were reportedly made in unsterile conditions, including in sweatshops previously used to make other types of counterfeit goods.

As an example of ILAB's role in addressing forced labor in the medical supplies sector, ILAB added rubber gloves produced in Malaysia to its *List of Goods Produced by Child Labor or Forced Labor* in 2020. This addition was based on an investigation into the UK's National Health Service supply chains by *The Guardian* in 2018 found that migrant workers at Top Glove had experienced exploitative conditions, including excessive overtime, passport confiscation, withholding of wages, and other *indicators of forced labor*. During the pandemic, rising demand for PPE, restriction of movement to contain the spread of the virus, and the cessation of in-person audits exacerbated long-standing labor abuses. On July 15, 2020, U.S. Customs and Border Protection (CBP) issued a *Withhold Release Order* (WRO) that banned Malaysian company Top Glove-produced rubber gloves from import into the United States because the gloves were made by forced labor. Under the WRO, CBP seized several *shipments of disposable gloves* that originated in Malaysia. On September 9, 2021, CBP issued a *modification* of its forced labor findings on Top Glove, allowing imports to resume. In the press release, CBP affirmed that Top Glove has “issued more than \$30 million in remediation payments to workers and improved labor and living conditions at the company’s facilities,” which is consistent with a *final statement* released in October 2021 by Impactt Limited, a UK-based independent consultancy firm specializing in human rights and ethical trade practices, including the remediation of forced labor. The transparency of Top Glove’s remediation process—swift implementation of Impactt’s recommendations, including payments to migrant workers directly employed by Top Glove, an independent grievance mechanism, and continuous and effective public reporting of corrective actions—was instrumental in remediating an identified forced labor issue.



### *Trade Tools to Address Forced Labor*

Through negotiation, monitoring, and enforcement of labor provisions in U.S. trade agreements, ILAB ensures that parties to trade agreements adopt, maintain, and enforce the five core labor rights contained in the ILO Declaration on Fundamental Principles and Rights at Work. (6)

The recent United States–Mexico–Canada Free Trade Agreement (USMCA) includes the strongest and most far-reaching labor provisions in any trade agreement in the world. The USMCA and its implementing legislation achieved two novel outcomes related to forced labor: 1) provisions prohibiting all parties from importing goods made with forced labor, meaning the U.S., Mexico, and Canada are each required to prohibit the import of goods made with forced labor from entering their respective territories, and 2) the establishment of an interagency body to monitor forced labor trade enforcement—the Forced Labor Enforcement Task Force (FLETF). (11; 12; 13)

In addition to participating in the FLETF and providing reporting and country- and sector-specific labor expertise to other parts of the U.S. government, ILAB supports the effective implementation of the USMCA by collaborating with the government of Mexico, conducting and supporting research to raise awareness on the prevalence and risk of child labor and forced labor in Mexico, funding programs to improve worker rights, increasing labor law enforcement, and addressing child labor and forced labor in the production of agricultural products. Two recent ILAB programs in Mexico provide support to Mexico’s federal government and private sector to improve compliance with USMCA labor commitments: *Sustentar: Project to Build and Strengthen Sustainability Systems in the Tomato and Chile Sectors in Mexico*, and *Building a Comprehensive Government of Mexico Approach to Combatting Child Labor and Forced Labor*. ILAB is also planning to fund a third project: *Una Cosecha Justa* (A Just Harvest): Project to Reduce Child Labor,



© dpa/dpa picture alliance/Dalia Villages Moreno/Alamy

Children harvest chili peppers. Coahuayana, Michoacán, Mexico. May 23, 2015.

Forced Labor, and Other Exploitation in the Chile Pepper and Tomato Sectors in Mexico. These projects seek to improve implementation and enforcement of policies and programs dedicated to combating child labor and forced labor and increase stakeholders' compliance with Mexican labor laws and the USMCA labor chapter. (14; 15)

ILAB's projects are global in scope to match the global nature of labor abuses. Informality is a key ongoing

challenge that can exacerbate child labor and forced labor risks. Learn more about informality as a driver of child labor in Box 5. In addition, Box 6 highlights the risks of child labor in the production of new, green technologies such as lithium-ion batteries that power the growing number of electric vehicles on the road today. Cobalt is a key input for those batteries and is often mined using child labor.

#### Box 5

### Informality and Child Labor Risks

Many of the **160 million children** that the ILO and UNICEF estimate to be engaged in child labor are working in the informal sector. (16) The informal economy is made up of individuals who work in unregistered jobs or enterprises, often with little to no legal oversight, poor working conditions, and a lack of social protection for workers. For children, informal work often includes work on small-scale farms, street vending, and domestic labor. With few protections under national laws, children working in the informal economy are at a heightened risk of child labor.

In many countries, including in both **Bangladesh** and **Mozambique**, labor laws do not apply to children in the informal sector. (17; 18) In these cases, monitoring and inspection are often inadequate and labor laws are poorly enforced. This lack of oversight is driven by the challenge of tracking unregistered businesses, the difficulty of accessing locations where children are informally employed (especially in homes as domestic workers or in rural fields as agricultural workers), and by resource constraints. Poor enforcement leaves children effectively unprotected by legal minimum age requirements for work and hour limitations. Gaps in enforcement also increase the likelihood of children experiencing dangerous working conditions, such as handling hazardous tools and chemicals, that are likely to harm the development of the child.

Not only does informal work contribute to child labor, but the lack of access to social protection systems leaves workers in the informal sector vulnerable to economic shocks and poverty, a root cause of child labor. The precariousness of informal work was evident during the COVID-19 pandemic when adult workers in the informal sector faced barriers to accessing social protection programs, such as unemployment relief or employment benefits like severance pay and sick leave. This vulnerability and loss of income drove millions of informal workers into increased poverty, resulting in an increase in child labor as children took on paid work opportunities to support themselves and their families. Children's participation in child labor was also exacerbated by school closures. For the first time in decades, **progress toward eliminating child labor has reversed** and the number of children working in conditions of child labor has increased. (16)



## Box 6

## Child Labor in Global Supply Chains: Cobalt

The most recent global estimates on child labor from the ILO revealed that a significant share of child labor in global supply chains occurs in the lower tiers of those supply chains, specifically in activities such as raw material extraction and agriculture. (19)

Raw materials that go into various products we use daily—from clothing to coffee and tea—carry a risk of being made with child labor. Smartphones and laptops contain a vital component widely known to be produced with child labor: the lithium-ion battery made with cobalt mined in the Democratic Republic of the Congo (DRC).

Thousands of children miss school and work in terrible conditions to produce cobalt for lithium-ion batteries, a product which carries a label that simply says, “produced in China.” Entire families may work in cobalt mines in the DRC, and when parents are killed by landslides or collapsing mine shafts, children are orphaned with no option but to continue working. (20) Both adults and children are also trafficked to work in eastern DRC “artisanal” mines, where much of the abusive labor conditions occur. (21)

Tracking the cobalt supply chain requires knowledge of trade data, supplier information, transport routes, and processing steps. While large-scale mining operations get more oversight than smaller, artisanal mines, cobalt from both large-scale mines and artisanal mines are refined *together*, predominantly in China, and then further processed into battery components and sold to consumers, who are unaware that the product contains an input that is often produced with child labor.

As ILAB continues to expand its downstream supply chain tracing work with new research and tools, companies will have fewer excuses—such as the distance between raw materials and the finished product or supply chain complexity—to point to for their lack of accountability in determining if a supply chain is tainted with child labor or forced labor.

### *Data as a Driver for Global Action*

Overcoming the challenges of addressing long-standing labor abuse requires knowledge and data. ILAB’s reporting and other tools and resources are at the forefront of the effort to generate and disseminate that knowledge. ILAB’s research is also built on strong and credible data that informs U.S.

policies and actions to eliminate forced labor and child labor, which in turn supports U.S. leadership in global efforts. Yet, knowledge and data on global labor abuses is just the first step. Achieving our global vision of ending child labor requires collaboration between workers, trade unions, businesses, civil society, and other relevant stakeholders.

A new cornerstone of global collaboration to end child labor is the *Durban Call to Action* adopted by participants, including the United States, at the 5th Global Conference on the Elimination of Child Labor held in May 2022 in South Africa. The Call to Action is a commitment to scale up action to accelerate multi-stakeholder efforts to prevent child labor by making decent work for working age people a reality, end child labor in agriculture, strengthen the prevention and elimination of child labor and the protection of survivors through data-driven and survivor-informed policy, realize children's right to education, achieve universal access to social protection, and increase financing and international cooperation for the elimination of child labor and forced labor. The Call to Action lays out 49 immediate and effective measures to take across these areas. Learn more about our support to the Durban Call to Action in Figure 3.

The U.S. backs its pledges under the Durban Call to Action with a commitment to centering workers in

our efforts to build back from COVID-19 and strive for a more just economy. As we adapt to the changes the pandemic imposed on our jobs and lives, we can build the future of work on responsible labor practices and greater respect for labor rights, with dignity at work at the forefront. We must ensure that the future of work is fair for all and that all workers—including women, people of color, and disenfranchised populations—are empowered to freely raise their voices and organize. Empowered, organized workers can speak out against exploitative labor practices, including forced labor and child labor. They negotiate better wages, benefits, and working conditions that reduce families' vulnerability to forced labor and child labor. They can advance democratic values and practices in their workplaces and demand an end to workplace violence and discrimination. They can build stable lives for their families, vibrant communities, inclusive economies, and democratic societies, free from forced labor and child labor.



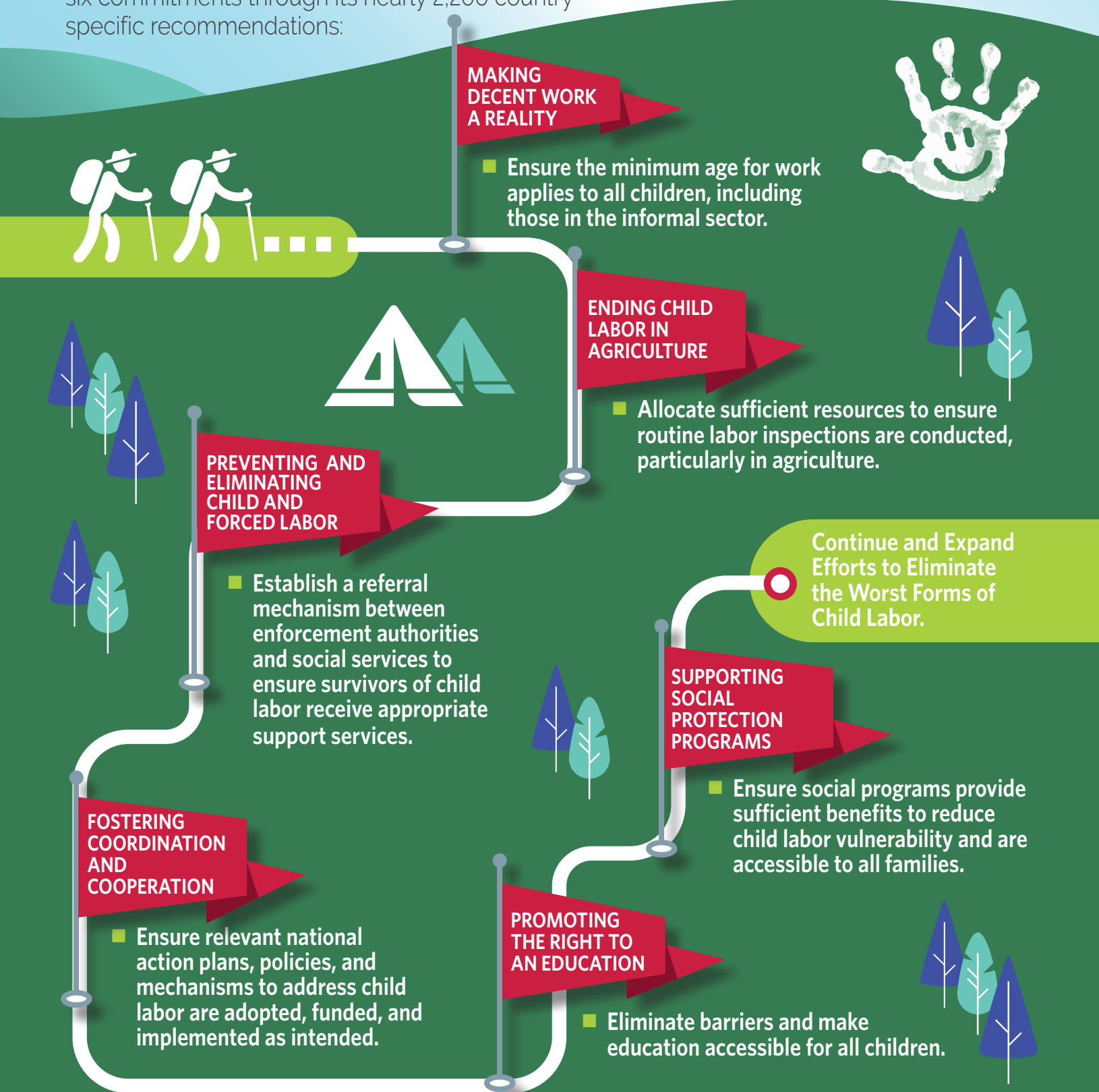


Figure 3

# Roadmap to Eliminate Child Labor

## ILAB's Support for the Durban Call to Action

The **Durban Call to Action** calls for **urgent action to end child labor** and was adopted by Delegates at the **5th Global Conference on the Elimination of Child Labor**. ILAB supports the six commitments through its nearly 2,200 country-specific recommendations:







# 2021 Findings on the Worst Forms of Child Labor

## The Year in Review: Tackling Inequalities for All

COVID-19 continues to impact every aspect of our lives, including through pandemic job loss, illness, and other labor market disruptions. One of the less visible impacts is an increased vulnerability to child and forced labor. As we continue to recover from the pandemic, we should focus our efforts on ensuring workers, parents, and caregivers have access to decent work and adequate social protection programs as a first step in providing the support they need to escape abusive labor conditions.

To increase access to decent work and social protection, we must address inequalities in the world of work. The catastrophic social and economic fallout from the COVID-19 pandemic exacerbated inequalities within and between countries and highlighted the urgent need for action. Reducing inequality and promoting inclusive growth are increasingly important at the international level. (37; 38)

When workers can freely raise their voices and organize, they can defend their rights and advance their interests. Empowered, organized workers can negotiate better wages and working conditions, and this is especially true for women, people of color, and other vulnerable populations. They can advance democratic values and practices in their workplaces, and they are better equipped to participate effectively in democratic political activity. They can demand an end to workplace violence and discrimination. And they can call out corruption, resist authoritarianism, and build vibrant communities, inclusive economies, and democratic societies free of child labor and forced labor.

The following pages provide an overview of global child labor in the year 2021 and detail the meaningful efforts that many countries made, as well as the enormous obstacles that remain before we can achieve a total abolition of child labor, especially in its worst forms. All these efforts are critical as we build back better together in this post-pandemic world.

## Overview of 2021 Assessments

This year, of the 131 countries and territories we assessed, nine countries—**Argentina, Colombia, Costa Rica, Côte d'Ivoire, Ecuador, Guatemala, Honduras, Jordan, and Uzbekistan**—received the highest assessment of Significant Advancement (see Figure 4 for a global breakdown). These countries made meaningful efforts during the reporting period in all relevant areas covering legal frameworks, enforcement, coordination, policies, and social programs. In some cases, these efforts included taking suggested actions recommended in our 2020 *Findings on the Worst Forms of Child Labor* report. Each of the nine countries met and/or exceeded the baseline of minimally acceptable protections needed to receive ILAB's highest assessment of Significant Advancement. The year 2021 marks the first time that **Uzbekistan** has achieved an assessment of Significant Advancement, overcoming challenges to undertake meaningful efforts in all relevant areas and addressing longstanding, government-linked labor abuses in the cotton sector. This is the seventh straight year in a row that **Argentina** and **Costa Rica** have received a Significant Advancement assessment. This year is also the first year since 2015 that **Jordan** received a Significant Advancement and the first year since 2017 for **Honduras**. However, it is important to note that child labor challenges remain in each of these countries. “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 the work is over.

It is noteworthy that eight additional countries and territories would have received an assessment of Significant Advancement had they met the baseline level of protection. These include **Brazil, Georgia, India, Jamaica, Madagascar, Nepal, the Philippines, and Sri Lanka**. For more information about this baseline, see Figure 5.

In total, 73 countries received a Moderate Advancement assessment in 2021. 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, 15 countries received an assessment of Minimal Advancement for making efforts in only a few relevant areas.

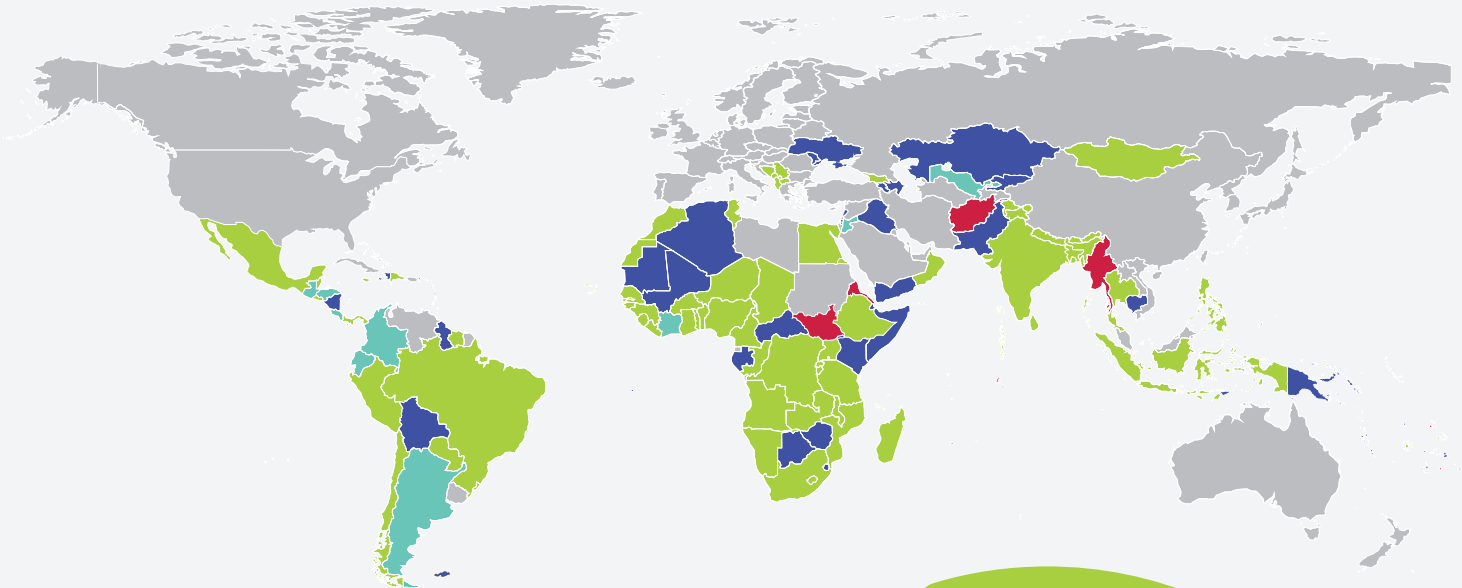
Other countries also made efforts to address their child labor situation during the year; yet because they simultaneously continued or established a detrimental law, policy, or practice that delayed advancement in eliminating the worst forms of child labor, the highest assessment level these countries could receive was a Minimal Advancement. Twenty-two countries—**Armenia; Azerbaijan; Cambodia; the Central African Republic; Falkland Islands (Islas Malvinas); Gabon; Iraq; Kazakhstan; Kenya; Kyrgyz Republic; Mali; Mauritania; Moldova; Montserrat; Pakistan; Saint Helena, Ascensión, and Tristán da Cunha; Somalia; Timor-Leste; Tonga; Ukraine; Yemen; and Zimbabwe**—implemented or maintained a law, policy, or practice related to access to education, minimum age for work, labor inspection, impunity for perpetrators, criminal treatment of victims, or the recruitment and use of child soldiers that undermined advancement. Eight of these countries were new to this list in 2021: the **Central African Republic; Falkland Islands (Islas Malvinas); Kazakhstan; Kenya; Montserrat; Pakistan; Saint Helena, Ascensión, and Tristán da Cunha; and Zimbabwe**. Four countries were removed from this list: **Mongolia, Tanzania, The Gambia, and Uganda**. The Central African Republic was added because government security forces recruited children for support roles and coordinated with an armed group that recruited and used children in armed conflict. Supported by a pattern of threats and intimidation of worker organizations and trade unionists, high-level officials within the Government of Zimbabwe and the ruling political party interfered with a delegation representing worker and civil society organizations that was investigating an allegation of child labor occurring at a commercial farm. At least one high-level government official reportedly sent party activists to the farm to threaten and intimidate the delegation. Both countries received an assessment of Moderate Advancement in the 2020 edition of this report.

Five countries received an assessment of No Advancement because they made no effort to prevent



Figure 4

# Global Breakdown of Country Assessments



## 9 Significant Advancement

Argentina | Colombia | Costa Rica | Côte d'Ivoire ↑ | Ecuador | Guatemala ↑ | Honduras ↑ | Jordan ↑ | Uzbekistan ↑ |

## 73 Moderate Advancement

Albania | Angola | Bangladesh | Belize ↑ | Benin | Bhutan | Bosnia and Herzegovina | Brazil | Burkina Faso | Burundi | Cabo Verde | Cameroon | Chad | Chile | Comoros | Congo, Democratic Republic of the | Congo, Republic of the | Cook Islands | Dominican Republic | Egypt | El Salvador | Ethiopia | Fiji | Georgia | Gambia, The ↑ | Ghana | Guinea ↑ | Guinea-Bissau ↑ | India | Indonesia | Jamaica | Kiribati | Kosovo | Lesotho | Liberia | Madagascar | Malawi | Maldives | Mauritius | Mexico ↓ | Mongolia ↑ | Montenegro | Morocco | Mozambique | Namibia | Nepal | Niger ↑ | Nigeria | Norfolk Island | North Macedonia | Oman | Panama | Paraguay | Peru ↓ | Philippines | Rwanda | Saint Lucia ↑ | Saint Vincent and the Grenadines | Samoa ↑ | São Tomé and Príncipe ↑ | Senegal | Serbia | Sierra Leone ↑ | South Africa ↑ | Sri Lanka | Suriname ↑ | Tanzania ↑ | Thailand | Togo | Tunisia | Uganda ↑ | Western Sahara ↑ | Zambia

## 37 Minimal Advancement

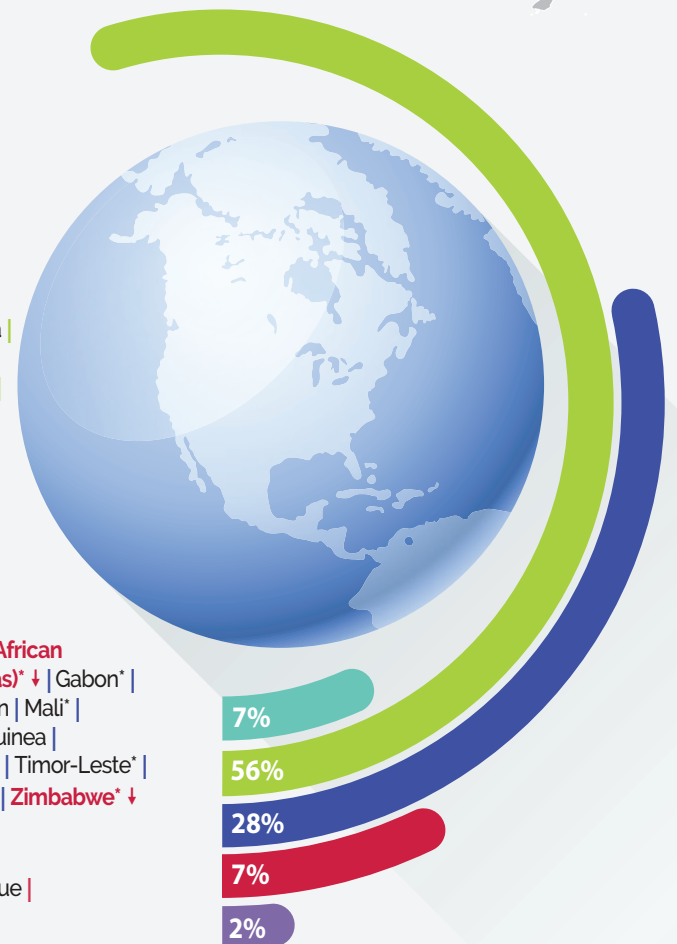
Algeria ↓ | Armenia\* | Azerbaijan\* | Bolivia ↓ | Botswana | Cambodia\* | Central African Republic\* ↓ | Djibouti ↓ | Dominica ↑ | Eswatini | Falkland Islands (Islas Malvinas)\* ↓ | Gabon\* | Guyana ↓ | Haiti ↓ | Iraq\* | Kazakhstan\* ↓ | Kenya\* ↓ | Kyrgyz Republic\* | Lebanon | Mali\* | Mauritania\* | Moldova\* | Montserrat\* ↑ | Nicaragua | Pakistan\* ↓ | Papua New Guinea | Saint Helena, Ascension, and Tristán da Cunha\* ↑ | Solomon Islands | Somalia\* | Timor-Leste\* | Tonga\* | Tuvalu ↓ | Ukraine\* | Vanuatu | West Bank and the Gaza Strip | Yemen\* | Zimbabwe\* ↓

## 9 No Advancement

Afghanistan ↓ | Anguilla | British Virgin Islands | Burma‡ | Eritrea‡ | Grenada | Niue | 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





the worst forms of child labor: **Anguilla, British Virgin Islands, Grenada, Niue, 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. **Afghanistan** also received a No Advancement because during the reporting period, the government arrested, detained, and prosecuted children for terrorism-related crimes, including some children younger than age 12 who had been forcibly recruited by non-state armed groups. Furthermore, authorities treated as criminals some child trafficking victims, especially those engaged in *bacha bazi*, which typically entails keeping a male or transgender child for the purpose of sexual gratification or armed conflict. Authorities then housed them in juvenile detention centers and subjected them to torture and other forms of ill treatment rather than referring them to victim support services. Moreover, in August 2021, the

Taliban took control of Kabul and declared the establishment of an “Islamic Emirate” throughout the country. From then on, school-age girls in the country were not allowed to attend classes beyond the sixth grade in most provinces, effectively closing the door on girls’ education.

In addition, 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. This list is unchanged since last year. See Box 7 to learn more about the rising risks to children in Burma after the military coup in early February 2021.



© M. Crozet/ILO

Child at work selling oil on the side of the road. Yangon, Myanmar. May 2013.

## Box 7

## Children at Risk as Instability Rises After Burmese Military Coup

Children in Burma are at risk of poverty and engaging in armed conflict as the country grapples with a political crisis following a military coup. On February 1, 2021, Burma's military overthrew the country's democratically elected civilian government. Since then, thousands of children are bearing the brunt of the conflict.

At least 150,000 children have been forced to flee their homes. There are also reports that the military regime has killed over 1,400 people, including at least 100 children. Many children have been killed by airstrikes and shelling, particularly in Burma's central regions of Magwe and Sagaing and ethnic areas of Chin States, Karen, and Karenni. Many children are also living outside in the jungle under makeshift shelters. These conditions leave children susceptible to hunger and illness and vulnerable to exploitation.

Notably, the military regime has targeted the country's labor union movement, outlawing 16 labor unions, attacking workers on strike, and arresting many union leaders and members.

The U.S. Department of Labor's international child labor and forced labor reporting highlights more than a dozen goods produced in Burma using child labor, forced labor, and/or forced child labor. Evidence also exists that state-owned enterprises in Burma are significantly involved in industries tied to human trafficking, child and forced labor, and the targeting of labor unions.

The political instability in Burma poses threats not only to the Burmese population but opens up entities and individuals doing business in Burma to risks of participation in corruption, illicit finance, and human rights abuses. In an effort to raise awareness about these risks, the U.S. Department of Labor, in collaboration with the Departments of the Treasury, State, Commerce, Homeland Security, and the Office of the U.S. Trade Representative, released a Burma Business Advisory on January 26, 2022. The Burma Business Advisory details the intersection of business, corruption, illicit finance, and human rights abuses taking place in Burma. This Advisory is one example of the United States' commitment to the people of Burma. The United States will continue to work with partners and allies to restore democracy and cease human rights abuses in Burma.

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.

### *Overview of Meaningful Efforts*

#### **Legal**

A number of countries made efforts to ratify key international commitments in support of fundamental principles and rights at work. For example, this year, both **Bangladesh** and **Liberia** continued the process toward ratification of ILO Convention 138 on Minimum Age. **Bangladesh, Chile, Comoros, and Sierra Leone** took steps to either ratify



or bring into force the Protocol of 2014 to the 1930 Forced Labor Convention No. 29.

Other countries took similar steps related to ILO and UN instruments as they sought to strengthen their legal frameworks. **Fiji** ratified the UN Convention on the Rights of the Child (CRC) Optional Protocol on the Involvement of Children in Armed Conflict and the UN CRC Optional Protocol on the Sale of Children, Child Prostitution, and Child Pornography. In addition, the **Central African Republic** adopted Law 21.003 that authorized the government to ratify ILO Convention No. 190 on Violence and Harassment, which reaffirms the effective abolition of child labor. And **Sierra Leone** ratified two additional ILO Conventions – No. 143 on Migrant Workers (Supplementary Provisions) Convention and No. 189 Domestic Workers Convention.

Several countries also made efforts to strengthen their legal framework to protect children from hazardous work and promote minimum age protections. **Sri Lanka** amended its hazardous occupations list, expanding the list of occupations prohibited for children to include domestic labor. The country also amended the Minimum Wage Ordinance to increase the minimum age for work from 14 to 16. **Jordan** enacted a regulations prohibiting child labor in agriculture under age 16 and hazardous agriculture work under age 18. **Mauritania's** Ministry of Labor enacted a hazardous work list decree, identifying 44 types of activities prohibited for children. **Pakistan's** Balochistan Province enacted its Bonded Labor Act, which banned hazardous work for children under age 14. **Saint Helena, Ascensión, and Tristán da Cunha** passed an employment ordinance setting the minimum employment age at 14. **Tunisia's** Parliament passed the Domestic Workers Bill, which prohibits the employment of children in domestic work. And **Mongolia** revised its Labor Law to set the minimum age for work at 15 and the minimum age for light work at 13. 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.

A number of countries took steps to expand legal protections to vulnerable populations. In **Bolivia**, the government passed a decree giving migrants the ability to normalize their status without paying fees, which will enable more children to enroll in school. **Liberia** passed amendments to the 2005 Anti-Human Trafficking Law that removed the requirement of force, fraud, or coercion in child sex trafficking cases. **Pakistan** passed a bill that prohibits corporal punishment of children in the Islamabad Capital Territory. **Togo** adopted a new labor code that strengthened enforcement and penalty mechanisms. Finally, **Uzbekistan** amended the country's Criminal Code to assign criminal penalties for the use of children ages 16 to 17 in commercial sex. This amendment brings the country into compliance with international standards with respect to prohibitions against the commercial sexual exploitation of children.

## Enforcement

As much of the world continued to increase online activities, several countries took innovative steps to address online and digital crime. **Bangladesh** took direct enforcement action to combat online crime networks as the Bangladeshi police arrested seven members of a sex-trafficking ring that used social media apps to entice young girls with promises and then trafficked them to neighboring countries. In **Mauritius**, the country's Office of the Ombudsperson for Children disseminated over 60,000 brochures to sensitize the public against online commercial sexual exploitation. **Moldova** also took steps to combat online commercial sexual exploitation of children, including trainings for enforcement agency personnel, along with obtaining new equipment to investigate cybercrime for those agencies, and publishing guides on protecting children from online sexual abuse and exploitation. As the global pandemic continued to drive online solutions,

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.



**Morocco** launched a new labor inspectorate IT management system that enabled remote training for inspectors in compliance with pandemic precautions. In **Chile**, the country's Inter-Agency Task Force on Trafficking in Persons organized a webinar training focused on prevention, investigation, and best practices for victims' assistance on the topic of trafficking in persons, reaching 200 civil servants. Finally, **Jordan's** Ministry of Labor launched a new website to accept submissions of labor complaints, [www.hemayah.jo](http://www.hemayah.jo), which includes a dedicated channel for child labor.

Actions depend on data. To support those actions, a number of countries advanced their data efforts; most of these countries are in Africa. In **Mauritania**, labor inspectors reported carrying out 570 inspections. This is the first time Mauritania has provided data on the number of inspections for this report. **Burundi** developed its first-ever data collection system for human trafficking cases and trained prosecutors and judges on how to use the system. And elsewhere on the continent, the Ministry of Labor of **Senegal** organized a workshop for labor inspectors on data collection in the informal economy.

Labor inspectorates often face tight budgets. Yet, this year, several countries sought to increase their number of labor inspectors as well as raise funding levels. The **Dominican Republic** reported that it has hired 23 new technicians specialized in child labor for the Directorate of Policies for the Prevention and Eradication of Child Labor. These specialized technicians are working in the interior of the country, an often underserved area. **Zambia** increased its number of labor inspectors from 160 to 240, while Morocco increased labor inspectors by over 43 percent. **Belize** increased its number of inspections from 301 to 584 and **Ghana** increased its from 213 to 749. **Côte d'Ivoire's** government reports having increased the annual budget of the Anti-Child Trafficking and Juvenile Delinquency Division Unit—from \$10,000 in 2018 to \$200,000 in 2021. **Ethiopia** substantially increased the budget of its labor inspectorate—from approximately \$150,000 in 2020 to more than \$2.5 million in 2021. In addition, **Rwanda** again significantly increased its number of labor inspections over the previous year and ensured that inspectors received adequate vehicle and transportation allowances, despite pandemic-related budget cuts.



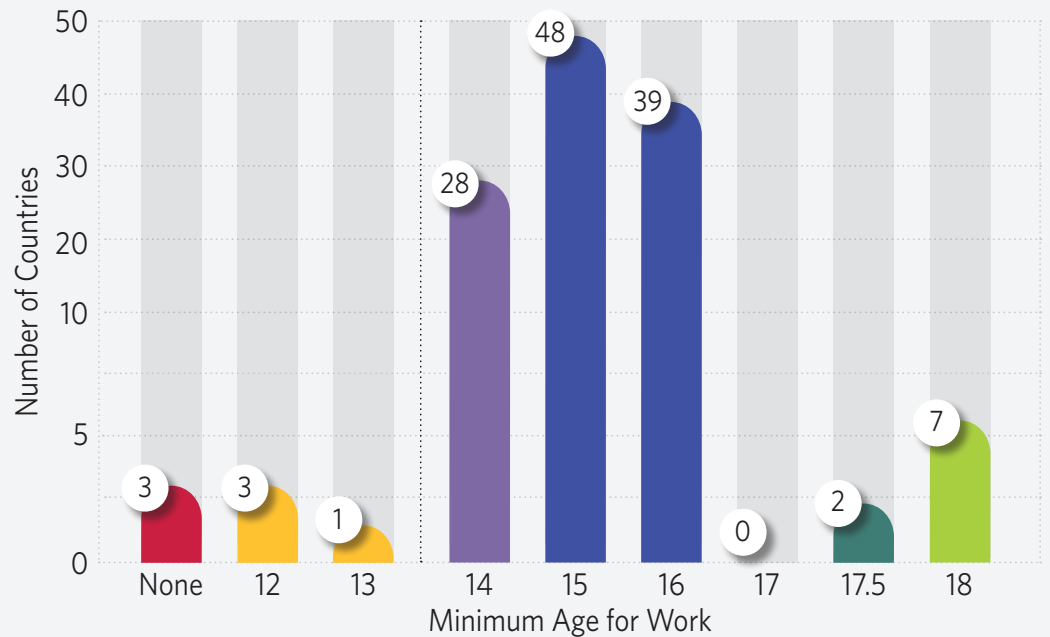
Figure 7



## 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\*

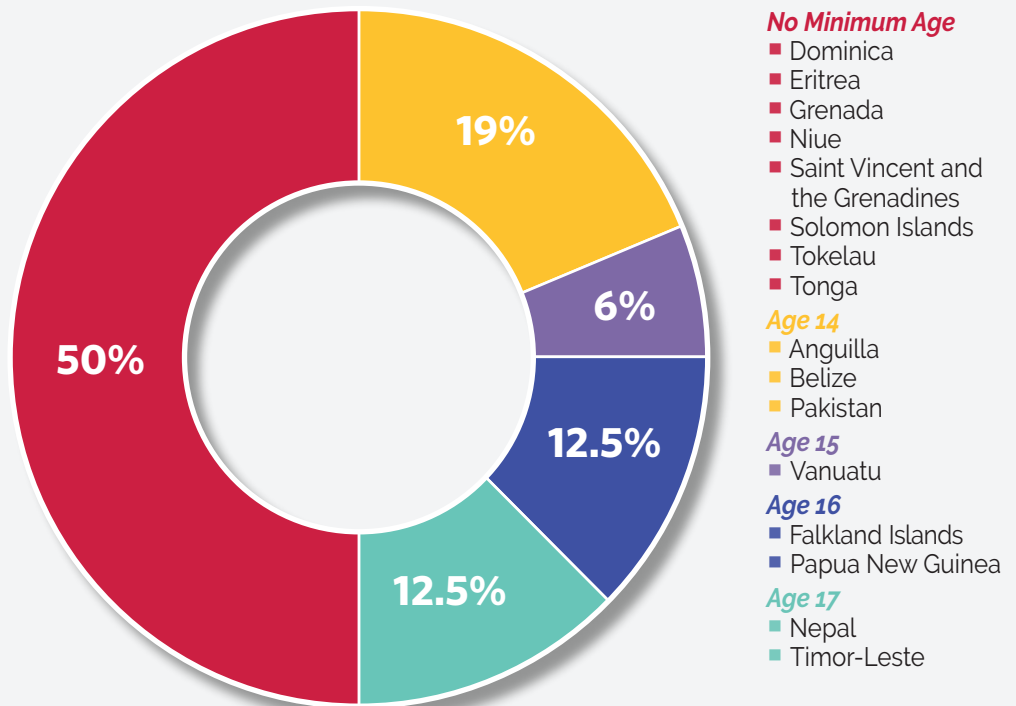
Anguilla ■ Bhutan ■ Nigeria ■ Niue ■ Solomon Islands ■ Tokelau ■ Tonga



## Minimum Age for Hazardous Work

**18**  
years

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



Prosecution and effective sanctions remain a cornerstone of enforcement. **Guatemala** successfully prosecuted and convicted 38 individuals for crimes related to the worst forms of child labor. Notably, the **Central African Republic** prosecuted and convicted a child trafficker, which was its first-ever trafficking in persons conviction. And **Gabon's** Ministry of Justice convicted six individuals on trafficking-related charges.

There were other positive developments to advance efforts against child labor in 2021. **Ecuador** signed a framework agreement with **Peru** to strengthen judicial cooperation on trafficking in persons crimes and other issues. In **Kiribati**, the government conducted its first child labor inspection in the capital and most populous island, Tarawa. **Georgia** also created a new mobile group in Adjara to identify and assist children living and working on the streets, especially those engaged in begging. See Figure 8 for an overview of global enforcement efforts.

### Coordination

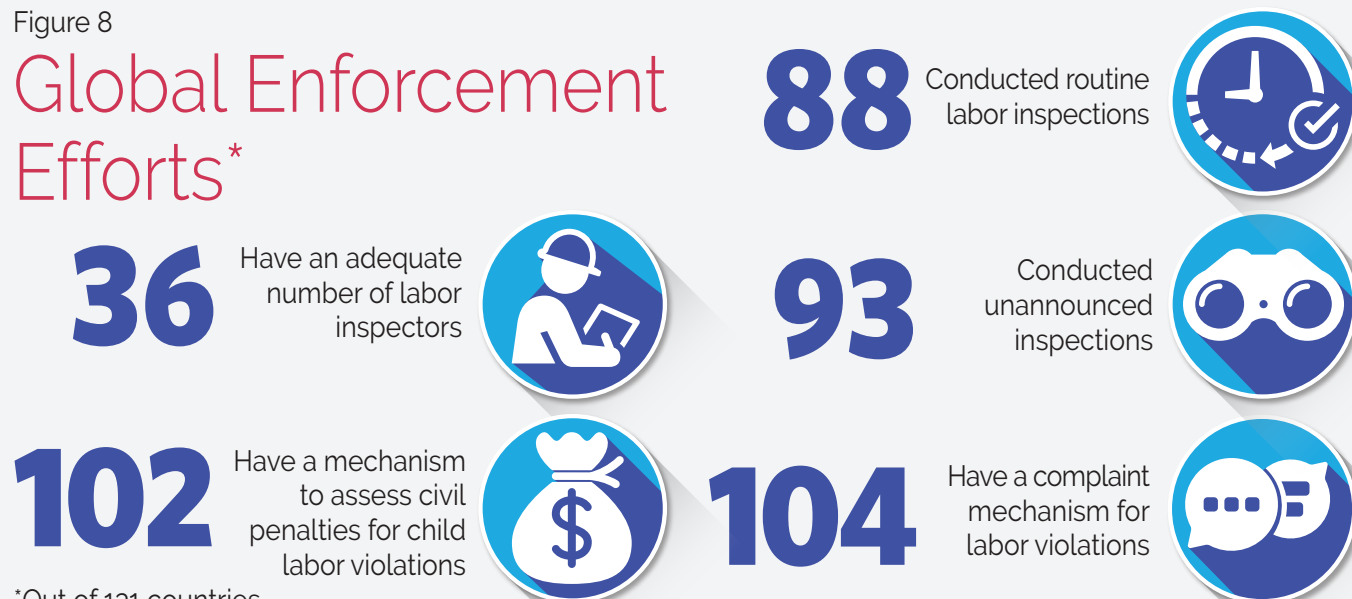
With a large number of enforcement efforts underway, vibrant and robust coordination at the government level, in tandem with civil society, is essential. For example, **Argentina** launched its Action

Plan for the Businesses Against Child Labor Network, an effort to improve government cooperation with the private sector in preventing and eradicating child labor. As an example of cross-country cooperation in the region, **Ecuador's** Ministry of Labor and Ministry of Economic and Social Inclusion worked with their Colombian counterparts to establish mechanisms to address child labor in the illegal mining sector along the Ecuador-Colombia border. Across that border, **Colombia's** Ministry of Interior created a committee to initiate and coordinate victim assistance among local trafficking committees, state entities, including the Judicial Police, NGOs, and the Colombian Institute for Family Well-Being.

In the Indo-Pacific region, several countries took steps to develop new coordination bodies. For example, the **Philippines** opened its first Cyber-Trafficking in Persons Monitoring Center. **Maldives** established a new Anti-Trafficking in Persons Office at the Ministry of Defense to implement the National Anti-Human Trafficking Action Plan and undertake prevention efforts. Farther east, in June 2021, **Timor-Leste** established its Commission to Combat Trafficking in Persons, and the Commission convened its first meeting in November.

Figure 8

## Global Enforcement Efforts\*



\*Out of 131 countries



Countries in the Middle East and North Africa region also undertook meaningful coordination efforts. **Tunisia's** National Authority to Combat Trafficking launched a national referral mechanism to “identify and refer victims to care services.” **Jordan** formed an interagency committee to update its National Strategy to Combat Child Labor.

**Albania** established the Ministry of State for Youth and Children to further governmental efforts to promote the healthy development and well-being of children. In nearby **North Macedonia**, the National Trafficking in Persons Commission prepared a 2021–2022 plan to prevent human trafficking of at-risk minors, improve victim identification processes, and promote efforts to reduce forced child begging.

Finally, several Sub-Saharan African countries established new coordinating bodies to address human rights abuses. **Togo** created a National Commission Against Trafficking in Persons, and **Niger** formed the National Steering Committee to Combat Child and Forced Labor. **Lesotho** launched national referral mechanisms for trafficking in persons and standard operating procedures in October. Last, **Chad** created a Multisectoral Technical Committee Against Migrant Smuggling and Human Trafficking.

## Policy

A number of countries established or implemented policies to help focus attention and resources to combat child labor. **Brazil** drastically revised its Federal Pact for the Eradication of Forced Labor. Led by the Ministry of Justice's Special Secretariat for Human Rights and currently signed by 23 of the 27 states in Brazil, the Pact was revised this year to allow the inclusion of all 5,000 municipalities throughout the country. This revision aims to promote and improve communication between entities involved in addressing slave labor. **Ecuador**, under its National Action Plan to Combat Trafficking in Persons, held trainings on trafficking victim identification, prosecution, and victim assistance for labor inspectors, prosecutors, and police officers, among

others. **Guatemala** signed a cooperation agreement with the governments of El Salvador and Honduras to strengthen actions and efforts against trafficking in persons. And **Honduras's** National Commission for the Gradual and Progressive Eradication of Child Labor approved the 2021–2025 Roadmap for the Elimination of Child Labor. This Roadmap seeks to identify risk factors for vulnerability to child labor, raise awareness of child labor laws, and establish an integrated protocol for responding to child labor violations.

In the Indo-Pacific region, **Bangladesh** approved the country's eighth 5-year plan titled, “Promoting Prosperity and Fostering Inclusiveness.” The plan includes provisions and a budget to eliminate child labor and child abuse and sets out actions to enforce and harmonize laws against trafficking and exploitation. **Mongolia** created a multidisciplinary taskforce representing 18 government and non-government organizations to implement victim-centered, collaborative, and sustainable approaches to identifying trafficking victims, especially child trafficking victims.

In the Middle East and North Africa region, **Oman** adopted a new Trafficking in Persons National Action Plan for 2021–2023. In an effort to drive collaborative change on the ground, **Morocco** also signed eight partnership agreements with local NGOs in multiple regions of the country to counter child labor.

In the Europe and Eurasia region, **Serbia** collaborated with the Council of Europe to revise the country's list of indicators used to identify children who are potential victims of trafficking. In **Montenegro**, a new Strategy for the Social Inclusion of Roma and Egyptians (2021–2025) was passed. **Azerbaijan** launched its National Early Childhood Development Program as part of the wider Strategy on Children of the Republic of Azerbaijan. The program aims in part to increase the capacity of children's services professionals, in addition to raising awareness around the health and education of children in four target regions: Absheron, Aghjabadi, Ganja, and Shirvan.

In Sub-Saharan Africa, **Cabo Verde** put in place a new policy on the commercial sexual exploitation of children. In southern Africa, the Government of the Kingdom of **Eswatini** launched a National Action Plan on the Elimination of Child Labor and created an interagency task force to oversee its implementation. **Mozambique** launched a 10-year strategic plan with the aim of ensuring the continuity of safe, quality education during and after emergency situations, focusing on the need for strong interventions to protect children and the harmful effects of child labor. As part of **Uganda's** National Social Protection Policy, the government launched a digital platform to consolidate information from all social protection and security programs in the country to improve program coordination.

Like many global actors, the U.S. is committed to ensuring that our work aligns with broader action at the international level similar to many of the examples mentioned in this section. In fact, since 2015, all 193 UN member states have stood in unity

with the Sustainable Development Goals (SDGs)—a roadmap of 17 interconnected goals for ending poverty, protecting the environment, and promoting peaceful, inclusive, and just societies by 2030. In particular, 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.” Alliance 8.7 is a global partnership that provides strategic coordination of diverse stakeholders to achieve Target 8.7. Since 2017, ILAB has actively contributed to the work of Alliance 8.7. See Box 8 to learn more about ILAB’s work with Alliance 8.7 and the SDGs. Coordinating global policy work is an essential first step to addressing long-standing child labor concerns because child labor is not just a localized challenge, but one that necessitates global, coordinated action.





## Box 8

## Alliance 8.7 and the Path to Achieving the Sustainable Development Goals by 2030

In 2015, the United Nations member states adopted the **2030 Agenda for Sustainable Development**, which provides a blueprint for achieving a better and more sustainable future for people and the planet through 17 interlinked **Sustainable Development Goals** (SDGs). (39; 40) These SDGs recognize that the global challenges we face, including poverty, inequality, climate change, conflict, and humanitarian crises, are interconnected and require joint global strategies and action to achieve shared peace and prosperity for all. Each SDG has targets and indicators to measure progress toward achieving the goals by 2030. Sustainable Development Goal 8 promotes "inclusive and sustainable economic growth, employment, and decent work for all," and **Target 8.7** of this goal calls for "immediate and effective measures" to eradicate forced labor, modern slavery, human trafficking, and child labor in all its forms. (41)

Given the urgency of the problem, with over 160 million child laborers and 40 million people in forced labor or modern slavery globally, a global partnership, known as **Alliance 8.7**, was formed to catalyze action on Target 8.7 by supporting collaboration, sharing knowledge, fostering innovation, and harnessing new technologies to put an end to unacceptable violations of labor and human rights. (42) With support from the International Labor Organization, Alliance 8.7 brought together a diverse set of partners from government, international and regional organizations, workers' and employer organizations, civil society, academia, and other relevant stakeholders, committed to putting an end to child labor, forced labor, and modern slavery. The Alliance also includes **26 Pathfinder countries** that have pledged to accelerate efforts and lead the way to achieving Target 8.7 by translating public commitments into concrete actions and developing and adopting the necessary national frameworks to eliminate child labor and forced labor. (43) These 26 Pathfinders represent various regions of the world, demonstrating a truly global commitment to reaching Target 8.7.

As a long-standing leader in the fight to end child labor and forced labor and promote decent work for all, ILAB has supported Alliance 8.7 since its beginning. Although the most recent **global estimates on child labor** and **forced labor** have shown us that the path to reaching Target 8.7 will not be an easy one, the United States remains committed to this goal. (16) The United States is committed to a sustainable, global economic system which respects the rights and dignity of all human beings in line with the Sustainable Development Goals. We cannot allow unscrupulous actors to profit from the labor of children and exploited workers. Instead, we must set our sights on realizing decent work for all adults and a sustainable future for all.

### Programs

In **Argentina**, the Ministry of Labor, Employment, and Social Security published the results of a study, conducted in collaboration with the ILO and UNICEF, measuring the impact of the COVID-19 pandemic on children in the country. The study found that 46 percent of children between the ages of 13 and 17 and engaged in work began doing so as a result of

the pandemic. Of those that began working during the pandemic, 7 out of 10 resided in households that had experienced job loss or a reduction in working hours. Overall, the study found that the rate of working children ages 13 to 17 had increased as a result of the pandemic, from 17 percent in November 2020 to 23 percent in October 2021. **Costa Rica's** National Statistics Institute published the 2021

National Household Survey, which included data on children between the ages of 12 and 17. The study found that 1.3 percent of children within this age group were working. The last comprehensive child labor study in Costa Rica that included all relevant age ranges was conducted in 2016. **Guyana** added \$250,000 to its national budget to fund a shelter for survivors of domestic violence and human trafficking, including children. In addition, the Embrace Program in **Paraguay** approved a new operations manual providing consistent operational guidance for coordinators at program centers across the country. The program also continued to offer trainings on income generation, financial literacy, and entrepreneurship for children engaged in exploitative work and their families, while also referring victims and survivors of child labor and trafficking to the appropriate government programs.

**Sri Lanka's** National Steering Committee on Child Labor conducted 107 trainings for the fisheries sector and 27 programs for the plantation sector. **Pakistan's** Punjab Labor Department established an online portal to allow people to file labor-related complaints against government or local officials, including child labor complaints. **India's** Childline fielded 5 million calls and assisted 39 million children, including children who are survivors of child labor. In **Kiribati**, the Ministry of Employment and Human Resources funded a pilot child labor inspection program that directly sought to collect data on the nature of child labor in Kiribati. The Ministry made 35 site visits in South Tarawa, Kiribati's most populated and urban area. In Box 9, learn more about ILAB's work in **Malaysia**, in particular our new projects and tools to address ongoing labor issues in key sectors in collaboration with the government.

In the Middle East and North Africa, **Tunisia** opened a new location as part of its Second Chance program, which reintegrates school dropouts ages 12 to 18 back into the educational system or provides them with vocational training. This is part of the first phase of a social program designed to meet the needs of over 1,000 dropout students in Tunisia. **Jordan** established a program to address child labor in the agriculture sector.

In the Europe and Eurasia region, **Kazakhstan** made shelter services available to non-citizens. According to government data, **Uzbekistan** provided legal, financial, and social assistance to 323,620 labor migrants overseas, as well as entrepreneurship and/or vocational training to 23,878 returned labor migrants.

In Sub-Saharan Africa, **Benin's** government continued its Administrative Census for Population Identification program to identify and register citizens lacking identity documents. In **Togo**, the government expanded its cash transfer program into the Savanes region, where over 244,000 additional people received transfers. The program makes direct cash transfers of roughly \$20/month through mobile phones to Togo's poorest citizens in order to mitigate the worst effects of the pandemic. The government also created an online application for birth certificates to help facilitate documentation, and with that documentation better and easier access to essential social services. Finally, in an effort to increase funds for social programs, **Namibia** allocated \$408,910 to shelters, a substantial increase from \$22,150 allocated last year.

These examples are just a snapshot of the more than 555 meaningful efforts undertaken by countries cataloged in this year's report.



Box 9

## Value of Effective Programs: Measures to Combat Child Labor and Forced Labor in Malaysia

Malaysia has always been a willing partner to ILAB, particularly in the area of technical assistance projects that support local stakeholders in efforts to combat child labor and forced labor and promote decent working conditions. ILAB is currently funding projects that advance labor law reform, increase migrant worker protections, promote acceptable conditions of work, and reduce the risks of child labor and forced labor, particularly in Malaysian palm oil supply chains.

The **MY Voice project**, for example, combats forced labor and child labor in the garment and palm oil industries in Malaysia. The project helps elevate workers' voices in these industries through a number of strategies, including incorporating worker perspectives into company risk assessments, policies, and compliance monitoring, with the goal of improving Malaysian suppliers' compliance with labor standards. (44)

ILAB also recently launched the **Global Accelerator Lab 8.7 project**, which will address child labor and forced labor at the global, regional, and country levels through innovative solutions to improve due diligence and transparency in supply chains, strengthen workers' voice, and increase access to social protections. This project will work at the country level with Malaysia, among other nations, to implement innovative measures to reduce child labor and forced labor. (45)

Despite progress and cooperation through technical assistance in Malaysia, our reporting shows there is more work to be done on child and forced labor in the country. Our *List of Goods Produced by Child Labor or Forced Labor* indicates that disposable gloves and palm oil made in Malaysia are produced by forced labor in violation of international standards. (34) In addition, U.S. Customs and Border Protection (CBP) issues withhold release orders (WROs) when there is "reasonable suspicion" that forced labor was used in the production of goods being imported into the United States, and there are several WROs against Malaysian entities on disposable gloves, palm oil, and palm oil products. (46) This enforcement mechanism directs U.S. ports of entry to detain shipments from these identified entities, and importers are responsible for proving to U.S. CBP that the goods were not made with forced labor. (47)

Alongside increasing awareness of goods made with exploitative and abusive labor conditions, ILAB's tools can be another asset for addressing child labor and forced labor in Malaysia. ILAB's **Comply Chain** app serves as a resource for companies and industry groups seeking to develop robust social compliance systems for their global production. *Comply Chain* is now available in Malay, making the mobile tool accessible across Southeast Asia. The tool provides a practical, step-by-step guidance for companies working to reduce child labor and forced labor in supply chains. Companies are encouraged to work through the various modules to improve elements of their systems and their work with supply chain partners. The government and the private sector can use this resource to take action to address child labor and forced labor in Malaysia and in other Southeast Asian countries where Malay is spoken.

## Overview of Major Gaps

As demonstrated by the reversals in progress toward eliminating child labor over the past 2 years, poverty is the main driver of child labor. When children engage in child labor, they sacrifice their education, well-being, and development, which limits their future opportunities. Today, children remain vulnerable to dangerous work in the back-breaking process of brickmaking; repeated exposure to hazardous chemicals and risky conditions in mining; and horrific abuse through commercial sexual exploitation due to gaps in legislation, enforcement, coordination mechanisms, policies, and programs. The gaps highlighted in this year's report underscore that there is still much work to be done.

## Legal

Comprehensive legal frameworks are critical to ensuring children are protected from child labor, including its worst forms. However, this year's report found many gaps in this area, with 514 corresponding suggested actions. See Figure 9: Global Gaps in Laws and Regulations.

Twenty-two countries and territories, including **Angola, Bosnia and Herzegovina, Guinea, Haiti, and Pakistan**, among others, have labor laws that do not fully cover children working in the informal sector, where a significant share of child labor is known to occur. This leaves children unprotected from poor labor practices that countries' own labor laws aim to address in the formal sector. In Guinea, for example, during the COVID-19 pandemic, more children and families moved to gold mining regions and a rising number of children engaged in informal child labor in the gold and diamond mining sectors, where they were subjected to frequent collapses of open pit mines and the use of toxic chemicals.

Education is also key to children's well-being as well as their future employment prospects; however, laws guaranteeing free public education for children were

insufficient in a number of countries. In Jamaica, for example, free access to education is limited to children with Jamaican citizenship, leaving children without citizenship vulnerable to child labor. In many countries, including **Armenia, Bolivia, the Central African Republic, and Thailand**, the minimum age for work is lower than the compulsory education age, which may encourage children to drop out of school before completing their compulsory education.

Gaps in legal measures related to hazardous work remained prominent, with 30 countries lacking comprehensive protections, including limitations in their scope and sectors covered. For example, the types of hazardous work prohibited for children in **Ethiopia** do not include traditional weaving, a sector in which there is evidence that children operate dangerous machinery, equipment, and tools, as well as work in forced or indentured conditions (see the *List of Goods Produced by Child Labor or Forced Labor* and *List of Products Produced by Forced or Indentured Child Labor*).

Criminal laws also remained insufficient in countries across all regions. Laws criminalizing slavery and practices similar to slavery or debt bondage and forced or compulsory labor were lacking in over 20 countries, including **Afghanistan, Angola, and Zimbabwe**. Furthermore, trafficking in persons laws lacked full coverage in some countries. For example, in **Dominica** and some states in **Nigeria**, trafficking in persons laws do not apply to domestic trafficking.

Serious gaps in criminalizing the worst forms of child labor remained widespread during the reporting period. For instance, insufficient legal protections against the use, procurement, and offering of children for prostitution, production of pornography, and pornographic performances were identified in all regions, with 35 countries failing to meet international standards on the prevention of commercial sexual exploitation of children. Existing legislation in many countries, such as **Albania**,



**Papua New Guinea**, and **Yemen**, does not specifically include prohibitions against the use of children in pornography or pornographic performances, an area where there was a significant increase in online traffic during the global pandemic. In **Tonga**, legislation prohibiting the procurement of children for commercial sexual exploitation only includes girls and not boys, who are also vulnerable to commercial sexual exploitation. In addition, many countries, including **Azerbaijan**, **Guinea-Bissau**, **Tokelau**, and **Ukraine**, fail to criminalize the use of children for prostitution, leave those who exploit children in prostitution by patronizing them without criminal consequences.

Many countries also lacked prohibitions against the use of children in non-state armed groups, leaving children susceptible to recruitment and participation in armed conflict. In some cases, governments even enabled children's participation in armed conflicts. For example, the Governments of **Pakistan** and **Mali** actively supported non-state militant groups that recruited and used children. Even worse, in the **Central African Republic**, the government itself recruited and used child soldiers in armed conflict.

## Enforcement

Even when child labor laws are in place, poor enforcement enables child labor to continue. Gaps related to enforcement make up the single largest area for suggested action in this year's report, accounting for more than 37 percent of all suggested actions.

Labor inspectorates are primarily responsible for implementing countries' labor laws; however, nearly 50 percent of countries had an insufficient number of labor inspectors. Furthermore, even with dedicated public servants, many labor inspectorates lacked proper funding, training, and resources to address child labor. Inspectorate resource constraints, such as insufficient fuel and transport, can result in a lack of inspections in areas where child labor is known to occur, including in rural or remote areas, agricultural fields, and mines. In **Suriname**, for example, inspectors did not conduct any inspections in the artisanal gold mining sector where children engage in dangerous working conditions involving hazardous tools, heavy loads, and exposure to cyanide and mercury. Learn more about hazardous child labor in Box 10.

Figure 9

## Global Gaps in Laws and Regulations\*



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

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

**20** Countries' prohibitions of forced labor do not meet international standards

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

\*Out of 131 countries

## Box 10

## Hazards of Child Domestic Work: The Need for Legal Actions Around the World

Child domestic work refers to children's work in the household of a third-party employer. (48)

While child domestic work is prevalent globally, it is difficult to accurately measure due to the informal and private working relationship between household owners and child workers. According to the ILO, approximately 7.1 million children between the ages of 5 to 17 are engaged in domestic work, with girls representing over half of that estimate. (16)

While most household chores may seem harmless to adults, they can be physically and mentally damaging to children. Approximately 25 percent of children engaged in domestic service are performing hazardous work, which includes working long hours, using dangerous equipment, and carrying out tasks in awkward positions that can be harmful to children. (48; 49) In many cases, hazardous domestic work can even be life-threatening, especially when it involves physical and sexual abuse.

In Pakistan, for example, police have arrested employers in multiple instances for torturing and murdering child domestic workers. (50) Reports of physical and sexual violence, torture, and the death of child domestic workers have emerged from other countries around the world, including in India, Bangladesh, and Indonesia, to name a few. (51; 52; 53) In 2021, there were 28 reported cases of torture among child domestic workers in Bangladesh. (54) However, cases of abuse are likely underreported.

Some countries like Pakistan and Bangladesh have taken action to prohibit the use of children in domestic work. In 2019, Pakistan's Ministry of Human Rights declared domestic child labor to be hazardous within the Islamabad Capital Territory. Similarly, in 2021, the Ministry of Labor in Bangladesh developed a proposal to update its list of hazardous work to include child domestic service. Inclusion of occupations on the hazardous list helps countries develop legal frameworks to protect children working in the most dangerous occupations, such as mining, auto shops, and domestic labor.

Still, countries can and should do more. To recognize the perils associated with child domestic service, countries must declare child domestic work as hazardous and include child domestic service on their national hazardous work lists. With child labor growing exponentially due to the COVID-19 pandemic, millions of children may be at risk of abusive working conditions behind closed doors. (55)

In addition to resource limitations, in some countries, penalties for child labor remain insufficient or non-existent. For example, the fine assessed for instances of child labor in **Belize** is merely \$12.50. In 19 countries, including **Lebanon**, **Malawi**, and **Samoa**, there are inadequate mechanisms to assess civil penalties for child labor law violations, enabling violators of child labor laws to face minimal repercussions.

Unfortunately, in **Anguilla; Azerbaijan; Falkland Islands; Gabon; Saint Helena, Ascension, and Tristan da Cunha; Somalia; South Sudan; Tonga; and Yemen**, research indicates that no labor inspections were conducted at all in the reporting period, leaving children at serious risk of child labor. Moreover, in some cases, as seen in **Azerbaijan, Benin, the Kyrgyz Republic, Moldova, and Ukraine**, inspections were actively hindered or prevented by the government.





© Godong/Alamy

Palestinian boys sell tomatoes in Nablus City Center.  
West Bank, Palestine. April 10, 2018.



For example, during the reporting period, the Government of **Azerbaijan** extended a moratorium put in place in 2017 that prevents all labor inspections from occurring.

This year, 10 countries—**Bangladesh, Cambodia, Chad, Eritrea, Iraq, Madagascar, Pakistan, the Philippines, South Sudan, and Yemen**—failed to investigate, prosecute, convict, and sentence public officials who participated in or facilitated the worst forms of child labor, including commercial sexual exploitation of children and debt-based forced labor. During the reporting period, judges in **Cambodia** were reported to have accepted bribes in return for the dismissal of charges, acquittal, and reduced sentencing of individuals committing such crimes, especially for those individuals with possible ties to the government. In **Madagascar**, the government failed to investigate reports of officials accepting bribes to produce and issue false identity documents to facilitate the commercial sexual exploitation of minors.

## Coordination

Effective coordination of efforts to address child labor enables government departments and ministries to carry out their mandates to enforce laws, implement national policies and programs, and support survivors in receiving social services. However, this year's report includes suggested actions to improve coordination efforts in 101 of 131 countries.

The most common finding, identified across all regions, was that coordinating bodies—or mechanisms such as intergovernmental committees responsible for coordinating efforts to combat child labor—were unable to fully carry out their mandates. This was largely due to insufficient funding, which prevented coordinating bodies from being able to meaningfully operate or implement activities. Other issues identified included lack of capacity, inadequate staffing, and limited data to inform decision-making. For example, in **Cameroon**, agencies engaged in addressing child labor did not provide full reports to the Interministerial Committee on Trafficking in

Persons, resulting in agencies implementing their own independent activities without coordination.

Agencies in **Albania, Argentina, Botswana, Costa Rica, and Guatemala** also lacked effective coordination between institutions responsible for investigating the worst forms of child labor and those providing social services to victims, especially in the informal sector. Moreover, while many coordinating bodies faced challenges in effectively operating or failed to make updates on their activities publicly available. **Eritrea, Saint Vincent and the Grenadines, and Tonga** had no active national coordinating mechanisms to address child labor.

## Policy

Policies to address child labor support governments in developing and prioritizing a roadmap to ensure that children are free from child labor, including work that harms their health, safety, and morals. This is particularly important because many children engaged in child labor are working outside the protection of the law and remain vulnerable to poor working conditions and serious occupational safety and health risks, among other concerns.

This year's report identified several gaps in how child labor policies were prioritized and communicated to other stakeholders, including other government entities, civil society, businesses, and workers' organizations. The majority of policy gaps related to a lack of publicly available information on the status of policy implementation. This suggests that policies were not widely implemented or were inactive. For example, our research was unable to determine whether any activities were undertaken to implement **Comoros'** National Policy for the Protection of Children. Likewise, no updates were available within the reporting period on **Serbia's** Roadmap for Eliminating Abuse of Child Labor.

Additional gaps were identified in the scope of existing policies. For instance, although the Government of **Mauritius** had policies related to the education and health of children, research could not identify any policies designed to address



the worst forms of child labor, such as commercial sexual exploitation. In Yemen, research found no evidence of a government policy on the worst forms of child labor outside of child soldiering. Seventeen countries, including **Algeria, Bhutan, Djibouti, Eswatini, Saint Lucia, and Senegal**, had no policies to address child labor.

## Programs

Social programs can help address child labor by countering factors that both lead to and reinforce systems of poverty, which prevent children from pursuing their education and instead thrust them into work at the expense of their futures. These factors often include, but are not restricted to, limited access to quality education, social protection, and decent work opportunities. Figure 10 presents a global picture and regional analysis of government efforts and challenges.

Despite the importance of social programs in preventing child labor, social programs were insufficient in many countries across all regions. For example, even though primary education may be free in most countries, indirect costs, such as the cost of books and uniforms, may hinder many students from continuing their education, including in **Cambodia, Nigeria, the Philippines, and Togo**. Teacher shortages, lack of sanitation facilities, and the combination of long distances and unreliable transportation between students' homes and schools were also common issues found among all regions, but particularly in Latin America, the Caribbean, and Africa. Children with disabilities, LGBTQI+ youth, girls, and those from indigenous or refugee communities also continued to experience discrimination and other barriers to accessing education. In **Albania**, children from Roma and Balkan-Egyptian families, as well as refugees, encountered discrimination in schools and were

placed in separate classrooms. These children also faced difficulties in accessing social services due to challenges with presenting birth certificates. In addition, in **Costa Rica**, children in rural areas, girls, LGBTQI+ youth, and children from indigenous and Afro-descendant communities faced challenges in accessing education due to discrimination.

Adequate social services for human trafficking survivors, including shelters and specialized services, were limited in many countries. For example, **Nicaragua** lacked shelters and services for male trafficking survivors and survivors with disabilities. In **Maldives**, shelters did not have sufficient funding, human resources, or staff training. Furthermore, in **India**, sexual abuse in shelters was reported, with 40 percent of shelters lacking internal mechanisms, such as staff training and reporting infrastructure, to protect children in their care from physical and sexual abuse.

Accurate data on the prevalence and types of child labor is essential to designing programs that effectively address child labor. However, many countries lack reliable data on child labor or have data that is outdated, non-existent, or not publicly available. These countries include **Armenia, Azerbaijan, Burma, Burundi, Comoros, Fiji, India, Indonesia, Kazakhstan, Lebanon, and Liberia**. The lack of quality data prevents stakeholders from adequately addressing the needs and challenges faced by children at risk of child labor.

These gaps in existing social programs, alongside countries where social programs were non-existent, such as the **British Virgin Islands, the Central African Republic, Djibouti, Guinea, Solomon Islands, and Western Sahara**, mean that the factors that drive children to work at the expense of their futures remain unaddressed.

Figure 10

## Regional Analysis of Government Efforts and Challenges

REGION	EFFORTS	CHALLENGES
<b>Indo-Pacific</b>	<ul style="list-style-type: none"> <li>Collected data to understand the prevalence of child labor and monitored trends of concern, such as commercial sexual exploitation.</li> <li>Strengthened legal protections for children from child labor, including raising the minimum work age.</li> <li>Established policies and social programs for education and decent work opportunities targeting children above the minimum working age.</li> </ul>	<ul style="list-style-type: none"> <li>Failed to publish information on labor law enforcement efforts.</li> <li>Lacked sufficient mechanisms to effectively coordinate responses to child labor.</li> <li>Had limited mechanisms to identify child labor within vulnerable populations, such as migrant communities.</li> </ul>
<b>Europe &amp; Eurasia</b>	<ul style="list-style-type: none"> <li>Adopted new laws that strengthened criminal penalties for violations related to the worst forms of child labor.</li> <li>Established policies to expand education, address truancy, and improve educational access for children of minority communities.</li> <li>Expanded monthly cash transfer programs that support households with children vulnerable to child labor.</li> </ul>	<ul style="list-style-type: none"> <li>Lacked minimum age protections for children working in the informal economy.</li> <li>Lacked financial resources and trained personnel for social centers that respond to child trafficking and other worst forms of child labor.</li> <li>Had social programs that did not reach key sectors in which child labor is prevalent, such as agriculture.</li> </ul>
<b>Latin America &amp; the Caribbean</b>	<ul style="list-style-type: none"> <li>Took measures to address human trafficking of children through new laws, policies, and enforcement activities.</li> <li>Instituted policies and plans of action that sharpen labor enforcement priorities and strengthen agency coordination in responding to child labor cases.</li> <li>Used child labor prevalence and law enforcement data to identify sectors at high risk for child labor.</li> </ul>	<ul style="list-style-type: none"> <li>Lacked a centralized system—or systems—for criminal law enforcement agencies to collect and share data related to the worst forms of child labor.</li> <li>Maintained barriers to education for children of migrant and minority communities.</li> <li>Had gaps in criminal laws that limit protections for various worst forms of child labor, including commercial sexual exploitation and use in illicit activities.</li> </ul>
<b>Middle East &amp; North Africa</b>	<ul style="list-style-type: none"> <li>Strengthened legal protections for children in human trafficking and forced domestic service.</li> <li>Used technological tools to improve labor inspectorate training and responses to cases of child labor.</li> <li>Increased labor law enforcement activity through hiring labor inspectors and more labor inspections.</li> </ul>	<ul style="list-style-type: none"> <li>Lacked prioritization of child labor due to political and economic instability.</li> <li>Had strained social support and educational systems, limiting access for refugees and migrant children.</li> <li>Had weak criminal penalty mechanisms for violations related to the worst forms of child labor.</li> </ul>
<b>Sub-Saharan Africa</b>	<ul style="list-style-type: none"> <li>Collected and published data on the prevalence of child labor.</li> <li>Implemented policy interventions and provided more resources to expand educational access.</li> <li>Took measures to strengthen coordination and support children in child labor.</li> </ul>	<ul style="list-style-type: none"> <li>Experienced increased recruitment of child soldiers resulting from expanded regional conflict.</li> <li>Lacked labor law enforcement measures, including labor inspections, due to resource constraints.</li> <li>Experienced climate emergencies and famines that increased children's vulnerability to the worst forms of child labor and further strained government resources.</li> </ul>



## Call to Action

The alarming reversal in progress in addressing child labor in recent years—with child labor rising to 160 million worldwide in the latest estimates—underscores that progress on this ambitious and essential goal is not guaranteed. (16) Now more than ever in the face of this reversal, stakeholders across government, civil society, the private sector, and workers’ and employers’ organizations must work together to comprehensively eliminate child labor so that all children can reach their full potential.

This report highlights that while many countries continue to make significant efforts to improve outcomes for children, serious gaps remain in eliminating child labor, including its worst forms. The suggested actions that correspond with the gaps identified throughout this report aim to provide policymakers with a roadmap for action. But these recommendations are not just for policymakers,

but also for companies, donors, human rights organizations, investors, and others who seek to encourage action against child labor by leveraging the influence they have. Together with stakeholders from around the globe, ILAB is working to achieve a world in which decent work, education, and social protection are a reality for all. We are doing this by publishing international reports on child labor and forced labor; designing tools such as the *Better Trade Tool*, which matches ILAB’s essential reporting with U.S. import trade data, and *Comply Chain*, which provides a practical, step-by-step guide on critical elements of social compliance; and funding technical assistance and cooperation projects. Through these actions, as well as through our partnerships with various stakeholders, we are working toward a future in which no child will sweat and toil in dangerous mines and sweltering fields but can instead pursue a life of opportunity free from the harms of child labor.



© Juan Karita/AP Images

Child at work Three of the Delgado children—from right, Yuri, age 11, Wendi, age 9, and Alison, age 8—make a drawer in the family carpentry workshop. El Alto, Bolivia. September 2, 2020.





Department of Labor, Alyson Fligg

U.S. Secretary of Labor Marty Walsh joins Congressman Trone in a tour of the Career and Technology Center (CTC) for Frederick County Public Schools in Frederick, MD. October 29, 2021



# The U.S. Experience

“Together, we can build a world where children are free to learn and achieve their potential. This is what we owe them. And this is our greatest hope for a better tomorrow.”

Marty Walsh, Secretary of Labor  
109th International Labor Conference July 11, 2021

From the start of 2021, the United States began a powerful worker-centered recovery from the economic shocks of the COVID-19 pandemic. The U.S. economy has created more than 9 million jobs since President Biden took office, and the U.S. has more than fully recovered from pandemic-era job losses. (56) In 2021 alone, the unemployment rate in the U.S. saw its greatest drop since World War II. (57) Record job growth in the leisure and hospitality, manufacturing, transportation, and warehouse sectors has contributed to an unprecedented moment of worker empowerment and engagement. The historic economic recovery under the Biden-Harris Administration has begun to transition into steady, stable growth that continues to provide widespread opportunity to America’s workers and a safety net for children in the United States.

The U.S. Department of Labor has remained focused on empowering all workers to seize opportunities in a growing economy by working to improve job quality and job access across the country. Through our *Good Jobs Initiative*, we are creating good, union and middle-class jobs and fair working conditions for all Americans, including underserved populations, youth, people of color, veterans, and people with disabilities. We are also investing in job training and apprenticeship programs that both increase wages for working families and strengthen our supply chains. In addition, U.S. Department of Labor agencies collaboratively ensure that American workers of all ages enjoy safe and dignified work, key to preventing families from resorting to child labor.

The Wage and Hour Division enforces regulations on legal working age, permissible hours of work, earned wages, and hazardous occupation prohibitions for minor employees. Wage and Hour investigators across the country conduct inspections at workplaces to ensure that labor laws are enforced and working conditions are fair. Many investigations take place in industries that employ workers vulnerable to labor trafficking. As a result, the Wage and Hour Division is often the first federal agency to identify cases of trafficking



## What Jobs Can I Do, If I am...

### 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

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

in persons and refer these cases to criminal law enforcement agencies. Through its *YouthRules!* initiative, the Wage and Hour Division also provides information to young workers, parents, educators, and employers to safeguard the rights of workers under the age of 18 and help ensure that their work experiences are legal, safe, and do not disrupt their education. The Occupational Safety and Health Administration ensures safe and healthy working conditions by setting standards to reduce and eliminate workplace hazards. Finally, the Bureau of Labor Statistics measures labor market activity, working conditions, price changes, and production in the U.S. economy to support private and public decision making. The Bureau of Labor Statistics also conducts research and publishes reports on youth employment trends.

## The Federal Minimum Ages for Work

The *Fair Labor Standards Act (FLSA)* guarantees basic rights and protections to ensure the safety and well-being of child workers. The child labor regulations of the FLSA are designed to ensure children's educational opportunities are not harmed by early employment and to prohibit children's employment in jobs that are detrimental to their health and safety. The FLSA includes restrictions on the maximum number of hours children can work when school is and is not in session, the times of day children can work, and types of work children under the age of 16 may legally perform.

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.





Department of Labor, Alyson Fligg

U.S. Secretary of Labor Marty Walsh visits the Latin American Youth Center Career Academy (LAYCCA) in Washington, DC. October 14, 2021.

- 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.

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 protections for the young worker is the one that must be followed.

---

"The Fair Labor Standards Act's youth employment regulations exist to ensure youths' jobs and work hours do not jeopardize their safety, well-being, or educational opportunities...Employers can prevent violations from occurring in the first place if they know, understand, and comply with the FLSA's child labor, wage, and recordkeeping requirements." (63)

Wage and Hour District  
Director Steven McKinney  
December 16, 2021

---

Figure 11

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

### Fiscal Year 2021 Enforcement Data

Number of Minors Employed in Violation of the FLSA's Child Labor Requirements: 2,819

Number of Minors Employed in Violation of Hazardous Occupations Orders: 545



Total Penalties Imposed for Child Labor Violations: \$3 million in civil money penalties

*More specific information about each of these cases can be found in the WHD's enforcement database at [dol.gov/DataEnforcement](https://dol.gov/DataEnforcement) and WHD's website at [dol.gov/WHDFiscalYearData](https://dol.gov/WHDFiscalYearData)*



There were 2,080,000 youth, ages 16 to 17, employed in the United States in 2020, and 2,243,000 employed in 2021. Despite the restrictions and limitations placed on youth work, in 2021, the most recent year for which data are available, there were two fatal occupational injuries in the United States among youth ages 16 to 17, and one fatal occupational injury among youth below the age of 16.

## Wage and Hour Division

The Wage and Hour Division (WHD) determines an employer's status of compliance with the FLSA's child labor regulations in every investigation conducted. In FY 2021, WHD found child labor violations in 747 cases. In 208 of these cases, violations of hazardous occupations orders were specifically identified. In total, the WHD found 2,189 minors employed in violation of the FLSA's child labor requirements, with nearly 545 of them employed in violation of hazardous occupation orders (see Figure 11).

In Clarksburg, Tennessee, WHD found that Clarksburg Supermarket violated hazardous child

labor requirements of the FLSA by allowing minors under the age of 18 to operate power-driven meat processing machines. WHD assessed a \$65,289 penalty under the Child Labor Enhancement Penalty Program. In New Hampshire, the owners of LaBelle Winery and Americus LaBelle Winery paid \$22,803 in civil penalties for violating the FLSA by allowing 33 employees under the age of 16 to work more hours than allowed by law. And in San Diego, a McDonald's franchisee agreed to pay \$25,920 in civil penalties after a WHD investigation found that three of their franchises employed minors in hazardous work. The franchise owners also agreed to ensure additional training and oversight for managers and employers at their 10 locations to prevent future FLSA violations. (58; 63; 119)

In addition to its rigorous enforcement efforts, WHD aims to prevent violations from occurring in the first place by educating employers, workers, and the public about federal child labor law compliance. In response to an increase in violations of child labor laws in the food services industry, in February 2022, WHD hosted trainings on federal laws governing



Department of Labor, Luke Sharrett

U.S. Secretary of Labor Marty J. Walsh stands for a photo with student participants of a roundtable discussion at an Academies of Louisville apprenticeship event at Doss High School in Louisville, Kentucky. September 15, 2021.

youth employment for restaurant employers, minor age workers and their parents, school representatives, and other interested stakeholders. WHD's **YouthRules!** website provides compliance toolkits and answers to a range of questions. **WHD online resources** make available to contracting agencies, contractors, unions, workers, and others Fact Sheets, FAQs, on-demand video training, Power Point Presentations, and extensive information on all laws enforced by the agency, including information about regularly scheduled seminars on prevailing wage requirements, to ensure that federal dollars support good jobs and dignified work. (59)

The agency also recently launched a free Timesheet App for Android mobile device users that allows employers and employees to track their hours of work and calculate wages due. The app can empower young workers to ensure they are receiving the wages they are due or get assistance if a dispute arises.

In March 2022, during National Farmworkers Awareness Week, WHD hosted a 3-day virtual seminar, "Nourishing Equity and Cultivating Compliance," for agricultural workers and stakeholders. The seminar addressed key agency priorities including child labor, equity, retaliation, and human trafficking in the agricultural sector, and covered several laws enforced by WHD, including the Migrant and Seasonal Worker Protection Act, the agricultural and child labor provisions of the FLSA, and regulations affecting workers employed under the H2A visa program. WHD investigators recently played a crucial role in Operation Blooming Onion, a multiagency investigation of H-2A visa fraud, forced labor, and human trafficking of agricultural workers on farms in southern Georgia (see Box 11 for more information). The investigation exposed the horrors of human trafficking as it exists even in the U.S. and highlighted the pernicious exploitation of the essential agricultural workforce.

---

Summer and seasonal work offers young people a unique opportunity to get valuable workplace experience while earning money, but it should never come at the expense of their education or safety. Employers who hire youth-aged workers are obligated to comply with federal child labor laws to ensure the experience is safe and beneficial for workers.

Acting Wage and Hour Administrator Jessica Looman  
Portland, Oregon, May 17, 2022  
(Release Number: 22-905-SAN)

---

## Employment and Training Administration

The Employment and Training Administration (ETA) provides workforce training and development programs to remove barriers to good jobs and improve economic mobility for all Americans. ETA programs include Registered Apprenticeship Programs, **YouthBuild**, **Job Corps**, **Reentry Employment Opportunities**, and the **Workforce Innovation and Opportunities Act (WIOA Youth Formula Program)**. These programs seek to

empower historically disadvantaged populations, including women, people of color, and youth, by providing them with work-ready skills and pathways to industry accreditation.

In 2022, for example, ETA awarded more than \$90 million in YouthBuild grants to provide young adults ages 16 to 24 with education and training to expand the clean energy workforce. These grants will teach young adults who are not currently in school or in the workforce in-demand construction skills focused on green building techniques, including weatherization processes, use of sustainable building materials,



## Box 11

## Operation Blooming Onion: Human Trafficking and Forced Labor in the United States

The Department of Labor has a mandate to directly address labor exploitation through enforcement of civil laws. Its investigators play a crucial role in identifying for law enforcement partners cases of trafficking in persons, which is a criminal offense. Investigators from the Wage and Hour Division worked alongside the FBI, the U.S. Postal Service, and the U.S. Departments of State and Homeland Security in Operation Blooming Onion. This was a multi-year investigation of human trafficking of workers from Mexico and Central America to farms in southern Georgia, where the workers were subjected to forced labor. On November 22, 2021, as a result of this interagency investigation, the U.S. Department of Justice indicted 24 defendants on felony charges, including document fraud, forced labor, and human trafficking. (60)

A transnational criminal organization run by Maria Leticia Patricio, referred to in the indictments as Patricio TCO, used the H-2A visa program to engage in labor trafficking. The H-2A visa program allows U.S. employers to bring foreign nationals into the United States to temporarily fill agricultural jobs. (61) From 2015, Patricio and her network used multiple registered agricultural organizations to file fraudulent petitions seeking to bring over 71,000 foreign nationals into the U.S. to work for farm labor contractors that provided labor to farms.

Under the H-2A visa program, the sponsor is required to pay visa fees and cover the costs of transportation, lodging, meals, and border crossing fees. (60) Patricio TCO members and associates, however, illegally demanded that workers pay these costs along with other illegal recruitment fees. (61) In addition to these illegal costs, workers were subjected to other forms of deception. They were not paid promised wages, or their wages were garnished to pay off artificially inflated debts unlawfully levied by Patricio TCO members and associates. The traffickers sold and traded workers, transferring them to sites of employment other than where they had been recruited to work. (61) Traffickers also extracted forced labor through the menace of penalty. Once in the United States, traffickers confiscated workers' passports and locked workers in unsanitary and degrading living conditions at the worksites. Traffickers threatened workers with violence and deportation. At times, these threats manifested in sexual and physical violence. (62)

The rural locations of the farms, language barriers, lack of communication, fear, intimidation, and threats further isolated workers, making it more difficult for them to seek help from authorities. The defendants made over \$200 million from their illegal operations, which they laundered through casinos and by purchasing land, homes, vehicles, cashier's checks, and businesses.

Operation Blooming Onion is one of the largest human trafficking and visa fraud investigations in U.S. history. Because of the investigation, over 100 people were removed from situations of modern-day slavery. (62) All indicted individuals are presumed innocent unless and until proven guilty in court.

and solar panel installation. (64) Also in 2022, ETA awarded \$43 million in Growth Opportunities grants (part of the Reentry Employment Opportunities Program) to 14 NGOs and one Native American

tribe for career exploration, job training, paid-work experiences, conflict resolution skills, mentorship, and supportive services to justice-involved young people. (65)

# About the Iqbal Masih Award



The United States Congress established the Iqbal Masih Award for the Elimination of Child Labor in 2008 to recognize exceptional efforts by an individual, company, organization, or national government to end the worst forms of child labor. The award reflects the spirit of Iqbal Masih, a Pakistani child sold into bonded labor as a carpet weaver at age 4. He escaped his servitude at age 10 and became an outspoken advocate of children's rights, drawing international attention to his fight against child labor.. Iqbal was killed in Pakistan in 1995 at the age of 12, as he continued to call for an end to child labor. Further information about the Iqbal Masih Award and USDOL's efforts to combat child labor is available on the USDOL website at [www.dol.gov/Iqbal](http://www.dol.gov/Iqbal)

In 2022, the U.S. Secretary of Labor selected Blue Dragon Children's Foundation, a non-governmental organization working in Vietnam, to receive the Iqbal Masih Award in recognition of their extraordinary efforts to combat the worst forms of child labor.





Blue Dragon Children's Foundation has been working to end human trafficking in Vietnam for nearly 20 years. The organization is a leader in supporting trafficking survivors, partnering with government, and creating safe spaces for vulnerable youth. Blue Dragon has rescued over 1,000 children and adults from human trafficking and has sent nearly 6,000 children back to school and training. The organization also works closely with local law enforcement and the Government of Vietnam to

identify offenders and interrupt trafficking rings within Vietnam and abroad. In addition to their work to combat human trafficking, Blue Dragon provides shelter, education, and family reunion to homeless children, as well as helping disadvantaged and street children stay in school. Blue Dragon stands at the vanguard for progress to end the worst forms of child labor and has been recognized globally for their work and commitment to ending exploitation.



Blue Dragon—Survivors in art therapy.





© Erico Hiller/UNICEF/UNI268702

Venezuelan migrant children draw at the UNICEF child-friendly space at Rondon 3 Shelter, Boa Vista, Brazil. January 8, 2020.



## 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>	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 Goals
<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





© Angelica Vergara/UNICEF/UN0271778

Children from a caravan of Central American migrants play at a UNICEF-supported child-friendly space in Jesús Martínez 'Palillo' Stadium, a temporary shelter. Mexico City, Mexico, November 7, 2018.

## 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. ILO's Resolution Concerning Statistics of Child Labor, developed during the 18th International Conference of Labor Statisticians (ICLS), and amendments made during the 20th ICLS provide the international framework for measuring children's work. See Appendix 7 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 their 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. (67; 68)

## *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 limited hours per 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. (67; 68)

## *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 themselves voluntarily. (69) Forced labor is work obtained by force, fraud, or coercion, including (1) by threat of serious harm to, or physical restraint against, any person; (3) 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 (2) by means of the abuse or threatened abuse of law or the legal process. (71) 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 their 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. (71)

### *Slavery and Practices Similar to Slavery*

Slavery is the status or condition of a person over whom any or all of the powers attaching to the right of ownership are exercised. (72) Practices similar to slavery includes:

- Debt bondage—the status or condition arising from a pledge by a debtor of his personal services or of 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;
- Serfdom is defined as the condition or status of a tenant who is by law, custom or agreement bound to live and labor on land belonging to another person and to render some determinate service to such other person, whether for reward or not, and is not free to change his status;
- Forced or compulsory labor. (73)

### *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. (74)

## Appendix 3

# ILO Instruments 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. (75) 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 of admission into employment or work in any occupation "shall not be less than the age of completion of compulsory schooling, and, in any case, shall not be less than fifteen" (Article 2(3)). Countries whose economy and educational facilities are insufficiently developed may initially specify a minimum legal working age of 14 when ratifying the Convention. In addition, Article 7(1) says that national laws or regulations may permit the employment or work of children ages 13 to 15 years if for light work. Countries that specify a minimum legal working age of 14 may permit light work for children ages 12 to 14. (76)

## *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." (69)



### *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. (77)

### *Protocol of 2014 to the Forced Labor Convention, 1930*

The Forced Labor Protocol reaffirms the forced labor definition in ILO C. 29. It requires ratifying countries to take effective measures to prevent and

eliminate forced and compulsory labor, to sanction perpetrators, and provide victims 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. (78) The Protocol supplements ILO C. 29; as such, only ILO member states that have ratified the convention can ratify the protocol.

### *Forced Labor (Supplementary Measures) Recommendation 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. (79)



## Appendix 4

## How to Read a TDA Country Profile

● **Country Overview:** Each country profile begins with an overview for 2021 in a single paragraph, starting with a statement identifying the assessment level assigned to the country for 2021. 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. A majority of the country profiles have data for at least one of these variables. A smaller set of profiles contains 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), and 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 socio-economic shocks to the country that may inhibit the government's ability to address child labor, such as a natural disaster or armed conflict.

## Mexico

MODERATE ADVANCEMENT



In 2021, Mexico made moderate advancement in efforts to eliminate the worst forms of child labor. The government carried out 5,000 more labor inspections compared to the previous year and established a new voluntary labor reporting system for businesses to confirm compliance with the Labor Code. The Commission on the Rights of Refugee and Migrant Children and Adolescents also published a report on its activities during the year aiming to ensure the best interests of migrant and refugee children, including unaccompanied minors. Additionally, the government published and implemented the National Program for Children and Adolescents 2021–2024, and the Benito Juárez Wellbeing National Scholarship Program reached 9.8 million students. 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. In 2021, the government eliminated many social programs that increased educational access and reduced risk for child labor in marginalized communities. 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 and the government published limited information on its labor and criminal law enforcement efforts. Social programs to eliminate child labor also 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. (1–4) Children also perform dangerous tasks in agriculture, including in the production of chile peppers, coffee, sugarcane, and tomatoes. (5,6) Table 1 provides key indicators on children's work and education in Mexico.

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 (%)		102.5

Source for primary completion rate: Data from 2019, published by UNESCO Institute for Statistics, 2022. (9)

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. (10)

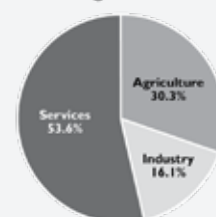
Table 2. Overview of Children's Work by Sector and Activity

Sector/Industry	Activity
Agriculture	Working in agriculture, <sup>†</sup> including in the production of avocados, beans, chile peppers, coffee, cotton, cucumbers, eggplants, beans (green), guayabas, melons, nuts, onions, pineapples, sugarcane, tobacco, <sup>‡</sup> and tomatoes (5–6, 11–18) Cattle raising (19)

<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.

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



In 2021, reports suggest that almost 850,000 children did not continue their basic education. This includes 656,000 students who did not transition from elementary school to lower secondary school. (46,47) Government reports also show that at least 1,200 schools closed between 2020 and 2021. In addition, students reported difficulty accessing distance learning programs 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. (47,48) The lack of access to education and school abandonment leaves children more vulnerable to the worst forms of child labor. (4,17,49,50)



## 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, to the instrument, considering that these actions have the same practical legal effect regarding the substantive obligations of the instrument as ratification. If other relevant international instruments, beyond those listed in the table, were ratified during the reporting period, this may be recognized in a short narrative following the table.

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

**Table 4** lists each of the relevant legal standards and notes which laws meet and do not meet international standards. 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	✓
 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 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 (16,88-90)
Minimum Age for Hazardous Work	Yes	18	Article 175 of the Labor Code (16)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Articles 175 and 176 of the Labor Code (16)
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 (88,89,91)
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 (89,91)
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 (89,91,92)

In April 2022, Mexico enacted a reform to the Labor Code that would permit children as young as 15 to work in some agricultural employment. Previously, Article 176 of the Labor Code deemed work in agriculture, hunting and fishing as hazardous and, accordingly, prohibited children under the age of 18 from engaging in this kind of work. (16,65,66,95) The reform qualified the language in Art. 176 to prohibit minors from engaging in these activities while using chemicals, handling machinery, operating heavy vehicles, and carrying out other tasks as determined by the competent authority. The STPS has 180 days after the entry in force of the reform to classify activities in Art. 176 and determine which activities would be lower risk and thus permissible for minors. (65,66,95) Proponents of the reform state that permitting minors to work in low-risk agricultural activities may create formal employment opportunities in rural areas. (17,66,67) However, critics suggests that the reform may jeopardize the health and safety of children by exposing them to the hazards and extreme conditions involved in agricultural work. Others view the reform as a setback for child labor protections and note that the reform lacks corresponding mechanisms and resources for ensuring labor law

## 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. (16,99-104) The STPS inspectorate is responsible for labor law enforcement in 22 industrial sectors under federal jurisdiction, including the sugar and tobacco industries, 3 types of enterprises, and labor matters affecting 2 or more states. The state-level labor inspectorates are responsible for labor law enforcement in all other situations. (16,88,105)
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 FGR's Specialized Unit for Crimes against Women and Trafficking in Persons (FEVIMTRA) and the Specialized Unit on Trafficking in Minors, People, and Organs are responsible for investigating and prosecuting human trafficking cases at the federal level. (4,104,106-109) In addition, all 32 states have specialized trafficking in persons prosecutors or units, which are responsible for investigating and prosecuting cases of human trafficking at the state level. Some state trafficking in persons units or prosecutors also prosecute cases of gender-based violence. (52,64,110,111) Federal and state trafficking in persons units receive some cases of child trafficking from the National Institute of Migration and the Mexican Commission for Refugee Assistance. (80,83,112-115)

Table 6 and Table 7 provide data on labor law and criminal law enforcement efforts from the current and previous reporting years.

**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 2021, labor law enforcement agencies in Mexico took actions to address 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 insufficient human and financial resource allocation.

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

Overview of Labor Law Enforcement	2020	2021
Labor Inspectorate Funding	\$1,420,784 (141)	\$1,536,366 (17)
Number of Labor Inspectors	447 (42)	471 (17)
Mechanism to Assess Civil Penalties	Yes (138)	Yes (138)
Initial Training for New Labor Inspectors	Yes (141)	Yes (17)
Training on New Laws Related to Child Labor	N/A (141)	N/A (17)
Refresher Courses Provided	No (42)	No (17)
Number of Labor Inspections Conducted	29,177† (42)	35,098‡ (17)
Number Conducted at Worksite	29,177† (42)	35,098‡ (17)
Number of Child Labor Violations Found	1† (142)	2‡ (17)
Number of Child Labor Violations for Which Penalties Were Imposed	Unknown (141)	2‡ (17)
Number of Child Labor Penalties Imposed that Were Collected	Unknown (141)	Unknown (17)
Routine Inspections Conducted	Yes (42)	Yes (17)

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

Overview of Criminal Law Enforcement	2020	2021
Initial Training for New Criminal Investigators	Yes (85)	Yes (17)
Training on New Laws Related to the Worst Forms of Child Labor	No (42)	Unknown (17)
Refresher Courses Provided	Yes (85)	Yes (17)
Number of Investigations	845 (54)	484‡ (54)
Number of Violations Found	Unknown	Unknown
Number of Prosecutions Initiated	Unknown (85)	Unknown (17)
Number of Convictions	43† (85)	42† (53)
Imposed Penalties for Violations Related to the Worst Forms of Child Labor	Yes (85)	Yes (17,53,152)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (85)	Yes (17)

Between January and October 2021, the Secretariat for Security and Citizen Protection (SSPC) conducted 638 investigations into potential cases of human trafficking, representing an increase of almost 10 percent from the previous year. As a result of these inspections, the SSPC identified 650 trafficking victims. (153,154) However, the SSPC did not disaggregate the number of child and adult victims. (153,154) In addition, research conducted by the Consejo Ciudadano, which operates the National Trafficking Line, found fraudulent job offers for work in factories and in agriculture was the main form of recruitment used by human traffickers during the reporting period. The National Trafficking Line also registered an increase in the proportion of calls involving children being trafficked, making up as many as 47 percent of calls to the hotline, up from 32 percent in 2019. (155)

## 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 inefficiency in accomplishing mandates.

**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 eliminate 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. (17,141) Meets on a quarterly basis and includes NGO networks and international technical and financial partners, such as UNODC and IOM. During the reporting period, the CITI finalized the Plan of Action on Child Labor 2021–2024. (17,141,148)
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 partners. (91,160) Although the commission met seven times in 2021, research was unable to determine what activities this committee carried out during the reporting period. (17,53)
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. (90) During the reporting period, SIPINNA was active and held various meetings to review, finalize, and publish the National Program for Children and Adolescents (PRONAPPINA) 2021–2024. (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 lack of 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 addressing child labor as part of STPS' social inclusion strategy. (164) During the reporting period, a training program on child labor and the rights of children and adolescents was developed for representatives from each of the 32 federal entities, federal labor inspectors, and STPS staff. (17,165)
National Program for Children and Adolescents (PRONAPPINA) 2021–2024†	Aims to guarantee the rights of children and adolescents by establishing mechanisms to support their growth and development. (166)
Plan of Action on Child Labor 2021–2024†	Aims to promote a culture of prevention against child labor and to protect the human and labor rights of children and adolescents. (167)

Mexico became a Pathfinder country under Alliance 8.7 in 2019 to accelerate 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. (177,178) As a Pathfinder country, the government developed and implemented the Alliance 8.7 Roadmap to Eradicate Child Labor, Forced Labor, and

#### 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 inadequacy to address the problem in all sectors and in all states.

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

Program	Description
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. (183–185) 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. (186–190) In 2021, the program reached 9.8 million students. (191)
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. (192) In 2021, the program assisted 63,049 children through the program's Casas y Comedores de la Niñez Indígena and Casas y Comedores Comunitarios del Estudiante Indígena. (193)
Assistance for At-Risk Children and Adolescents Program (PAMAR)†	Implemented by the 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. In 2021, this program was implemented by the SNDIF in 26 states and 445 municipalities benefiting 68,503 children and adolescents, but it is not implemented across all states and municipalities in which the program is needed. (17,53)
USDOL-Funded Projects	USDOL-funded projects that aim to eliminate child labor through research, increase labor inspection capacity, and expand participation in education, training, and social protection programs. Campos de Esperanza is an \$11 million project implemented by World Vision which has worked with the sugarcane sector to help improve working conditions for over 5,300 sugarcane workers in targeted agricultural communities in Oaxaca and Veracruz. MAP16 is an ILO-implemented global project, with \$2.4 million dedicated to support the National Child Labor Survey (ENTI 2019) with the results released in 2020. (7,194,195) MAP16 also supported the Regional Initiative Latin America and the Caribbean Free of Child Labor (RILAC) program to develop maps that show communities at risk of child labor and has worked with local government in the States of Mexico and Chiapas to develop policy responses. (7,194,195) Other projects include: Senderos, an \$8 million project implemented by Verité to address child and forced labor in the sugarcane and tobacco sectors in Jalisco and Nayarit; EQUAL, a \$5 million project implemented by World Vision to increase women's and adolescent girls' economic empowerment in the agricultural sector; COFFEE, a \$2.2 million project implemented by Verité in Brazil, Colombia, and Mexico to promote social compliance and develop tools for businesses to establish systems to prevent, detect, and combat child and forced labor in coffee supply chains; and Improving Workers' Occupational Safety and Health in Selected Supply Chains in Mexico – A Vision Zero Fund, a \$5 million project implemented by the ILO's Vision Zero Fund to improve the occupational safety and health of workers, with a focus on COVID-19, female workers, and workers in vulnerable conditions. Two new additional projects include: Building a Comprehensive Government of Mexico Approach to Combating Child Labor and Forced Labor®, a \$13 million ILO-implemented project to strengthen the capacity and enhance the effectiveness of the Government of Mexico to collect and analyze data on child labor, forced labor, and human trafficking for the purposes of informing federal policies and programming; and Sustentor®, a \$5 million project implemented by Social Accountability International to increase private sector stakeholders' accountability to uphold core labor standards focusing on the chile pepper and tomato sector. (196–201) In 2021, USDOL-funded projects trained 130 labor inspectors and 399 teachers on identifying and preventing child labor and provided over 1,400 children in child labor or at risk of child labor with education services. (195,196,198) For additional information, please visit our website.

† Program is funded by the Government of Mexico.

\* Program was launched during the reporting period.

‡ The government had other social programs that may have included the goal of eliminating or preventing child labor. (42,141,202–206)

During the reporting period, the government eliminated many social programs that increased education access and reduced risk for child labor for indigenous children, migrant and refugee children, and children from other vulnerable groups. These programs included the Indigenous People's Education Diversity Program (PADEI), Educational Program for Migrant School Population (PAPEM), and the Full-Time Schools Program (PETC). (17,207–211) Research could not confirm whether these programs will be replaced by new programs in future years.

#### 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 the USDOL's findings on the country's level of advancement in efforts to eliminate the worst forms of child labor during the reporting period. There are five possible assessment levels: Significant Advancement, Moderate Advancement, Minimal Advancement, No Advancement, or No Assessment.

## *Significant Advancement*

For a country to be assessed as having significantly advanced efforts in 2021, 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 2020 report.

## *Moderate Advancement*

A country moderately advanced its efforts in eliminating the worst forms of child labor in 2021 if it made meaningful efforts during the reporting period in some relevant areas covering laws and

## 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 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.



regulations, enforcement, coordination, policies, and social programs, which may have included taking the suggested actions recommended in 2020.

### *Minimal Advancement*

Three types of countries made minimal advancement in efforts to eliminate the worst forms of child labor in 2021. 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 2020.

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

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

### *No Advancement*

Three types of countries made no advancement in efforts to eliminate the worst forms of child labor in

2021. 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 2020, and had a policy or demonstrated a practice of being complicit in the use of forced child labor in more than isolated incidents in 2021.
- **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 2020 but had a policy or demonstrated a practice of being complicit in the use of forced child labor in more than isolated incidents in 2021.

### *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, by Assessment

COUNTRY	REGION	2021 ASSESSMENT LEVEL
<b>SIGNIFICANT ADVANCEMENT</b>		
Argentina	LAC	Significant Advancement
Colombia	LAC	Significant Advancement
Costa Rica	LAC	Significant Advancement
Côte d'Ivoire	AF	Significant Advancement
Ecuador	LAC	Significant Advancement
Guatemala	LAC	Significant Advancement
Honduras	LAC	Significant Advancement
Jordan	MENA	Significant Advancement
Uzbekistan	IP	Significant Advancement
<b>MODERATE ADVANCEMENT</b>		
Albania	EUR	Moderate Advancement
Angola	AF	Moderate Advancement
Bangladesh	IP	Moderate Advancement
Belize	LAC	Moderate Advancement
Benin	AF	Moderate Advancement
Bhutan	IP	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
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
Dominican Republic	LAC	Moderate Advancement



COUNTRY	REGION	2021 ASSESSMENT LEVEL
MODERATE ADVANCEMENT (CONTINUED)		
Egypt	MENA	Moderate Advancement
El Salvador	LAC	Moderate Advancement
Ethiopia	AF	Moderate Advancement
Fiji	IP	Moderate Advancement
Gambia, The	AF	Moderate Advancement
Georgia	EUR	Moderate Advancement
Ghana	AF	Moderate Advancement
Guinea	AF	Moderate Advancement
Guinea-Bissau	AF	Moderate Advancement
India	IP	Moderate Advancement
Indonesia	IP	Moderate Advancement
Jamaica	LAC	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
Mexico	LAC	Moderate Advancement
Montenegro	EUR	Moderate Advancement
Mongolia	IP	Moderate Advancement
Morocco	MENA	Moderate Advancement
Mozambique	AF	Moderate Advancement
Namibia	AF	Moderate Advancement
Nepal	IP	Moderate Advancement
Niger	AF	Moderate Advancement
Nigeria	AF	Moderate Advancement
Norfolk Island	IP	Moderate Advancement
North Macedonia	EUR	Moderate Advancement
Oman	MENA	Moderate Advancement

COUNTRY	REGION	2021 ASSESSMENT LEVEL
MODERATE ADVANCEMENT (CONTINUED)		
Panama	LAC	Moderate Advancement
Paraguay	LAC	Moderate Advancement
Peru	LAC	Moderate Advancement
Philippines	IP	Moderate Advancement
Rwanda	AF	Moderate Advancement
Saint Lucia	LAC	Minimal Advancement
Saint Vincent and the Grenadines	LAC	Moderate Advancement
Samoa	IP	Moderate Advancement
São Tomé and Príncipe	AF	Moderate Advancement
Senegal	AF	Moderate Advancement
Serbia	EUR	Moderate Advancement
Sierra Leone	AF	Moderate Advancement
South Africa	AF	Moderate Advancement
Sri Lanka	IP	Moderate Advancement
Suriname	LAC	Moderate Advancement
Tanzania	AF	Moderate Advancement
Thailand	IP	Moderate Advancement
Togo	AF	Moderate Advancement
Tunisia	MENA	Moderate Advancement
Uganda	AF	Moderate Advancement
Western Sahara	MENA	Moderate Advancement
Zambia	AF	Moderate Advancement
MINIMAL ADVANCEMENT		
Algeria	MENA	Minimal Advancement
Bolivia	LAC	Minimal Advancement
Botswana	AF	Minimal Advancement
Djibouti	AF	Minimal Advancement
Dominica	LAC	Minimal Advancement
Eswatini	AF	Minimal Advancement
Guyana	LAC	Minimal Advancement
Haiti	LAC	Minimal Advancement
Lebanon	MENA	Minimal Advancement



COUNTRY	REGION	2021 ASSESSMENT LEVEL
<b>MINIMAL ADVANCEMENT (CONTINUED)</b>		
Nicaragua	LAC	Minimal Advancement
Papua New Guinea	IP	Minimal Advancement
Solomon Islands	IP	Minimal Advancement
Tuvalu	IP	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>		
Central African Republic	AF	Minimal Advancement—Efforts Made but Regression in Practice that Delayed Advancement
Kazakhstan	IP	Minimal Advancement—Efforts Made but Regression in Law that Delayed Advancement
Zimbabwe	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>		
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
Falkland Islands (Islas Malvinas)	EUR	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
Kenya	AF	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
Montserrat	EUR	Minimal Advancement—Efforts Made but Continued Law that Delayed Advancement

COUNTRY	REGION	2021 ASSESSMENT LEVEL
<b>MINIMAL ADVANCEMENT— Efforts Made but Continued Law/Policy/Practice that Delayed Advancement (CONTINUED)</b>		
Pakistan	IP	Minimal Advancement—Efforts Made but Continued Practice that Delayed Advancement
Saint Helena, Ascensión, and Tristán da Cunha	EUR	Minimal Advancement—Efforts Made but Continued Practice that Delayed Advancement
Somalia	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
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>		
Afghanistan	IP	No Advancement
Anguilla	EUR	No Advancement
British Virgin Islands	EUR	No Advancement
Grenada	LAC	No Advancement
Niue	IP	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





© Ahmed Abdulhaleem/UNICEF/UN0262497

Girls attend class at the Ibn Zaidoon School.  
Aden, Yemen. December 4, 2018.

## Comparisons in TDA Assessments From 2020 to 2021, by Country

COUNTRY	REGION	2020 ASSESSMENT LEVEL	2021 ASSESSMENT LEVEL
Afghanistan	IP	Minimal Advancement—Efforts Made but Continued Practice that Delayed Advancement	No Advancement
Albania	EUR	Moderate Advancement	Moderate Advancement
Algeria	MENA	Moderate Advancement	Minimal 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	Minimal Advancement	Moderate Advancement
Benin	AF	Moderate Advancement	Moderate Advancement
Bhutan	IP	Moderate Advancement	Moderate Advancement
Bolivia	LAC	Moderate Advancement	Minimal 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	Moderate 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

COUNTRY	REGION	2020 ASSESSMENT LEVEL	2021 ASSESSMENT LEVEL
Cambodia	IP	Minimal Advancement—Efforts Made but Continued 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	Minimal Advancement—Efforts Made but Regression in Practice that Delayed Advancement
Chad	AF	Moderate Advancement	Moderate Advancement
Chile	LAC	Moderate Advancement	Moderate Advancement
Christmas Island	IP	No Assessment	No Assessment
Cocos (Keeling) Islands	IP	No Assessment	No Assessment
Colombia	LAC	Significant Advancement	Significant Advancement
Comoros	AF	Moderate Advancement	Moderate Advancement
Congo, Democratic Republic of the	AF	Moderate Advancement	Moderate Advancement
Congo, Republic of the	AF	Moderate Advancement	Moderate Advancement
Cook Islands	IP	Moderate Advancement	Moderate Advancement
Costa Rica	LAC	Significant Advancement	Significant Advancement
Côte d'Ivoire	AF	Moderate Advancement	Significant Advancement
Djibouti	AF	Moderate Advancement	Minimal Advancement
Dominica	LAC	No Advancement	Minimal Advancement
Dominican Republic	LAC	Moderate Advancement	Moderate Advancement
Ecuador	LAC	Significant Advancement	Significant Advancement
Egypt	MENA	Moderate Advancement	Moderate Advancement
El Salvador	LAC	Moderate Advancement	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	Minimal Advancement	Minimal Advancement
Ethiopia	AF	Moderate Advancement	Moderate Advancement
Falkland Islands (Islas Malvinas)	EUR	Minimal Advancement	Minimal Advancement—Efforts Made but Continued Practice that Delayed Advancement
Fiji	IP	Moderate Advancement	Moderate Advancement



COUNTRY	REGION	2020 ASSESSMENT LEVEL	2021 ASSESSMENT LEVEL
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	Minimal Advancement—Efforts Made but Regression in Practice that Delayed Advancement	Moderate Advancement
Georgia	EUR	Moderate Advancement	Moderate Advancement
Ghana	AF	Moderate Advancement	Moderate Advancement
Grenada	LAC	No Advancement	No Advancement
Guatemala	LAC	Moderate Advancement	Significant Advancement
Guinea	AF	Minimal Advancement	Moderate Advancement
Guinea-Bissau	AF	Minimal Advancement	Moderate Advancement
Guyana	LAC	Moderate Advancement	Minimal Advancement
Haiti	LAC	Moderate Advancement	Minimal Advancement
Honduras	LAC	Moderate Advancement	Significant 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	Significant Advancement
Kazakhstan	IP	Moderate Advancement	Minimal Advancement—Efforts Made but Regression in Law that Delayed Advancement
Kenya	AF	Moderate Advancement	Minimal Advancement—Efforts Made but Continued Practice that Delayed Advancement
Kiribati	IP	Moderate Advancement	Moderate Advancement
Kosovo	EUR	Moderate Advancement	Moderate Advancement
Kyrgyz Republic	IP	Minimal Advancement—Efforts Made but Continued Law and Practice that Delayed Advancement	Minimal Advancement—Efforts Made but Continued Law and Practice that Delayed Advancement
Lebanon	MENA	Minimal Advancement	Minimal Advancement

COUNTRY	REGION	2020 ASSESSMENT LEVEL	2021 ASSESSMENT LEVEL
Lesotho	AF	Moderate Advancement	Moderate Advancement
Liberia	AF	Moderate Advancement	Moderate Advancement
Madagascar	AF	Moderate Advancement	Moderate Advancement
Malawi	AF	Moderate Advancement	Moderate Advancement
Maldives	IP	Moderate Advancement	Moderate Advancement
Mali	AF	Minimal Advancement—Efforts Made but Continued Practice that Delayed 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	Moderate Advancement	Moderate Advancement
Mexico	LAC	Significant Advancement	Moderate 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	Moderate Advancement
Montenegro	EUR	Moderate Advancement	Moderate Advancement
Montserrat	EUR	No Advancement	Minimal Advancement—Efforts Made but Continued Law that Delayed Advancement
Morocco	MENA	Moderate Advancement	Moderate Advancement
Mozambique	AF	Moderate Advancement	Moderate Advancement
Namibia	AF	Moderate Advancement	Moderate Advancement
Nepal	IP	Moderate Advancement	Moderate Advancement
Nicaragua	LAC	Minimal Advancement	Minimal Advancement
Niger	AF	Minimal Advancement	Moderate Advancement
Nigeria	AF	Moderate 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

COUNTRY	REGION	2020 ASSESSMENT LEVEL	2021 ASSESSMENT LEVEL
Pakistan	IP	Moderate Advancement	Minimal Advancement—Efforts Made but Continued Practice that Delayed Advancement
Panama	LAC	Moderate Advancement	Moderate Advancement
Papua New Guinea	IP	Minimal Advancement	Minimal Advancement
Paraguay	LAC	Moderate Advancement	Moderate Advancement
Peru	LAC	Significant Advancement	Moderate Advancement
Philippines	IP	Moderate Advancement	Moderate Advancement
Rwanda	AF	Moderate Advancement	Moderate Advancement
Saint Helena, Ascension, and Tristan da Cunha	EUR	No Advancement	Minimal Advancement—Efforts Made but Continued Practice that Delayed Advancement
Saint Lucia	LAC	Minimal Advancement	Moderate Advancement
Saint Vincent and the Grenadines	LAC	Moderate Advancement	Moderate Advancement
Samoa	IP	Minimal Advancement	Moderate Advancement
São Tomé and Príncipe	AF	Minimal Advancement	Moderate Advancement
Senegal	AF	Moderate Advancement	Moderate Advancement
Serbia	EUR	Moderate Advancement	Moderate Advancement
Sierra Leone	AF	Minimal Advancement	Moderate Advancement
Solomon Islands	IP	Minimal Advancement	Minimal Advancement
Somalia	AF	Minimal Advancement—Efforts Made but Continued Practice that Delayed Advancement	Minimal Advancement—Efforts Made but Continued Practice that Delayed Advancement
South Africa	AF	Minimal Advancement	Moderate 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	Minimal Advancement	Moderate Advancement
Tanzania	AF	Minimal Advancement—Efforts Made but Continued Practice that Delayed Advancement	Moderate Advancement
Thailand	IP	Moderate Advancement	Moderate Advancement



COUNTRY	REGION	2020 ASSESSMENT LEVEL	2021 ASSESSMENT LEVEL
Timor-Leste	IP	Minimal Advancement—Efforts Made but Continued Practice that Delayed Advancement	Minimal Advancement—Efforts Made but Continued Practice that Delayed Advancement
Togo	AF	Moderate 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	Minimal Advancement
Uganda	AF	Minimal Advancement—Efforts Made but Continued Practice that Delayed Advancement	Moderate Advancement
Ukraine	EUR	Minimal Advancement—Efforts Made but Continued Law that Delayed Advancement	Minimal Advancement—Efforts Made but Continued Law that Delayed Advancement
Uzbekistan	IP	Moderate Advancement	Significant 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	Moderate 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	Minimal Advancement—Efforts Made but Regression in Practice that Delayed Advancement

## Appendix 6

## TDA Laws and Ratifications, by Country

COUNTRY	RE- GION	2021 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	No Advancement	Yes	Yes	Yes	Yes	Yes	Yes	18	15	Yes
Albania	EUR	Moderate Advancement	Yes	Yes	Yes	Yes	Yes	Yes	16	16	Yes
Algeria	MENA	Minimal 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	18	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	Moderate Advancement	Yes	Yes	Yes	Yes	Yes	Yes	14	14	Yes
Benin	AF	Moderate Advancement	Yes	Yes	Yes	Yes	Yes	Yes	14	11	No
Bhutan	IP	Moderate Advancement	N/A	N/A	Yes	Yes	Yes	No	13	N/A	Yes
Bolivia	LAC	Minimal 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

COUNTRY	RE- GION	2021 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
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	No
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	Yes	Yes	Yes	14	12	No
Central African Republic	AF	Minimal Advancement— Efforts Made but Regression in Practice that Delayed Advancement	Yes	Yes	Yes	Yes	Yes	Yes	14	15	Yes
Chad	AF	Moderate Advancement	Yes	Yes	Yes	Yes	Yes	Yes	14	16	Yes
Chile	LAC	Moderate Advancement	Yes	Yes	Yes	Yes	Yes	Yes	15	18	Yes
Christmas Island	IP	No Assessment	No	Yes	Yes	Yes	Yes	Yes	17.5	17.5	Yes
Cocos (Keeling) Islands	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



COUNTRY	RE- GION	2021 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
Côte d'Ivoire	AF	Significant Advancement	Yes	Yes	Yes	Yes	Yes	Yes	16	16	Yes
Djibouti	AF	Minimal Advancement	Yes	Yes	Yes	Yes	Yes	Yes	16	16	Yes
Dominica	LAC	Minimal Advancement	Yes	Yes	Yes	Yes	Yes	Yes	16	16	Yes
Dominican Republic	LAC	Moderate Advancement	Yes	Yes	Yes	Yes	Yes	Yes	14	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	16	18	Yes
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- Efforts Made but Continued Practice that Delayed Advancement	No	Yes	Yes	No	No	No	14	16	Yes
Fiji	IP	Moderate Advancement	Yes	Yes	Yes	Yes	Yes	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	Moderate Advancement	Yes	Yes	Yes	Yes	Yes	Yes	18	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	No
Guatemala	LAC	Significant Advancement	Yes	Yes	Yes	Yes	Yes	Yes	14	15	Yes
Guinea	AF	Moderate Advancement	Yes	Yes	Yes	Yes	Yes	Yes	16	16	No
Guinea-Bissau	AF	Moderate Advancement	Yes	Yes	Yes	Yes	Yes	Yes	14	15	No

COUNTRY	RE- GION	2021 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
Guyana	LAC	Minimal Advancement	Yes	Yes	Yes	Yes	Yes	Yes	15	15	Yes
Haiti	LAC	Minimal Advancement	Yes	Yes	Yes	Yes	Yes	Yes	16	15	Yes
Honduras	LAC	Significant Advancement	Yes	Yes	Yes	Yes	Yes	Yes	18	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	12/15	Yes
Jamaica	LAC	Moderate Advancement	Yes	Yes	Yes	Yes	Yes	Yes	15	16	No
Jordan	MENA	Significant Advancement	Yes	Yes	Yes	Yes	Yes	Yes	16	16	Yes
Kazakhstan	IP	Minimal Advancement- Efforts Made but Regression in Law that Delayed Advancement									
			Yes	Yes	Yes	Yes	Yes	Yes	18	17	Yes
Kenya	AF	Minimal Advancement- Efforts Made but Continued Practice that Delayed 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	17	Yes
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	Yes	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

COUNTRY	RE- GION	2021 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
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	Moderate 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
Mongolia	IP	Moderate Advancement	Yes	Yes	Yes	Yes	Yes	Yes	15	16	Yes
Montenegro	EUR	Moderate Advancement	Yes	Yes	Yes	Yes	Yes	Yes	15	15	Yes
Montserrat	EUR	Minimal Advancement- Efforts Made but Continued Law that Delayed 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	18	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	Moderate Advancement	Yes	Yes	Yes	Yes	Yes	Yes	14	N/A	Yes
Nigeria	AF	Moderate Advancement	Yes	Yes	Yes	Yes	Yes	Yes	12	15	Yes
Niue	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



COUNTRY	RE- GION	2021 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
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	Minimal Advancement- Efforts Made but Continued Practice that Delayed Advancement	Yes	Yes	Yes	Yes	Yes	No	14/15	16	Yes
Panama	LAC	Moderate Advancement	Yes	Yes	Yes	Yes	Yes	Yes	14	15	Yes
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	18	17	Yes
Peru	LAC	Moderate 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	Minimal Advancement- Efforts Made but Continued Practice that Delayed Advancement	No	Yes	Yes	No	No	No	14/16	16	Yes
Saint Lucia	LAC	Moderate 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	Moderate Advancement	Yes	Yes	Yes	Yes	Yes	No	15	16	No
São Tomé and Príncipe	AF	Moderate 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	Moderate 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

COUNTRY	RE- GION	2021 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	Moderate 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	Moderate Advancement	Yes	Yes	Yes	Yes	No	Yes	16	12	Yes
Tanzania	AF	Moderate Advancement	Yes	Yes	Yes	Yes	Yes	Yes	14/15	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	No
Tokelau	IP	No Advancement	No	No	No	No	No	No	N/A	16	Yes
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	Minimal Advancement	No	Yes	Yes	No	No	No	15	15	No
Uganda	AF	Moderate 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	Significant Advancement	Yes	Yes	Yes	Yes	Yes	Yes	18	18	Yes

COUNTRY	RE- GION	2021 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
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	15	Yes
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	Minimal Advancement– Efforts Made but Regression in Practice that Delayed Advancement	Yes	Yes	Yes	Yes	Yes	Yes	16	16	No



Appendix 7:

## Reference Materials—Key Concepts and Definitions

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

In this report, 105 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 2011). 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 (ICLS) in 2018, and the report *ILO and UNICEF Child Labour: Global Estimates 2020, Trends and the Road Forward*. (16; 67) 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). (93)

According to ILO researchers, typical surveys on children’s work do not collect sufficiently detailed information on children’s activities to accurately measure economic activity. (100) 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. (94) This resolution is contributing to the collection of more comparable data on children’s involvement in non-market activities. In addition, although the 20th ICLS introduced changes to the definition of working children to align it with internationally accepted definitions of work for adults, 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.

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 250 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. (96) Sample design may also affect 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. (97) 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.

### *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 25, 2022 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 the 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 either government-reported labor force statistics collected by the ILO or from labor force estimates by the ILO modeled on a combination of demographic and economic factors. Both sources of labor force data provide 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. (92)

### *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" equates 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" equates 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. (93)

### *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. (94)

### *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. (101)

## 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 age 5 or older than age 7. 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; 96; 97; 98)

### *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). (73)

Bonded labor typically occurs when a person who needs a loan and has no security to offer pledges their labor, or that of someone under their 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. (100)

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. (101; 102)

### *Child Labor Elimination Projects*

Since 1995, USDOL has funded over 350 projects in 99 countries. USDOL currently oversees more than \$274 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. (103)

### *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.” (104)

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.” (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, promotion, and distribution 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. (98)

### *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.” (105)

### *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. (106)

### *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. (5) 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." (106)

### *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. In addition, because businesses in the informal sector

are not usually included in official statistics, children working in informal sector enterprises may not be counted in labor force activity rates. (108; 109)

### *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). Under Article 7(2), countries may also permit the employment in light work of children who are at least age 15 but have not yet completed compulsory schooling. 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. (76)

### *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. (76)

### *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. (97)

### *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). (110)

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 prohibit the commercial sexual exploitation of children, which is a worst form of child labor as defined in ILO C. 182, Article 3(b). (111)

### *Poverty Reduction Strategy Paper (PRSP)*

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. (112)

*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 UN 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). (5) 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. (118)

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. (118)

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. (118)

*Slavery*

Slavery is the status or condition of a person over whom any or all of the powers attaching to the right of ownership are exercised. (72)

*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. (68)



## Appendix 8:

# 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.

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. (94)

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

the request was mailed to the Washington, D.C.-based foreign embassies of the countries included in this report. (115) 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 has 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 2011) 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.

In addition, in cases in which previous editions of this report have asserted that the worst forms of child labor exist in the production of goods, and in the absence of evidence that the problem has been effectively eliminated, sources more than 5 years old may be used. This practice makes the report's information on such forms of child labor consistent with USDOL's *List of Goods Produced by Child Labor or Forced Labor*, as mandated by the Trafficking Victims Protection Reauthorization Act of 2005 (TVPPRA). 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, ILAB relies on U.S. embassies, internet research, and submissions received in response to the *Federal Register* notice to gather primary and secondary sources of information. For countries where Internet access and technology are limited, there may be less information available online. Countries with more closed government processes and less civil society participation also may have less information readily available. When ILAB was unable to find information about report topics, including the content of important laws or enforcement efforts, this was noted in the report.

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

Despite ILAB's best efforts to cover relevant topics as comprehensively as possible, this report cannot

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

## Organization and Content of Country Profiles

ILAB organized country profiles to track the types of efforts outlined in the TDA Conference Committee report. In this report, the Conference Committee indicated that the President should consider certain criteria when determining whether a country has met its obligation under the Generalized System of Preferences (GSP) program to implement its international commitments to eliminate the worst forms of child labor. (1) 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 2021 in a single paragraph, beginning with a statement identifying the assessment level assigned to the country for 2021. 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, 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 in which, 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. (76) 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 age 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 the worst forms of child labor.

### *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.” (1) 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. (123)

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

- Established criminal investigation systems.
- Provided sufficient funding and resources to enforce the worst forms of child labor laws and regulations.
- Provided sufficient training for investigators, including initial training for new employees, training on new laws related to 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.” (106) 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 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 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 and 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. In addition, ILAB reviewed whether the government established or failed to remedy a regressive or significantly detrimental law, policy, or practice that delayed advancement in eliminating child labor. Finally, ILAB also examined whether countries had a policy or demonstrated a practice of being *complicit in forced child labor* in more than isolated incidents at the national, regional, or local level.

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



© Fernando Pastorelli/UNICEF/ UN0500162

During the COVID-19 pandemic, Jaqueline Cerqueira, age 10, attends class in the Brigadeiro Gavião Peixoto State School, São Paulo, Brazil. February 19, 2021.



Appendix g:

## TDA Guidance Questions

### Assessment Level

#### *TDA Conference Report Criterion:*

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

#### *Guidance Questions*

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

### Prevalence and Sectoral Distribution of Child Labor

#### *Guidance Questions*

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

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

**\* 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?\*

**\* 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?\*

\* 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 of the country profiles, 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?\*
- 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?\*

*\* 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?

*\* A "Yes" response likely means that the country will automatically receive an assessment of Minimal Advancement or No Advancement.*

# References

1. **Government of the United States of America.** *Trade and Development Act of 2000, P.L. 106-200, H.R. 434 (106th).* Enacted: November 3, 1999. <https://www.govtrack.us/congress/bills/106/hr434/text/eas>.
2. —. *19 U.S. Code § 2462 – Designation of Beneficiary Developing Countries.* Enacted: 1974. <https://www.law.cornell.edu/uscode/text/19/2462>.
3. —. *Trade Act of 1974, P.L. 93-618.* Enacted: January 3, 1975. <https://legcounsel.house.gov/Comps/93-618.pdf>.
4. **U.S. Department of Labor.** *By the Sweat & Toil of Children, Volume VI: An Economic Consideration of Child Labor.* January 1, 2000. [http://digitalcommons.ilr.cornell.edu/cgi/viewcontent.cgi?article=1147&context=key\\_workplace](http://digitalcommons.ilr.cornell.edu/cgi/viewcontent.cgi?article=1147&context=key_workplace).
5. **ILO.** *Worst Forms of Child Labour Convention, 1999 (No. 182) Concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour.* Entry into force: November 19, 2000. [https://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO::P12100\\_ILO\\_CODE:C182](https://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO::P12100_ILO_CODE:C182).
6. —. *International Labour Conference adds safety and health to Fundamental Principles and Rights at Work.* June 10, 2022.
7. **World Bank.** *Global Public Procurement Database: Share, Compare, Improve!* March 23, 2020.
8. **Government of the United States of America.** *Subpart 22.15 - Prohibition of Acquisition of Products Produced by Forced or Indentured Child Labor.* Accessed July 11, 2022.
9. —. *52.222-18 Certification Regarding Knowledge of Child Labor for Listed End Products.* Accessed July 11, 2022.
10. —. *52.222-19 Child Labor-Cooperation with Authorities and Remedies.* Accessed July 11, 2022.
11. —. *Chapter 21: Labor.* [prod.] United States Trade Representative. Accessed July 11, 2022.
12. —. *Public Law 116-113.* January 29, 2020.
13. —. *Establishment of the Forced Labor Enforcement Task Force Under Section 741 of the United States-Mexico- Canada Agreement Implementation Act.* May 15, 2020.
14. **U.S. Department of Labor.** *Building a Comprehensive Government of Mexico Approach to Combating Child Labor and Forced Labor.* Accessed July 11, 2022.
15. —. *Sustentar: Project to Build and Strengthen Sustainability Systems in the Tomato and Chile Sectors in Mexico.* Accessed July 11, 2022.
16. **ILO.** *Child Labour: Global estimates 2020, trends and the road forward.* June 10, 2021.
17. **U.S. Department of Labor.** *2020 Findings on the Worst Forms of Child Labor– Bangladesh.* September 2021.
18. —. *2020 Findings on the Worst Forms of Child Labor– Mozambique.* September 2021.
19. **Mullally, Siobhán.** *Report of the Special Rapporteur on trafficking in persons, especially women and children.* April 25, 2022.
20. **Kara, Siddharth.** *Is your phone tainted by the misery of the 35,000 children in Congo's mines?* October 12, 2018.
21. **U.S. Department of State.** *2021 Trafficking in Persons Report: Democratic Republic of the Congo.* June 2021.
34. **U.S. Department of Labor.** *2020 List of Goods Produced by Child Labor or Forced Labor.* September 2020.
37. **ILO.** *Proposed resolution and conclusions concerning inequalities and the world of work.* December 11, 2021.
38. —. *World Social Protection Report 2020-22.* 2021.
39. **UN.** *Transforming our world: the 2030 Agenda for Sustainable Development.* Accessed July 14, 2022.
40. —. *Do you know all 17 SDGs?* Accessed July 14, 2022.

41. —. *Promote sustained, inclusive and sustainable economic growth, full and productive employment and decent work for all*. Accessed July 14, 2022.
42. —. *The Alliance*. Accessed July 14, 2022.
43. —. *Pathfinder Countries*. Accessed July 14, 2022.
44. **U.S. Department of Labor**. *MY Voice: Project to Combat Forced Labor and Child Labor in the Production of Goods in Malaysia*. Accessed July 14, 2022.
45. —. *Global Accelerator Lab 8.7 Project – Intensifying Action Against Forced Labor and Child Labor Through Innovation*. Accessed July 14, 2022.
46. **U.S. Customs and Border Protection**. *Withhold Release Orders and Findings List*. Accessed July 14, 2022.
47. —. *Forced Labor*. Accessed July 14, 2022.
48. **Boatend, Pearl and West, Helen**. *Child Domestic Work*. April 19, 2017.
49. **Thi, Aye Myat, et al.** *Child Domestic Work, Violence, and Health Outcomes: A Rapid Systematic Review*. December 31, 2021.
50. **Daily Pakistan**. *Employers booked for torturing 12-year-old maid to death*. February 5, 2021.
51. **Sirhindi, Manish**. *10-year-old domestic help tortured, employers to be booked*. December 14, 2018.
52. **Huda, Taqbir**. *Why child domestic workers are prime victims*. July 10, 2017.
53. **Cahya, Gemma Holliani and Pierson, David**. *She was promised school. She ended up enslaved and tortured as a housemaid*. July 28, 2021.
54. **U.S. Department of State**. *U.S. Embassy- Dhaka Reporting*. January 14, 2022.
55. **UNICEF**. *Child labour rises to 160 million – first increase in two decades*. July 9, 2021.
56. **U.S. Department of Labor**. *Statement by US Secretary of Labor Walsh on June Jobs Report*. July 8, 2022.
57. —. *Remarks of Labor Secretary Martin J. Walsh to US Conference of Mayors*. Accessed July 12, 2022.
58. —. *McDonald's Franchisee to Pay \$25k in Penalties for Child Labor Violations*. February 23, 2022.
59. —. *U.S. Department of Labor Offers Webinar to Help Southeast's Restaurant Employers Avoid Common Child Labor Compliance Violations*. January 24, 2022.
60. **U.S. Department of Justice**. *Human smuggling, forced labor among allegations in south Georgia federal indictment*. November 22, 2021.
61. —. *Indictment Against Maria Leticia Patricio, et al.* October 5, 2021.
62. **Grinspan, Lautaro**. *'This has been happening for a long time': Modern-day slavery uncovered in South Georgia*. s.l.: Atlanta Journal-Constitution, December 3, 2021.
63. **U.S. Department of Labor**. *New Hampshire Wineries, Restaurants, Event Venues Operator Pays \$22,803 in Civil Penalties for Child Labor Violations*. December 16, 2021.
64. —. *Biden-Harris Administration, U.S. Department of Labor Award More Than \$90m to Grow Clean Energy Workforce with Education, Training for Young Adults*. April 26, 2022.
65. —. *U.S. Department of Labor Awards \$43.3m in Grants to Help Provide Job Training, Employment Services to Justice- Involved Young People*. June 23, 2022.
67. **ILO**. *20th International Conference of Labour Statisticians. Resolution to amend the 18th ICLS Resolution concerning statistics of child labour*. 2018.
68. —. *Resolution II: Resolution Concerning Statistics of Child Labour*. 18th International Conference of Labour Statisticians. 2008. [http://www.ilo.org/wcmsp5/groups/public/-dgreports/-stat/documents/normativeinstrument/wcms\\_112458.pdf](http://www.ilo.org/wcmsp5/groups/public/-dgreports/-stat/documents/normativeinstrument/wcms_112458.pdf).
69. —. *Forced Labor Convention, 1930 (No. 29) concerning Forced or Compulsory Labour*. Entry into force: May 1, 1932. [http://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO:12100:P12100\\_INSTRUMENT\\_ID:312174:NO](http://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO:12100:P12100_INSTRUMENT_ID:312174:NO).



71. **ILO.** 20th International Conference of Labour Statisticians. Geneva, October 10–19, 2018. Appendix: Revised draft guidelines concerning the measurement of forced labour. 2018. [https://www.ilo.org/wcmsp5/groups/public/-dgreports/-stat/documents/meetingdocument/wcms\\_647379.pdf](https://www.ilo.org/wcmsp5/groups/public/-dgreports/-stat/documents/meetingdocument/wcms_647379.pdf).
72. **UN.** Slavery Convention. September 26, 1926.
73. —. *Supplementary Convention on the Abolition of Slavery, the Slave Trade, and Institutions and Practices Similar to Slavery*. September 07, 1956. <http://www.ohchr.org/EN/ProfessionalInterest/Pages/SupplementaryConventionAbolitionOfSlavery.aspx>.
74. **ILO.** *Guidelines concerning the measurement of forced labour*. October 10–19, 2018. [https://www.ilo.org/global/statistics-and-databases/meetings-and-events/international-conference-of-labour-statisticians/20/WCMS\\_648619/lang-en/index.htm](https://www.ilo.org/global/statistics-and-databases/meetings-and-events/international-conference-of-labour-statisticians/20/WCMS_648619/lang-en/index.htm).
75. —. *How International Labour Standards are created*. Accessed August 5, 2019. <https://www.ilo.org/global/standards/introduction-to-international-labour-standards/international-labour-standards-creation/lang-en/index.htm>.
76. —. *Minimum Age Convention, 1973 (No. 138) concerning Minimum Age for Admission to Employment*. Entry into force: June 19, 1976. [http://www.ilo.org/dyn/normlex/en/f?p=1000:12100:0::NO::P12100\\_ILO\\_CODE:C138](http://www.ilo.org/dyn/normlex/en/f?p=1000:12100:0::NO::P12100_ILO_CODE:C138).
77. —. *Abolition of Forced Labour Convention, 1957 (No. 105) concerning the Abolition of Forced Labour*. Entry into force: January 17, 1959. [http://ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO::P12100\\_ILO\\_CODE:C105](http://ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO::P12100_ILO_CODE:C105).
78. —. *Protocol of 2014 to the Forced Labour Convention, 1930 (P29)*. Entry into force: November 9, 2016. [http://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO::P12100\\_ILO\\_CODE:P029](http://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO::P12100_ILO_CODE:P029).
79. —. *Forced Labour (Supplementary Measures) Recommendation, 2014 (No. 203)*. Entry into force: June 11, 2014. [https://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO::P12100\\_INSTRUMENT\\_ID:3174688](https://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO::P12100_INSTRUMENT_ID:3174688).
80. —. **UNICEF.** *Declaration and Agenda for Action - 1st World Congress against Commercial Sexual Exploitation of Children*. Stockholm. Sweden. August 27–31, 1996. [https://rinj.org/metoo/The-Stockholm-Declaration-and-Agenda-for-Action\\_1996.pdf](https://rinj.org/metoo/The-Stockholm-Declaration-and-Agenda-for-Action_1996.pdf).
91. **CIA.** *The World Factbook*. Accessed August 5, 2019. <https://www.cia.gov/Library/publications/the-world-factbook/rankorder/2095rank.html>.
92. **ILO Labor Force Statistics (LFS) and ILO Labor Force Modelled Estimates (ILOEST).** *Population and labour force*. Accessed January 25, 2022.
93. **UN.** *World Economic Situation and Prospects 2017. Statistical Annex*. 2017. [https://www.un.org/development/desa/dpad/wp-content/uploads/sites/45/publication/2017wesp\\_full\\_en.pdf](https://www.un.org/development/desa/dpad/wp-content/uploads/sites/45/publication/2017wesp_full_en.pdf).
94. **ILO Committee of Experts.** *Committee of Experts on the Application of Conventions and Recommendations: Reports of the Committee of Experts since 1932*. Accessed August 5, 2019. <https://www.ilo.org/global/standards/applying-and-promoting-international-labour-standards/committee-of-experts-on-the-application-of-conventions-and-recommendations/lang-en/index.htm>.
96. **UNESCO Institute for Statistics.** *Fixing the Broken Promise of Education for All: Findings From the Global Initiative on Out-of-School Children, Executive Summary*. 2015. [http://uis.unesco.org/sites/default/files/documents/fixing-broken-promise-efa-findings-global-initiative-oosc-exe-sum-education-2015-en\\_4.pdf](http://uis.unesco.org/sites/default/files/documents/fixing-broken-promise-efa-findings-global-initiative-oosc-exe-sum-education-2015-en_4.pdf).
97. —. *International Standard Classification of Education: ISCED 2011*. Published: 2012. <http://uis.unesco.org/sites/default/files/documents/international-standard-classification-of-education-isced-2011-en.pdf>.
98. **UNESCO.** *The Right to Education: Law and Policy Review Guidelines*. 2014. <http://unesdoc.unesco.org/images/0022/002284/228491e.pdf>.
100. **ILO-IPEC.** *Child Labour: A textbook for university students; Appendix 2: Glossary*, 287. 2004. [https://www.ilo.org/wcmsp5/groups/public/-ed\\_norm/documents/publication/wcms\\_067258.pdf](https://www.ilo.org/wcmsp5/groups/public/-ed_norm/documents/publication/wcms_067258.pdf).

101. **ILO.** *Ending child labour in domestic work and protecting young workers from abusive working conditions*. June 12, 2013. <https://www.ilo.org/ipecinfo/product/download.do?type=document&id=21515>.
102. —. *Domestic Workers Convention, 2011 (No. 189)* concerning decent work for domestic workers; Articles 1 and 3. Entry into force: September 5, 2013. [http://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO:121\\_00:P12100\\_ILO\\_CODE:C189](http://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO:121_00:P12100_ILO_CODE:C189).
103. **U.S. Department of Labor.** Projects. Accessed August 5, 2018. <https://www.dol.gov/agencies/ilab/projects>.
104. **UNODC.** *United Nations Convention Against Transnational Organized Crime and the Protocols Thereto*. 2004. <http://www.unodc.org/documents/treaties/UNTOC/Publications/TOC%20Convention/TOCebook-e.pdf>.
105. **UN Office of the High Commissioner for Human Rights.** *Convention on the Rights of the Child*. Entry into force: September 2, 1990.
106. **ILO.** *Worst Forms of Child Labour Recommendation, 1999 (No. 190)* - Recommendation concerning the prohibition and immediate action for the elimination of the worst forms of child labour. Adoption: June 17, 1999. [http://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO::P12100\\_ILO\\_CODE:R190](http://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO::P12100_ILO_CODE:R190).
107. —. *Giving Globalization a Human Face: General Survey on the fundamental Conventions concerning rights at work in light of the ILO Declaration on Social Justice for a Fair Globalization*, 2008. Published: 2012. [https://www.ilo.org/wcmsp5/groups/public/-ed\\_norm/-relconf/documents/meetingdocument/wcms\\_174846.pdf](https://www.ilo.org/wcmsp5/groups/public/-ed_norm/-relconf/documents/meetingdocument/wcms_174846.pdf).
108. —. *Measuring informality: A statistical manual on the informal sector and informal employment*. 2013. [http://www.ilo.org/global/publications/ilo-bookstore/order-online/books/WCMS\\_222979/lang-en/index.htm](http://www.ilo.org/global/publications/ilo-bookstore/order-online/books/WCMS_222979/lang-en/index.htm).
109. —. *Women and Men in the Informal Economy: A statistical picture*. 2002. <https://www.gdrc.org/informal/women.pdf>.
110. **UN Office of the High Commissioner for Human Rights.** *Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict*. Entry into force: February 13, 2002.
111. —. *Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution, and child pornography*. Entry into force: January 18, 2002. <http://www.ohchr.org/EN/ProfessionalInterest/Pages/OPSCCRC.aspx>.
112. **International Monetary Fund.** *Poverty Reduction Strategy Papers (PRSP)*. December 28, 2016. <https://www.imf.org/external/np/prsp/prsp.aspx>.
113. **UNICEF.** *Implementing and Monitoring the Convention on the Rights of the Child: Turning child rights principles into action and results for children*. Accessed August 10, 2020. <https://www.unicef.org/child-rights-convention/implementing-monitoring>.
115. **U.S. Department of Labor.** *Child Labor, Forced Labor, and Forced or Indentured Child Labor in the Production of Goods in Foreign Countries and Efforts by Certain Foreign Countries to Eliminate the Worst Forms of Child Labor*. Federal Register. October 5, 2018. [https://www.regulations.gov/document?D=DOL\\_FRDOC\\_0001-1269](https://www.regulations.gov/document?D=DOL_FRDOC_0001-1269).
116. **ILO.** *Strategies and practice for labour inspection. November 2006*. <http://www.ilo.org/public/english/standards/relm/gb/docs/gb297/pdf/esp-3.pdf>.
118. **ILO.** ILO Constitution. Accessed September 2022. [https://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:55:0::NO::P55\\_TYPE,P55\\_LANG,P55\\_DOCUMENT,P55\\_NODE:KEY,en,ILOC,/Document](https://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:55:0::NO::P55_TYPE,P55_LANG,P55_DOCUMENT,P55_NODE:KEY,en,ILOC,/Document)
119. **U.S. Department of Labor.** *U.S. Department of Labor Investigation finds Tennessee Supermarket Violated Child Labor Laws, Leading to Amputation of Teenager's Arm*. July 6, 2021.
120. **ILO, Walk Free, and IOM.** *Global Estimates of Modern Slavery: Forced Labour and Forced Marriage*. International Labour Organization (ILO), Walk Free, and International Organization for Migration (IOM), Geneva, 2022. <https://publications.iom.int/books/global-estimates-modern-slavery-forced-labour-and-forced-marriage#:~:text=The%202021%20Global%20Estimates%20indicate,150%20people%20in%20the%20world>.







# Country Profiles



In 2021, Afghanistan made no advancement in efforts to eliminate the worst forms of child labor. Officials in Afghanistan arrested, detained, and prosecuted children for terrorism-related crimes during the reporting period, 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 armed conflict, forced labor in the production of bricks and carpets, and commercial sexual exploitation. Afghanistan lacks a mechanism to impose penalties for child labor violations and 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 armed conflict, forced labor in the production of bricks and carpets, and in commercial sexual exploitation. (1,2) 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	12.0 (1,206,134)
Attending School (%)	5 to 14	36.4
Combining Work and School (%)	7 to 14	6.5
Primary Completion Rate (%)		84.3

Source for primary completion rate: Data from 2019, published by UNESCO Institute for Statistics, 2022. (3)

Source for all other data: International Labor Organization's analysis of statistics from Income, Expenditure and Labour Force Survey (IE&L), 2019–2020. (4)

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

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

Sector/Industry	Activity
Agriculture	Farming, including harvesting poppies (5-11)
	Herding (5,7,9-11)
Industry	Carpet weaving† (5,7,11-13)
	Construction, including gravelling, paving, and painting (5,7,10-12,14,15)
	Coal, gold, and salt mining† (11,16-18)
	Brickmaking (5,10-12,19-21)
	Working in metal workshops, including in the production of doors, windows, and water tanks (10,11,22)
Services	Working as tinsmiths and welders† (10,12,13)
	Domestic work (9,13,23,24)
	Transporting water and goods, including across international borders (7)
	Street work, including peddling, vending, shoe shining, carrying goods, and begging (7,10,11,13,25,26)
	Collecting garbage† (10,11,13,14,25)

# Afghanistan

## NO ADVANCEMENT

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

Sector/Industry	Activity
Services	Washing cars (7,10-12)
	Selling goods in stores (10-12)
	Collecting and selling firewood (7,10,27)
	Repairing automobiles (10,14)
	Tailoring in garment workshops (10,21)
	Pushing loads on a wheelbarrow ( <i>krachiwani</i> ) (10,12)
	Working as waiters in restaurants (10-12,28)
Categorical Worst Forms of Child Labor†	Forced domestic work (11,23,29)
	Commercial sexual exploitation (10,11,29-31)
	Forced labor in begging and the production of bricks and carpets, and for use as assistant truck drivers (1,2,13,22,28,29,32)
	Forced recruitment of children by non-state armed groups for use in armed conflict, including for terrorist activities and suicide bombings (11,33-35)
	Recruitment of children by state armed groups for use in armed conflict. (33,34)
	Use in illicit activities, including in the production and trafficking of drugs, and pickpocketing (2,5,10,11,22,25,28,29,36-39)
	Weapons trafficking (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 August 2021, the Taliban took control of Kabul and declared the establishment of an “Islamic Emirate” throughout the country. The U.S. government does not recognize the Taliban as the government of Afghanistan, and their non-recognized status has precluded normal communications between the U.S. government and Afghan officials on the matter of child labor. (11,40) The closure of the U.S. Embassy in Kabul and absence of a diplomatic presence in Kabul since August further hampered access to information regarding the prevalence and type of child labor that continued in the country. (41)

Since the group’s takeover, Taliban representatives have indicated the group’s readiness to take steps to reduce child labor and trafficking, including through international coordination. (41) Nonetheless, reporting showed that the subsequent humanitarian crisis, which resulted in food insecurity, displacement, and deteriorating economic conditions, resulted in an increase in the prevalence of the worst forms of child labor. (11,42,43) In addition, the COVID-19 pandemic and drought conditions further exacerbated child labor in the country. (11,42,44)

Children in Afghanistan are recruited and used as child soldiers. (45,46) During the reporting period, at least 58 boys were recruited as child soldiers by the Taliban, government entities under the Ghani administration, such as the Afghan National Police (ANP), or pro-government militias. (46) Moreover, in 2021, the Haqqani Network, Gulbuddin Hekmatyar’s Hizb-I Islami, and the Islamic State of Iraq and the Khorasan Province were all found to have recruited child soldiers in Afghanistan. (47) Low rates of birth registration and the falsification of identity documents contributed to the prevalence of child soldiers by making it difficult to determine a recruit’s age. (48,49) Observers reported that some officials accepted bribes to produce false identity documents that indicated that the recipient boys were older than age 18. (29,48) Even newly introduced biometrics efforts have not enabled Child Protection Units (CPUs) to entirely restrict children from enlisting in the police force. (48) Despite recruitment occurring within official government entities, Afghanistan has never prosecuted military or police officials for facilitating the recruitment or use of child soldiers. (45)

Afghanistan is a source and destination country for child trafficking. (10,12,14,25) Worsening economic and humanitarian conditions in Afghanistan following the Taliban’s August takeover increased children’s vulnerability to child marriage and trafficking, making them more susceptible to the worst forms of child labor. (41)

Boys in Afghanistan continue to be subjected to commercial sexual exploitation through the practice of *bacha bazi*, which typically entails keeping a male or transgender child for the purpose of sexual gratification. (11)



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. (11,50) Perpetrators of this crime included 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. (51,52) Research found that, prior to the Taliban takeover, Afghan service members were among the most frequent perpetrators of *bacha bazi*. (11) In some cases, boys were also forced to serve tea or dance at parties. (53,54) The practice is pervasive in the country, and orphans, runaways, school dropouts, and other marginalized youth are particularly at risk. (29,55) Some boys were sold into the practice by their families or abducted from the street, including by police officers, prior to August 15, 2021. (30,56) Prior to the Taliban takeover, members of the ANP, the Afghan Local Police, the Afghan National Army (ANA), the Afghan Border Police, and checkpoint commanders exploited boys for *bacha bazi*. (40,45) Children subjected to *bacha bazi* often become further victimized by the threat of violence when returning to their families, necessitating the placement of these child victims in rehabilitation centers. (11) The suspension of international aid after August 2021 significantly impacted *bacha bazi* victims' access to rehabilitation services. (42,57,58) 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. (59) Afghanistan has prosecuted a limited number of government officers for *bacha bazi*, including two ANA officers and seven Afghan National Police in 2021. (41)

Girls from impoverished families are often forced into marriage with adult men in order for the girls' families to obtain dowries. These girls are often subsequently forced into carpet weaving and required to provide their earnings to their husbands. (11,42,60,61) Girls are also sold to men in India, Iran, and Pakistan and subsequently exploited sexually or in domestic servitude. (45) Meanwhile, girls from China, Iran, and Pakistan are sometimes trafficked to Afghanistan for the purpose of commercial sexual exploitation. (62)

Most human trafficking victims in Afghanistan are children, some of whom are forced into brick production or the production of illegal drugs to settle family debts. (11,29,35) Boys, especially those traveling unaccompanied, were particularly vulnerable to human trafficking, including for work in agriculture and construction. (63,64) Children's families may pay intermediaries to send children for labor abroad, where they are subjected to labor and sex trafficking in Iran, Pakistan, and parts of Europe. (45)

Adults may use their infant children in street begging, while other children migrate unaccompanied to engage in child labor. (11,64,65) Of all the sectors in which Afghan children work, carpet weaving is the sector with the largest number of child laborers, particularly girls between the ages of 11 and 15. (11,66) Many of these children suffer respiratory ailments. (67)

During the reporting period, nearly half of Afghanistan's children did not attend school due to poverty and the effects of conflict; as many as 1.9 million children either engaged in or were subjected to work. (11) Moreover, after August 2021, school-age girls were not allowed to attend classes beyond the sixth grade in most provinces, although universities continued to accept women. (11,41,68) In some cases, Shia Hazara girls faced deliberate militant attacks against their community and girls' schools, limiting their access to education. (69,70) Additional barriers to education for children included displacement of populations due to conflict, the use of schools as military bases, living long distances from schools, school-related fees, lack of security, lack of female teachers in girls' schools, and lack of identity documentation. (2,15,71,72)




## II. LEGAL FRAMEWORK FOR CHILD LABOR

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

# Afghanistan

## NO 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	✓

Afghanistan 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 lack of criminal prohibitions against 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	18	Article 13 of the Labor Law (73)
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 (73-75)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		List of Prohibited Jobs for Child Laborers; Article 613 of the Penal Code (74,76)
Prohibition of Forced Labor	No		Article 4 of the Labor Law; Articles 510-512 of the Penal Code; Article 37 of the Law on the Elimination of Violence Against Women (73,74,77)
Prohibition of Child Trafficking	Yes		Articles 510–512 of the Penal Code (74)
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 (74,77)
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 (76,78)
Minimum Age for Voluntary State Military Recruitment	Yes	18	Article 605–608 of the Penal Code (74)
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 (74)
Compulsory Education Age	Yes	15‡	Article 17 of the Education Law; Article 609 of the Penal Code (74,79)
Free Public Education	Yes		Article 17 of the Education Law (79)

\* Country has no conscription (80)

‡ Age calculated based on available information (81)

The Taliban have not made a clear pronouncement on whether the group would follow modified versions of either Afghanistan's 1964 or 2004 constitution until it produced a new constitution, making it unclear the degree to which prior elements of the legal system remained in effect. Simultaneously, the Taliban have conveyed that prior laws remain in effect unless they violate the Taliban interpretation of *sharia*, as determined by Taliban courts. (40)

The Afghan Labor Law's minimum age provision prohibits those who have not completed age 18 from being "recruited as a worker." (73) 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 practices similar to slavery, including debt bondage. (73, 74)

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. (74,75,77)

### III. ENFORCEMENT OF LAWS ON CHILD LABOR

Afghanistan 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 agencies, NGOs, and community and religious leaders. Receives complaints of child labor; investigates such cases, refers them to NGO and government shelters that provide social services, and coordinates and provides case management. (2,82) 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. (28) Research was unable to determine whether the networks remained active during the reporting period.
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. (28) Research was unable to determine whether the Kabul shelter remained in operation.
Ministry of Interior	Enforces laws related to child trafficking, the use of children in illicit activities, and child sexual exploitation. (28)
National Directorate of Security	Identifies human trafficking victims and refers these cases to the Ministry of Interior. (28)
Attorney General's Office (AGO)	Investigates and prosecutes human trafficking, abduction, and sexual exploitation cases. (28)

Child Protection Action Network (CPAN) units across the country respond to complaints of child labor, investigate cases, and issue warnings or refer criminal cases to the Attorney General's Office (AGO). However, a person wishing to file a complaint must specify in writing the precise legal statute for the labor violations, making it cumbersome for some citizens to do so. (82) Research also indicates that limited training and resources hinder prompt government response to complaints about child labor. (2)

#### **Labor Law Enforcement**

In 2021, research did not find information on whether labor law enforcement agencies in Afghanistan took actions to address child labor. (11)

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

Overview of Labor Law Enforcement	2020	2021
Labor Inspectorate Funding	Unknown (2)	Unknown (11)
Number of Labor Inspectors	Unknown	Unknown (11)
Mechanism to Assess Civil Penalties	No (83)	No (83)
Initial Training for New Labor Inspectors	No (2)	No (11)
Training on New Laws Related to Child Labor	Unknown (2)	Unknown (11)
Refresher Courses Provided	Unknown (2)	Unknown (11)
Number of Labor Inspections Conducted	Unknown (2)	Unknown (11)
Number Conducted at Worksite	Unknown (2)	Unknown (11)
Number of Child Labor Violations Found	Unknown (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)	Unknown (11)
Routine Inspections Conducted	Unknown (2)	Unknown (11)
Routine Inspections Targeted	Unknown (2)	Unknown (11)



# Afghanistan

## NO ADVANCEMENT

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

Overview of Labor Law Enforcement	2020	2021
Unannounced Inspections Permitted	No (83)	No (83)
Unannounced Inspections Conducted	Unknown (2)	Unknown (11)
Complaint Mechanism Exists	Yes (2)	Unknown (11)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	No (2)	No (11)

In 2021, information about the number of labor inspectors was unavailable; however, as of December 2018, the Ministry of Labor and Social Affairs (MoLSA) had 27 inspector positions, 21 of which were filled. (2,5,28) The number of labor inspectors is likely insufficient for the size of Afghanistan's workforce, which includes more than 7.9 million workers. According to the ILO's technical advice of a ratio approaching 1 inspector for every 40,000 workers in less developed economies, Afghanistan would need to employ roughly 200 labor inspectors. (84) Government officials, NGOs, and UNICEF have previously acknowledged that the number of labor inspectors is insufficient. (2) The international community did not supply additional support to labor inspectors after August. (41) Moreover, sources indicate that labor inspections took place only in the capital, Kabul, prior to the Taliban takeover. It is unclear whether inspections continued after the Taliban takeover in August of 2021. (2,41) Although Afghanistan's labor code designates the MoLSA as the entity with labor law enforcement authority, the Ministry lacks implementing regulations and labor law enforcement funding, leaving inspectors with no mechanism to assess penalties and limited ability to carry out inspections. (70)

### Criminal Law Enforcement

In 2021, research did not find information on whether criminal law enforcement agencies in Afghanistan took actions to address child labor.

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

Overview of Criminal Law Enforcement	2020	2021
Initial Training for New Criminal Investigators	Unknown (2)	Unknown (11)
Training on New Laws Related to the Worst Forms of Child Labor	Unknown (2)	Unknown (11)
Refresher Courses Provided	Unknown (2)	Unknown (11)
Number of Investigations	Unknown (2)	Unknown (11)
Number of Violations Found	Unknown (2)	Unknown (11)
Number of Prosecutions Initiated	Unknown (2)	Unknown (11)
Number of Convictions	Unknown (2)	Unknown (11)
Imposed Penalties for Violations Related to the Worst Forms of Child Labor	Unknown (2)	Unknown (11)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	No (2)	No (11)

As in years past, it is likely that children used as child soldiers by the Taliban, ISIS-K, and other groups were imprisoned under the Ghani administration without consideration for their age, with no official reintegration program for these child victims. (11)

Child victims of human trafficking are routinely prosecuted and convicted of unlawful acts that traffickers compelled them to commit—and this practice is likely to have continued during the reporting period. (29,85,86) 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 being referred to appropriate victim support services. (2,29,34,87) Under the Ghani administration, 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. (72) Such children are considered criminals even after being transferred to rehabilitation centers. (29,56) The UN reported that some of these children were subjected to torture and ill treatment. (87,88)

Although information was unavailable for 2021, former government officials previously stated that they lacked equipment and transportation to carry out investigations. (89) 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. (2,28)

The Taliban have said that the Ministry of Interior's anti-trafficking in persons offices have been inoperable since the August 15 takeover and that all computer systems, data, and staff in those offices are gone. These offices have yet to be restored as of the end of the reporting period. Due to assistance restrictions, the international community has been able to provide only limited resources to support to child trafficking victims. (41)

### IV. COORDINATION OF GOVERNMENT EFFORTS ON CHILD LABOR

Afghanistan 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 implementation.

**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 Afghanistan Independent Human Rights Commission, the Ministry of Education, and other bodies. (90,91) Includes an interministerial technical committee, chaired by the MoLSA Minister, to ensure that the Child Act is operational at the provincial and district levels. (90) Research was unable to determine whether this committee was active during the reporting period.
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. (23,92) Focuses on <i>bacha bazi</i> . (35) Met twice during the reporting period. (2) Research was unable to determine whether this committee was active during the reporting period.
Interministerial 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. (23) Research was unable to determine whether this committee was active during the reporting period.

### V. GOVERNMENT POLICIES ON CHILD LABOR

Afghanistan has established policies related to child labor (Table 9). However, policy gaps exist that may hinder efforts to address child labor, including lack of 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, to pass legislation prohibiting child labor, and effectively enforce child labor laws. (93) Research was unable to determine whether activities were undertaken to implement this policy during the reporting period.
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. (5) Research was unable to determine whether activities were undertaken to implement this policy during the reporting period.
National Anti-Trafficking in Persons Action Plan	Organizes Afghanistan's response to human trafficking, including <i>bacha bazi</i> , with a three-pronged approach: mandates the National Child Protection Committee to find and respond to <i>bacha bazi</i> cases among Afghan civil servants; 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 oversees the production of annual or semiannual interagency progress reports on addressing trafficking in persons. (94-96) Research was unable to determine whether activities were undertaken to implement this policy during the reporting period.
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. (97) 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 (ANP) with monitoring that children's rights are safeguarded and coordinating with CPAN chapters and the Afghanistan Independent Human Rights Commission. (98) Research was unable to determine whether activities were undertaken to implement this policy during the reporting period.

# Afghanistan

## NO ADVANCEMENT

### VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2021, Afghanistan had programs that include the goal of preventing child labor (Table 10). However, gaps exist in these social programs, including lack of implementation.

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

Program	Description
Child Protection Units (CPUs) of the ANP†	Units located within ANP recruitment centers to ensure that children are not recruited to join armed conflict. Operate in all provinces. (2) CPUs inspect <i>e-tazkeera</i> (ID cards) and compare them against the physical appearance of applicants; however, Afghanistan did not have sufficient CPU reporting channels to identify children, prevent them from joining the security forces, or provide shelter, services, and family reintegration. (99-101) Research was unable to determine whether activities were undertaken to implement this program during the reporting period or even possible following the Taliban takeover.
Juvenile Rehabilitation Center†	Provides educational, social, and psychological support, and vocational training in Kabul to children who were previously engaged in armed conflict. (102,103) Nearly 800 children are project participants of the services provided by the Juvenile Rehabilitation Center; according to the Ministry of Justice. (99) Research was unable to determine whether activities were undertaken to implement this program during the reporting period.
Asia Regional Child Labor Program (2019–2023)	Funded by ILO and implemented with UNICEF and the Institute for Development Studies, works with Afghanistan to ensure that policies on child labor align with ILO 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. (104) ILO stated that activities under this program within Afghanistan were suspended. (41)

† Program funded by the Government of Afghanistan prior to the Taliban takeover.

### VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE CHILD LABOR

Based on the reporting above, suggested actions are identified for a future government 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 – 2021
	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 – 2021
	Ensure that forced labor and debt bondage are criminally prohibited.	2015 – 2021
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 – 2021
	Publish information on labor law enforcement efforts undertaken, 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 and collected.	2015 – 2021
	Authorize the labor inspectorate to assess penalties for violations of Afghan law.	2015 – 2021
	Ensure that labor inspectors and criminal investigators receive training on child labor.	2011 – 2021
	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 – 2021
	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 – 2021
	Ensure that the labor inspectorate conducts inspections throughout the country and not solely in the capital, Kabul.	2014 – 2021
	Ensure that labor inspectors and criminal investigators are available and receive resources, including equipment and transportation, to enforce criminal child labor laws.	2012 – 2021
	Establish a referral mechanism between criminal authorities and social services.	2020 – 2021
	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 – 2021
	Ensure that children are not recruited into armed groups or government-affiliated military entities, including by ending the falsification of identity documents.	2020 – 2021



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

Area	Suggested Action	Year(s) Suggested
Enforcement	Publish information on criminal law enforcement efforts undertaken, including training for criminal investigators, number of investigations, violations found, prosecutions initiated, and convictions.	2021
	Investigate, arrest, prosecute, and when appropriate, sentence government officials complicit in facilitating the worst forms of child labor, such as <i>bachi bazi</i> and child soldier recruitment.	2021
Coordination	Ensure that all coordinating bodies are active and 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 – 2021
Government Policies	Ensure activities are undertaken to implement key policies related to child labor and publish results from activities implemented during the reporting period.	2016 – 2021
Social Programs	Institute a birth registration campaign so that age is documented, and children can register for school.	2015 – 2021
	Ensure activities are undertaken to implement key social programs to address child labor during the reporting period and make information about implementation measures publicly available.	2021
	Institute programs to increase access to education and improve security in schools, especially for girls in the Shia Hazara community.	2014 – 2021
	Build capacity for the government to have sufficient Child Protection Unit reporting channels to identify children, prevent them from joining the security forces, and provide shelter, services, and family reintegration.	2020 – 2021

**REFERENCES ON FILE**

In 2021, Albania made moderate advancement in efforts to eliminate the worst forms of child labor. The government created the Ministry of State for Youth and Children, which will play a central role in developing programs to promote the well-being of children in Albania. In addition, the government adopted both the new National Agenda on Children's Rights and the National Strategy on Education. However, children in Albania are subjected to the worst forms of child labor, including use in illicit activities and forced begging, and in commercial sexual exploitation, sometimes as a result of human trafficking. Children also perform dangerous tasks in mining, including chromium. Albania's legal framework governing child labor does not explicitly prohibit using, procuring, or offering children for illicit activities. In addition, Albania's labor inspectorate does not receive adequate funding to allow for 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 use in illicit activities and forced begging, and in commercial sexual exploitation, sometimes as a result of human trafficking. Children in Albania are also subjected to mining, including chromium. (1-4) Table 1 provides key indicators on children's work and education in Albania.

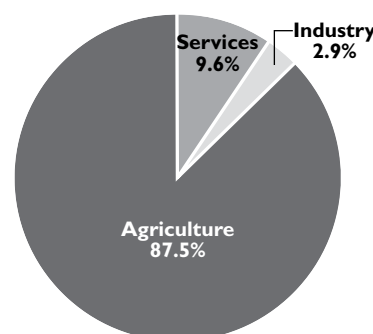
**Table 1. Statistics on Children's Work and Education**

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 (%)		100.7

Source for primary completion rate: Data from 2020, published by UNESCO Institute for Statistics, 2022. (5)

Source for all other data: International Labor Organization's analysis of statistics from National Child Labor Survey (SIMPOC), 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 (2,6,7)
Industry	Mining, <sup>†</sup> including chromium and iron (2,7-15)
	Construction, activities unknown (1,7,16)
	Working in the textile, garment, and footwear sectors (6,7,17,18)
	Processing fish (7,19)
Services	Begging (3,7,20,21)
	Street work, including vending, washing vehicles, busking, and shining shoes (7,9,21-23)
	Collecting recyclable materials on the street and in landfills (4,7,9,21)
	Working in wholesale and retail trade (1,7)
	Working in hotels and restaurants (1,7)
	Working in call centers (7,9,16)

# Albania

## MODERATE ADVANCEMENT

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

Sector/Industry	Activity
Categorical Worst Forms of Child Labor‡	Use in illicit activities, including burglary, drug trafficking, and harvesting and processing cannabis (3,7,15,21,24)
	Commercial sexual exploitation, sometimes as a result of human trafficking (3,6,9,13,15,20)
	Forced begging (6,9,15,19,20,22,23,25,26)

† 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.







Albania is a source country for child trafficking, especially of girls. Children are also sometimes forced into labor, such as begging and scavenging, by human traffickers and by their own families. (3,7) To contribute to family income, some Roma and Balkan Egyptian children are forced to engage in street begging or the collection of recyclables. (7,27) Children are also subjected to trafficking, both domestic and abroad to EU countries, for commercial sexual exploitation and forced labor. (7) 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. (7,11,12) Domestic child trafficking and forced begging have continued in recent years, particularly during the tourist season. (28) Albania lacks recent, comprehensive data on child labor, including in the agriculture and construction sectors. (7)

Children in Albania face a number of barriers to accessing education. Lack of access to education increases children’s vulnerability to child labor. (7) Although Albania allows children without a birth certificate to enroll in public schools, some children from Roma and Balkan Egyptian families and refugees without proper birth documentation may still face obstacles in obtaining access to social services and education. (7) Roma and Balkan Egyptian children also experience 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. (7,29) In addition, some migrant and refugee children from Syria, Algeria, and Libya face difficulties accessing education due to language barriers. (2,30) Children with disabilities also continue to experience discrimination and other hurdles to accessing inclusive education. (7,31) 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 failure to prohibit 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 98 of the Code of Labor: Article 24 of the Law for the Protection of the Rights of the Child (32,33)
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 (32,33)
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 (32,31-35)
Prohibition of Forced Labor	Yes		Article 8 of the Code of Labor: Articles 124b and 128b of the Criminal Code (32,36)
Prohibition of Child Trafficking	Yes		Article 128/b of the Criminal Code (36)
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 (33,36)
Prohibition of Using Children in Illicit Activities	No		Article 129 of the Criminal Code: Articles 24 and 25 of the Law for the Protection of the Rights of the Child (33,36)
Minimum Age for Voluntary State Military Recruitment	Yes	18	Article 9 of the Law on Military Service (37)
Prohibition of Compulsory Recruitment of Children by (State) Military	N/A*		Article 9 of the Law on Military Service (37)
Prohibition of Military Recruitment by Non-state Armed Groups	Yes		Article 28 of the Law for the Protection of the Rights of the Child (33)
Compulsory Education Age	Yes	16	Article 22 of the Law on Pre-University Education System (38)
Free Public Education	Yes		Article 57 of the Constitution of the Republic of Albania: Article 5 of the Law on Pre-University Education System (38,39)

\* No conscription (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. (36) Additionally, Article 25 of the Law for the Protection of the Rights of the Child does provide for protection of children against usage of alcohol and drugs, as well as the illicit production and trafficking of these substances, but does not criminalize inducing a child to participate in these acts. (33) The law also does not criminally prohibit the use of children for prostitution. (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 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 (SILSS). Receives and responds to child labor complaints through the State Social Services Agency. (7) Child Protection Units (CPUs) are the responsible agencies at the municipal level and identify at-risk children, conduct initial evaluations of each case, and refer children to appropriate social services. (7,40)
Ministry of Interior	Enforces laws related to the worst forms of child labor through protection officers. (9,41) Coordinates operations of the Border Police and 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 addressing human trafficking through the State Committee Against Trafficking in Persons, chaired by the Interior Minister. (42)
Office of the Prosecutor General	Investigates and prosecutes child trafficking cases through the Serious Crimes Prosecution Office. (2)

# Albania

## MODERATE ADVANCEMENT

During the reporting period, a regional conference on the protection of children in conflict with the law was hosted in Tirana. Representatives from the Ministry of Justice also received training on the Juvenile Criminal Justice Code, as well as good practices in coordination between institutions. (43)

### Labor Law Enforcement

In 2021, labor law enforcement agencies in Albania took actions to address child labor (Table 6). However, gaps exist within the authority of enforcement agencies that may hinder adequate labor law enforcement, including lack of authority to inspect informal work locations such as private farms and unregistered businesses.

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

Overview of Labor Law Enforcement	2020	2021
Labor Inspectorate Funding	\$1,800,000 (4)	\$1,700,000 (7)
Number of Labor Inspectors	118 (4)	131 (7)
Mechanism to Assess Civil Penalties	Yes (32)	Yes (32)
Initial Training for New Labor Inspectors	Yes (4)	Yes (7)
Training on New Laws Related to Child Labor	Yes (4)	N/A
Refresher Courses Provided	Yes (4)	Yes (7)
Number of Labor Inspections Conducted	5,772 (4)	4,973 (7)
Number Conducted at Worksite	5,772 (4)	4,973 (7)
Number of Child Labor Violations Found	119 (4)	4 (7)
Number of Child Labor Violations for Which Penalties Were Imposed	24 (4)	0 (7)
Number of Child Labor Penalties Imposed that Were Collected	0 (4)	0 (7)
Routine Inspections Conducted	Yes (4)	Yes (7)
Routine Inspections Targeted	Yes (4)	Yes (7)
Unannounced Inspections Permitted	Yes (32)	Yes (32)
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)

Concerns from the general public regarding suspected child labor abuses may be registered with the State Inspectorate for Labor and Social Services (SILSS) on paper, through e-mail, and by telephone. The SILSS can inspect all registered private entities, but cannot inspect private homes, private farms, or unregistered businesses. (7)

### Criminal Law Enforcement

In 2021, criminal law enforcement agencies in Albania took actions to address child labor (Table 7).

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

Overview of Criminal Law Enforcement	2020	2021
Initial Training for New Criminal Investigators	Yes (4)	No (44)
Training on New Laws Related to the Worst Forms of Child Labor	Yes (4)	N/A (44)
Refresher Courses Provided	Yes (4)	Yes (7)
Number of Investigations	84 (4)	68 (7)
Number of Violations Found	7 (4)	64 (7)
Number of Prosecutions Initiated	30 (4)	25 (7)‡
Number of Convictions	7 (4)	15 (7) ‡
Imposed Penalties for Violations Related to the Worst Forms of Child Labor	Yes (4)	15 (7)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (4)	Yes (7)

‡ Data are from January 1, 2021, to September 30, 2021.

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. (7,45) The case may also be referred to local Child Protection Units, which can then connect the child to social services. (7,40,45,46)

During the reporting period, a total of 64 new violations related to the worst forms of child labor were discovered. As of September 2021, 15 defendants had been convicted of offenses; in 9 cases, defendants received 2 years of imprisonment and 2 defendants received 5 years in prison. (7) Four additional cases resulted in probation of the individuals involved. (7)

#### IV. COORDINATION OF GOVERNMENT EFFORTS ON CHILD LABOR

The government has established mechanisms to coordinate its efforts to address child labor (Table 8). However, gaps exist that hinder the effective coordination of efforts to address child labor, including coordination among agencies.

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

Coordinating Body	Role & Description
State Agency for the Rights and Protection of Children	Oversees implementation of the government's child rights protection policies, including monitoring the National Agenda for the Rights of the Child. (7,47) Manages cases of at-risk children and refers them to appropriate social services. Sanctions those who fail to protect children from violence and exploitation. (7,40) Coordinates local and central structures on health, security, and education of children. (7) During the reporting period, the State Agency for Rights and Protection of Children collaborated with the Ministry of Health and Social Protection and multiple other governmental and non-governmental entities in drafting the new National Agenda for the Rights of the Child 2021–2026. (7)
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. (19) Chairs the National Referral Mechanism, which coordinates the identification, protection, referral, and rehabilitation of human trafficking victims between government and civil society organizations. Leads data collection and report writing for the National Database for Human Trafficking Victims/Potential Victims. (4,19) Runs the Closed Case Task Force with the Serious Crimes Prosecution Office and Albanian State Police. (22) During the reporting period, ONAC identified 100 minors as victims or potential victims of child trafficking. In addition, ONAC worked with the anti-trafficking shelter "Vatra" to develop 33 trainings tailored for government officials responsible for carrying out mandates pertaining to the protection of at-risk children. (7)
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. (6,48) During the reporting period, CTGs continued to work with child protection workers, community mediators, and social services departments of local governments to protect children from economic exploitation. (7)
Ministry of State for Youth and Children*	Established in September 2021 to further governmental efforts to promote healthy development and well-being of children in Albania. The Minister of State for Youth and Children bears the responsibility of drafting, developing, and monitoring policies pertinent to child protection and welfare. (7) Also promotes initiatives related to education, cultural centers, and the development of curricula tailored to the needs of Albanian youth. (7)

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

Coordination among the SILSS and the Albanian State Police has traditionally been sporadic. (4,13,49)

During the reporting period, legal professionals and child protection workers participated in a course on supporting refugee and migrant children in the Western Balkans in cooperation with the Council of Europe, UNHCR, and the European Asylum Support Office. (50)

#### V. GOVERNMENT POLICIES ON CHILD LABOR

The government has established policies related to child labor (Table 9). However, policy gaps exist that hinder efforts to address child labor, including lack of 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) Guaranteed the rights and protection of economically exploited children, including children in street situations. Also aimed to prevent the use of children for profit and enhance services and enforcement of legislation. (2,6) Defined the responsibilities of institutions involved in child protection, including children working in mining, street situations, and other situations that violate the law. (2) Research was unable to determine whether activities were undertaken to implement the policy during the reporting period.
National Action Plan for Combating Trafficking in Persons (2021–2023)†	Calls for the identification and referral of child victims and those at risk of human trafficking to social protection services in accordance with standard operating procedures. (7) Increases the use of CPUs, police, and border control personnel to identify victims, including children involved in street work. Raises public awareness of all forms of human trafficking, including for forced labor. (7)
National Agenda for the Rights of the Child 2021–2026†	Aims to protect and promote children's rights by supporting physical and psychosocial development, and the social inclusion of children. (7,47) Objectives include improving children's access to services and enhancing legal and institutional mechanisms for child protection. Goals include promoting, respecting, and protecting children's rights through governance; eliminating all forms of violence against children; and creating child-friendly systems and services in education, justice, health, and social protection. (7,47)
National Strategy on Education 2021–2026†	Finalized in cooperation with UNICEF in April 2021. Aims to promote learning environments that are conducive to student well-being and preventing children from dropping out of school. (7)
National Cybersecurity Strategy (2020–2025)	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. (4,52,53) Research was unable to determine whether activities were undertaken to implement the 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. (6,54,55)

In 2021, Albania maintained its status as a Pathfinder Country under Alliance 8.7. This involves accelerating commitments 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. (56) During the reporting period, 145 children were removed from situations of economic exploitation and received social assistance provided by child protection authorities. (56)

## VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2021, 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 inadequacy 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 aimed to increase access to education for vulnerable children and improve protections for child victims of human trafficking. (57) During the reporting period, the Government of Albania and the UN office in Albania signed a new commitment to continue working on economic and social reforms to improve the situation for vulnerable populations throughout the country. (58)
Human Trafficking Shelters	The National Shelter Coalition† comprises one state-run and three NGO-run shelters for potential victims of human trafficking. (7) In 2021, 184 child trafficking victims around the country received assistance from these shelters. In addition, the National Shelter Coalition collaborated with the Office of the National Anti-Trafficking Coordinator to train 570 government officials (including 125 state police officers) on proper identification and protection of victims and those at risk of human trafficking. (7)
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, 33 children received emergency assistance in the form of accommodation, psychological consultations, food, clothing, and medical care. (7)
Child Allowance Program ( <i>Ndihma Ekonomike</i> )†	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 government continued to provide regular cash payments to qualifying families, and the amount of assistance provided to families with multiple children under age 18 increased. (59)

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

Program	Description
Government-Run Hotlines†	Includes 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. (4,28) The hotlines continued to be operational during the reporting period. (7)
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. (60) During the reporting period, World Vision continued to support national- and municipal-level programs to provide community-based services to at-risk children, including a number of inclusive education initiatives. (7)
UNICEF Albania Projects†	During the reporting period, UNICEF collaborated with the Tirana OSCE office, a number of NGOs, and anti-trafficking shelters to complete the project "Transforming National Response to Human Trafficking In and From Albania." In addition, UNICEF continued to fund the ALO 116 National Child Helpline, which is a phone service designed to assist children via remote counseling and refer cases to relevant governmental and non-governmental institutions. (7,61)

† 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. (54,62)

During the reporting period, child protection workers, municipal representatives, and representatives of a cross-sectoral technical group participated in an online training on child protection during emergencies. The training provided information related to child protection laws, guidelines developed to protect vulnerable children during the COVID-19 pandemic, and standard operating procedures. (7,63)

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. (7) Research also found no evidence that programs were carried out to assist children scavenging chromium. (2,4,64) A lack of financial and human resources and issues related to the decentralization of social funds from the central government to municipalities were also cited as gaps in the efficient implementation of social programs. (6,51,54,64)

## 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 – 2021
	Ensure that the use of children in prostitution is criminally prohibited.	2019 – 2021
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 – 2021
Coordination	Ensure proper coordination between the State Inspectorate for Labor and Social Services and the Albanian State Police.	2019 – 2021
Government Policies	Ensure that activities are undertaken to implement policies addressing child labor and publish results from activities implemented during the reporting period.	2021
Social Programs	Collect and publish comprehensive data on the extent and nature of child labor in Albania. In particular, gather data on the prevalence and conditions of child labor in sectors of heightened concern, such as the agriculture and construction sectors.	2013 – 2021
	Provide adequate transportation resources for all children who face transportation-related barriers to school attendance, in particular Roma and Balkan Egyptian children and those who live in communities far from schools.	2011 – 2021
	Enhance efforts to eliminate barriers and make education accessible for all children, including children from Roma and Balkan Egyptian minority communities, children with disabilities, and children from Syria, Algeria, Libya, and elsewhere living in Albania as refugees or displaced migrants, by removing all school related fees and ensuring that children without documentation do not face obstacles to enroll in school.	2013 – 2021

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

Area	Suggested Action	Year(s) Suggested
Social Programs	Provide translation services for all children, especially those from migrant or refugee families, who are facing language-related barriers to education.	2018 – 2021
	Increase the number of shelters for victims of the worst forms of child labor, in particular for children living and working on the streets.	2017 – 2021
	Institute programs to assist children who are victims of human trafficking and those who are used in scavenging chromium.	2014 – 2021
	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 – 2021

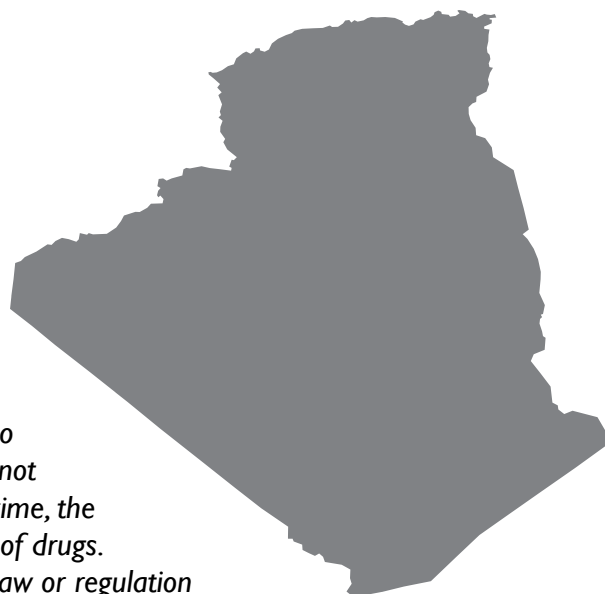
### REFERENCES

- ILO and Institute of Statistics (INSTAT) of the Republic of Albania. Working Children in the Republic of Albania- The Results of the 2010 National Child Labour Survey. Budapest. July 2012. [http://www.ilo.org/ipec/Informationresources/all-publications/WCMS\\_202853/lang-en/index.htm](http://www.ilo.org/ipec/Informationresources/all-publications/WCMS_202853/lang-en/index.htm)
- U.S. Embassy- Tirana. Reporting. February 18, 2020.
- U.S. Department of State. Trafficking in Persons Report, 2020- Albania. Washington, D.C., June 2020. <https://www.state.gov/reports/2020-trafficking-in-persons-report/albania/>
- U.S. Embassy- Tirana. Reporting. February 26, 2021.
- UNESCO Institute for Statistics. Gross intake ratio to the last grade of primary education, both sexes (%). Accessed March 3, 2022. For more information, please see "Children's Work and Education Statistics: Sources and Definitions" in the Reference Materials section of this report. <http://data.uis.unesco.org/>
- U.S. Embassy- Tirana. Reporting. February 6, 2019.
- U.S. Embassy- Tirana. Reporting. February 10, 2022.
- Martinelli, Alice. Children workers who help the family. October 31, 2017. [https://www.iene.mediaset.it/video/bambini-lavoratori-che-aiutano-la-famiglia\\_12669.shtml](https://www.iene.mediaset.it/video/bambini-lavoratori-che-aiutano-la-famiglia_12669.shtml)
- U.S. Embassy- Tirana. Reporting. January 17, 2018.
- Mayor of Bulqize and Child Protection Unit official. Interview with USDOL official. November 13, 2018.
- Gazeta Shqip. Poor over chrome. November 16, 2017. <http://gazeta-shqip.com/lajme/2017/11/16/te-varfer-siper-kromit/>
- World Vision International. Chrome's shine tarnished by child labour in Albania. February 27, 2017. <https://www.wvi.org/article/chromes-shine-tarnished-child-labour-albania>
- OSCE Albania official. Interview with USDOL official. November 15, 2018.
- UNICEF official. Interview with USDOL official. November 14, 2018.
- NGO Roundtable on the Worst Forms of Child Labor. Interview with USDOL official. November 15, 2018.
- State Labor Inspectorate and Social Services official. Interview with USDOL official. November 14, 2018.
- Gender Alliance for Development Centre. Shadow Report with a Special Focus to the Applications and Implications of the Article 11 in Shoes and Textile Industry in Albania, Albanian NGO's Shadow Report. UN Committee on the Elimination of Discrimination Against Women, Complementing the Albanian Government Reports CEDAW/C/ALB/4 and CEDAW/ALB/Q/4/Add.1 to the CEDAW Committee. June 2016. [http://tbinternet.ohchr.org/Treaties/CEDAW/Shared Documents/ALB/INT\\_CEDAW\\_NGO\\_ALB\\_24256\\_E.pdf](http://tbinternet.ohchr.org/Treaties/CEDAW/Shared%20Documents/ALB/INT_CEDAW_NGO_ALB_24256_E.pdf)
- ARSIS Organization for the Support of Youth official. Interview with USDOL official. March 22, 2018.
- U.S. Embassy- Tirana. Reporting. January 17, 2017.
- U.S. Department of State. Trafficking in Persons Report- 2019: Albania. Washington, D.C., June 20, 2019. <https://www.state.gov/reports/2019-trafficking-in-persons-report-2/albania/>
- World Vision in Albania official. Interview with USDOL official. March 9, 2018.
- U.S. Embassy- Tirana. Reporting. February 16, 2018.
- U.S. Department of State. Trafficking in Persons Report- 2017: Albania. Washington, D.C., June 27, 2017. <https://www.state.gov/reports/2017-trafficking-in-persons-report/albania/>
- Hoxha, Anila. In Albania, A Worrying Rise in Drug Gangs Hiring Minors. November 10, 2021. <https://balkaninsight.com/2021/11/10/in-albania-a-worrying-rise-in-drug-gangs-hiring-minors/>
- UNICEF. Save The Children, and the Ministry of Social Welfare and Youth. National Study on children in street situation in Albania. April 2014. [http://resourcecentre.savethechildren.se/sites/default/files/documents/final\\_research\\_report\\_english.pdf](http://resourcecentre.savethechildren.se/sites/default/files/documents/final_research_report_english.pdf)
- U.S. Embassy- Tirana. Reporting. February 13, 2017.
- U.S. Embassy- Tirana official. E-mail communication to USDOL official. May 15, 2019.
- U.S. Embassy- Tirana. Reporting. March 30, 2020.
- Likmeta, Besar. Albania Fined by Strasbourg Court for Segregating Schoolchildren. May 31, 2022. <https://balkaninsight.com/2022/05/31/albania-fined-by-strasbourg-court-for-segregating-schoolchildren/>
- Terre des Hommes. Children and Migration in Albania: Latest Trends and Protection Measures Available. 2017.
- Government of Albania. Decree of the Council of Ministers on Defining Hazardous and Hard Works, No. 207. Enacted: May 9, 2002. [http://www.ikub.al/LIGJE\\_CATEGORI/205090008/Article\\_Per-percaktimin-e-puneve-te-veshtira-ose-te-rrezikshme.aspx](http://www.ikub.al/LIGJE_CATEGORI/205090008/Article_Per-percaktimin-e-puneve-te-veshtira-ose-te-rrezikshme.aspx)
- Government of Albania. Labor Code of the Republic of Albania, 796 I. Enacted: 1995. <https://orjongroup.files.wordpress.com/2016/02/kodi-i-punc3abs-2016.pdf>
- Government of Albania. Law on the Rights and Protection of the Child, No. 18/2017. Enacted: February 23, 2017. <https://www.refworld.org/docid/5a843ed54.html>
- Government of Albania. Law on Occupational Safety and Health at Work, No. 10 237. Enacted: February 18, 2010. Source on file.
- Government of Albania. Regulation on Protection of Children in Work. Enacted: February 15, 2017. [http://qzb.gov.al/botime/Akteindividuale/Janar 2017/Fletore 33/VKM nr. 108, date 15.2.2017.pdf](http://qzb.gov.al/botime/Akteindividuale/Janar%202017/Fletore%2033/VKM%20nr.%20108,%20date%2015.2.2017.pdf)
- Government of Albania. Criminal Code of the Republic of Albania, 7895. Enacted: January 27, 1995. <http://www.legislationline.org/documents/section/criminal-codes/country/47>
- Government of Albania. Law on Military Service, No. 9047. Enacted: 2003. <http://www.infocip.org/al/?p=6815>
- Government of Albania. Law on Pre-University Education System in the Republic of Albania, No. 69. Enacted: 2012. [https://www.crca.al/sites/default/files/publications/Law on pre-university education system in the republic of Albania \(2012\).pdf](https://www.crca.al/sites/default/files/publications/Law%20on%20pre-university%20education%20system%20in%20the%20republic%20of%20albania%20(2012).pdf)



- 39 Government of Albania. Constitution of the Republic of Albania. Enacted: November 22, 1998.  
<http://www.osce.org/albania/41888?download=true>
- 40 Government of Albania. Instruction No. 10 on Cooperation and Intervention Procedures for Assisting Vulnerable Children for Institutions and Structures in Charge of Child Protection. February 25, 2015.  
[http://www.qbz.gov.al/botime/fletore\\_zyrtare/2015/PDF-2015/33-2015.pdf](http://www.qbz.gov.al/botime/fletore_zyrtare/2015/PDF-2015/33-2015.pdf)
- 41 U.S. Embassy- Tirana. Reporting. January 22, 2016.
- 42 U.S. Embassy- Tirana official. E-mail communication to USDOL official. March 10, 2017.
- 43 Gremi, Marinela. Regional Conference – The Ministries of Justice in Albania and Kosovo are Committed to Further Strengthening the Child Protection System in Conflict with the Law. December 16, 2021.  
<https://childhub.org/en/child-protection-news/regional-conference-ministries-justice-albania-and-kosovo-are-committed-further-strengthening-child-protection-system-conflict-law>
- 44 U.S. Embassy- Tirana. Official communication with USDOL official. June 17, 2022.
- 45 CoE Group of Experts on Action against Trafficking in Human Beings. Reply from Albania to the Questionnaire for the evaluation of the implementation of the Council of Europe Convention on Action against Trafficking in Human Beings by the Parties. June 20, 2019.  
<https://rm.coe.int/090000168097fa81>
- 46 Government of Albania. Presentation of the “Matrix of Penalties” as a Transparency Platform of Decision – Making. State Labor Inspectorate and Social Services. January 14, 2019.  
<http://inspektoriaipunes.gov.al/presentation-of-the-matrix-of-penalties-as-a-transparency-platform-of-decision-making/>
- 47 Government of Albania. National Agenda on Children's Rights, 2021–2026. 2021.  
[https://www.unicef.org/albania/media/4396/file/NARC\\_2021-2026\\_ENG.pdf](https://www.unicef.org/albania/media/4396/file/NARC_2021-2026_ENG.pdf)
- 48 Government of Albania. On Rules of Functioning of the Technical, Subsequential Group on the Protection of Children, by Municipalities and Administrative Units. June 12, 2018.  
<http://femijet.gov.al/wp-content/uploads/2018/08/VKM-nr.-353-date-12.6.2018.pdf>
- 49 Prosecutor's Office official. Interview with USDOL official. November 14, 2018.
- 50 Council of Europe. Migrant and Refugee Children: The Council of Europe launches its first regional human rights training for legal professionals and child protection services in the Balkans May 25, 2021.  
<https://www.coe.int/en/web/help/-/migrant-and-refugee-children-the-council-of-europe-launches-its-first-regional-human-rights-training-for-legal-professionals-and-child-protection-serv?fbclid=IwAR34xcs9C1xnVek9o2Vt6BtechPmRQisgr7toiVVVn5S70P80dukoH9XHKFs>
- 51 ILO. Application of International Labour Standards 2019. 2019.  
[https://www.ilo.org/wcmsp5/groups/public/---ed\\_norm/---relconf/documents/meetingdocument/wcms\\_670146.pdf](https://www.ilo.org/wcmsp5/groups/public/---ed_norm/---relconf/documents/meetingdocument/wcms_670146.pdf)
- 52 Government of Albania. Fletore Zyrtare e Republikës së Shqipërisë. January 14, 2021.  
<https://qbz.gov.al/eli/fz/2021/7/65376dba-5d73-49dd-9750-b8e3182445da>
- 53 UNICEF Albania. Albania's New National Cybersecurity Strategy includes children's online protection as one of its core objectives. February 9, 2021.  
<https://www.unicef.org/albania/press-releases/albanias-new-national-cybersecurity-strategy-includes-childrens-online-protection>
- 54 U.S. Embassy- Tirana. Reporting. March 1, 2019.
- 55 Government of Albania. Law No. 541, On the Approval of the Justice Strategy for Youth Action Plan. September 19, 2018.  
[https://drejtesia.gov.al/wp-content/uploads/2018/10/Strategjia-e-Drejtesise-per-te-Mitur-PV\\_2018-2021\\_miratur\\_VKM\\_nr.541\\_dt.19.9.2018.pdf](https://drejtesia.gov.al/wp-content/uploads/2018/10/Strategjia-e-Drejtesise-per-te-Mitur-PV_2018-2021_miratur_VKM_nr.541_dt.19.9.2018.pdf)
- 56 Alliance 8.7. Pathfinder Countries - Albania. Accessed March 12, 2021.  
[https://www.alliance87.org/pathfinder\\_countries/albania/](https://www.alliance87.org/pathfinder_countries/albania/)
- 57 UN Albania and Government of Albania. Programme of Cooperation for Sustainable Development 2017–2021. 2017.  
[http://www.al.undp.org/content/albania/en/home/library/democratic\\_governance/programme-of-cooperation-for-sustainable-development-2017-2021.html](http://www.al.undp.org/content/albania/en/home/library/democratic_governance/programme-of-cooperation-for-sustainable-development-2017-2021.html)
- 58 UN Albania Team. Albania and UN renew commitment to joint work on sustainable development for the next five years. October 25, 2021.  
<https://albania.un.org/en/153112-albania-and-un-renew-commitment-joint-work-sustainable-development-next-five-years>
- 59 Gjonaj, Arlinda. Albanian Telegraphic Service - Economic assistance is doubled for over 15 thousand families. December 3, 2021.  
<https://ata.gov.al/2021/12/03/dyfishohet-ndihma-ekonomike-per-mbi-15-mije-familje/>
- 60 World Vision Albania. Our Work for Children's Protection. 2020.  
<https://www.worldvision.al/programet-tona/mbrojtja-e-femijeve>
- 61 UNICEF.ALO 116111 goes live with a unique platform to report violence against children in Albania. June 19, 2021.  
<https://www.unicef.org/albania/press-releases/alo-116111-goes-live-unique-platform-report-violence-against-children-albania>
- 62 UNICEF. Evaluation Report of the "Breaking the Cycle of exclusion for Roma Children through Early Childhood Development and Education" multi-country project in the Former Yugoslav Republic of Macedonia, Serbia and Albania. April 2017.  
<https://www.unicef.org/albania/reports/evaluation-breaking-cycle-exclusion-roma-children-through-ecd-project>
- 63 Jaku, Miklovana. Child Protection during emergency situations. December 1, 2021.  
<https://childhub.org/en/online-learning-materials/child-protection-during-emergency-situations-albanian>
- 64 Ombudsman official. Interview with USDOL official. November 15, 2018.

In 2021, Algeria made minimal advancement in efforts to eliminate the worst forms of child labor. The National Authority for the Protection and Promotion of Children launched an interagency program with the National Social, Economic, and Environmental Council to increase coordination between governmental ministries to study children's needs in Algeria, analyze expenses dedicated to children, and develop a national action plan for children's development. However, children in Algeria are subjected to the worst forms of child labor, including in commercial sexual exploitation, sometimes as a result of human trafficking, and forced begging. Children also perform dangerous tasks in street vending. 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. Additionally, the government has not determined by national law or regulation the types of work that are hazardous for children to perform. Moreover, 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, without a complaint.



### 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, sometimes as a result of human trafficking, and forced begging. (1,2) Children also perform dangerous tasks in street vending. (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	3.6 (Unavailable)
Attending School (%)	5 to 14	94.8
Combining Work and School (%)	7 to 14	3.9
Primary Completion Rate (%)		103.7

Source for primary completion rate: Data from 2020, published by UNESCO Institute for Statistics, 2022. (4)

Source for all other data: International Labor Organization's analysis of statistics from Multiple Indicator Cluster Survey 6 (MICS 6), 2018–2019. (5)

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

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

Sector/Industry	Activity
Agriculture	Farming, including harvesting olives (3,6,7)
Industry	Construction, activities unknown (6,8)
Services	Street work, including vending, collecting plastics, and begging (1,3,7,9)
	Domestic work (8)
	Working in small workshops and businesses, including mechanics' shops (3,7,8)
Categorical Worst Forms of Child Labor‡	Commercial sexual exploitation, sometimes as a result of human trafficking (10)
	Use in illicit activities, including drug trafficking (6)
	Forced begging (3,8,10)

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

# Algeria

## MINIMAL ADVANCEMENT

Unaccompanied Sub-Saharan migrant children in Algeria are subjected to labor exploitation by criminal organizations, including commercial sexual exploitation. (3,7,11,12) Migrant children are also forced into begging. (3) Children's work is often part-time and informal in nature, with some migrant children working in small-scale family-run businesses such as restaurants or small stores. Children also work in informal street markets in street vending and begging. (7,8,13,14) In 2021, the government announced it would conduct a survey on child economic exploitation, which will be done in cooperation with UNICEF and is expected to be completed in 2022. (3,15) However, a comprehensive study on the activities and scope of the child labor situation in Algeria was not performed during the reporting period.

The Algerian public education system is free and open to all children ages 6 to 16, regardless of ethnicity and nationality. In 2021, parents in Algeria had to pay a fine for children who are truant. (3) Despite universal access to education, attendance problems have been present at schools in the southern regions of Algeria, with children as young as 13 or 14 dropping out of school. (14)




Non-Algerian children must provide documentation of grade level or sit for testing to determine their level. (7,8,14,16) 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. (3,7,14) In addition, migrants who do not speak Arabic, the language of instruction, face challenges in the Algerian education system. (14) Some migrant families may also not be familiar with Algerian law granting free education to all children. (14)

Barriers to education, including those placed on migrant children and children with disabilities, result in absence from school and increased vulnerability to child labor. (7,12,16,17)

## 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 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 (18,19)
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 (18,19)
Identification of Hazardous Occupations or Activities Prohibited for Children	No		
Prohibition of Forced Labor	Yes		Article 303 bis 4 of the Penal Code (20)
Prohibition of Child Trafficking	No		Articles 303 bis 4 and 319 bis of the Penal Code (20)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Articles 2, 319, 333 bis 1, 343, and 344 of the Penal Code (20)
Prohibition of Using Children in Illicit Activities	No		Article 195 bis of the Penal Code (20)
Minimum Age for Voluntary State Military Recruitment	Yes	17	Article 14 of Presidential Decree No. 08-134 on the National People's Army (21)
Prohibition of Compulsory Recruitment of Children by (State) Military	Yes		Article 3 of Law No. 14-06 on National Service (22)
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 (23)
Free Public Education	Yes		Article 13 of Law No. 08-04 on National Education (23)

The prohibitions against child trafficking are insufficient because they require threats, the use of force, or coercion to be established for the crime of child trafficking. (20)

The Labor Code prohibits anyone under age 19 from working at night and anyone under age 18 from performing work that is harmful to their health, safety, or morals. (18) However, 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 2021. Additionally, 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. (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, 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. (1,3,16) Supervises the application of laws and regulations related to labor relations, working conditions, and worker safety. (3,6) Shares child labor reports with the Ministry of National Solidarity, Family, and the Condition of Women to ensure follow-up with social services. (3,6)
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, the lead enforcement agency for human trafficking issues. (3,14,24) During legal proceedings, appoints a special judge familiar with the needs of minors if a child does not have a parent. (3)

# Algeria

## MINIMAL ADVANCEMENT

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

Organization/Agency	Role
The National Council for Human Rights	Housed under the authority of the President. Investigates human rights violations, including those pertaining to labor. (14)
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. (3,25)
Ministry of the Interior and Local Assemblies	Enforces criminal laws related to child trafficking through the Directorate General for National Security (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. 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. (3,6,13,17,25,26)
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. (3,17) 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. (3,17) Maintains a website through which individuals can file complaints. (3,17)

### Labor Law Enforcement

In 2021, labor law enforcement agencies in Algeria took actions to address child labor (Table 6). However, gaps exist within the operations of the Ministry of Labor, Employment, and Social Security that may hinder adequate labor law enforcement, including 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	2020	2021
Labor Inspectorate Funding	Unknown (24)	Unknown (3)
Number of Labor Inspectors	885 (24)	709 (3)
Mechanism to Assess Civil Penalties	Yes (24)	Yes (3)
Initial Training for New Labor Inspectors	No (24)	Yes (3)
Training on New Laws Related to Child Labor	N/A (24)	Yes (3)
Refresher Courses Provided	Yes (24)	Yes (3)
Number of Labor Inspections Conducted	116,701 (24)	153,537 (3)
Number Conducted at Worksite	109,113 (24)	153,537 (3)
Number of Child Labor Violations Found	14 (24)	0 (3)
Number of Child Labor Violations for Which Penalties Were Imposed	Unknown (24)	N/A (3)
Number of Child Labor Penalties Imposed that Were Collected	Unknown (24)	N/A (3)
Routine Inspections Conducted	Yes (24)	Yes (3)
Routine Inspections Targeted	Yes (24)	Yes (3)
Unannounced Inspections Permitted	Yes (24)	Yes (3)
Unannounced Inspections Conducted	Yes (24)	Yes (3)
Complaint Mechanism Exists	Yes (14)	Yes (3)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (14)	Yes (3)

When child labor law violations are found, the children are removed from worksites and placed in the school system. (14) In addition, the Government of Algeria increased the number of working units dedicated to child labor specifically. (3) However, the government did not provide information on labor inspectorate funding for inclusion in this report. Although the labor inspectorate is authorized to conduct inspections in all workplaces, inspectors do not investigate unmarked workplaces, such as houses or informal construction sites, without a complaint. (3)

The number of labor inspectors in Algeria dropped from 885 in 2020 to 709 in 2021. (3) The number of labor inspectors is likely insufficient for the size of Algeria's workforce, which includes more than 12.3 million workers. According to the ILO's technical advice of a ratio approaching 1 inspector for every 15,000 workers in developing economies, Algeria would need to employ roughly 827 labor inspectors. (27,28)

### Criminal Law Enforcement

In 2021, criminal law enforcement agencies in Algeria took actions to address child labor (Table 7). However, gaps exist within the operations of the criminal enforcement agencies that may hinder adequate criminal law enforcement, including the lack of information pertaining to the number of investigations, prosecutions, and convictions.

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

Overview of Criminal Law Enforcement	2020	2021
Initial Training for New Criminal Investigators	No (24)	Yes (3)
Training on New Laws Related to the Worst Forms of Child Labor	N/A (24)	Yes (3)
Refresher Courses Provided	Yes (24)	Yes (3)
Number of Investigations	Unknown (24)	Unknown (3)
Number of Violations Found	5,669 (24)	9 (3)
Number of Prosecutions Initiated	Unknown (24)	Unknown (3)
Number of Convictions	Unknown (24)	Unknown (3)
Imposed Penalties for Violations Related to the Worst Forms of Child Labor	Unknown (24)	Unknown (3)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (24)	Yes (3)

The government did not provide information on the number of investigations, prosecutions initiated, convictions, or penalties imposed. (3) The government did provide initial training and refresher courses to criminal investigators. In addition, 180 judicial police officers received specialized trainings on children's matters from the UNODC. (3)

In 2021, criminal law enforcement agencies reported 9 violations involving 13 child victims. From 2020 to October 2021, 77 individuals were put in pre-trial detention on suspicion of exploiting children through begging networks and an additional 54 were put under judicial supervision. (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 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. (3,6,7,26,29,30) Runs a national hotline and website to field questions and complaints about the mistreatment of children. (3) During the reporting period, the Authority continued to run the hotline and website, and held trainings for government officials and members of Algerian civil society. (3,14) In 2021, ONPPE launched an interagency program with the National Social, Economic, and Environmental Council to increase coordination between governmental ministries to study children's needs in Algeria, analyze expenses dedicated to children, and develop a national action plan for children's development. (3)
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. (3,6,29,31,32) Active in 2021. (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 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 (2019–2021)	Aimed to prevent and reduce human trafficking by raising awareness, strengthening legislation, prosecuting human trafficking crimes, improving the provision of protective services to survivors, and increasing collaboration with national and international NGOs. (14,33) Active in 2021. (3)



# Algeria

## MINIMAL ADVANCEMENT

The Algerian government does not have a national action plan to address the worst forms of child labor.

## VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2021, 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 inadequacy 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 ONPPE and other government agencies that undertakes various efforts to raise awareness about child labor throughout the year. The Ministry of National Solidarity, Family, and the Condition of Women also has a communication plan for each of the country's 48 <i>wilayas</i> (governates) on child-related messaging. (3)
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. (3) Active in 2021. (3)

† 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. (8,17,29)

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

## VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE CHILD LABOR

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

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

Area	Suggested Action	Year(s) Suggested
Legal Framework	Ensure that laws 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 – 2021
	Ensure that the law does not require threats, the use of force, or coercion to be established for the crime of child trafficking.	2021
	Determine the types of hazardous work prohibited for children under age 18, in consultation with employers' and workers' organizations.	2009 – 2021
	Ensure that the law criminally prohibits the recruitment of children under age 18 by non-state armed groups.	2016 – 2021
Enforcement	Publish information on labor inspectorate funding.	2009 – 2021
	Increase the number of labor inspectors to meet the ILO's technical advice.	2021
	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 – 2021
	Ensure that inspections are conducted in all workplaces, including unmarked workplaces, such as houses or informal construction sites.	2021
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 – 2021
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 – 2021
	Ensure that social programs address migrant children involved in rural family-run businesses and agricultural work, as well as those subjected to forced begging.	2020 – 2021
	Expand existing programs to address the full scope of the child labor problem, including the commercial sexual exploitation of children, street work, and forced begging.	2016 – 2021
	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 – 2021

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

Area	Suggested Action	Year(s) Suggested
Social Programs	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 – 2021
	Expand social programs to address school dropout rates in the southern region of the country.	2020 – 2021

## REFERENCES

- U.S. Embassy- Algiers. Reporting. July 24, 2017.
- U.S. Department of State. Trafficking in Persons Report- 2019: Algeria. Washington, D.C., June 14, 2019. <https://www.state.gov/reports/2019-trafficking-in-persons-report/algeria/>
- U.S. Embassy- Algiers. Reporting. January 11, 2022.
- UNESCO Institute for Statistics. Gross intake ratio to the last grade of primary education, both sexes (%). Accessed March 1, 2022. For more information, please see “Children’s Work and Education Statistics: Sources and Definitions” in the Reference Materials section of this report. <http://data.uis.unesco.org/>
- ILO. Analysis of Child Economic Activity and School Attendance Statistics from National Household or Child Labor Surveys. Original data from Multiple Indicator Cluster Survey 4, 2012–2013. Analysis received March 2022. Please see “Children’s Work and Education Statistics: Sources and Definitions” in the Reference Materials section of this report.
- U.S. Embassy- Algiers. Reporting. January 17, 2017.
- U.S. Embassy- Algiers. Reporting. January 15, 2019.
- U.S. Embassy- Algiers. Reporting. February 6, 2018.
- Loucif, A. Le travail des enfants prend de l’ampleur. Liberté, June 5, 2017. <https://www.liberte-algerie.com/est/le-travail-des-enfants-prend-de-l-ampleur-271228>
- U.S. Department of State. Trafficking in Persons Report- 2021: Algeria. Washington, D.C., July 1, 2021. <https://www.state.gov/reports/2021-trafficking-in-persons-report/algeria/>
- U.S. Department of State. Trafficking in Persons Report- 2018: Algeria. Washington, D.C., June 14, 2018. <https://www.state.gov/reports/2018-trafficking-in-persons-report/algeria/>
- U.S. Embassy- Algiers. Reporting. February 19, 2019.
- U.S. Embassy- Algiers official. E-mail communication to USDOL official. June 21, 2017.
- U.S. Embassy- Algiers. Reporting. January 31, 2021.
- Algerie Presse Service. Towards launching field study on children’s economic exploitation. June 20, 2021. <https://www.aps.dz/en/society/39833-towards-launching-field-study-on-children-s-economic-exploitation>
- U.S. Department of State. Country Reports on Human Rights Practices- 2018: Algeria. Washington, D.C., June 20, 2019. <https://www.state.gov/wp-content/uploads/2019/03/Algeria-2018.pdf>
- U.S. Embassy- Algiers. Reporting. January 28, 2020.
- Government of Algeria. Loi n° 90-11 du 21 avril 1990 relative aux relations de Travail, modifiée et complétée au 11 janvier 1997. Enacted: April 21, 1990. <http://www.ilo.org/dyn/natlex/docs/WEBTEXT/9557/64805/F97DZA01.htm>
- Government of Algeria. Décret exécutif n° 96-98 du 17 Chaoual 1416 correspondant au 6 mars 1996 déterminant la liste et le contenu des livres et registres spéciaux obligatoires pour les employeurs. Enacted: March 6, 1996. [http://www.ilo.org/dyn/natlex/natlex4.detail?p\\_lang=fr&p\\_isn=79172&p\\_country=DZA&p\\_classification=12](http://www.ilo.org/dyn/natlex/natlex4.detail?p_lang=fr&p_isn=79172&p_country=DZA&p_classification=12)
- Government of Algeria. Ordonnance n° 66-156 du 8 juin 1966 portant code pénal, modifiée et complétée. Enacted: June 8, 1966. <http://www.joradp.dz/TRV/FPenal.pdf>
- Government of Algeria. Décret présidentiel n° 08-134 du 30 Rabie Ethani 1429 correspondant au 6 mai 2008 fixant les conditions de recrutement des officiers de carrière de l’Armée nationale populaire. Enacted: May 11, 2008. Source on file.
- Government of Algeria. Loi n° 14-06 du 13 Chaoual 1435 correspondant au 9 août 2014 relative au service national. Enacted: August 9, 2014. Source on file.
- Government of Algeria. Loi D’Orientation Sur L’Éducation Nationale, n° 08-04. Enacted: January 23, 2008. [http://www.africanchildforum.org/clr/Legislation Per Country/algeria/algeria\\_education\\_2008\\_fr.pdf](http://www.africanchildforum.org/clr/Legislation%20Per%20Country/algeria/algeria_education_2008_fr.pdf)
- U.S. Embassy- Algiers. Reporting. February 24, 2021.
- U.S. Embassy- Algiers official. E-mail communication to USDOL official. June 24, 2020.
- U.S. Embassy- Algiers. Reporting. February 15, 2017.
- ILO. Strategies and Practice for Labour Inspection. Geneva: Committee on Employment and Social Policy, November 2006: GB.297/ESP/3. Please see “Labor Law Enforcement: Sources and Definitions” in the Reference Materials section of this report. <http://www.ilo.org/public/english/standards/relm/gb/docs/gb297/pdf/esp-3.pdf>
- UN. World Economic Situation and Prospects 2017 Statistical Annex. New York, 2017. Please see “Labor Law Enforcement: Sources and Definitions” in the Reference Materials section of this report. [https://www.un.org/development/desa/dpad/wp-content/uploads/sites/45/publication/2017wesp\\_full\\_en.pdf](https://www.un.org/development/desa/dpad/wp-content/uploads/sites/45/publication/2017wesp_full_en.pdf)
- Government of Algeria. Written Response to Trafficking in Persons Report. February 4, 2019. Source on file.
- APS. ONPPE: Installation Prochaine de la commission thématique sur la santé des enfants. January 23, 2019. <http://www.aps.dz/societe/84273-onppe-installation-la-semaine-prochaine-de-la-commission-thematique-sur-la-sante-des-enfants>
- U.S. Embassy- Algiers. Reporting. February 13, 2017.
- Government of Algeria. Décret présidentiel n° 16-249 du 24 Dhou El Hidja 1437 correspondant au 26 septembre 2016 portant création, organisation et fonctionnement du comité national de prévention et de lutte contre la traite des personnes. Enacted: September 26, 2016. <http://www.joradp.dz/FTP/fo-francais/2016/F2016057.pdf>
- Government of Algeria National Committee to Prevent and Combat Trafficking in Persons. Three-year Program to Implement the Plan of Action and the Prevention and Fight Against Trafficking in Persons (2019-2021). 2019. Source on file.

In 2021, Angola made moderate advancement in efforts to eliminate the worst forms of child labor. The government approved a new National Referral Mechanism for the Protection and Assistance to Victims of Human Trafficking and provided trainings on the new mechanism, including victim identification procedures, to law enforcement, border protection, customs and immigration officials, and local human rights committees. Furthermore, it established the Multisectoral Commission on the Prevention and Eradication of Child Labor to coordinate efforts to address child labor. It also approved a new National Action Plan to Eradicate Child Labor (2021–2025), and through its Birth Registration and Justice for Children Program, the government approved over \$63 million for the purchase of 15 million identification cards and 500 kits to be used to collect biometric and biographic data in order to accelerate its registration of the population. 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. Laws prohibiting forced labor are not sufficient as they do not criminalize practices similar to slavery or allow for the prosecution of debt bondage. Additionally, the number of labor inspectors does not meet the International Labor Organization's technical advice for the size of Angola's workforce, 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. (1-6) Children also perform dangerous tasks in construction. (4,6) The 2015–2016 Survey on Multiple Health Indicators found that 23 percent of children between the ages of 5 and 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. (7) Table 1 provides key indicators on children's work and education in Angola. 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	15.1 (1,246,354)
Attending School (%)	5 to 14	69.4
Combining Work and School (%)	7 to 14	13.6
Primary Completion Rate (%)		Unavailable

Source for primary completion rate: Data from 2011, published by UNESCO Institute for Statistics, 2022. (8)

Source for all other data: International Labor Organization's analysis of statistics from Demographic and Health Survey (DHS), 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	Farming, including plowing, harvesting, watering crops, picking fruits and vegetables, and in the production of rice (6,10-13)
	Fishing, including artisanal fishing, and cleaning fish for deep freezing or sun drying (6,13-15)
	Cattle herding and animal grazing (4,6,10,12)
	Production of charcoal (16)



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

Sector/Industry	Activity
Industry	Artisanal diamond mining (4,6)
	Mining coal (6)
	Construction, including making and transporting bricks† (6,11,17,18)
	Animal slaughterhouses,† including cattle, goats, and pigs (19)
Services	Street work, including vending, car washing, parking assistance, shoe shining, begging, and transporting heavy loads† (4,6,11,13,17,20)
	Domestic work, including babysitting (4,10,13)
	Recycling cans and garbage scavenging (6,13,21)
	Working in shops (13)
Categorical Worst Forms of Child Labor‡	Commercial sexual exploitation, sometimes as a result of human trafficking (1-6,13,22)
	Forced labor in agriculture, brickmaking, construction, fisheries, artisanal diamond mining, and domestic work (4,12,22)
	Use in illicit activities, including drug trafficking (13)
	Use in illicit activities, including for the transport of illicit goods across the border of Angola and Namibia, sometimes as a result of human trafficking (4)

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

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

Research indicates that incidences of child labor have increased throughout the country, in particular in the provinces of Huíla, Cunene, and Luanda. Research further indicates that in the province of Namibe, there are over 50,000 children working in the agricultural sector. (12,13) Due to widespread droughts in Cunene Province, some villages force children to drop out of school to gather water, dig wells, and herd cattle. (4)

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. (4) 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. (4) Reports also indicate that some adults force children younger than age 12 to commit crimes because children cannot be criminally prosecuted. (4)







Education is free up to the ninth grade; however, families often face difficulty in paying informal school fees, such as for textbooks, and at times, bribes requested by some education officials for new admissions or passing grades. (6,23,24) Additional barriers to education for children include lack of classrooms and teachers, and research indicates that although over 500 schools have been built in the last few years, many children remain outside of the educational system. Research found that over 2 million school-age children in Angola do not attend school. (6,24) In addition, poor infrastructure, including the lack of sanitation facilities, disproportionately affects girls' attendance, especially at the secondary school level. (6,23,25) Refugee children also face difficulties in continuing their education beyond age 11 since their status is directly connected to their parents' refugee cards, which are not accepted by secondary schools. Currently, a mechanism to apply for identity documentation does not exist, but the government is making efforts to address the issue and ensure that refugee children are not hindered from continuing their education. (6) In 2021, reports indicate that the government undertook a project to document and integrate refugee groups from Liberia, Sierra Leone, and Rwanda by enabling those in these groups to receive resident alien cards and a pathway toward acquiring Angolan citizenship. In addition, the Ministry of Justice and Human Rights, in collaboration with UNHCR, is developing a national plan to address statelessness, which will provide a mechanism to ensure that children born to refugees in Angola receive birth certificates. (26) The plan is expected to be completed by mid-2022. (26)

Although children are permitted to attend school only up to the sixth grade without a birth certificate, the government has been conducting its "Massive Registration Campaign" throughout all 18 provinces, resulting in the issuance of 5.1 million birth registration cards and 4.7 million identification cards between December 2019 and December 2021. (6,27)

## 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	No	14	Articles 1, 2, and 254 of the Labor Law (28)
Minimum Age for Hazardous Work	Yes	18	Articles 3(21) and 256 of the Labor Law (28)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Article 256 of the Labor Law; Hazardous Work List (28,29)
Prohibition of Forced Labor	No		Articles 18 and 19 of the Money Laundering Law; Articles 175, 177, 178, 180, and 383 of the Penal Code (30,31)
Prohibition of Child Trafficking	Yes		Articles 16, 19 and 23 of the Money Laundering Law; Articles 175, 177, 178, 180, 196, and 383 of the Penal Code (30,31)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Articles 19, 22, and 23 of the Money Laundering Law; Articles 195–198 of the Penal Code (30,31)
Prohibition of Using Children in Illicit Activities	Yes		Articles 4 and 7 of the Drug Trafficking Law; Article 168(1b and 1d) of the Penal Code (31,32)
Minimum Age for Voluntary State Military Recruitment	Yes	18	Article 11 of the Military Service Law (33)
Prohibition of Compulsory Recruitment of Children by (State) Military	Yes		Article 2 of the Military Service Law (33)
Prohibition of Military Recruitment by Non-state Armed Groups	Yes		Article 385(1c) of the Penal Code (31)
Compulsory Education Age	Yes	14	Articles 12, 27, and 31 of the Basic Law of the Education System (34)
Free Public Education	Yes		Article 11 of the Basic Law of the Education System (34)

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. (28) Laws prohibiting forced labor are not sufficient as they do not criminalize practices similar to slavery or allow for the prosecution of debt bondage. (30,31)

The list of hazardous activities and occupations identifies 57 activities prohibited for children; however, the legislation does not include diamond mining, a sector in which there is evidence of work conducted underground. (29)

# Angola

## MODERATE ADVANCEMENT

### III. ENFORCEMENT OF LAWS ON CHILD LABOR

The government has established institutional mechanisms for the enforcement of laws and regulations on child labor (Table 5). However, gaps exist within the operations of 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 (MAPTSS)	Enforces laws against child labor and coordinates the Multisectoral Commission on the Prevention and Eradication of Child Labor. In addition, fines employers or sends cases to the Ministry of Interior, through the Criminal Investigations Services, for further investigation, and to the Attorney General's Office for prosecution. (6) Employs labor inspectors in all 18 provinces to carry out inspections and joint operations with social services providers. (35)
National Children's Institute (INAC)	Receives complaints about cases of child exploitation, including child labor. Conducts inspections and responds to reports of child labor. (6)
Ministry of Interior's National Police	Enforce criminal laws and conduct operations and investigations related to the worst forms of child labor. Through its Criminal Investigation Services, collaborates with the Juvenile Court on child labor, child trafficking, commercial sexual exploitation, and illicit recruitment investigations. (6)
Attorney General's Office	Investigates and prosecutes cases of the worst forms of child labor. (6)

#### Labor Law Enforcement

In 2021, labor law enforcement agencies in Angola took actions to address child labor (Table 6). However, gaps exist within the operations of the Ministry of Public Administration, Labor, and Social Security (MAPTSS) that may hinder adequate labor law enforcement, including insufficient financial resource allocation.

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

Overview of Labor Law Enforcement	2020	2021
Labor Inspectorate Funding	Unknown	Unknown
Number of Labor Inspectors	273 (10)	266 (26)
Mechanism to Assess Civil Penalties	Yes (36)	Yes (36)
Initial Training for New Labor Inspectors	Yes (10)	Yes (6)
Training on New Laws Related to Child Labor	N/A	Yes (6)
Refresher Courses Provided	Yes (10)	Yes (6)
Number of Labor Inspections Conducted	Unknown	9,088 (6)
Number Conducted at Worksite	Unknown	9,088 (6)
Number of Child Labor Violations Found	Unknown	0 (6)
Number of Child Labor Violations for Which Penalties Were Imposed	Unknown	N/A
Number of Child Labor Penalties Imposed that Were Collected	Unknown	N/A
Routine Inspections Conducted	Yes (10)	Yes (6)
Routine Inspections Targeted	Yes (10)	Yes (6)
Unannounced Inspections Permitted	Yes (36)	Yes (36)
Unannounced Inspections Conducted	Yes (10)	Yes (6)
Complaint Mechanism Exists	Yes (10)	Yes (6)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (10)	Yes (6)

During the reporting period, labor inspectors received initial and refresher training, including on concepts related to child labor and hazardous child labor conditions. Although MAPTSS indicates that trainings were not completed due to COVID-19 restrictions, new inspectors received over 112 hours of training, including 24 hours focused on labor inspections. (6) Furthermore, four Angolan labor inspectors attended a seminar organized by the ILO and the Community of Portuguese Language Countries on the Role of Labor Inspection in the Fight against Child Labor. (6)

Although inspections were conducted throughout the country, no labor inspections were conducted in the informal sector, which consists of 75 percent of Angola's economic activity, and in which child labor is known



to primarily occur. (6) Although Angola employs 277 labor inspectors, the number of labor inspectors is likely insufficient for the size of Angola's workforce, which includes approximately 13.97 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 need to employ about 349 labor inspectors. (37-39) Moreover, MAPTSS indicated that the budget allocated for labor inspection activities was insufficient to conduct inspections in sectors in which child labor is known to occur. (6)

Inspectors from MAPTSS 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. (40) INAC refers children found during inspections to social services and safeguards the legal rights of children found during inspections. INAC meets with MASFAMU and coordinates complaints with the Criminal Investigation Services (SIC), which then refers cases to the Children's Tribunal (*Tribunal de Menores*). (6)

### **Criminal Law Enforcement**

In 2021, criminal law enforcement agencies in Angola took actions to address 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	2020	2021
Initial Training for New Criminal Investigators	Yes (10)	Yes (6)
Training on New Laws Related to the Worst Forms of Child Labor	Unknown	Yes (6)
Refresher Courses Provided	Yes (10)	Unknown
Number of Investigations	Unknown	3 (41)
Number of Violations Found	Unknown	Unknown
Number of Prosecutions Initiated	Unknown	Unknown
Number of Convictions	Unknown	1 (41)
Imposed Penalties for Violations Related to the Worst Forms of Child Labor	Unknown	1 (41)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (10)	Yes (6)

In September 2021, a Chinese national was arrested for allegedly exploiting 20 children between the ages of 13 and 16 for commercial sex in the fishing village of Cahota, in the province of Benguela. The case is currently under investigation by the SIC, while MASFAMU and INAC are responsible for connecting these children with the appropriate social services. (6) During the reporting period, a conviction was also secured against an Angolan citizen in Uíge Province for a 2019 human trafficking case involving two minors, ages 6 and 13, from the Democratic Republic of the Congo (DRC). The individual was sentenced to 4 years in prison. (41) The government also cooperated with DRC officials to trace the minors' families and repatriated them back to their residences. (41) In addition, three investigations involving child trafficking victims were conducted in 2021. (41)

During the reporting period, the government approved new Standard Procedures for Assistance to Child Victims of Violence, including children subjected to the worst forms of child labor. A new National Referral Mechanism for the Protection and Assistance to Victims of Human Trafficking was approved, and trainings on victim identification procedures were provided to law enforcement, border protection, and customs and immigration officials, and to members of local human rights committees. (41) In addition, standard operating procedures, used by Angola's provinces to inform INAC and MASFAMU officials whenever victims of the worst forms of child labor are identified, were also updated. (41,42)

Child trafficking victims can be referred to MASFAMU-run shelters before a determination is made regarding their reintegration with their families or guardians. (6,10) INAC and MASFAMU use a network of 114 counseling and housing shelters to support victims and provide them with social services. (42) Reports indicate, however, that victims in rural areas have less access to social services than those in urban areas. (41)

# Angola

## MODERATE ADVANCEMENT

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. (40)

The government did not publicly release data on the number of violations found or prosecutions initiated 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 challenges with aggregating and synthesizing data on human trafficking cases.

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

Coordinating Body	Role & Description
Multisectoral Commission on the Prevention and Eradication of Child Labor*	Addresses all issues related to the worst forms of child labor and leads implementation of the National Action Plan to Eradicate Child Labor. Led by the Minister of Public Administration, Labor and Social Security, and includes representatives from INAC, the Ministry of Social Action, Family, and the Advancement of Women (MASFAMU), and six other government agencies. (6) In 2021, began implementing the newly approved National Action Plan to Eradicate Child Labor, including establishing procedures to measure and report on child labor and coordinate with law enforcement and social services. (6)
Interministerial 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. (40) In 2021, participated in a workshop in collaboration with IOM, aimed at approving the National Referral Mechanism for the Protection and Assistance to Victims of Human Trafficking. (43) In addition, convened nine times over the reporting period, and held an unspecified number of meetings with other government agencies, NGOs, and international partners. (41)
National Council for Social Action	Promotes and defends children's rights through social consultation and monitoring of public policies. Led by MASFAMU. (44) In July 2021, participated in the virtual conference "Eliminating Child Labor by 2025," alongside MASFAMU and INAC. The conference took place during the launch of the International Year of Africa event, and focused on proactive actions outlining concrete measures to end child labor through the implementation of the Decennial action plan which was approved by the heads of African states in February 2020. (18)
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. (40) In 2021, coordinated with INAC to connect children involved in a prostitution ring to the appropriate social services, and conducted sex tourism awareness and prevention campaigns with the institute, through radio and television public service announcements. (6,41) In addition, conducted two trainings on the systems of referral and protection for children, including human trafficking training components, attended by government officials. (41)
INAC	Coordinates child protective services. Works with MASFAMU to provide shelter and helps with family reintegration for children found in child labor situations. (40) In 2021, conducted a national awareness campaign addressing sexual violence against children. (45)

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

During the reporting period, the Government of Angola signed agreements with South Africa and the DRC establishing new protocols of cooperation on addressing transnational crime, including human trafficking. These protocols are currently pending ratification with the National Assembly. (41) In addition, in 2021, the Ministry of Justice and Human Rights established 90 new Local Human Rights Committees, bringing its total to 163 committees at the provincial, municipal, and community levels. These committees will become the primary mechanisms for collecting human trafficking information and carrying out activities, such as trainings and awareness campaigns, to implement the Plan to Combat Trafficking in Persons. (41)

Despite the existence of the Interministerial Commission to Combat Trafficking in Persons, the government faces challenges with aggregating and synthesizing data on human trafficking cases. (46)

## 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 Eradicate Child Labor (2021–2025) <sup>†</sup>	Prioritizes effective, immediate, and integrated measures toward the promotion of children's rights, including through the prevention and eradication of child labor and its worst forms, by 2025. Implemented by the Multisectoral Commission on the Prevention and Eradication of Child Labor; lays out seven principal focus areas: child development; social assistance; education; advocacy, accountability, and enforcement; raising children's voices; communication; and monitoring and evaluation. (47) Each area provides specific objectives, including increasing access to education and vocational training, raising awareness of the problem at all levels of the community, strengthening relevant legal framework, and increasing the capacity of children's participation. (47)
National Action Plan on Preventing and Combating Trafficking in Persons (2020–2025)	Outlines Angola's strategy to address human trafficking, including domestic human trafficking, in a 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 addressing human trafficking. (48) In 2021, the Ministry of Justice and Human Rights launched a campaign focused on identifying human trafficking and its various forms. (49) During the reporting period, several workshops on human trafficking were also conducted by the ministry and attended by government officials, law enforcement, and NGO representatives. (26)

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

<sup>‡</sup> The government had other policies that may have addressed child labor issues or had an impact on child labor. (50)

## VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2021, 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 inadequacy of programs to address the full scope of the problem.

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

Program	Description
Social Protection Programs <sup>†</sup>	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. (40) Active in 2021. (6)
Birth Registration and Justice for Children <sup>†</sup>	Government-run program making birth registration free for all Angolan citizens. (51) In August 2021, the government approved \$63.4 million for the purchase of 15 million identification cards and 500 kits to collect biometric and biographic data. (6)
Mobile Schools and Free Meals for Children <sup>†</sup>	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. (40) Supports some mobile schools with kitchens, facilitating the free school meals program. (40) In 2021, the program returned in full force, with a focus on locally sourced products, after being limited to a number of schools in 2020 due to the pandemic. (6)
Strengthening Capacity of the Government of Angola	USDOS-funded, \$580,000, 2-year project implemented by IOM to strengthen Angola's response to human trafficking, including the formalization of victim identification, referrals using standardized screening, risk assessment, and assistance tools to be used across all provinces. Funds the upgrade of four shelters for victims and an awareness-raising campaign on the risks of irregular migration. (52) In 2021, IOM conducted assessments of human trafficking victims' shelters in Luanda and received approval to make material improvements on one of the shelters. IOM also participated in human trafficking awareness media spots for television and radio, which are set to air in early 2022. (26)

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

Although Angola has implemented programs that target child labor, the scope of these programs is insufficient to fully address the extent of the problem. Furthermore, research did not identify programs that seek to reach children 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 minimum age for work applies to all children, including children without a work contract.	2021
	Ensure that laws prohibiting forced labor criminalize practices similar to slavery and allow for the prosecution of debt bondage.	2021
	Ensure that the law prohibits hazardous occupations or activities for children in all relevant sectors in Angola, including diamond mining.	2011 – 2021
Enforcement	Publish information regarding labor inspectorate funding.	2011 – 2021
	Increase the number of labor inspectors to meet the ILO's technical advice.	2009 – 2021
	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, including in the informal sector.	2019 – 2021
	Ensure that rural areas have adequate access to social services.	2021
	Increase training for criminal investigators, including training of investigators outside the capital and in remote areas across Angola.	2019 – 2021
	Publish information regarding whether refresher courses were provided for criminal investigators; the number of investigations conducted; violations found; prosecutions initiated; convictions achieved; and penalties imposed for violations related to the worst forms of child labor.	2019 – 2021
	Increase the capacity to aggregate and synthesize data on human trafficking cases.	2018 – 2021
Social Programs	Develop and expand existing social programs to ensure that all children have access to education and are not restricted by informal fees, lack of birth certificates, lack of teachers, or poor school infrastructure.	2013 – 2021
	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 – 2021
	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 – 2021

### REFERENCES

- Bento, Domingos. Cacucos e viana registam maior índice de exploração sexual de menores. April 2, 2019. <https://jornaldeangola.ao/ao/noticias/detalhes.php?id=406625>
- da Costa, André. Desmantelada rede de prostituição de menores. Jornal de Angola. July 15, 2019. <https://jornaldeangola.ao/ao/noticias/detalhes.php?id=432063>
- Correio da Manhã. Meninas vendem-se por menos de 90 centimos para sobreviver à fome em Angola. February 12, 2020. [https://www.cmjornal.pt/mundo/africa/detalhe/meninas-vendem-se-por-menos-de-90-centimos-para-sobreviver-a-fome-em-angola?fbclid=IwAR3eL6xV9CuztFpNdPmI CnfjNz9A9HqGlt3gmMwYf8SIe95g37ZQ\\_ael0](https://www.cmjornal.pt/mundo/africa/detalhe/meninas-vendem-se-por-menos-de-90-centimos-para-sobreviver-a-fome-em-angola?fbclid=IwAR3eL6xV9CuztFpNdPmI CnfjNz9A9HqGlt3gmMwYf8SIe95g37ZQ_ael0)
- U.S. Department of State. Trafficking in Persons Report- 2021: Angola. Washington, D.C., June 20, 2021. <https://www.state.gov/reports/2021-trafficking-in-persons-report/angola/>
- Chicoca, Armando. Namibe: Autoridades apelam ao combate à prostituição infantil. VOA Português, September 9, 2021. <https://www.voaportugues.com/a/namibe-autoridades-apelam-ao-combate-a-prostituição-infantil/6220025.html>
- U.S. Embassy- Luanda. Reporting. January 21, 2022.
- Government of Angola. Inquérito de Indicadores Múltiplos e de Saúde (IIMS) 2015–2016. June 2017. <https://dhsprogram.com/pubs/pdf/FR327/FR327.pdf>
- UNESCO Institute for Statistics. Gross intake ratio to the last grade of primary education, both sexes (%). Accessed: March 3, 2022. For more information, please see "Children's Work and Education Statistics: Sources and Definitions" in the Reference Materials section of this report. <http://data.uis.unesco.org/>
- ILO. Analysis of Child Economic Activity and School Attendance Statistics from National Household or Child Labor Surveys. Original data from Demographic and Health Survey (DHS), 2015–2016. Analysis received March 2022. Please see "Children's Work and Education Statistics: Sources and Definitions" in the Reference Materials section of this report.
- U.S. Embassy- Luanda. Reporting. January 22, 2021.
- Brandão, André. Trabalho infantil aumenta em Ndalatando e arredores. Jornal de Angola, June 14, 2018. Source on file.
- Fritz, Anabela. Cresce Prática de Trabalho Infantil no Namibe. Angop, May 11, 2021. <https://www.angop.ao/noticias/sociedade/cresce-pratica-de-trabalho-infantil-no-namibe/>
- Cuteta, Augusto. Mais de três mil crianças envolvidas em trabalho infantil. Jornal de Angola, June 6, 2021. <https://www.jornaldeangola.ao/ao/noticias/mais-de-tres-mil-criancas-envolvidas-em-trabalho-infantil/>
- Agência Angola Press. Governador desencoraja crianças na actividade pesqueira. July 20, 2018. Source on file.
- U.S. Embassy- Luanda official. E-mail communication to USDOL official. July 12, 2019.
- U.S. Embassy- Luanda official. E-mail communication to USDOL official. April 6, 2020.

- 17 e-Global Notícias em Português. Angola regista 110 casos de tráfico humano. May 23, 2021.  
<https://e-global.pt/noticias/lusofonia/angola/angola-regista-110-casos-de-trafico-humano/>
- 18 Associação Para Democracia em Angola. Angola participa em conferência sobre eliminação do trabalho infantil até 2025. July 2021, 2021.  
<https://www.democraciaemangola.com/angola-participa-em-conferencia-sobre-eliminacao-do-trabalho-infantil-ate-2025/>
- 19 U.S. Embassy- Luanda. Reporting. February 22, 2018.
- 20 Agência Angola Press. Governo estuda mecanismo para tirar crianças das ruas. May 3, 2021.  
<https://www.angop.ao/noticias/sociedade/governador-admite-apoio-as-familias-de-criancas-de-rua/>
- 21 Vasconcelos, Daniel. Aumento do trabalho infantil preocupa em Benguela. DW, October 6, 2021.  
<https://www.dw.com/pt-002/angola-aumento-do-trabalho-infantil-preocupa-em-benguela/av-57849010>
- 22 Government of Angola. Projecto de Empoderamento das Raparigas e Aprendizagem para Todos (PAT II) - Projecto No. 168699. Ministério da Educação, February 2021.  
[https://www.pat-med.org/wp-content/uploads/2021/02/PEPI\\_PAT-II-PI168699\\_FINAL.pdf](https://www.pat-med.org/wp-content/uploads/2021/02/PEPI_PAT-II-PI168699_FINAL.pdf)
- 23 Moniz, Francisco. Milhares de crianças fora da escola por falta de professores em município do Uíge. VOA, February 14, 2018.  
<https://www.voaportugues.com/a/dezenas-escolas-fechadas-falta-de-professores-uige/4254580.html>
- 24 A Semana. Angola: Oposição classifica de "vergonha" haver três milhões de criançassem escola. August 7, 2021.  
<https://www.asemana.publ.cv/?Angola-Oposicao-classifica-de-vergonha-haver-tres-milhoes-de-criancas-sem&ak=1>
- 25 De Pina, Fernando. Governo angolano admite que ainda há muitas crianças fora do sistema de ensino. August 31, 2021.  
<https://observador.pt/2021/08/31/governo-angolano-admite-que-ainda-ha-muitas-criancas-fora-do-sistema-de-ensino/>
- 26 U.S. Embassy- Luanda official. E-mail communication to USDOL official. March 10, 2022.
- 27 U.S. Department of State. Country Reports on Human Rights Practices- 2020: Angola. Washington, D.C., March 30, 2021.  
<https://www.state.gov/reports/2020-country-reports-on-human-rights-practices/angola/>
- 28 Government of Angola. Lei Geral do Trabalho, Lei No. 7/15. Enacted: June 15, 2015.  
[http://c026204.cdn.sapo.io/1/c026204/cld-file/1426522730/6d77c9965e17b15/aa4ced447f00ac5becad3d5eeddd34cb/fiscalidadeonline/2015/Lei geral do trabalho 2015-06-15.pdf](http://c026204.cdn.sapo.io/1/c026204/cld-file/1426522730/6d77c9965e17b15/aa4ced447f00ac5becad3d5eeddd34cb/fiscalidadeonline/2015/Lei%20geral%20do%20trabalho%202015-06-15.pdf)
- 29 Government of Angola. Decreto Presidencial n.º 30/17. Enacted: February 22, 2017. Source on file.
- 30 Government of Angola. Lei sobre a Criminalização das Infracções Subjacentes ao Branqueamento de Capitais, No. 3/2014. Enacted: February 10, 2014. Source on file.
- 31 Government of Angola. Lei n.º 38/20 de 11 de Novembro. November 11, 2020.  
<https://gazettes.africa/gazettes/ao-government-gazette-dated-2020-11-11-no-179>
- 32 Government of Angola. Lei sobre o Tráfico e Consumo de Estupefacientes, Substâncias Psicotrópicas e Precursores, Lei No. 3/99. Enacted: August 6, 1999. Source on file.
- 33 Government of Angola. Lei Geral do Serviço Militar, Lei No. 1/93. Enacted: March 26, 1993. Source on file.
- 34 Government of Angola. Lei de Bases do Sistema de Educação e Ensino, Lei n.º 17/16. October 7, 2016. Source on file.
- 35 ILO. Angola: Labour Inspection Structure and Organization. October 26, 2016.  
[http://www.ilo.org/labadmin/info/WCMS\\_151303/lang--en/index.htm](http://www.ilo.org/labadmin/info/WCMS_151303/lang--en/index.htm)
- 36 Government of Angola. Decreto Presidencial n.º 79/15: Aprova o Estatuto Orgânico da Inspeção Geral do Trabalho. April 13, 2015.  
<https://archive.gazettes.africa/archive/ao/2015/ao-government-gazette-dated-2015-04-13-no-51.pdf>
- 37 ILOSTAT. ILO Labor Force Statistics (LFS) – Population and labour force. Accessed: January 25, 2022. <https://ilostat.ilo.org/data/>. Labor force data is government-reported data collected by the ILO. Please see "Labor Law Enforcement: Sources and Definitions" in the Reference Materials section of this report."
- 38 ILO. Strategies and Practice for Labour Inspection. November 2006: GB.297/ESP/3.  
<http://www.ilo.org/public/english/standards/relm/gb/docs/gb297/pdf/esp-3.pdf>
- 39 UN. World Economic Situation and Prospects 2022. Please see "Labor Law Enforcement Sources and Definitions" in the Reference Materials section of this report.  
<https://www.un.org/development/desa/dpad/publication/world-economic-situation-and-prospects-2022/>
- 40 U.S. Embassy- Luanda. Reporting. January 17, 2020.
- 41 U.S. Embassy- Luanda. Reporting. February 4, 2022.
- 42 U.S. Embassy- Luanda. Reporting. February 28, 2020.
- 43 Government of Angola. Workshop sobre de Tráfico de Seres Humanos. May 18, 2021.  
<http://www.servicos.minjusdh.gov.ao/noticias/643/workshop-sobre-de-trafico-de-seres-humanos>
- 44 UN OHCHR. Committee on the Rights of the Child considers reports of Angola. May 16, 2018.  
<https://www.ohchr.org/en/NewsEvents/Pages/DisplayNews.aspx?NewsID=23093&LangID=E>
- 45 Agência Angola Press. INAC regista mais de três mil denúncias com serviço SOS- Criança. March 16, 2021.  
<https://www.angop.ao/noticias/sociedade/inac-regista-mais-de-tres-mil-denuncias-com-servico-sos-crianca/>
- 46 U.S. Embassy- Luanda. Reporting. March 29, 2019.
- 47 Government of Angola. Plano Nacional de Acção para a Erradicação do Trabalho Infantil em Angola - PANETI 2021–2025. 2021. Source on file.
- 48 Government of Angola. Plano de Acção Nacional para Prevenir e Combater o Tráfico de Seres Humanos. February 14, 2020. Source on file.
- 49 Jornal de Angola. Angola defende reforço da prevenção do tráfico de seres humanos. November 24, 2021.  
<https://www.jornaldeangola.ao/ao/noticias/angola-defende-reforco-da-prevencao-do-trafico-de-seres-humanos/>
- 50 Government of Angola. Plano de Desenvolvimento Nacional 2018–2022. Ministry of Economy and Planning, April 26, 2018. Source on file.
- 51 Augusto, Francisca. Registo de nascimento ganha nova dinâmica. Agência Angola Press, August 28, 2018.  
<https://theworldnews.net/ao-news/registo-de-nascimento-ganha-nova-dinamica>
- 52 U.S. Embassy- Luanda. Reporting. February 12, 2021.

Although research found no evidence that child labor exists in Anguilla, in 2021, 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. Table 1 provides one key indicator on children's education in Anguilla. (1)

**Table 1. 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, 2022. (1)

## 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) 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. (2) If the Convention is accepted, it is considered applicable to that territory. The following Convention has been extended to and accepted by Anguilla (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 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.

**Table 3. Laws and Regulations on Child Labor**

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



**Table 3. Laws and Regulations on Child Labor (Cont.)**

Standard	Meets International Standards	Age	Legislation
Prohibition of Forced Labor	Yes		Articles 242 and 243 of the Criminal Code; Chapter I, Section 4 of the Constitution Order (5,6)
Prohibition of Child Trafficking	Yes		Articles 242, 243, 247, and 248 of the Criminal Code (5)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Article 244 of the Criminal Code (5)
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 (7)
Free Public Education	Yes		Article 106 of the Education Act (7)

\* Country has no conscription (8)

† Country has no standing military (8)

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. (3,4) 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 the manufacturing of raw sugar, and a prohibition of night work in other industrial undertakings for children under age 18. (3) In addition, Anguilla's laws do not criminally prohibit the use of children in illicit activities, including in the production and trafficking of drugs. (5,9,10) As the minimum age for work is lower than the compulsory education age, children may be encouraged to leave school before the completion of compulsory education. (4,7)

### 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	Through the Employment of Children (Restriction) Act, the Labor Commissioner has the authority to enforce all labor laws pertaining to child labor and may freely enter and inspect any premises where violations of child labor laws may be occurring. The Labor Commissioner also is the head of the Department of Labor. (4) Research was unable to determine whether the Labor Commissioner undertook any such inspections during the reporting period.
Department of Social Development of the Ministry of Social Development	Safeguards the well-being of children and investigates reports of child abuse, neglect, or allegations that a child is otherwise at risk of harm. Has jurisdiction over both child protection and juvenile justice services. (11,12)
Royal Anguilla Police Force Safeguarding Investigation Unit	Investigates child protection cases and conducts forensic interviews and examinations of children. (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 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	Has primary responsibility for child protection efforts and oversees the Interagency Child Protection Protocol. Remained active during the reporting period. (11,13)

#### 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 policies that include the Child Safeguarding National Action Plan and an Interagency Child Protection Protocol. (11,14) 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.

#### 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 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 – 2021
	Ensure that the law establishes the minimum age for work at no less than age 15, and preferably at the age up to which education is compulsory.	2016 – 2021
	Establish age 18 as the minimum age for all hazardous work.	2011 – 2021
	Determine the types of hazardous work prohibited for children, in consultation with employers' and workers' organizations.	2017 – 2021
	Ensure that the law prohibits the use of children in illicit activities, including in the production and trafficking of drugs.	2014 – 2021
	Ensure that the law criminally prohibits the recruitment of children under age 18 by non-state armed groups.	2016 – 2021
Government Policies	Ensure that activities are undertaken to implement the Child Safeguarding National Action Plan and the Interagency Child Protection Protocol and make information about implementation measures publicly available.	2021

### REFERENCES

- 1 UNESCO Institute for Statistics. Gross intake ratio to the last grade of primary. Accessed March 3, 2022. For more information, please see "Children's Work and Education Statistics: Sources and Definitions" in the Reference Materials section of this report. <http://data.uis.unesco.org/>
- 2 U.S. Embassy- London. Reporting. January 24, 2017.
- 3 Government of Anguilla. Employment of Women, Young Persons and Children Act. Enacted: December 15, 2000. <http://www.gov.ai/laws/E055-Employment of Women Young Persons and Children Act/>
- 4 Government of Anguilla. Employment of Children (Restriction) Act, Revised Statutes of Anguilla, Chapter E50. Enacted: 2000. [http://www.gov.ai/laws/E050-Employment of Children \(Restriction\) Act/](http://www.gov.ai/laws/E050-Employment of Children (Restriction) Act/)
- 5 Government of Anguilla. Anguilla Criminal Code. Enacted: December 15, 2014. <http://www.gov.ai/laws/C140-Criminal Code/>
- 6 Government of Anguilla. The Anguilla Constitution Order 1982. Enacted: April 1, 1982. <http://www.constitutionnet.org/vl/anguilla-constitution-1982>
- 7 Government of Anguilla. Education Act, 2011. Enacted: 2012. <http://www.gov.ai/documents/EducationBill2011.pdf>
- 8 CIA. The World Factbook: Anguilla. Accessed August 6, 2018. Please see "Labor Law Enforcement: Sources and Definitions" in the Reference Materials section of this report. <https://www.cia.gov/the-world-factbook/countries/anguilla/>
- 9 Government of Anguilla. Drugs (Prevention of Misuse) Act. Enacted: December 10, 2010. [http://www.gov.ai/laws/D045-00-Drugs \(Prevention of Misuse\) Act/](http://www.gov.ai/laws/D045-00-Drugs (Prevention of Misuse) Act/)
- 10 Government of Anguilla. Drug Trafficking Offences Act. Enacted: December 15, 2004. [http://www.gov.ai/laws/D050-01-Drugs Trafficking Offences Act \(Designated Countries etc\) Order](http://www.gov.ai/laws/D050-01-Drugs Trafficking Offences Act (Designated Countries etc) Order)
- 11 Government of Anguilla. Interagency Child Protection Protocol. 2019. <http://www.gov.ai/documents/msd/Interagency Child Protection Protocol ICPP UPDATED 2019.pdf>
- 12 Organization of Eastern Caribbean States. OECS Assessment of Child Protection Services. May 5, 2017. <https://www.oecs.org/en/our-work/knowledge/library/anguilla-country-report-may-5th-2017/viewdocument/1100>
- 13 Government of Anguilla. Minutes of Executive Council. December 17, 2021. <http://www.gov.ai/documents/exco/2021/Minutes of 17 December 2021.pdf>
- 14 Government of Anguilla. Child Safeguarding National Action Plan. July 30, 2017. [http://www.gov.ai/documents/dsd/Anguilla\\_C\\_SNAP\\_30 July 2017.pdf](http://www.gov.ai/documents/dsd/Anguilla_C_SNAP_30 July 2017.pdf)



In 2021, Argentina made significant advancement in efforts to eliminate the worst forms of child labor. The government conducted and published a study examining the impact of the COVID-19 pandemic on children and child labor prevalence. It also reported completing more than 50 targeted actions outlined in the National Action Plan to Combat Human Trafficking, which included measures to address child pornography. Meanwhile, the national coordination mechanism to eradicate child labor launched an action plan to improve government cooperation with the private sector in addressing child labor. Similarly, the Ministry of Labor enacted a new policy to improve anti-child labor coordination efforts at the sub-national level. 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. (1-6) Table 1 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 1. 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, 2022. (7)

Source for all other data: International Labor Organization's analysis of statistics from Encuesta de actividades de niñas, niños y adolescentes (EANNA), 2016–2017. (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	Harvesting† blueberries, cotton, garlic, grapes, olives, onions, strawberries, and tomatoes (9-17)
	Harvesting† yerba mate (stimulant plant) and tobacco (9,14,18-23)
Industry	Production of garments (1,24)
	Production of bricks and wooden crates (1,9,25-28)
	Construction,† activities unknown (9,26)
Services	Street begging† and handing out flyers or promotional materials (9,14)
	Refuse collection, recycling, and garbage scavenging† (9,29)
	Caregiving,† including caring for other children, the elderly, or infirm people (9)
	Working and cooking in food service (9)
	Domestic work, including cleaning, doing laundry, and ironing (9,29)
	Yard work, including cutting lawns and pruning trees (9)
	Selling produce in grocery stores (14)

# Argentina

## SIGNIFICANT ADVANCEMENT

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

Sector/Industry	Activity
Categorical Worst Forms of Child Labor‡	Commercial sexual exploitation, including use in the production of pornography, sometimes as a result of human trafficking (4,9,30)
	Forced labor in agriculture and in the production of garments, charcoal, and bricks (4,14,30,31)
	Use in illicit activities, including transporting, selling and distributing drugs (2,9,32,33)
	Forced labor in domestic work and street vending (1,4,9,30)

† 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.

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) Reports also indicate that Paraguayan children are victims of human trafficking for the purpose of commercial sexual exploitation in Argentina. (1,34) Limited reporting also indicates that sex traffickers exploit minors participating in domestic youth sports clubs. (6,31) 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. (3,6,28,31,35)




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. (23) In Salta and Jujuy provinces, children harvest tobacco. (21,36)

In 2021, the Ministry of Labor, Employment, and Social Security (MTEySS) published results of a study, conducted in collaboration with the ILO and UNICEF, measuring the impact of the COVID-19 pandemic on children in the country. The study found that 46 percent of children between the ages of 13 and 17 and engaged in work began doing so as a result of the pandemic. (37-39) Of those that began working, 7 out of 10 resided in households that had experienced job loss or a reduction in working hours. (38,39) Overall, the study found that the rate of working children ages 13 to 17 had increased as a result of the pandemic, from 17 percent in November 2020 to 23 percent in October 2021. (5,40,41)

## 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 and 55 of the Law on Agrarian Work; Article 189 of the Employment Contract Law (42-46)
Minimum Age for Hazardous Work	Yes	18	Article 10 of the Prohibition of Child Labor and Protection of Adolescent Work Law; Articles 176, 189, and 191 of the Law on Labor Contracts; Article 62 of the Law on Agrarian Work (44-46)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Article 1 of Executive Decree 1117/2016 on Dangerous Work (47)
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 (42,48,49)
Prohibition of Child Trafficking	Yes		Articles 1, 25, and 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 (42,49)
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 (49-51)
Prohibition of Using Children in Illicit Activities	Yes		Article 11 of the Possession and Trafficking of Drugs Law (52)
Minimum Age for Voluntary State Military Recruitment	Yes	18	Article 8 of the Voluntary Military Service Law (53)
Prohibition of Compulsory Recruitment of Children by (State) Military	Yes*		Article 19 of the Voluntary Military Service Law (53)
Prohibition of Military Recruitment by Non-state Armed Groups	Yes		Article 10 of Law No. 26.200 (54)
Compulsory Education Age	Yes	18	Articles 16 and 29 of the National Education Law; Article 2 of the Law on Early Education (55,56)
Free Public Education	Yes		Articles 15 and 16 of the Child and Adolescent Rights Protection Law (42)

\* Country has no conscription (57)

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



# Argentina

## SIGNIFICANT ADVANCEMENT

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

Organization/Agency	Role
Ministry of Labor, Employment, and Social Security (MTEySS)	Carries out labor law enforcement efforts in coordination with labor officials and authorities at the provincial level in each Argentine province and the Autonomous City of Buenos Aires. (5,58) Enforces child labor laws in part through its Inspection Directorate of Child Labor; the Protection of Adolescent Work, and Indicators of Labor Exploitation (DITIAEIEL) and collaborates with the National Registry of Rural Workers and Employers (RENATRE) in enforcing child labor laws in the agricultural sector. (14) 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 address child labor. Labor inspectors are tasked with enforcing laws related to child labor as part of MTEySS' broader enforcement strategy, the National Plan for the Regularization of Labor ( <i>Plan Nacional de Regularización del Trabajo</i> [PNRT]). (14) 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. (14)
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. (14,59,60) 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. (14,61)
Public Prosecutor's Office	Detects, investigates, and prosecutes cases of human trafficking and labor exploitation through its Special Prosecutor's Office for Human Trafficking and Exploitation (PROTEX). (62)
Federal and National Immigration Police	Conduct human trafficking investigations through the Trafficking in Persons Division. (14,63) Oversee the rights of migrants and assist in investigating cases of transnational human trafficking. (14)

### Labor Law Enforcement

In 2021, labor law enforcement agencies in Argentina took actions to combat child labor (Table 6). However, gaps exist within the operations of the MTEySS that may hinder adequate labor law enforcement, including insufficient human resource allocation.

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

Overview of Labor Law Enforcement	2020	2021
Labor Inspectorate Funding	Unknown (14)	Unknown
Number of Labor Inspectors	324 (14)	357 (5)
Mechanism to Assess Civil Penalties	Yes (64)	Yes (64)
Initial Training for New Labor Inspectors	Yes (14)	Yes (5)
Training on New Laws Related to Child Labor	N/A	N/A
Refresher Courses Provided	Yes (14)	Yes (5)
Number of Labor Inspections Conducted	19,034 (14)	8,731 (5)
Number Conducted at Worksite	19,034 (14)	8,731 (5)
Number of Child Labor Violations Found	16 (14)	11 (5)
Number of Child Labor Violations for Which Penalties Were Imposed	Unknown (14)	11 (5)
Number of Child Labor Penalties Imposed that Were Collected	Unknown (14)	Unknown
Routine Inspections Conducted	Yes (14)	Yes (5)
Routine Inspections Targeted	Yes (14)	Yes (5)
Unannounced Inspections Permitted	Yes (64)	Yes (64)
Unannounced Inspections Conducted	Yes (14)	Yes (5)
Complaint Mechanism Exists	Yes (14)	Yes (5)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (14)	Yes (5)

In 2021, MTEySS reported identifying 11 minors in conditions of labor exploitation as a result of routine labor inspections. Details about these and other child labor cases were not available. (30,41)

In addition to labor inspectors employed in MTEySS, provincial governments also employ their own local labor inspectors, though the total number for these inspectors is unknown. (5) Nonetheless, the number of national inspectors is still likely insufficient for the size of Argentina's workforce, which includes over 12.3 million

workers. According to the ILO's technical advice of a ratio approaching 1 inspector for every 15,000 workers in developing economies, Argentina would employ about 1,391 labor inspectors. (65) 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. (3,66) 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. (14,66)

MTEySS 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. (3,66) Labor inspectors are also required to file a criminal complaint with the provincial courts of the relevant jurisdiction for any child labor violation detected. (3,9,66) MTEySS 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 2021, 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 insufficient human resources.

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

Overview of Criminal Law Enforcement	2020	2021
Initial Training for New Criminal Investigators	Yes (14)	Yes (5)
Training on New Laws Related to the Worst Forms of Child Labor	Yes (14)	Yes (5)
Refresher Courses Provided	Yes (14)	Yes (5)
Number of Investigations	19 (14)	16 (5)
Number of Violations Found	12 (14,67)	10 (5)
Number of Prosecutions Initiated	9 (14)	11 (5)
Number of Convictions	5 (14)	6 (5)
Imposed Penalties for Violations Related to the Worst Forms of Child Labor	Yes (14)	Yes (5)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (14)	Yes (5)

The government reported that in 2021, it had implemented 67 of the "100 Actions Against Trafficking" outlined in Argentina's action plan to address human trafficking, including measures aimed at prevention, assisting victims, prosecuting criminals, and capacity building among agencies. (5,30) Four investigations in 2021 involved cases of child pornography, one of the target areas of the action plan. (30)

During the reporting period, a public officer from the city of Florencio Varela was sentenced to 13 years in prison in part for the commercial sexual exploitation of minors. (30) The government provided and participated in numerous trainings during the reporting period. The Special Prosecutor's Office for Human Trafficking and Exploitation (PROTEX) trained officials on the non-punishment of human trafficking victims and on the trafficking and smuggling of migrants while the Ministry of Tourism and Sports offered trainings on protecting children's and adolescents' rights in the tourism industry. (30)

Argentine law enforcement authorities report a lack of funding and resources. (31) 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. (68)

## **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.

# Argentina

## SIGNIFICANT ADVANCEMENT

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

Coordinating Body	Role & Description
National Commission for the Eradication of Child Labor (CONAETI)	Coordinates national efforts to monitor and eliminate child labor and implement the Third National Action Plan for the Prevention and Eradication of Child Labor and the Regulation of Adolescent Work. Led by the Secretariat of Promotion, Protection, and Technological Change and comprises 16 government agencies, representatives from UNICEF, International Labor Organization, industry associations, and labor unions. (5) During the reporting period, developed an interministerial plan in recognition of the “International Year for the Elimination of Child Labor” that focused on interministerial coordination, territorial action, tripartite social dialogue, and institutionalized approaches to the issue of child labor. Also developed the Labor-Free Childhoods Program. (5)
Coordination of Child Labor Eradication and Adolescent Work Protection Policies	A dependent unit at the Under-secretariat for Politics of Inclusion in Labor at MTEySS, designs public policies on child labor; plans and implements the 2021 Interministerial Plan; carries out assistance programs and trainings; develops public campaigns and communication efforts; coordinates different areas of MTEySS dedicated to child labor-related issues; represents the Ministry at international events and affairs; cooperates on enforcing the legal framework regarding child labor; and presides over CONAETI. (5) During the reporting period, the coordinating body worked on the implementation of the 2021 Interministerial Plan and launched the Federal Strengthening Program for the Eradication of Child Labor. (5) The coordinating body also launched its 2021 Action Plan for the Businesses Against Child Labor Network, an effort to improve government cooperation with the private sector in preventing and eradicating child labor. (69)
Inspection Directorate of Child Labor, Protection of Adolescent Work and Indications of Labor Exploitation (DITIAEIEL)	Formerly the Coordinating Body for the Prevention of Child Labor and Regulation of Adolescent Work (COODITIA) and elevated to a directorate level within MTEySS in 2020, implements inspections to detect child labor and irregular adolescent labor; verifies the conditions of adolescent labor; monitors labor exploitation of children and adolescents; trains inspectors from MTEySS and from the subnational units; promotes the creation of special inspection units; and provides technical assistance to labor inspectors. (5) As part of 2021 efforts to commemorate World Day Against Child Labor, DITIAEIEL carried out punitive inspections targeting child labor violators and worked to implement improvements to the inspection process. (70)
Provincial Committees for the Prevention and Eradication of Child Labor (COPRETI)s	Created under a cooperative agreement between MTEySS and the Federal Work Council, coordinate activities implemented at a provincial level and coordinate between government, business, union, and civil society stakeholders within their respective provinces to implement actions to combat child labor at a local level. There are 24 COPRETI, one for each province, including the City of Buenos Aires. (5,71) During the reporting period, the government launched the Federal Support Program for the Eradication of Child Labor, a grant project aimed at improving COPRETI collaboration with civil society, labor unions, and businesses in order to identify appropriate intervention measures in regions or supply chains at risk of employing child labor. (72) After a pilot program the prior year, in 2021 COPRETI continued its cooperation with the Argentinean Blueberry Committee to implement the first social compliance system in Argentina's agricultural sector, which includes public awareness campaigns, monitoring and prevention mechanisms, and child care centers at worksites. (73)
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 MTEySS. (5) In 2021, the coordinating body began implementing the newly drafted and published national biennial action plan against trafficking in persons, named “100 Actions Against Human Trafficking.” (5,30)

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. (75) The National Commission for the Eradication of Child Labor has acknowledged that one of the central areas of concern for the committee was the need to strengthen cooperation between national- and provincial-level governments. (76)

## 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 publicly available 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. (9,77,78) All coordinating and policy activities carried out during the reporting period were conducted under the purview of the national action plan. (5)
Federal Strengthening Program for the Eradication of Child Labor†	Established through Labor Ministry Resolution 268/2021 in 2021, targets leaders at the sub-national level who can improve the effectiveness of preventative strategies and the detection of child labor and unprotected irregular adolescent work. (5,79) Aims to develop coordinated actions among the Provincial Committees on the Eradication of Child Labor (COPRETIs), civil society organizations, labor unions, and companies both in common geographic areas and productive sectors that show high risks of child labor. (5)
2021 Interministerial Plan for the Prevention and Eradication of Child Labor	Established in 2021 under the framework of the United Nations' "International Year for the Eradication of Child Labor (2021)," encourages UN Member States to create and implement policies that prevent, raise awareness of, and eradicate child labor. (41)
Interagency Agreement for Prevention of Child Labor and Protection of the Adolescent Worker	Collaborative agreement between MTEySS and the Ministry of Education to integrate child labor prevention and protection of adolescent workers in curricula and teacher training courses. (9,80) 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 interagency 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. (5) The government continued implementing the plan during the reporting period. (5,30)

† 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. (81,82,83)

## VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2021, 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 inadequacy to address the problem in all sectors.

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

Program	Description
Universal Child Allowance Program ( <i>Asignación Universal</i> )†	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. (9,84) During the reporting period, the government increased the payment amount to beneficiaries by 8.07 percent and in early 2022 announced plans for further increases. (85,86)
National Registry of Rural Workers and Employers (RENATRE) Awareness-Raising Campaigns†	RENATRE campaigns that raise awareness of child labor in agriculture and inform families and children of the right to education. (87) During the reporting period, RENATRE hosted a virtual seminar that included government, private sector, and labor union representatives to discuss and analyze the role of social protection mechanisms in the effort to combat child labor. (88) RENATRE also took part in the first Virtual South-South Exchange on the Prevention and Eradication of Child Labor in 2021 hosted by Peru. (89)
Good Harvest Program*	Reconstituted in 2021 under a MTEySS resolution, aims to provide childcare facilities and services for migrant and rural families involved in seasonal harvests to prevent child labor. (90,91) In addition to formalizing the program under MTEySS and granting it an operating budget, the 2021 resolution also extended the qualifying age for children to receive services from ages 16 to 18. (91)
National Campaign Against Child Labor in Brickmaking†	Launched in 2017 by MTEySS and the Argentine Brick Workers Union (UOLRA), 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. (92,93) During the reporting period, UOLRA continued its public awareness campaign titled "The Only Privileged Ones are Children." (94)

# Argentina

## SIGNIFICANT ADVANCEMENT

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

Program	Description
USDOL-Funded Projects	Project to Promote Workplace-Based Training for Vulnerable Youth in Argentina (Noemi Project) (2016–2022), \$3.3 million project implemented by <i>Centro de Desarrollo y Autogestión</i> (DyA); "P.A.R. Project": Multi-Stakeholder Strategy for Child Labor Elimination in Agriculture in Argentina (2019–2022), \$2.5 million project implemented by DyA; "Offside Project": Improving the Capacity of Labor and Agriculture Stakeholders to Address Child Labor in Agricultural Areas of Argentina Project (2019–2022), \$2.5 million project implemented by ILO; Measurement, Awareness-Raising, and Policy Engagement (MAP16) (2016–2022), global project implemented by ILO; Promoting Apprenticeship as a Path for Youth Employment in Argentina, Costa Rica, and Kenya through Global Apprenticeships Network (GAN) National Networks (2016–2021), \$3.3 million multi-country project; Attaining Lasting Change (ATLAS) (2019–2023), \$8 million global program implemented by Winrock International; and Evidence to Action: Increasing the Impact of Research to Mobilize Efforts against Forced Labor (2019–2022), \$3 million project implemented by the ILO. (95–101) Additional information is available on the USDOL website.

\* Program was launched during the reporting period.

† Program is funded by the Government of Argentina.

‡ The government had other social programs that may have included the goal of eliminating or preventing child labor. (102,103)

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. (66) 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 – 2021
Enforcement	Increase the number of labor inspectors responsible for enforcing laws on child labor to meet the ILO's technical advice.	2015 – 2021
	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 – 2021
	Ensure law enforcement officials have adequate funding and resources to carry out their operations.	2021
	Strengthen the capacity of Argentina's judiciary and police to investigate human trafficking and commercial sexual exploitation cases.	2019 – 2021
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 – 2021
Government Policies	Publish information on activities taken under key policies to address child labor, forced labor, and human trafficking.	2018 – 2021
Social Programs	Develop specific programs that target child labor in sectors in which child labor is prevalent, including street begging.	2018 – 2021
	Increase funding for shelters and assistance to girl victims of human trafficking and commercial sexual exploitation.	2020 – 2021

### REFERENCES

- 1 U.S. Embassy- Buenos Aires. Reporting. February 13, 2019.
- 2 Clarin. Narcos, soldaditos rehenes y muerte en uno de los barrios más peligrosos del GBA. September 30, 2018.  
[https://www.clarin.com/politicales/narcos-soldaditos-rehenes-muerte-barrrios-peligrosos-gba\\_0\\_8DZb-Pnqh.html](https://www.clarin.com/politicales/narcos-soldaditos-rehenes-muerte-barrrios-peligrosos-gba_0_8DZb-Pnqh.html)
- 3 U.S. Embassy- Buenos Aires. Reporting. January 14, 2020.
- 4 U.S. Department of State. Trafficking in Persons Report- 2020: Argentina. Washington, D.C., June 2020.  
<https://www.state.gov/reports/2020-trafficking-in-persons-report/argentina/>
- 5 U.S. Embassy- Buenos Aires. Reporting. January 20, 2022.
- 6 U.S. Department of State. Trafficking in Persons Report- 2021: Argentina. Washington, D.C., July 1, 2021.  
<https://www.state.gov/reports/2021-trafficking-in-persons-report/argentina/>
- 7 UNESCO Institute for Statistics. Gross intake ratio to the last grade of primary education, both sexes (%). Accessed March 3, 2022. For more information, please see "Children's Work and Education Statistics: Sources and Definitions" in the Reference Materials section of this report.  
<http://data.uis.unesco.org/>
- 8 ILO. Analysis of Child Economic Activity and School Attendance Statistics from National Household or Child Labor Surveys. Original data from Encuesta de actividades de niñas, niños y adolescentes (EANNA), 2016–2017. Analysis received March 2022. Please see "Children's Work and Education Statistics: Sources and Definitions" in the Reference Materials section of this report.
- 9 U.S. Embassy- Buenos Aires. Reporting. January 12, 2018.
- 10 El Litoral. Condena inedita en un caso de trabajo infantil en la provincia. December 14, 2018.  
[https://www.ellitoral.com/index.php/id\\_um/186050-condena-inedita-en-un-caso-de-trabajo-infantil-en-la-provincia-los-ninos-tenian-entre-12-y-16-anos-politica.html](https://www.ellitoral.com/index.php/id_um/186050-condena-inedita-en-un-caso-de-trabajo-infantil-en-la-provincia-los-ninos-tenian-entre-12-y-16-anos-politica.html)
- 11 La Capital. La provincia denunció por trabajo infantil a una empresa productora de arándanos. January 20, 2017.  
<https://www.lacapital.com.ar/la-provincia-denuncio-trabajo-infantil-una-empresa-productora-arandanos-n1324729.html>
- 12 La Izquierda Diario. Denuncian trabajo infantil en Mendoza. March 12, 2017.  
<https://www.laizquierdadiario.com/Denuncian-trabajo-infantil-en-Mendoza>
- 13 Página 12. Los chicos que recogen arándanos. January 20, 2017.  
<https://www.pagina12.com.ar/15318-los-chicos-que-recogen-arandanos>
- 14 U.S. Embassy- Buenos Aires. Reporting. January 19, 2021.
- 15 Rodríguez, Leonel. Explotación infantil en Santiago del Estero. Santiago del Estero, La Nación. September 25, 2020.  
<https://www.lanacion.com.ar/sociedad/explotacion-infantil-santiago-del-estero-encuentran-ninos-nid2461016/>
- 16 Jara, Fernanda. Libres de Trabajo Infantil--Un chico no puede creer que su unico destino es trabajar en un yerbal. Infobae, October 30, 2017.  
<https://www.infobae.com/sociedad/2017/10/30/libres-de-trabajo-infantil-un-chico-de-5-anos-no-puede-creer-que-su-unico-destino-es-trabajar-en-un-yerbal/>
- 17 U.S. Embassy- Buenos Aires. Reporting. January 14, 2022.
- 18 Ayuso, María. ¿Sabías que el mate esconde trabajo infantil? La Nación, May 12, 2017.  
<http://www.lanacion.com.ar/2022827-sabias-que-el-mate-esconde-trabajo-infantil>
- 19 Vera, Valeria. El documental sobre la industria del mate que entristece a Misiones y conmueve al mundo. La Nación, July 21, 2016.  
<http://www.lanacion.com.ar/1920222-documental-me-gusta-el-mate-sin-trabajo-infantil-misiones-exterior>
- 20 Datachaco.com. Trabajo infantil: encuentran a menores trabajando en un campo. February 18, 2017. Source on file.
- 21 El Ancasti. La AFIP detectó trabajo infantil y no registrados en Salta y Jujuy. March 10, 2018.  
<https://www.elancasti.com.ar/nacionales/2018/3/10/la-afip-detecto-trabajo-infantil-no-registrados-en-salta-jujuy-364412.html>
- 22 MisionesOnline. Detectaron trabajo infantil en un yerbal en Capióvi. June 29, 2018.  
<https://misionesonline.net/2018/06/29/detectaron-trabajo-infantil-yerbal-capiovi/>
- 23 Lotti, Fiorella. Trabajo infantil en Argentina: sin cifras oficiales desde 2004. Noticias, June 19, 2017.  
<http://noticias.perfil.com/2017/06/19/trabajo-infantil-en-argentina-sin-cifras-oficiales-desde-2004/>
- 24 Info Gremiales. Trabajo infantil en un taller textil clandestino. September 7, 2015. Source on file.
- 25 U.S. Embassy- Buenos Aires. Reporting. January 17, 2017.
- 26 Government of Argentina. Encuesta de Actividades de Niñas, Niños y Adolescentes (EANNA). November 16, 2017. Source on file.
- 27 Brondo, Héctor. Cruzada de ladrilleros contra el trabajo infantil. La Voz, February 17, 2017. Source on file.
- 28 Loja, Matías. El trabajo que no educa y refuerza la pobreza. La Capital, June 10, 2017.  
<https://www.lacapital.com.ar/educacion/el-trabajo-que-no-educa-y-refuerza-la-pobreza-n1413374.html>
- 29 Government of Argentina. Encuesta de Actividades de Niños, Niñas y Adolescentes 2016–2017. November 2018.  
[http://www.trabajo.gob.ar/downloads/estadisticas/eanna/eanna\\_publicacion\\_2016-2017.pdf](http://www.trabajo.gob.ar/downloads/estadisticas/eanna/eanna_publicacion_2016-2017.pdf)
- 30 U.S. Embassy- Buenos Aires. Reporting. February 11, 2022.
- 31 U.S. Embassy- Buenos Aires. Reporting. February 13, 2021.
- 32 Diario Popular. Narcos reclutan a "niñas" para vender droga en boliches. February 18, 2017.  
<https://www.diariopopular.com.ar/politicales/narcos-reclutan-ninas-vender-droga-boliches-n301421>
- 33 Diario Popular. Estiman que unos 250 mil chicos "trabajan" para narcos. August 20, 2017.  
<https://www.diariopopular.com.ar/politicales/estiman-que-unos-250-mil-chicos-trabajan-narcos-n317723>
- 34 U.S. Department of State. Trafficking in Persons Report- 2018: Argentina. Washington, D.C., June 2018.  
<https://www.state.gov/reports/2018-trafficking-in-persons-report/argentina/>
- 35 González, Juan Manuel. La sacrificada labor de los bolivianos que fabrican ladrillo en Argentina. CDR Productora, September 7, 2017. Source on file.
- 36 Parera, Anibal. Las cuentas pendientes en la lucha contra el trabajo infantil. El Cronista, July 14, 2017.  
<https://www.cronista.com/especiales/Las-cuentas-pendientes-en-la-lucha-contra-el-trabajo-infantil-20170714-0009.html>
- 37 UNICEF. El Impacto de la Pandemia COVID 19 en Las Familias. November 2020.  
[https://www.unicef.org/argentina/media/9696/file/Encuesta por ciento20de por ciento20Percepci por cientoC3 por cientoB3n por ciento20y por ciento20Actitudes por ciento20de por ciento20la por ciento20Poblaci por cientoC3 por cientoB3n por ciento20- por ciento20Tercera por ciento20ola.pdf](https://www.unicef.org/argentina/media/9696/file/Encuesta%20por%20ciento20de%20Percepci%20por%20cientoC3%20por%20cientoB3n%20por%20ciento20y%20por%20ciento20Actitudes%20por%20ciento20de%20por%20ciento20la%20por%20ciento20Poblaci%20por%20cientoC3%20por%20cientoB3n%20por%20ciento20- por%20ciento20Tercera%20por%20ciento20ola.pdf)
- 38 ILO. I de cada 2 niños, niñas y adolescentes que trabajan comenzó a hacerlo durante la pandemia. May 21, 2021.  
[https://www.ilo.org/buenosaires/noticias/WCMS\\_793493/lang--es/index.htm](https://www.ilo.org/buenosaires/noticias/WCMS_793493/lang--es/index.htm)
- 39 Government of Argentina. El Trabajo Infantil en Argentina. Ministry of Labor, August 19, 2021.  
[https://www.argentina.gob.ar/sites/default/files/mteyss-ti-covid-otia-2021\\_pub210611.pdf](https://www.argentina.gob.ar/sites/default/files/mteyss-ti-covid-otia-2021_pub210611.pdf)
- 40 Ruffo, Julieta. El 23% de las y los adolescentes de Argentina trabajan. El Diario AR, October 22, 2021.  
[https://www.eldiarioar.com/sociedad/23-adolescentes-argentina-mitad-empezo-hacerlo-durante-cuarentena-obligatoria\\_1\\_8419977.html](https://www.eldiarioar.com/sociedad/23-adolescentes-argentina-mitad-empezo-hacerlo-durante-cuarentena-obligatoria_1_8419977.html)



# Argentina

## SIGNIFICANT ADVANCEMENT

- 41 U.S. Embassy- Buenos Aires official. Official communication to USDOL official. June 24, 2022.
- 42 Government of Argentina. Ley de Protección Integral de Derechos de las Niñas, Niños y Adolescentes, Ley 26.061. Enacted: September 28, 2005. [https://www.oas.org/dil/esp/Ley\\_de\\_Proteccion\\_Integral\\_de\\_los\\_Derechos\\_de\\_las\\_Ninas\\_Ninos\\_y\\_Adolescentes\\_Argentina.pdf](https://www.oas.org/dil/esp/Ley_de_Proteccion_Integral_de_los_Derechos_de_las_Ninas_Ninos_y_Adolescentes_Argentina.pdf)
- 43 Government of Argentina. Régimen Especial de Contrato de Trabajo para el Personal de Casas Particulares, Ley 26.844. Enacted: March 13, 2013. [https://www.ilo.org/wcmsp5/groups/public/-americas/-ro-lima/-ilo-buenos\\_aires/documents/presentation/wcms\\_229195.pdf](https://www.ilo.org/wcmsp5/groups/public/-americas/-ro-lima/-ilo-buenos_aires/documents/presentation/wcms_229195.pdf)
- 44 Government of Argentina. Prohibición del Trabajo Infantil y Protección del Trabajo Adolescente, Ley 26.390. Enacted: June 4, 2008. <https://www.mpd.gov.ar/index.php/marco-normativo-t/365-normativa-nacional/leyes/3244-ley-n-26-390-de-prohibicion-del-trabajo-infantil-y-proteccion-del-trabajo-adolescente>
- 45 Government of Argentina. Régimen de Trabajo Agrario, Ley 26.727. Enacted: December 27, 2011. Source on file.
- 46 Government of Argentina. Ley de Contrato de Trabajo, Ley 20.744. Enacted: May 13, 1976 (updated). <http://www.infoleg.gov.ar/infolegInternet/anexos/25000-29999/25552/texact.htm>
- 47 Government of Argentina. Decreto 1117/2016 - Determinanse los tipos de trabajo que constituyen trabajo peligroso para menores. Enacted: October 20, 2016. [http://www.ilo.org/dyn/natlex/docs/ELECTRONIC/102906/124616/F678984966/decreto\\_1117\\_de\\_2016\\_ARGENTINA.pdf](http://www.ilo.org/dyn/natlex/docs/ELECTRONIC/102906/124616/F678984966/decreto_1117_de_2016_ARGENTINA.pdf)
- 48 Government of Argentina. Constitución de 1994. Enacted: 1994. <http://pdpa.georgetown.edu/constitutions/argentina/argen94.html>
- 49 Government of Argentina. Prevención y Sanción de la Trata de Personas y Asistencia a Sus Víctimas (Modificaciones), Ley 26.842. Enacted: December 26, 2012. <http://www.infoleg.gov.ar/infolegInternet/anexos/205000-209999/206554/norma.htm>
- 50 Government of Argentina. Delitos contra la integridad sexual. Modificación, Ley 25.087. Enacted: April 14, 1999. <http://servicios.infoleg.gov.ar/infolegInternet/anexos/55000-59999/57556/norma.htm>
- 51 Government of Argentina. Código Penal de la Nación Argentina, Ley 11.179. Enacted: 1984 (actualizado). <http://servicios.infoleg.gov.ar/infolegInternet/anexos/15000-19999/16546/texact.htm>
- 52 Government of Argentina. Tenencia y Tráfico de Estupefacientes, Ley 23.737. Enacted: October 11, 1989. [http://www.ciad.oas.org/Lavado\\_Activos/ESP/LeyesLavado/Argentina/Ley23.737AR.doc](http://www.ciad.oas.org/Lavado_Activos/ESP/LeyesLavado/Argentina/Ley23.737AR.doc)
- 53 Government of Argentina. Ley del Servicio Militar Voluntario, Ley 24.429. Enacted: January 5, 1995. Source on file.
- 54 Government of Argentina. Ley 26.200 de Implementación del Estatuto de Roma. Enacted: January 5, 2007. <http://www.derechos.org/nizkor/arg/doc/ley26200.html>
- 55 Government of Argentina. Ley de Educación Nacional, Ley 26.206. Enacted: December 14, 2006. <https://www.argentina.gob.ar/sites/default/files/ley-de-educ-nac-58ac89392ea4c.pdf>
- 56 Government of Argentina. Ley de Educación Inicial, Ley 27.045. Enacted: December 23, 2014. <https://www.argentina.gob.ar/normativa/nacional/ley-27045-240450/texto>
- 57 Child Soldiers International. Louder than Words: An agenda for action to end state use of child soldiers. Appendix II: Data Summary on Recruitment Ages of National Armies. London: 2012. Source on file.
- 58 Government of Argentina. Objetivos y funciones. Ministerio de Trabajo, Empleo y Seguridad Social. Accessed February 9, 2021. <https://www.argentina.gob.ar/trabajo/objetivos-y-funciones>
- 59 U.S. Embassy- Buenos Aires. Reporting. February 28, 2018.
- 60 Government of Argentina, Ministerio de Justicia y Derechos Humanos. Oficina de Rescate y Acompañamiento a Personas Damnificadas por el Delito de Trata de Personas. <http://www.jus.gob.ar/areas-tematicas/trata-de-personas/oficina-de-rescate-y-acompanamiento.aspx>
- 61 U.S. Embassy- Buenos Aires. Reporting. February 22, 2017.
- 62 Government of Argentina. PROTEX: Special Prosecutor's Office on Human Trafficking and Exploitation. Public Prosecutor's Office, <https://www.mpf.gob.ar/protex/>
- 63 Government of Argentina. Rescatamos a 75 víctimas de explotación laboral en La Matanza y desbaratamos una red de trata. November 21, 2018. <https://www.argentina.gob.ar/noticias/rescatamos-75-victimas-de-explotacion-laboral-en-la-matanza-y-desbaratamos-una-red-de-trata>
- 64 Government of Argentina. Ley 25.877, Título Preliminar del Ordenamiento del Régimen Laboral. Enacted March 18, 2004. <http://servicios.infoleg.gov.ar/infolegInternet/anexos/90000-94999/93595/texact.htm>
- 65 ILOSTAT. ILO modelled estimates and projections (ILOEST) – Population and labour force. Accessed (January 25, 2022). Labor force data is modelled on a combination of demographic and economic explanatory variables by the ILO. Please see "Labor Law Enforcement: Sources and Definitions" in the Reference Materials section of this report. <https://ilostat.ilo.org/data/>
- 66 U.S. Embassy- Buenos Aires. Reporting. January 8, 2019.
- 67 U.S. Department of State official. E-mail communication to USDOL official. March 31, 2021.
- 68 UN Human Rights Council. Compilation on Argentina: Report of the Office of the United Nations High Commissioner for Human Rights. August 28, 2017: A/HRC/WG.6/28/ARG/2. Source on file.
- 69 Government of Argentina. Plan de Acción 2021 de la Red de Empresas contra el Trabajo Infantil. April 7, 2021. <https://www.argentina.gob.ar/noticias/plan-de-accion-2021-de-la-red-de-empresas-contra-el-trabajo-infantil>
- 70 Minuto Uno. Este sábado 12 de junio es el Día Mundial contra el trabajo infantil--como se lo combate en el país y donde denunciarlo. June 12, 2021. <https://www.minutouno.com/sociedad/trabajo-infantil/este-sabado-12-junio-es-el-dia-mundial-contra-el-como-se-lo-combate-el-pais-y-donde-denunciarlo-n5200679>
- 71 Government of Buenos Aires Ministry of Labor. COPRETI. Comisión Provincial para la Prevención y Erradicación del Trabajo Infantil. Accessed February 11, 2021. <https://www.argentina.gob.ar/trabajo/infantil/comisiones-provinciales-para-la-prevencion-y-erradicacion-del-trabajo-infantil>
- 72 Política Argentina. Cómo funcionará el programa del Gobierno que buscará erradicar el trabajo infantil. June 14, 2021. <https://www.politicaargentina.com/notas/202106/37647-como-funcionara-el-programa-que-buscará-erradicar-el-trabajo-infantil.html>
- 73 Asociación Productiva de Arandanos Mesopotamia Argentina. ¿Qué hace el sector del arándano para prevenir el Trabajo Infantil en Argentina? June 4, 2021. [https://www.apama.com.ar/noticias/2545\\_que-hace-el-sector-del-arandano-para-prevenir-el-trabajo-infantil-en-argentina.html](https://www.apama.com.ar/noticias/2545_que-hace-el-sector-del-arandano-para-prevenir-el-trabajo-infantil-en-argentina.html)
- 74 Ciudad Autónoma de Buenos Aires (CABA). Guía de recursos para niñas, niños y adolescentes 2018. Consejo de los Derechos de Niñas, Niños y Adolescentes, 2018. Source on file.
- 75 Comité Argentino de Seguimiento y Aplicación de la Convención sobre los Derechos del Niño. Fourth Periodic Report on the Implementation of the Convention on the Rights of the Child by Virtue of Article 44. 2017. [http://tbinternet.ohchr.org/\\_layouts/treatybodyexternal/Download.aspx?symbolno=INT/CRC/NGO/ARG/28150&Lang=en](http://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=INT/CRC/NGO/ARG/28150&Lang=en)
- 76 Government of Argentina. Autoridades nacionales y provinciales participaron de la reunión virtual de la CONAETI. August 12, 2020. <https://www.argentina.gob.ar/noticias/autoridades-nacionales-y-provinciales-participaron-de-la-reunion-virtual-de-la-conaeti>

- 77 Azuaje, Miguel. Argentina: Misiones lidera la lucha contra el trabajo infantil. Segundo Enfoque, Accessed January 26, 2018. Source on file.
- 78 Government of Argentina. Plan Nacional para la Prevencion y Erradicacion del Trabajo Infantil y Proteccion del Trabajo Adolescente (2018-2022). November 2017. Source on file.
- 79 Government of Argentina. Resolucion 268/2021. Buenos Aires: Ministerio de Trabajo, Empleo y Seguridad Social, May 27, 2021. <https://www.boletinoficial.gob.ar/detalleAviso/primera/245024/20210531>
- 80 Government of Argentina. Acta acuerdo entre el Ministerio de Trabajo, Empleo y Seguridad Social de la Nación y el Ministerio de Educación. June 12, 2017. Source on file.
- 81 Naciones Unidas Argentina. Marco Estrategico de Cooperacion de las Naciones Unidas Para el Desarrollo Sostenible de Argentina (2021-2025). 2020. [https://reliefweb.int/sites/reliefweb.int/files/resources/Argentina\\_Cooperation\\_Framework\\_2021\\_2025.pdf](https://reliefweb.int/sites/reliefweb.int/files/resources/Argentina_Cooperation_Framework_2021_2025.pdf)
- 82 Government of Argentina. Plan de Acción Nacional para mejorar la seguridad y salud en el trabajo de adolescentes y jóvenes (2020-2022) November 14, 2019. [www.ilo.org/wcmsp5/groups/public/---americas/---ro-lima/---ilo-buenos-aires/documents/publication/wcms\\_731025.pdf](http://www.ilo.org/wcmsp5/groups/public/---americas/---ro-lima/---ilo-buenos-aires/documents/publication/wcms_731025.pdf)
- 83 ILO. Plan de Acción Trabajo Seguro Joven (Summary of Plan). [https://www.ilo.org/buenosaires/publicaciones/documentos-de-trabajo/WCMS\\_731025/lang-es/index.htm](https://www.ilo.org/buenosaires/publicaciones/documentos-de-trabajo/WCMS_731025/lang-es/index.htm)
- 84 iProfesional. Asignación Universal por Hijo: todo sobre este beneficio. May 12, 2020. <https://www.iprofesional.com/actualidad/315893-asignacion-universal-por-hijo-todo-sobre-este-beneficio>
- 85 AS Argentina. Asignación Universal por Hijo (AUH). April 17, 2021. [https://argentina.as.com/argentina/2021/04/17/actualidad/1618696390\\_844302.html](https://argentina.as.com/argentina/2021/04/17/actualidad/1618696390_844302.html)
- 86 El Litoral. ANSES-Ayuda Escolar para Asignacion Universal por Hijo, nuevo Complemento y aumentos confirmados. January 28, 2022. Noticia de: El Litoral (www.ellitoral.com) [Link: [https://www.ellitoral.com/index.php/id\\_um/338727-anses-ayuda-escolar-para-asignacion-universal-por-hijo-nuevo-complemento-y-aumentos-confirmados-tambien-otros-beneficios-economia-febrero-2022.html](https://www.ellitoral.com/index.php/id_um/338727-anses-ayuda-escolar-para-asignacion-universal-por-hijo-nuevo-complemento-y-aumentos-confirmados-tambien-otros-beneficios-economia-febrero-2022.html)] Noticia de: El Litoral (www.ellitoral.com) [Link: [https://www.ellitoral.com/index.php/id\\_um/338727-anses-ayuda-escolar-para-asignacion-universal-por-hijo-nuevo-complemento-y-aumentos-confirmados-tambien-otros-beneficios-economia-febrero-2022.html](https://www.ellitoral.com/index.php/id_um/338727-anses-ayuda-escolar-para-asignacion-universal-por-hijo-nuevo-complemento-y-aumentos-confirmados-tambien-otros-beneficios-economia-febrero-2022.html)]
- 87 U.S. Embassy- Buenos Aires official. E-mail communication to USDOL official. June 21, 2019.
- 88 Correa, Camila. El foco en la protección social para erradicar el trabajo infantil en Argentina. El Agrario, June 9, 2021. <https://www.elagrario.com/actualidad-newsletter-el-foco-en-la-proteccion-social-para-erradicar-el-trabajo-infantil-en-argentina-59710.html>
- 89 La Verdad. Encuentro internacional sobre erradicación del trabajo infantil. April 16, 2021. <https://laverdadonline.com/encuentro-internacional-sobre-erradicacion-del-trabajo-infantil/>
- 90 Government of Argentina. Programa Buena Cosecha. Ministerio de Trabajo, Empleo, y Seguridad Social, <https://www.argentina.gob.ar/trabajo/buenacosecha>
- 91 Government of Argentina. Resolution 477/2021. Buenos Aires: Ministry of Labor, August 08, 2021. <https://www.argentina.gob.ar/normativa/nacional/resolucion-477-2021-353172/texto>
- 92 El Litoral. Campaña para erradicar el trabajo infantil en ladrillerías. May 17, 2017. Source on file.
- 93 Notife. Campaña nacional contra el trabajo infantil. May 15, 2017. <http://notife.com/549340-campana-nacional-contr-el-trabajo-infantil/>
- 94 La Nacion. UOLRA en la Lucha Contra el Trabajo Infantil. October 12, 2021. <https://nacionweb.com.ar/uolra-en-la-lucha-contr-el-trabajo-infantil/>
- 95 U.S. Department of Labor. Project to Promote Workplace-Based Training for Vulnerable Youth in Argentina. Bureau of International Labor Affairs, November 2016–July 2021. <https://www.dol.gov/agencies/ilab/project-promote-workplace-based-training-vulnerable-youth-argentina>
- 96 U.S. Department of Labor. Multi-stakeholder Strategy for Child Labor Elimination in Agriculture in Argentina. Bureau of International Labor Affairs, January 2019–October 2021. <https://www.dol.gov/agencies/ilab/multi-stakeholder-strategy-child-labor-elimination-agriculture-argentina>
- 97 U.S. Department of Labor. Improving the Capacity of Labor and Agriculture Stakeholders to Address Child Labor in Agricultural Areas of Argentina Project. Bureau of International Labor Affairs, January 2019–August 2022. <https://www.dol.gov/agencies/ilab/improving-capacity-labor-and-agriculture-stakeholders-address-child-labor>
- 98 U.S. Department of Labor. Measurement, Awareness-Raising, and Policy Engagement (MAP 16) Project on Child Labor and Forced Labor. Bureau of International Labor Affairs, December 2016–September 2022. <https://www.dol.gov/agencies/ilab/projects/MAP16>
- 99 U.S. Department of Labor. Promoting Apprenticeship as a Path for Youth Employment in Argentina, Costa Rica, and Kenya through Global Apprenticeships Network (GAN) National Networks. Bureau of International Labor Affairs, September 2016–July 2021. <https://www.dol.gov/agencies/ilab/promoting-apprenticeship-path-youth-employment-argentina-costa-rica-and-kenya-0>
- 100 U.S. Department of Labor. Attaining Lasting Change (ATLAS). Bureau of International Labor Affairs, January 2019–December 2022. <https://www.dol.gov/agencies/ilab/attaining-lasting-change-atlas>
- 101 U.S. Department of Labor. Evidence to Action: Increasing the Impact of Research to Mobilize Efforts against Forced Labor. Bureau of International Labor Affairs, December 2019–December 2022. <https://www.dol.gov/agencies/ilab/evidence-action-increasing-impact-research-mobilize-efforts-against-forced-labor>
- 102 Política Argentina. Cómo funcionará el programa del Gobierno que busca erradicar el trabajo infantil. June 14, 2021. <https://www.politicargentina.com/notas/202106/37647-como-funcionara-el-programa-que-busca-erradicar-el-trabajo-infantil.html>
- 103 Government of Argentina. Progresar. Ministry of Education, Accessed June 24, 2022. <https://www.argentina.gob.ar/educacion/progresar>

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

In 2021, Armenia made minimal advancement in efforts to eliminate the worst forms of child labor. The government nearly doubled the staffing of their labor inspectorate from 27 inspectors to 50, with additional funding and intentions to hire more than 90 inspectors in the near future. The Health and Labor Inspection Body also held regular trainings for inspectors around the country and entered into an agreement with the Agricultural University to train students on labor issues, including child labor and human trafficking. 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 delays advancement in eliminating the worst forms of child labor. Labor inspectors still lack the authority to conduct unannounced inspections, despite receiving additional authority in 2021. The lack of unannounced inspections may leave potential violations of child labor laws and other labor abuses undetected in workplaces. 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. The government does not routinely collect or maintain official data on child labor. In addition, the minimum age for work does not meet international standards because labor legislation does not apply to children working in the informal sector. Lastly, the laws criminalizing commercial sexual exploitation of children are insufficient because they do not explicitly criminalize those engaging in commercial sex involving children.



### 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. (1,3-5) Table 1 provides key indicators on children's work and education in Armenia.

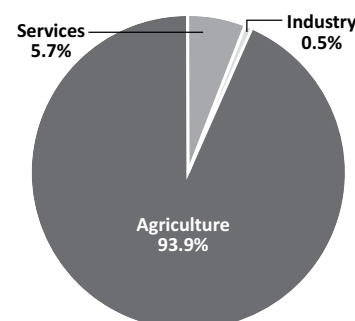
**Table 1. Statistics on Children's Work and Education**

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 (%)		93.2

Source for primary completion rate: Data from 2020 published by UNESCO Institute for Statistics, 2022. (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.

# Armenia

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

**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 (1,4)
	Forestry, fishing (8)
Industry	Construction, activities unknown(4,8,9)
Services	Vehicle maintenance (4,8)
	Selling food (2,4)
	Street work, including vending, gathering scrap metal, selling flowers, and begging (1,8)
	Working in shops (1,4)
Categorical Worst Forms of Child Labor‡	Commercial sexual exploitation, sometimes as a result of human trafficking (1,3,10,11)
	Forced begging and forced labor in stores (1,2,10)

‡ 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. (12) 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. (5,13) 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. (14) 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. (15) In particular, authorities note that less-educated, socially vulnerable girls are at higher risk of being trafficked for commercial sexual exploitation. (11)

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. (16-18) 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. (19) 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. (5,20)

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. (18,21,22) The government has made progress in improving access to education in bordering and remote communities and implemented a program to pay tuition fees for students from national minorities. The detection of school dropouts has also been a priority for the government, which implemented a new electronic system to identify children who are not enrolled in mandatory school programs. (1)

However, children with disabilities still face difficulty accessing mainstream education where school buildings remain inaccessible. In addition, lack of special education teachers and other specialists makes it particularly difficult for students with mental disabilities to access mainstream education. (22,23) Challenges remain with institutionalized children, such as those living in government boarding schools, orphanages, and special education institutions. (24,25) These children are more likely to experience physical and psychological violence and are at a higher risk of becoming victims of human trafficking. (9,10,24) Children living in these institutions are reportedly also vulnerable to exploitation in child labor, including labor within the institutions. (26,27)







## II. LEGAL FRAMEWORK FOR CHILD LABOR

Armenia 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 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 (16,28,29)
Minimum Age for Hazardous Work	Yes	18	Article 257 of the Labor Code (28)
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 (28,30)
Prohibition of Forced Labor	Yes		Article 57 of the Constitution; Article 3 of the Labor Code; Articles 131 and 132 of the Criminal Code (16,28,31)
Prohibition of Child Trafficking	No		Article 132 of the Criminal Code (31)
Prohibition of Commercial Sexual Exploitation of Children	No		Articles 131, 132, 166, and 261–263 of the Criminal Code (31)
Prohibition of Using Children in Illicit Activities	Yes		Articles 63, 165, and 266 of the Criminal Code (31)
Minimum Age for Voluntary State Military Recruitment	Yes	16‡	Article 29 of the Law on the Rights of the Child; Law on Military Service and Status of the Military Servant; Government Decree No. 525-N of April 26, 2012 (32-34)
Prohibition of Compulsory Recruitment of Children by (State) Military	Yes		Article 19 of the Law on Military Service and the Status of the Military Servant (32)
Prohibition of Military Recruitment by Non-state Armed Groups	Yes		Article 29 of the Law on the Rights of the Child; Articles 165, 224, and 395 of the Criminal Code (31,34)
Compulsory Education Age	Yes	18	Article 18 of the Law on Education (18)
Free Public Education	Yes		Article 38 of the Constitution; Article 6 of the Law on Education (16,18)

‡ Age calculated based on available information (33)

In May 2021, the government adopted a new Criminal Code which entered into force in July 2022. However, research was not able to determine what this legislation contains. (1,35) In July 2021, amendments to the mandate of the Health and Labor Inspection Body (HLIB) entered into force, which grant the HLIB authority to investigate cases of administrative offences in the field of labor law and to impose sanctions. (1,36)

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. (28) In addition, the Constitution,

# Armenia

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

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." (16,28,31)

The minimum age for work law does not meet international standards because labor legislation does not apply to children working in the informal sector. (28,29) In addition, the laws criminalizing commercial sexual exploitation of children are insufficient because they do not explicitly criminalize those engaging in commercial sex involving children. (31,37)

### III. ENFORCEMENT OF LAWS ON CHILD LABOR

The government has established institutional mechanisms for the enforcement of laws and regulations on child labor (Table 5). However, gaps exist within the authority of 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 (MLSA)	Oversees child welfare issues and develops labor legislation policy. (1) Works to identify vulnerable populations, such as laborers in animal husbandry, those who are outside of the education system, and those attending schools for students with disabilities and behavioral issues. (38)
Health and Labor Inspection Body (HLIB)	Ensures compliance with legal requirements in the fields of healthcare and labor law. (1) Responds to labor complaints through administrative proceedings. (2,8) Publishes an annual report on activities undertaken the previous year and plans for the upcoming year. (2,39) Operates a complaint hotline and online platform to which individuals can submit complaints. (2)
General Department of Criminal Police	Enforces laws against the worst forms of child labor and refers identified crimes to the Investigative Committee for further investigation. (2,40) Enforces anti-human trafficking laws and conducts 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. (9,40,43)
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)

In 2021, the MLSA funded and conducted trainings for employees of childcare institutions, social workers, and first responders on identifying and addressing human trafficking and labor exploitation. MLSA experts also worked with other agencies to identify children from vulnerable groups who have dropped out of school and are at higher risk of exploitation. (11)

During the reporting period, the HLIB was empowered to launch administrative procedures and on-site inspections 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. (44) When performing routine inspections, HLIB must inform employers of an upcoming inspection 3 business days in advance, and legislation limits to a legally predetermined checklist of issues the questions inspectors can ask. (40,45) HLIB has broader authority when responding to a complaint, in which case HLIB may issue notification to the employer via e-mail and immediately conduct a site visit. However, if the business director or acting director is not present and does not receive the notification, inspectors are not allowed to start. (1,44) In addition, during routine inspections inspectors follow a predetermined checklist for specific industries or the Law on Administrative Proceedings, whereas when responding to a complaint, they are not restricted to a predetermined checklist. (1,44) To streamline future labor inspections, the government is set to finalize a single universal checklist on labor law violations to be applied across all sectors in 2022. (1)

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

### Labor Law Enforcement

In 2021, 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	2020	2021
Labor Inspectorate Funding	\$2.1 million (2)	\$2.8 million (1)
Number of Labor Inspectors	28 (2)	50 (1)
Mechanism to Assess Civil Penalties	Yes (29)	Yes (29)
Initial Training for New Labor Inspectors	Yes (15)	Yes (1)
Training on New Laws Related to Child Labor	No (2)	Yes (1)
Refresher Courses Provided	No (2)	No (1)
Number of Labor Inspections Conducted	119 (2)	544 (1)
Number Conducted at Worksite	119 (2)	29 (1)
Number of Child Labor Violations Found	1 (2)	1 (1)
Number of Child Labor Violations for Which Penalties Were Imposed	1 (2)	1 (1)
Number of Child Labor Penalties Imposed that Were Collected	1 (2)	1 (1)
Routine Inspections Conducted	Yes (2)	Yes (1)
Routine Inspections Targeted	Yes (2)	Yes (1)
Unannounced Inspections Permitted	No (28)	No (28)
Unannounced Inspections Conducted	No (2)	No (1)
Complaint Mechanism Exists	Yes (2)	Yes (1)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (2,38)	Yes (1)

In 2021, HLIB had funding to employ 92 labor inspectors, of which 50 positions were filled. (1) The number of labor inspectors actually employed by HLIB during the reporting period 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 need to employ about 66 labor inspectors. (46,47) The government reports that their funding is sufficient to carry out their mandate, and that inspectors are provided with sufficient office space, vehicles, fuel, and other technical equipment. HLIB regularly holds seminars and various discussion sessions for regional labor inspectors who are informed about legislative changes affecting their responsibilities. (1) While HLIB continued to focus on enforcing regulations related to the COVID-19 pandemic throughout 2021, the body also continued a variety of awareness-raising activities during the year, including on child labor laws. In addition to conducting outreach through social media and traditional media, HLIB targeted agricultural regions during the harvest season to inform local government representatives and others about children's rights. (1)

HLIB also entered into an agreement with the Agricultural University through which they hosted 35 students for an internship, during which students received training on child labor and trafficking in persons. The government has announced that they intend to conduct a similar program in 2022 with the State Economic University. (1)

In 2021, HLIB carried out 29 scheduled, on-site inspections and initiated 515 administrative proceedings. The inspections primarily targeted mining and manufacturing businesses and related to the protection of workers' health and safety. (1) As a result of one administrative proceeding, HLIB identified a minor who was contracted to work overtime and at night, in contravention of labor legislation, and imposed a fine on the minor's employer. The high number of administrative proceedings relative to on-site inspections is due in part to the lack of approved checklists in many spheres. (1)

### Criminal Law Enforcement

In 2021, criminal law enforcement agencies in Armenia took actions to address child labor (Table 7). However, gaps exist within the operations of the criminal enforcement agencies that may hinder adequate criminal law enforcement, including deficient structures for investigation planning.

# Armenia

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

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

Overview of Criminal Law Enforcement	2020	2021
Initial Training for New Criminal Investigators	Yes (15)	Yes (1)
Training on New Laws Related to the Worst Forms of Child Labor	Yes (15)	Yes (1)
Refresher Courses Provided	Yes (15)	Yes (1)
Number of Investigations	3 (15)	Unknown
Number of Violations Found	1 (15)	Unknown
Number of Prosecutions Initiated	2 (15)	Unknown
Number of Convictions	0 (15)	1 (1)
Imposed Penalties for Violations Related to the Worst Forms of Child Labor	No (15)	Yes (1)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (8,38)	Yes (1)

During the reporting period, authorities investigated three cases of labor exploitation. Two of the cases were dismissed, and the third case resulted in a woman being charged for forcing her daughter to beg. (1) Another case of forced begging, initiated in 2020, resulted in a conviction during the reporting period. The individual was sentenced to 7 years imprisonment, which was later revised to 2 years of probation. (1) Authorities identified and removed four children from labor exploitation, all of whom were referred to social services. One of the children was placed in an orphanage and the remaining three were transferred to a temporary shelter to receive assistance under Armenia's Law on Assistance and Identification of Victims of Human Trafficking. (1)

Nine minor victims of human trafficking were identified by authorities—seven boys who were subjected to labor trafficking, and two girls, one of whom was trafficked for labor and the other for commercial sexual exploitation. Authorities reported an increase in the use of social media to coerce and blackmail vulnerable individuals into sex trafficking. (11)

In 2021, the Academy of Justice held trainings for 34 investigators on assisting children who have been the victims of crime. Topics addressed in the trainings included the identification of child victims and the protection of children's rights through all stages of the investigation and trial. (1) However, law enforcement officials may not receive sufficient specialized training on interviewing survivors of child trafficking, which in some cases can prevent local investigators from collecting sufficient evidence to build a prosecutable case. (9) Although the Criminal Procedural Code includes provisions to protect witnesses and minimize victim re-traumatization, the government may not employ these measures in all human trafficking cases, including those involving minors. (43,48)

## 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 the effective coordination of efforts to address child labor, including a lack of efforts to address all forms of child labor.

**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. (43,49) The Council was active during the reporting period. (50)
Interagency 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 MLSA. (14,40,49) The working group was active during the reporting period. (11)
Referral Mechanism for Minor Victims of Trafficking in Persons	Oversees the process by which minor victims are referred to the victim identification committee and are provided assistance. The referral mechanism continued to serve minor survivors of trafficking in persons during 2021. (1,2,14)

Armenia lacks coordinating mechanisms to address other forms of child labor, including street work, the services sector, and agriculture. (13)



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

### V. GOVERNMENT POLICIES ON CHILD LABOR

The government has established policies related to child labor (Table 9). However, policy gaps exist that hinder efforts to address child labor, including insufficient mainstreaming of child labor issues into relevant policies.

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

Policy	Description
National Action Plan Against Trafficking in Persons (2020–2022)	Supports the development of policy and the implementation of activities to address human trafficking. Commits the government to train specialists in multiple spheres, including law enforcement, the courts, educators, and medical providers. (14,38) In 2021, activities conducted under the National Action Plan included awareness raising and assistance. (11)
National Strategy for Child Rights Protection (2017–2021)	Promoted a unified state policy for the protection of the rights and interests of the child. Included an action plan that called for the development and introduction of oversight and monitoring mechanisms to prevent the involvement of children in the worst forms of child labor. (1,21) In 2021, the Armenian government requested the assistance of UNICEF to conduct an independent evaluation of the program. (1)

Under the National Action Plan, the government organized and funded a nationwide awareness-raising campaign from July 30 to December 2. As part of this campaign, multiple government ministries collaborated to produce four radio broadcasts and seven public service announcements on human trafficking. (11) The government also distributed 200 posters on addressing human trafficking and assistance available to survivors, and conducted seminars for social workers, first responders, high-school children and their parents, children living in special daycare facilities under MLSA oversight, and trafficking hotline operators. Finally, classes on trafficking topics were introduced as part of the middle and high school civics curricula. (11)

### VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2021, 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 inadequacy 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. (51) Research was unable to determine the impact of this ongoing program on child labor.
UNICEF Country Program for 2021–2025	Improves 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. The original country program expired and a new one came into effect in 2021. (1,52)
Shelter for Victims of Human Trafficking†	A government-funded shelter operated in partnership with NGOs that provides medical, psychological, social, and legal services to survivors of human trafficking, and access to education for children. In 2021, continued to provide services to survivors of trafficking in persons. (1,2,14,15)

† 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. (51)

To address at-risk youth issues, including children with disabilities and those experiencing mental and psychological violence, the government launched programs to facilitate institutionalized children's return to their families and established 17 regional centers throughout the country to provide pedagogical and psychological support. (1)

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. In addition, 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. (15)

# Armenia

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

### VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE CHILD LABOR

Based on the reporting above, suggested actions are identified that would advance the elimination of child labor in 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.	2020 – 2021
	Ensure that Armenian law specifies the types of light work acceptable for children ages 14 to 15.	2014 – 2021
	Facilitate enforcement of labor law by codifying a definition of forced labor.	2016 – 2021
	Criminally prohibit and penalize the use of a child for prostitution.	2019 – 2021
Enforcement	Ensure that the Health and Labor Inspection Body is empowered to conduct unannounced inspections routinely, and not just in response to complaints.	2017 – 2021
	Empower inspectors to conduct inspections regardless of whether the business director or acting director is present.	2021
	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 – 2021
	Strengthen the labor inspectorate by increasing the number of labor inspectors to meet the ILO's technical advice.	2017 – 2021
	Publish information on the number of child labor investigations, violations found, and prosecutions initiated.	2021
	Provide regular refresher courses for labor inspectors.	2020 – 2021
	Protect children by providing law enforcement officials with specialized training on interviewing survivors of child trafficking.	2018 – 2021
	Implement existing witness protection mechanisms to protect survivors of child trafficking who cooperate with law enforcement.	2011 – 2021
Coordination	Establish coordinating mechanisms to address all worst forms of child labor in all sectors, including in street work, services, and agriculture.	2009 – 2021
Social Programs	Improve understanding of child labor issues in Armenia by regularly collecting and maintaining data on child labor.	2019 – 2021
	Ensure that all children, including girls, 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 – 2021
	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 – 2021
	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 – 2021
	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 – 2021
	Ensure that activities are undertaken to implement the Family Benefits Program and make information about implementation measures publicly available.	2021
	Implement programs to address child labor in street work and in agriculture.	2009 – 2021
	Allocate sufficient personnel and resources to publicize and provide social services throughout the country, offer sufficient training to services providers, and assign reasonable caseloads	2020 – 2021

### REFERENCES

- 1 U.S. Embassy- Yerevan. Reporting. February 10, 2022.
- 2 U.S. Embassy- Yerevan. Reporting. February 5, 2021.
- 3 ILO. Independent Technical Review: Recommendations to Improve Current Strategies to Address Child Labor in Armenia (Draft). 2018. Source on file.
- 4 ILO and National Statistical Service of the Republic of Armenia. Armenia National Child Labor Survey 2015: Analytical Report. Geneva. October 20, 2016.  
[http://www.ilo.org/ipec/Informationresources/WCMS\\_IPEC\\_PUB\\_28755/lang--en/index.htm](http://www.ilo.org/ipec/Informationresources/WCMS_IPEC_PUB_28755/lang--en/index.htm)
- 5 Eurasia Partnership Foundation. Alternative report to the UN Committee on the Rights of the Child with a focus on Yazidi children in Armenia. Working paper, December 16, 2019.  
<https://epfarmeria.am/document/Alternative-report-to-the-UN-committee-on-the-rights-of-the-child-with-a-focus-on-Yezidi-children-in-Armenia-eng>
- 6 UNESCO Institute for Statistics. Gross intake ratio to the last grade of primary education, both sexes (%). Accessed March 3, 2022. For more information, please see "Children's Work and Education Statistics: Sources and Definitions" in the Reference Materials section of this report.  
<http://data.uis.unesco.org/>

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

- 7 ILO. Analysis of Child Economic Activity and School Attendance Statistics from National Household or Child Labor Surveys. Original data from National Child Labor Survey (SIMPOC), 2015. Analysis received March 2022. For more information, please see "Children's Work and Education Statistics: Sources and Definitions" in the Reference Materials section of this report.
- 8 U.S. Embassy- Yerevan. Reporting. February 8, 2019.
- 9 U.S. Department of State. Trafficking in Persons Report- 2021: Armenia. Washington, D.C., June 30, 2021. <https://www.state.gov/reports/2021-trafficking-in-persons-report/armenia/>
- 10 U.S. Department of State. Trafficking in Persons Report- 2020: Armenia. Washington, D.C., June 16, 2020. <https://www.state.gov/reports/2020-trafficking-in-persons-report/armenia/>
- 11 U.S. Embassy- Yerevan. Reporting. February 17, 2022.
- 12 News Armenia. Institutions, disabled children and use of child labor – problems of children's rights protection in Armenia. June 1, 2018. <https://newsarmenia.am/news/society/internaty-deti-invalidy-i-ispolzovanie-detskogo-truda-problemy-zashchity-prav-detey-v-armenii/>
- 13 Office of Human Rights Defender. Report on Status of Commitments under the Convention on the Right of the Child in Armenia. June 2018. Source on file.
- 14 U.S. Embassy- Yerevan. Reporting. February 25, 2021.
- 15 USDOS official. E-mail communication to USDOL official. June 23, 2021.
- 16 Government of Armenia. Constitution of the Republic of Armenia. Enacted: July 5, 1995. <http://www.president.am/en/constitution-2015/>
- 17 U.S. Department of State. Country Reports on Human Rights Practices- 2019: Armenia. Washington, D.C., March 11, 2020. <https://www.state.gov/reports/2019-country-reports-on-human-rights-practices/armenia/>
- 18 Government of Armenia. Law of the Republic of Armenia on Education. Enacted: April 14, 1999. <https://www.arlis.am/DocumentView.aspx?DocID=129432>
- 19 U.S. Embassy- Yerevan. Reporting. January 24, 2018.
- 20 Avetisyan, Armine. The Missing Children – Absenteeism in Armenia's schools. Open Caucasus Media, February 2, 2018. <https://oc-media.org/the-missing-children-absenteeism-in-armenias-schools/>
- 21 Government of Armenia. Government of Armenia Response to the 2017 TDA Questionnaire. December 2017. Source on file.
- 22 UNICEF. Toward Social Inclusion of Vulnerable Children: Expanding Alternative Care, Family Support and Inclusive Education Services as Part of Child Care Reform Project. 2017: Technical Progress Report. Source on file.
- 23 UNDP. Armenia-United Nations Development Assistance Framework 2016–2020. Yerevan. July 31, 2015. [https://www.un.am/up/library/UNDAF\\_Armenia\\_2016-2020\\_eng.pdf](https://www.un.am/up/library/UNDAF_Armenia_2016-2020_eng.pdf)
- 24 Human Rights Watch. When Will I Go Home: Abuses and Discrimination against Children in Institutions and Lack of Access to Quality Inclusive Education in Armenia. February 22, 2017. Source on file.
- 25 U.S. Embassy- Yerevan official. E-mail communication to USDOL official. July 9, 2020.
- 26 GRETA. Report concerning the implementation of the Council of Europe Convention on Action against Trafficking in Human Beings by Armenia. March 20, 2017. <https://rm.coe.int/16806ff1ad>.
- 27 OSCE. Report by Special Representative and Coordinator for Combating Trafficking in Human Beings. July 5, 2017. <https://www.osce.org/secretariat/328036?download=true>.
- 28 Government of Armenia. Labor Code of the Republic of Armenia. Enacted: November 9, 2004. Source on file.
- 29 Government of Armenia. Administrative Violations Code, Art. 41.6 Enacted: December 4, 2019. <https://www.arlis.am/DocumentView.aspx?DocID=137921>
- 30 Government of Armenia. List of Work Categories Considered Excessive or Harmful for Persons Under the Age of 18, Women Who are Pregnant, and Women Caring for Infants Under the Age of One Year, ROA Official Bulletin 2006.02.01/6(461) Article. 151. Enacted: February 2, 2006. English translation on file.
- 31 Government of Armenia. Criminal Code of the Republic of Armenia. Enacted: April 18, 2003. <https://www.arlis.am/DocumentView.aspx?DocID=125137>
- 32 Government of Armenia. Law on Military Service and Status of the Military Servant. Enacted: December 16, 2017. <https://www.arlis.am/DocumentView.aspx?DocID=123970>
- 33 Government of Armenia. Government Decree No. 525-N, On Approving the Procedures for Admission to Military Training Institutions of the Republic of Armenia and Studying in Foreign Military Training Institutions. Enacted: April 26, 2012. <https://www.arlis.am/DocumentView.aspx?docID=75787>
- 34 Government of Armenia. Law on the Rights of the Child. Enacted: May 29, 1996. <http://www.arlis.am/DocumentView.aspx?DocID=120909>
- 35 Government of Armenia. Criminal Code of the Republic of Armenia. Enacted: July 2022. <https://www.arlis.am/DocumentView.aspx?DocID=153080>
- 36 Government of Armenia. On Additions and Amendments to the Code of the Republic of Armenia on Administrative Violations. December 4, 2019. <https://www.arlis.am/DocumentView.aspx?docid=137270>
- 37 ILO CEACR. Direct Request concerning Worst Forms of Child Labor Convention, 1999 (No. 182) Armenia (ratification: 2006). Published: 2019. [https://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:13101:0::NO::P13101\\_COMMENT\\_ID:3790888](https://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:13101:0::NO::P13101_COMMENT_ID:3790888)
- 38 U.S. Embassy- Yerevan. Reporting. November 5, 2020.
- 39 Government of Armenia. HLIB Annual Program for 2021. December 1, 2020. [https://www.hlib.am/wp-content/uploads/2020/12/2021\\_tarekan\\_cragir\\_AATM.pdf](https://www.hlib.am/wp-content/uploads/2020/12/2021_tarekan_cragir_AATM.pdf)
- 40 U.S. Embassy- Yerevan. Reporting. February 12, 2020.
- 41 U.S. Embassy- Yerevan official. E-mail communication to USDOL official. July 18, 2019.
- 42 Council of Europe. Police response to violence against women and domestic violence strengthened in Armenia. October 30, 2018. <https://www.coe.int/en/web/genderequality/-/police-response-to-violence-against-women-and-domestic-violence-strengthened-in-armenia>
- 43 U.S. Embassy- Yerevan. Reporting. February 14, 2020.
- 44 U.S. Embassy- Yerevan official. E-mail communication to USDOL official. March 11, 2021.
- 45 U.S. Embassy- Yerevan. Reporting. October 11, 2019.
- 46 UN. World Economic Situation and Prospects. 2019 Statistical Annex. New York, 2017. For more information, please see "Labor Law Enforcement: Sources and Definitions" in the Reference Materials section of this report. [https://www.un.org/development/desa/dpad/wp-content/uploads/sites/45/WESP2019\\_BOOK-web.pdf](https://www.un.org/development/desa/dpad/wp-content/uploads/sites/45/WESP2019_BOOK-web.pdf)
- 47 ILO Labor Force Statistics (LFS) – Population and labour force. Accessed January 25, 2022. Labor force data is government-reported data collected by the ILO. Please see "Labor Law Enforcement: Sources and Definitions" in the Reference Materials section of this report. <https://ilostat.ilo.org/data/>
- 48 Government of Armenia. Criminal Procedure Code of the Republic of Armenia. Enacted: January 12, 1999. <https://www.arlis.am/DocumentView.aspx?DocID=120855>
- 49 U.S. Embassy- Yerevan. Reporting. February 20, 2019.
- 50 U.S. Embassy- Yerevan official. E-mail communication to USDOL official. June 27, 2022.
- 51 UNICEF. Universal Child Benefit Case Studies: The Experience of Armenia. July 2019. <https://www.unicef.org/media/70451/file/ARM-case-study-2020.pdf>
- 52 UNICEF. UNICEF Armenia. Accessed February 18, 2020. <https://www.unicef.org/armenia/en>

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

In 2021, Azerbaijan made minimal advancement in efforts to eliminate the worst forms of child labor. The government increased its provision of training to address human trafficking and the Ministry of Labor and Social Protection of Population began developing a new Decent Work Country Program in conjunction with the International Labour Organization. However, despite new initiatives to address child labor, Azerbaijan is assessed as having made only minimal advancement because it has not rescinded 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. During the reporting period, the moratorium was then extended through January 1, 2023. There was no indication of when onsite inspections would resume, and while inspectors can conduct desk reviews in response to complaints, this 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 forced begging. 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 often treat children forced to beg or engage in street work as a family issue, leading to some cases not being properly referred for criminal investigation and prosecution; however, police took initial steps in 2021 to identify child victims of forced begging and refer them to local shelters for assistance.



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

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

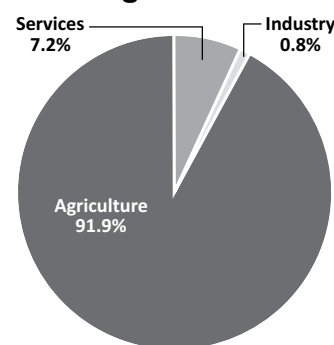
**Table I. Statistics on Children's Work and Education**

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 (%)		99.5

Source for primary completion rate: Data from 2020, published by UNESCO Institute for Statistics, 2022. (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† (3-7,12)
Services	Street work, including begging, vending, carrying luggage, and gathering scrap metal (1,8,12-14)
	Washing and repairing cars (15-17)
	Catering, activities unknown (1,15,17,18)



# Azerbaijan

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

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

Sector/Industry	Activity
Categorical Worst Forms of Child Labor <sup>‡</sup>	Commercial sexual exploitation, sometimes as a result of human trafficking (1-3,8,19) Forced begging (3,7,8,19,20)

<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.

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. (3,6,7,21) Although the prevalence of child labor in cotton harvesting appears to be small, there were reports in 2019 and 2020 that children under age 15 worked picking cotton and other crops to augment family incomes; however, no new reports were identified in 2021. (3,19,22,23) Survey research conducted in 2019 by the State Committee for Family, Women and Child Affairs (SCFWCA) 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. (24)

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. (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. (25-29) 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. (22,29)

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. (1,2,9,12,30,31) NGOs report that children who are forced to beg often show signs of sexual abuse. (32)







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 continues to disproportionately affect children referred to shelters for minors. (19) 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. (3,19) Some children with disabilities are not in school, or are 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. (21,33) Children from the Roma ethnic community also face barriers to education due to social stigma. (12) In addition, children in some rural areas have low rates of school attendance. (19) Children not attending school are vulnerable to child labor.

## 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	Article 42 and 249 of the Labor Code; Article 192 of the Code of Administrative Offenses (34,35)
Minimum Age for Hazardous Work	Yes	18	Article 250 of the Labor Code; Article 192 of the Code of Administrative Offenses (34,35)
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 (34,36,37)
Prohibition of Forced Labor	Yes		Article 35 of the Constitution; Article 144-2 of the Criminal Code (38,39)
Prohibition of Child Trafficking	Yes		The Law on Trafficking in Persons; Article 144-1 of the Criminal Code (39,40)
Prohibition of Commercial Sexual Exploitation of Children	No		Articles 144-1 and 171 of the Criminal Code (39)
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 (37,39)
Minimum Age for Voluntary State Military Recruitment	Yes	19	Article 36 of the Law on Military Obligation and Military Service (41)
Prohibition of Compulsory Recruitment of Children by (State) Military	Yes		Articles 2, 3, and 12 of the Law on Military Obligation and Military Service (41)
Prohibition of Military Recruitment by Non-state Armed Groups	Yes		Article 116 of the Criminal Code (39)
Compulsory Education Age	Yes	15‡	Article 19 of the Law on Education; Article 13 of the Law on General Education (42,43)
Free Public Education	Yes		Article 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 (37,38,42,43)

‡ Age calculated based on available information (42,43)

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. (39)

# 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 (MLSP)	Enforces labor laws related to the worst forms of child labor through the State Labor Inspection Service. (19,44)
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. (19,20,44) Through the Anti-Trafficking Division (ATD), enforces human trafficking laws, investigates human trafficking violations, and enforces criminal laws related to the use of children in illicit activities. (1,8,19) Refers children who are survivors 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. (20,45,46) Refers human trafficking cases to ATD for investigation. (1)

Sources report a lack of coordination between law enforcement agencies. (19)

#### Labor Law Enforcement

In 2021, 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	2020	2021
Labor Inspectorate Funding	Unknown	Unknown (3)
Number of Labor Inspectors	182 (21)	180 (19)
Mechanism to Assess Civil Penalties	Yes (35,47,48)	Yes (34,35)
Initial Training for New Labor Inspectors	Unknown	Unknown
Training on New Laws Related to Child Labor	N/A	N/A (19)
Refresher Courses Provided	No (49)	Yes (19)
Number of Labor Inspections Conducted	0 (21,24)	0 (19)
Number Conducted at Worksite	0 (21,24)	0 (19)
Number of Child Labor Violations Found	3 (49)	1 (19)
Number of Child Labor Violations for Which Penalties Were Imposed	3 (49)	1 (19)
Number of Child Labor Penalties Imposed that Were Collected	3 (49)	1 (19)
Routine Inspections Conducted	No (47,49)	No (19)
Routine Inspections Targeted	N/A	N/A
Unannounced Inspections Permitted	No (47,49,50)	No (50)
Unannounced Inspections Conducted	N/A	N/A
Complaint Mechanism Exists	Yes (16,21,47,48)	Yes (19)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (14,21)	Yes (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. (1,16,24,47,51) In early 2022, the government then extended this moratorium through January 1, 2023. (52) In addition, there have been no indicators as to when the government anticipates a resumption of onsite inspections. (49,50) Although the State Labor Inspection Service (SLIS) is still able to receive and respond to complaints, this response cannot include onsite inspections, and inspectors are limited to conducting desk reviews. Instead, the SLIS investigates complaints by requesting information from the employer in question and, if necessary, relevant employees. (47-51) Based

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

on information received, inspectors are empowered 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. (47) 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. (47)

The government did not provide information on labor inspectorate funding for inclusion in this report. 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. Approval of the draft criteria may permit the SLIS to resume limited labor inspections for occupational safety and health issues, including hazardous child labor. (24)

During the reporting period, the Ministry of Labor and Social Protection of Population (MLSPP) identified one case of a child under age 15 working in retail trade. The company was fined \$882 (AZN 1,500) in accordance with Article 192.8 of the Code of Administrative Offenses. (19)

The number of labor inspectors is likely insufficient for the size of Azerbaijan's workforce, which includes approximately 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 need to employ about 256 labor inspectors. (53) Government officials also assess the number of inspectors as insufficient to fully enforce child labor laws in Azerbaijan. (54)

During the reporting period, the Cabinet of Ministers prepared a new draft resolution to determine risk groups to prioritize reviews of certain industries for labor law compliance. (19)

### **Criminal Law Enforcement**

In 2021, criminal law enforcement agencies in Azerbaijan took actions to address 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 investigations pertaining to child labor.

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

Overview of Criminal Law Enforcement	2020	2021
Initial Training for New Criminal Investigators	Yes (21)	Yes (19)
Training on New Laws Related to the Worst Forms of Child Labor	N/A	Yes (19)
Refresher Courses Provided	Yes (32)	Yes (19)
Number of Investigations	2 (21,32,55)	0 (19)
Number of Violations Found	2 (21,32)	0 (19)
Number of Prosecutions Initiated	0 (21)	0 (19)
Number of Convictions	1 (21)	1 (19)
Imposed Penalties for Violations Related to the Worst Forms of Child Labor	Yes (21)	Yes (19)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (32)	Yes (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. (3,31) In 2021, the government convicted one individual of subjecting two children to forced labor in 2020, sentencing him to 7 year's imprisonment. (19) The Ministry of Internal Affairs (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. (32)



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

During the reporting period, a number of government training programs on migration law, human trafficking, labor rights, and women's and children's rights were offered to judges, lawyers, and representatives of academic institutions. (18)

In some cases, police 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. (1,31,46) 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. (3,54,56) Also, child labor law enforcement efforts are concentrated in Baku, with few investigations undertaken outside the capital. (30) The MOIA operates a 24-hour hotline for the public to report suspected child trafficking and instances of child begging. (19)

### 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 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. 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) During the reporting period, the Commission met with NGOs, child protection agencies, and local representatives of educational, social, and health agencies to establish a social work coordination mechanism. In 2021, as a result of this new coordination mechanism, social workers visited the families of at-risk children to provide them with social services. (19)
National Coordinator and Interagency 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 ATD and includes representatives from MLSP, Prosecutor General's Office, State Border and Migration Services, Ministry of Youth and Sports, and other government entities. (3,32) During the reporting period, the National Coordinator continued to preside over the work of the 32 government agencies involved in implementing the 2020–2024 National Action Plan to Combat Human Trafficking. (19)
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) During the reporting period, the Committee continued to conduct activities to increase awareness of child labor, particularly in rural populations, including a 2-day informational workshop for child and family support centers throughout the country. (19,24,57)

In 2021, the Government of Azerbaijan improved its provision of training and coordination to address human trafficking, organizing trainings for personnel in the Ministry of Foreign Affairs, the MOIA, the Ministry of Health, the Prosecutor General's Office, the State Border Service, the State Migration Service, and the MLSP. (20) 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) In addition, sources report that the efficacy of SCFWCA as a coordinating body is limited. (3,54) 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 lack of coverage for all worst forms of child labor.

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

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

Policy	Description
National Action Plan on Combating Trafficking in Human Beings (2020–2024)	Aims to further government efforts to address 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. (58) The government continued to implement the National Action Plan during the reporting period. (20)
Strategy on Children of the Republic of Azerbaijan (2020–2030)	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. (59,60) During the reporting period, the national Early Childhood Development program was launched as part of the Strategy. Jointly organized by SCFWCA, the EU delegation to Azerbaijan, the Regional Development Public Union, and UNICEF Azerbaijan, the program aims in part to increase the capacity of children's services professionals and raise awareness around the health and education of children in four target regions—Ganja, Shirvan, Aghjabadi, and Absheron. (61) In addition, a draft Children's Code was prepared by relevant government agencies. (19)
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. (62) During the reporting period, the State Statistical Committee's Council met to discuss the improvement of database management for a number of government agencies, including MLSPP. (63)
State Program for the Development of Inclusive Education for Children with Disabilities (2018–2024)	Aims to create inclusive education for children with disabilities. Currently, the government has established eight schools with inclusive classrooms, spread across seven regions. The government reported it is planning further pilot programs at 12 additional schools, including training teachers in inclusive teaching methods. (44,64,65) The policy was active during the reporting period. (3,44)

‡ The government has other policies that may have addressed child labor issues or had an impact on child labor. (24,66)

The government has adopted the National Action Plan to Combat Trafficking in Human Beings (2020–2024) and the Strategy on Children (2020–2030). Although the government amended the labor code in 2020 to prohibit children under the age of 18 from engaging in work in difficult or harmful working conditions, the law does not specifically mention agriculture and research found no policy on hazardous child labor, including in agriculture. (19)

## VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2021, the government funded and participated in programs that include the goal of eliminating or preventing child labor (Table 10). However, gaps exist in these social programs, including insufficient funding.

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

Program	Description
Social Shelter and Rehabilitation Center for Minors†	MLSPP-run shelter in Baku for vulnerable children, including street children. (3,44) Children are able to stay in these shelters until they turn the age of 18. The shelter was active during the reporting period. (20)
Victims Assistance Centers†	Provide direct social services and social services referrals to survivors of human trafficking, including children. Funded by MLSPP. (47) The centers were active during the reporting period. (20)
Targeted Social Assistance Program†	MLSPP-run program that provides cash transfers to families. (1) The government continued to provide financial assistance to vulnerable families in 2021. (67,68)
MOIA Identification Document Program†	Provides identification documents to undocumented minors who may be street children or victims of human trafficking. (54) Research was unable to determine whether the program was active during the reporting period.

† Program is funded by the Government of Azerbaijan.

‡ The government had other social programs that may have included the goal of eliminating or preventing child labor. (2,14,24,44)

In 2021, the MLSPP began developing a new Decent Work Country Program in conjunction with the ILO. (69)

During the reporting period, the government approved an increase in benefit payments for families receiving state assistance, including families with children with disabilities and low-income families. (67) In July 2021, two NGOs (the "Clean World" Aid to Women Public Union and the Azerbaijan Children's Union) hosted a workshop

# Azerbaijan

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

for vulnerable children on the World Day Against Trafficking in Persons. Children from two shelters in Baku learned about children's rights during the workshop, which was jointly organized by the IOM. (70) Additionally, the MOIA assisted the Azerbaijan Children's Union with construction of a new shelter for at-risk children. (19)

During the reporting period, the government provided approximately \$17,000 to a local NGO to help it buy land to build a new shelter. The government provided additional grants to several other anti-trafficking NGOs. (20) However, the level of government support for 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. In addition, the number of social workers with training in supporting vulnerable and at-risk children is likely inadequate. (2,32,66,71)

## 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 Azerbaijan (Table 11).

**Table 11. 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 – 2021
	Criminally prohibit the use of children for prostitution and the use and offering of children for the production of pornography and pornographic performances.	2019 – 2021
Enforcement	Resume routine, targeted, and unannounced labor inspections, including in response to complaints, to ensure that child labor laws are enforced.	2016 – 2021
	Increase the number of labor inspectors to meet the ILO's technical guidance.	2016 – 2021
	Publish information on the labor inspectorate's operations, including funding levels and training provided to labor inspectors.	2015 – 2021
	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 – 2021
	Increase law enforcement investigations related to child labor outside Baku.	2018 – 2021
	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 – 2021
Coordination	Increase coordination between law enforcement agencies to enforce child labor laws.	2018 – 2021
	Ensure that all coordinating bodies are active and able to carry out their intended mandates, including across different agencies and levels of government.	2016 – 2021
Government Policies	Adopt a policy that addresses all relevant worst forms of child labor, such as hazardous work in agriculture.	2016 – 2021
	Revise policies on priority crops that mandate production targets to help prevent child labor in agriculture.	2019 – 2021
Social Programs	Collect and publish data on the extent and nature of child labor to inform policies and programs.	2013 – 2021
	Ensure that children from marginalized groups and children with disabilities have equal access to education.	2016 – 2021
	Ensure that undocumented children are able to access education.	2019 – 2021
	Publish activities undertaken to implement social programs to address child labor during the reporting period.	2020 – 2021
	Ensure that NGO-run shelters for victims of human trafficking are sufficiently and consistently funded to provide adequate services to victims.	2015 – 2021

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

### REFERENCES

- 1 U.S. Embassy- Baku. Reporting. February 21, 2019a.
- 2 U.S. Embassy- Baku. Reporting. February 21, 2019b.
- 3 U.S. Embassy- Baku. Reporting. January 14, 2020.
- 4 ILO Committee of Experts. Individual Direct Request concerning Labor Inspection Convention, 1947 (No. 81) Azerbaijan (ratification: 2000) and Labor Inspection (Agriculture) Convention, 1969 (No. 129) Azerbaijan (ratification: 2000). Published: 2017. [https://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:13100:0::NO::P13100\\_COMMENT\\_ID:3295395](https://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:13100:0::NO::P13100_COMMENT_ID:3295395)
- 5 Meydan TV. Working for pennies: Life in the fields for seasonal laborers. July 29, 2017. <https://d9mc3ts4czbpr.cloudfront.net/en/article/working-for-pennies-life-in-the-fields-for-seasonal-laborers/>
- 6 Elver, Hilal. Statement by Ms. Hilal Elver, United Nations Special Rapporteur on the right to food on her visit to the Republic of Azerbaijan, 1–11 October 2019. United Nations Human Rights Commission, October 11, 2019. <https://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=25122&LangID=E>
- 7 U.S. Embassy- Baku. Reporting. March 12, 2020.
- 8 U.S. Department of State. Trafficking in Persons Report- 2020: Azerbaijan. Washington, D.C., June 2020. <https://www.state.gov/reports/2020-trafficking-in-persons-report/azerbaijan/>
- 9 Group of Experts on Action Against Trafficking in Human Beings (GRETA). Report concerning the implementation of the Council of Europe Convention on Action against Trafficking in Human Beings by Azerbaijan. Second evaluation round. November 23, 2018. <https://rm.coe.int/greta-2018-17-fgr-aze-en/16808f11a5>
- 10 UNESCO Institute for Statistics. Gross intake ratio to the last grade of primary education, both sexes (%). Accessed March 3, 2022. For more information, please see “Children’s Work and Education Statistics: Sources and Definitions” in the Reference Materials section of this report. <http://data.uis.unesco.org/>
- 11 ILO. Analysis of Child Economic Activity and School Attendance Statistics from National Household or Child Labor Surveys. Original data from Child Labor Survey (SIMPOC), 2005. Analysis received March 2022. For more information, please see “Children’s Work and Education Statistics: Sources and Definitions” in the Reference Materials section of this report.
- 12 UNICEF. Children living and/or working in the streets of Georgia. 2018. <https://www.unicef.org/georgia/reports/children-living-and-or-working-streets-georgia>
- 13 Government of Azerbaijan. Written communication on a survey conducted by the State Committee for Family, Women and Child Affairs (SCFWCA) in collaboration with UNICEF in two regions of Azerbaijan, 2017–2018. March 2020. Source on file.
- 14 Government of Azerbaijan. Information submitted by government organizations of the Republic of Azerbaijan. Written communication, January 10, 2021. Source on file.
- 15 Abulfat, Ilhama. Entrepreneurs fined for the use of child labor. Oxu.az, June 12, 2019. <https://ru.oxu.az/society/316320>
- 16 Deputy Minister of Labor and Social Protection Anar Karimov. GSP Subcommittee. Public Hearing for U.S. Generalized System of Preferences (GSP) Review of Country Practices. January 30, 2020. <https://www.regulations.gov/document?D=USTR-2018-0007-0057>
- 17 Government of Azerbaijan officials. Written communication to USDOL official: Answers to follow-up questions regarding information submitted by the Government of Azerbaijan to USDOL. May 4, 2020. Source on file.
- 18 OHCHR. In Dialogue with Azerbaijan, Committee on Migrant Workers Asks about Irregular Migration and about Migrants in Detention Centres. October 5, 2021. <https://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=27604&LangID=E>
- 19 U.S. Embassy- Baku. Reporting. January 14, 2022.
- 20 U.S. Embassy- Baku. Reporting. January 28, 2022.
- 21 U.S. Embassy- Baku. Reporting. January 15, 2021.
- 22 Gubad Ibadoghlu and Vahid Maharramov. On the human rights situation in the cotton fields of Azerbaijan: Monitoring report. 2020. Source on file.
- 23 Turan News Agency. Increased Yields of Azerbaijani Cotton Relying on Children. December 25, 2019. <https://www.turan.az/ext/news/2019/-/free/markets/en/121594.htm>
- 24 Government of Azerbaijan. Information of the Ministry of Labor and Social Protection of Population of the Republic of Azerbaijan on the request addressed by the US Department of Labour. February 17, 2021. Source on file.
- 25 Geybulla, Arzu. Flying Carpets and Broken Pipelines: The myth around Azerbaijan’s cotton industry revival. Blog. May 2, 2018. <https://flyingcarpetsandbrokenpipelines.blogspot.com/2018/04/the-myth-around-azerbaijans-cotton.html>
- 26 Hromadske International. The True Price of Azerbaijani Cotton. August 17, 2018. [https://en.hromadske.ua/posts/the-true-price-of-azerbaijani-cotton?link\\_id=99&can\\_id=c012fb00178c3fe81b45b701d3d72a30](https://en.hromadske.ua/posts/the-true-price-of-azerbaijani-cotton?link_id=99&can_id=c012fb00178c3fe81b45b701d3d72a30)
- 27 Jam News. A story from a field of “white gold”: Will cotton save the Azerbaijani economy? February 10, 2018. <https://jam-news.net/a-story-from-a-field-of-white-gold-will-cotton-save-the-azerbaijani-economy/>
- 28 Executive Committee of Goranboy District of Azerbaijan. Meeting of the Goranboy District activists on the results of 2018 in Goranboy region and upcoming tasks in 2019. March 6, 2019. Source on file.
- 29 Maharramov, Vahid, and Gubad Ibadoghlu. Monitoring report on assessment of human rights situations in cotton fields of the Republic of Azerbaijan (Monitoring period: October 1, 2018–January 30, 2019). 2019. [https://papers.ssrn.com/sol3/papers.cfm?abstract\\_id=3458625](https://papers.ssrn.com/sol3/papers.cfm?abstract_id=3458625)
- 30 U.S. Embassy- Baku official. E-mail communication to USDOL official. July 18, 2019.
- 31 U.S. Embassy- Baku. Reporting. March 12, 2020b.
- 32 U.S. Embassy- Baku. Reporting. February 11, 2021.
- 33 UNICEF. Knowledge, attitudes, and practices towards children with disabilities in Azerbaijan. March 2018. [https://www.unicef.org/azerbaijan/media/796/file/Children with disabilities-ENG-AZ.pdf.pdf](https://www.unicef.org/azerbaijan/media/796/file/Children%20with%20disabilities-ENG-AZ.pdf.pdf)
- 34 Government of Azerbaijan. Labor Code of the Republic of Azerbaijan. Enacted: February 1, 1999. <http://e-qanun.az/framework/46943>
- 35 Government of Azerbaijan. Code on Administrative offences of the Republic of Azerbaijan. Enacted: 2015. <https://e-qanun.az/framework/46960>
- 36 Government of Azerbaijan. Decree of the Cabinet of Ministers of the Republic of Azerbaijan “On approval of list of jobs with difficult and hazardous work conditions, professions as well as underground works where application of labor of children under the age of 18 is prohibited.” Decree No. 58. Enacted: March 24, 2000. Source on file.
- 37 Government of Azerbaijan. Law of the Republic of Azerbaijan on the Rights of the Child. May 19, 1998. Source on file.
- 38 Government of Azerbaijan. Constitution of the Republic of Azerbaijan. Enacted: November 12, 1995. <http://static2.president.az/media/W1siZiZlsljwMTgyMDMvMDkvNHQzMWNrcGppYV9lb25zdGI0dXNpeWFRUS5HLnBkZjldXQ?sha=c440b7c5f80d645b>
- 39 Government of Azerbaijan. Criminal Code of the Republic of Azerbaijan. Enacted: September 1, 2000. <http://e-qanun.az/framework/46947>
- 40 Government of Azerbaijan. Presidential Decree on Enactment of the Law on Trafficking in Persons. Enacted: August 5, 2005. <http://www.refworld.org/cgi-bin/texis/vtx/rwmain?docid=4417f1214>



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

- 41 Government of Azerbaijan. Law of The Republic of Azerbaijan on Military Duty and Military Service, Law No. 274-IVQ. Enacted: December 23, 2011. [http://www.ilo.org/dyn/natlex/natlex4.detail?p\\_lang=en&p\\_isn=89955&p\\_country=AZE&p\\_count=180&p\\_classification=22.10&p\\_classcount=15](http://www.ilo.org/dyn/natlex/natlex4.detail?p_lang=en&p_isn=89955&p_country=AZE&p_count=180&p_classification=22.10&p_classcount=15)
- 42 Government of Azerbaijan. Law on Education. Enacted: 2009. <http://www.e-qanun.az/framework/18343>
- 43 Government of Azerbaijan. Law on general education. Enacted: March 2019. <http://www.e-qanun.az/framework/42543>
- 44 Government of Azerbaijan. Written communication. Submitted in response to USDOL Federal Register Notice (2018). Request for information on efforts by certain countries to eliminate the worst forms of child labor. Source on file.
- 45 Government of Azerbaijan. "Rules of the National Referral Mechanism on Victims of Human Trafficking," No. 123. Enacted: August 11, 2009. Source on file.
- 46 Government of Azerbaijan. Written communication. Submitted in response to USDOL Federal Register Notice (2019). Request for information on efforts by certain countries to eliminate the worst forms of child labor. Source on file.
- 47 Government of Azerbaijan officials. Interview with USDOL officials. February 25, 2020.
- 48 Government of Azerbaijan. Post-Hearing comments submitted by the Government of the Republic of Azerbaijan in response to the additional questions by the GSP Subcommittee. February 27, 2020. Source on file.
- 49 Government of Azerbaijan. Written communication: Information of the Ministry of Labor and Social Protection of Population of the Republic of Azerbaijan on the additional questions addressed by the US Department of Labour. April 4, 2021. Source on file.
- 50 Government of Azerbaijan. Law no. 279, On amendments to the Law of the Republic of Azerbaijan "On suspension of inspections in the field of entrepreneurship." Enacted: March 9, 2021. <http://e-qanun.az/framework/47085>
- 51 Government of Azerbaijan officials. Written communication to USDOL official: Information by the Ministry of Labor and Social Protection on request by the Department of Labor. May 2020. Source on file.
- 52 Government of Azerbaijan. Written communication to USDOL official: Answers to follow-up questions regarding information submitted by the Government of Azerbaijan to USDOL. March 25, 2022. Source on file.
- 53 UN. World Economic Situation and Prospects. 2012 Statistical Annex. New York, 2012. [https://www.un.org/en/development/desa/policy/wesp/wesp\\_current/2012wesp.pdf](https://www.un.org/en/development/desa/policy/wesp/wesp_current/2012wesp.pdf)
- 54 U.S. Embassy- Baku official. E-mail communication to USDOL official. March 15, 2019.
- 55 U.S. Embassy- Baku official. E-mail communication to USDOL official. June 9, 2021.
- 56 U.S. Embassy- Baku. Reporting. January 27, 2017.
- 57 State Committee for Family, Women, and Children's Affairs. Workshop on "Innovative practices to prevent child abuse during COVID 19 pandemic" is continued. April 22, 2021. <http://scfwca.gov.az/en/post/2403/pandemiya-dovrunde-usaqlarin-ailelerde-zorakiliq-hallarindan-qorunmasina-dair-innovativ-tecrubeler>
- 58 Government of Azerbaijan. Order of the President of the Republic of Azerbaijan On approval of the "National Action Plan for 2020–2024 on combating trafficking in human beings in the Republic of Azerbaijan." July 22, 2020. Source on file.
- 59 Azertac. UNICEF welcomes approval of Strategy on Children of Azerbaijan. News Release. June 3, 2020. [https://azertag.az/en/xeber/UNICEF\\_welcomes\\_approval\\_of\\_Strategy\\_on\\_Children\\_of\\_Azerbaijan-1503319](https://azertag.az/en/xeber/UNICEF_welcomes_approval_of_Strategy_on_Children_of_Azerbaijan-1503319)
- 60 Government of Azerbaijan. Action Plan on the Implementation of the Strategy for Children (2020–2025). Approved: November 27, 2020. [https://static.president.az/media/W1siZilsjlW\\_MjAvMTEvMjcvN\\_3Rxem9uNHAYbI95ZW5pX0ZfYWxpeXlfdF9QbGFuXy5wZGYiXV0?sha=18108de7e17bc657](https://static.president.az/media/W1siZilsjlW_MjAvMTEvMjcvN_3Rxem9uNHAYbI95ZW5pX0ZfYWxpeXlfdF9QbGFuXy5wZGYiXV0?sha=18108de7e17bc657)
- 61 UNICEF Azerbaijan. Early Childhood Development Programme: a joint effort by partners to support the beginning of life. April 22, 2021. <https://www.unicef.org/azerbaijan/press-releases/early-childhood-development-programme-joint-effort-partners-support-beginning-life>
- 62 Government of Azerbaijan. State Program on improving official statistics in the Republic of Azerbaijan in 2018–2025. February 14, 2018. [https://www.stat.gov.az/menu/2/state\\_programs/2018\\_2025/](https://www.stat.gov.az/menu/2/state_programs/2018_2025/)
- 63 State Statistical Committee of the Republic of Azerbaijan. The next meeting of the Statistical Council under the State Statistical Committee was held. June 1, 2021. <https://www.stat.gov.az/news/index.php?id=4956>
- 64 Tehsil Portal. Inclusive Education in Eight Schools. Website, Accessed June 22, 2022. <https://tehsil.biz/news/az/31126/nklziv-thsilin-xo-mram>
- 65 Azertag Portal. A round table on "The Summit of Intellectual Education Policy in Azerbaijan." Website, Accessed June 22, 2022. [https://azertag.az/xeber/Azerbaycanda\\_inkluziv\\_tehsil\\_siyasetinin\\_icmali\\_movzusunda\\_deyirmi\\_masa\\_kechirilib-2075153](https://azertag.az/xeber/Azerbaycanda_inkluziv_tehsil_siyasetinin_icmali_movzusunda_deyirmi_masa_kechirilib-2075153)
- 66 U.S. Embassy- Baku. Reporting. February 14, 2018.
- 67 Trend News Agency. Value of social benefits increases in Azerbaijan. January 1, 2022. <https://en.trend.az/azerbaijan/politics/3535532.html>
- 68 AzerNews. Azerbaijani ministry says 82,000 families to receive targeted social assistance. April 27, 2020. <https://www.azernews.az/nation/164515.html>
- 69 Lmahamad, Ayya. Labor Ministry, ILO to develop new Decent Work Country Program. June 11, 2021. <https://www.azernews.az/business/179966.html>
- 70 Khudiyev, Ilgar. On the World Day Against Trafficking IOM Azerbaijan raises awareness on the exploitation of child labour and violence against children as a form of trafficking. July 30, 2021. <https://azerbaijan.un.org/en/138287-world-day-against-trafficking-iom-azerbaijan-raises-awareness-exploitation-child-labour-and>
- 71 UN Children's Fund. Country Program Document - Azerbaijan. 2021. Source on file.

In 2021, Bangladesh made moderate advancement in efforts to eliminate the worst forms of child labor. In early 2022, the government ratified International Labor Organization Convention No. 138: Convention Concerning Minimum Age for Admission to Employment and the International Labor Organization Protocol of 2014 to the Forced Labor Convention. The government also removed 5,088 children in vulnerable situations from 23 districts through labor inspections. However, children in Bangladesh are subjected to the worst forms of child labor, including commercial sexual exploitation and forced labor in drying of fish and the production of bricks. Children also perform dangerous tasks in the production of garments and leather goods. The Bangladesh Labor Act does not apply to the informal sector, in which most child labor in Bangladesh occurs. In addition, 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 commercial sexual exploitation and forced labor in drying of fish and the production of bricks. (1,2) Children also perform dangerous tasks in the production of garments and leather goods. (2,3) 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, 2022. (4)

Source for all other data: International Labor Organization's analysis of statistics from Multiple Indicator Cluster Survey 6 (MICS 6), 2019. (5)

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

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

Sector/Industry	Activity
Agriculture	Harvesting and processing crops, including tobacco and salt, raising poultry, grazing cattle, and harvesting tea leaves (2,6,7)
	Fishing, and drying and processing fish (1,6,8-10)
	Harvesting and processing shrimp (1,2)
Industry	Producing garments, textiles, and jute textiles (1,2,11,12)
	Producing leather,† leather goods, and footwear† (2,13)
	Manufacturing bricks,† glass,† hand-rolled cigarettes (bidis),† matches,† soap,† furniture (steel),† furniture (wood), aluminum products,† and metal products (1,2,8,9,14-19)
	Shipbreaking† and battery recycling† (1-3,9,20)
	Construction† and breaking bricks† and stones† (1,2,6,8,15)

# Bangladesh

## MODERATE ADVANCEMENT

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

Sector/Industry	Activity
Services	Domestic work (1,2,6,9,21)
	Garbage collecting and sorting, and recycling (2,12,22)
	Working in transportation, including ticket taking, welding, pulling rickshaws, driving, crew members on fishing boats, and repairing automobiles† (2,6,8,13,21-24)
	Working in tea shops and retail shops (2,6,8,9,23)
Categorical Worst Forms of Child Labor‡	Use in illicit activities, including smuggling and selling drugs (2,25)
	Forced begging (1,2,25)
	Forced labor in the drying of fish and the production of bricks (1,2,10,14,26)
	Commercial sexual exploitation, sometimes as a result of human trafficking (1,2,27-29)
	Forced domestic work (1,2,6,25,30,31)

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

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

The Bangladesh Bureau of Statistics estimated that there were 1.28 million children working in hazardous sectors before the COVID-19 pandemic, with 260,000 children working in the government's officially listed hazardous sectors. (2,8) Economic hardships and school closures brought on by the pandemic have forced many school age children to take on temporary jobs in factories, including in the garment and food processing sectors. Reports also indicate an increase in child domestic work. (2) One NGO reported that 75 percent of children had left their education program and estimated that one-third of the children either entered into hazardous work or returned to their villages. 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)

Other hazardous sectors in which children work include tanneries, shipbreaking, and the dried fish industry. (14,26,32,33) In the dried fish industry, children work all day without protective gear and are exposed to the insecticide DDT (dichloro-diphenyl-trichloroethane), salt, and the sun. (26,34) 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. (20) Children who work in tanneries lack protective equipment and experience continuous exposure to heavy metals, formaldehyde, and other hazardous substances. (35,36) 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. (11,37)

Reports of violence against child workers in various sectors, including in domestic work, have also been documented. (14,21,38-40) In 2018, a survey by an international organization found more than 400,000 children in domestic work in Bangladesh. Some girls are forced into domestic work and are abused by their employers. (2,4,30,31) According to reports, from January to November 2021, 28 children were tortured while working as housemaids. (2) Throughout Bangladesh, street children are coerced into criminality or forced to beg, and masters of begging rings sometimes maim children to increase earnings. Children are also forced, especially in border areas, to produce and transport drugs, especially “yaba” tablets (methamphetamine). (1,2)

Children throughout Bangladesh are sexually exploited through the country’s legal and illegal brothels, and child commercial sexual exploitation remained widespread during the reporting period. (1) According to some estimates, 30,000 girls are sexually exploited in Bangladesh, many of whom work in brothels but also at parking lots, bus stations, and online. (2) 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. Reports have indicated that some police accept bribes to not check documentation that workers in registered brothels were older than 18 years and to procure falsified documents for younger workers. (1) 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. (1) In

addition, children are trafficked to India where they are forced into labor or commercial sexual exploitation. (9) Research has found that Internet-based trafficking in persons increased during the pandemic, with human traffickers adapting to technology by using popular apps to connect with victims. (41)

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 changed to reflect the revised policy. (19) 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. (9) Bangladesh has 57 Primary Teacher Training Institutes, each of which is expected to enroll 200 potential teachers to accommodate the higher compulsory education age. However, an average of seven instructors are responsible for training over 400 teachers at a time. (2) Furthermore, to accommodate the larger number of students receiving compulsory education, Bangladesh is building new schools for students in higher grades. In fiscal year 2020–2021, Bangladesh constructed 12,723 new classrooms, established 10,000 sanitation facilities, and installed tube wells in over 6,500 schools. (12)

In 2021, limited access to education as a consequence of the pandemic continued to impact children in Bangladesh. School closures due to new variants of coronavirus increased the risk of school dropouts and child labor. (42) Many children joined the workforce in formal and informal sectors to provide for their families struggling during the pandemic, and are unlikely to return to their studies. (43) While televised and online classes were made available to students in grades 1 through 10, the distance learning program did not adequately reach the most vulnerable children. Reports indicated that 53 percent of children whose parents work in the garment sector did not receive any online classes, and most children opted to work with limited position to return to school. (44) In addition to pandemic-related closures, children in Bangladesh face barriers to education such as high costs for transportation, uniforms, and stationary. (2,42) According to reports, in fiscal year 2020–2021, approximately 367,000 eligible children did not enroll in school for the academic period. (12) Additionally, research has shown that about 2.5 million school-age children remain out of formal education, with the current drop-out rate for primary education at around 18 percent, which is higher than for secondary education. (45)

Over 450,000 Rohingya children are living in refugee camps in Bangladesh following the Burmese military's ethnic cleansing operations. Children residing in the camps are vulnerable to commercial sexual exploitation and forced labor. (2,25,46–49) 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. (1) 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. (25,50) Rohingya boys typically work in construction, fishing, and shops. (23,31) Rohingya children are also sold by their parents into bonded labor in the fish drying industry, 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. (10,23) There are reports of Bangladeshi officials taking bribes to facilitate the trafficking of Rohingya children, including providing access for human traffickers to refugee camps. (2)

Rohingya refugee children are also not permitted to attend primary and secondary schools in Bangladesh, including private institutions, due to their lack of documentation. (22) In addition, due to the pandemic, the government began restricting humanitarian access, including education and protection programs. As a result, refugee children are more vulnerable to exploitation and less able to access humanitarian assistance. (49) The government had in the past 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 who received scholarships. (19,22,49) The government had also agreed to allow international partners to implement the Myanmar Curriculum Pilot in 2020. (19) However, the program was put on hold as a result of the pandemic and in December 2021, the Government of Bangladesh ordered the authorities to shut down all refugee-run learning and coaching centers, further hampering educational accessibility for Rohingya refugees. (2,51,52)






# Bangladesh

## MODERATE ADVANCEMENT

### II. LEGAL FRAMEWORK FOR CHILD LABOR

Bangladesh has ratified 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 January 20, 2022, Bangladesh ratified the ILO Protocol of 2014 to the Forced Labor Convention, 1930. (53,54) In March 2022, Bangladesh also ratified the ILO C. 138 on Minimum Age. (55)

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	Sections 1–2 and 34 of the Bangladesh Labor Act (56)
Minimum Age for Hazardous Work	Yes	18	Sections 39–42 of the Bangladesh Labor Act (56)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Sections 39–42 of the Bangladesh Labor Act; Statutory Regulatory Order Number 65 (56,57)
Prohibition of Forced Labor	Yes		Sections 370, 371, and 374 of the Penal Code; Sections 2, 3, 6, and 9 of the Prevention and Suppression of Human Trafficking Act (58,59)
Prohibition of Child Trafficking	Yes		Sections 2,3, and 6 of the Prevention and Suppression of Human Trafficking Act; Sections 2 and 6 of the Suppression of Violence Against Women and Children Act (59,60)
Prohibition of Commercial Sexual Exploitation of Children	No		Sections 372 and 373 of the Penal Code; Sections 78 and 80 of the Children's Act; Sections 2,3, 6 and 11 of the Prevention and Suppression of Human Trafficking Act; Sections 2 and 8 of the Pornography Control Act (58,59,61,62)
Prohibition of Using Children in Illicit Activities	No		Section 79 of the Children's Act (61)
Minimum Age for Voluntary State Military Recruitment	Yes	16+	Army, Air Force, and Navy Regulations titles unknown (63–66)
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 (67)
Compulsory Education Age	No	10	Sections 2 and 3 of the Primary Education (Compulsory) Act (68)
Free Public Education	Yes		Article 17 of the Constitution (67)

\* Country has no conscription (69)

In 2021, the Department of Inspection for Factories and Establishments (DIFE) developed a proposal to update its list of hazardous sectors. If finalized by the Ministry of Labor and Employment (MOLE), these sectors would include drying fish, stone quarries, local tailoring, brick breaking, street-based work for children, stone collection, garbage picking and waste disposal, and informal tailoring in the clothing sector. (2,43,70)

Bangladesh's laws governing the minimum age for work do not protect children engaged in informal work. Regulations defining hazardous work do not include a number of sectors in which children are known to undertake dangerous tasks and work for long hours, including garments, drying fish, or brick manufacturing. (1,2,18,37,57,71) Furthermore, the Bangladesh Labor Act does not cover children working in the informal sector. However, 93 percent of child labor occurs in the informal sector, including domestic work, street work, and work on small agricultural farms. (1,2,56)

Bangladesh prohibits, but does not criminalize, the use of children in pornographic performances and in the production of drugs. (67) Sources indicate that the minimum age for recruitment in the Army is age 17 and requires parental consent and birth documents verifying age. (64) Army recruitment and training take 1 year, ensuring that recruits reach the age of 18 before entering regular duty. (65) However, the minimum age for recruitment in the Air Force is age 16. (63) In addition, the legal framework of the Bangladesh constitution does not criminally prohibit the recruitment of children by non-state armed groups. (67)

The Primary Education (Compulsory) Act only requires guardians to enroll children ages 6 to 10 in primary education where it is compulsory. It does not appear that there are laws providing for compulsory education, though the 2010 National Education Policy provided for compulsory education to eighth grade (age 14). (19,72) 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. (19,72)

### 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).

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

Organization/Agency	Role
Department of Inspection for Factories and Establishments (DIFE)	Located within the Ministry of Labor and Employment (MOLE). (72) Enforces labor laws, including those relating to child labor and hazardous work. (73) DIFE manages the "16357" hotline through which workers can report child labor violations in the garment sector. (2,74)
Bangladesh Police	Enforce Penal Code provisions protecting children from forced labor and commercial sexual exploitation. (14) Through its Trafficking in Persons Monitoring Cell, investigate cases of human trafficking and enforce the Prevention and Suppression of Human Trafficking Act's anti-human trafficking provisions. (75)
Bangladesh Labor Court	Prosecutes labor law violations, including those related to child labor; and imposes fines or sanctions against employers. (76)
Child Protection Networks	Respond to violations against children, including child labor. Comprising 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. (77)

#### **Labor Law Enforcement**

In 2021, labor law enforcement agencies in Bangladesh took actions to address child labor (Table 6). However, gaps exist within the DIFE's authority that may hinder adequate labor law enforcement, including a lack of reciprocal referral mechanism between labor authorities and social services.

# Bangladesh

## MODERATE ADVANCEMENT

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

Overview of Labor Law Enforcement	2020	2021
Labor Inspectorate Funding	\$5,488,943† (66)	\$5,407,000‡ (78)
Number of Labor Inspectors	308 (66)	305‡ (78)
Mechanism to Assess Civil Penalties	Yes (79)	Yes (79)
Initial Training for New Labor Inspectors	Yes (66)	Yes (70)
Training on New Laws Related to Child Labor	N/A	N/A
Refresher Courses Provided	Yes (66)	Yes (2)
Number of Labor Inspections Conducted	22,195† (66)	45,832‡ (78)
Number Conducted at Worksite	22,195† (66)	45,832‡ (78)
Number of Child Labor Violations Found	3,531‡ (66)	7,025‡ (78)
Number of Child Labor Violations for Which Penalties Were Imposed	27 (19)	135 (78)
Number of Child Labor Penalties Imposed that Were Collected	27 (19)	6 (78)
Routine Inspections Conducted	Yes (66)	Yes (70)
Routine Inspections Targeted	Yes (66)	Yes (70)
Unannounced Inspections Permitted	Yes (56)	Yes (70)
Unannounced Inspections Conducted	Yes (66)	Yes (70)
Complaint Mechanism Exists	Yes (66)	Yes (70)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	No (66)	No (2)

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

‡ Data for Labor Inspectorate funding are from July 1, 2020, to June 30, 2021. Other data are from July 1, 2020, to December 31, 2021.

Bangladesh employs 305 labor inspectors for a workforce of over 69.8 million workers. (70,80) According to the ILO's technical advice of a ratio approaching 1 inspector for every 40,000 workers in less developed economies, Bangladesh would need to employ about 1,745 labor inspectors for Bangladesh's workforce. (80) The shortage in human resources and high turnovers at the DIFE have led the agency to exclude around 95 percent of industrial and commercial establishments from its inspection list. (2) Sources also indicate that DIFE is insufficiently funded and inspectors are reluctant to enforce labor laws. (9)

The DIFE is only authorized to conduct unannounced inspections outside the export processing zones and special economic zones. (9,81,82) The lack of routine unannounced inspections in all sectors allows employers to hide child laborers. (23) Sources report that garment factories producing for local markets are rarely inspected despite a high prevalence of child labor. (9) Some employers move children to night shifts to evade inspectors, as night inspections are only conducted until 8 p.m. (9,20) In addition, the penalty for a child labor law violation carries a maximum fine of approximately \$59 (5,000 taka), which is insufficient to deter violations. (9,56,81,83)

The government reported that in fiscal year July 2020–June 2021, labor inspections helped remove 5,088 children in vulnerable situations from 23 districts. (2) In addition, 1,937 children have been removed from the automobile, bricks and stone crushing, engineering workshops, bakeries, hotel and restaurants, and plastics sectors, among others, in fiscal year 2021–2022 until December 2021. (78) According to the MOLE, out of the 1,421 cases filed for criminal labor infractions, 98 were child labor violations. (70) While a previous reciprocal referral mechanism existed between labor authorities and social services, DIFE lacks an active referral and rehabilitation system for children. Employers of children get off with a warning and the rescued children are found in the same factory or nearby a few days after the inspection. (2)

### Criminal Law Enforcement

In 2021, criminal law enforcement agencies in Bangladesh took actions to address child labor (Table 7). However, gaps exist within the operations of enforcement agencies that may hinder adequate criminal law enforcement, including the lack of publicly released criminal law enforcement information.

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

Overview of Criminal Law Enforcement	2020	2021
Initial Training for New Criminal Investigators	Unknown	Unknown (2)
Training on New Laws Related to the Worst Forms of Child Labor	N/A	N/A
Refresher Courses Provided	Unknown	Unknown (2)
Number of Investigations	Unknown	Unknown (2)
Number of Violations Found	Unknown	Unknown (2)
Number of Prosecutions Initiated	Unknown	Unknown (2)
Number of Convictions	Unknown	Unknown (2)
Imposed Penalties for Violations Related to the Worst Forms of Child Labor	Unknown	Unknown (2)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (22)	Yes (2)

The government constituted and funded seven anti-trafficking in persons tribunals to handle human trafficking cases that were functioning and hearing cases as of August 2021. (41) During the reporting period, UNODC in collaboration with the Government of Bangladesh organized special training for investigating officers and prosecutors from the anti-trafficking tribunals to increase cooperation and center victim voices. (84)

In 2021, a small number of high-profile cases in which police arrested factory owners for alleged abuse of child workers made international headlines. Bangladesh police filed a criminal complaint against 8 factory management team members, including the owner, after a factory fire killed at least 52 people, including 19 children between the ages of 12 and 18. (2, 11, 85, 86) Abdul Hashem, the factory owner, was required to pay \$2,334 to each of the victims' families. However, in order to receive the compensation, survivors and their families were required to forgo any future claims against the company and its executives. (86) In addition, in January 2021, police arrested a brick kiln owner for torturing and confining children in chains. (86) Police rescued 2 children ages 8 and 9, whom the owner had bought through brokers and forced them to work against their will. The suspect remains in custody while under prosecution. (85) In addition, in the reporting period, 43 individual defendants were prosecuted in cases related to child trafficking for labor exploitation. (86)

The Government of Bangladesh did not provide specific information on criminal law enforcement efforts against child labor crimes for inclusion in this report. Reports have suggested that investigation coordination between agencies and authorities is lacking. (2) Many cases are resolved through mediation and settlement rather than prosecution, resulting in low conviction rates for violence against child workers. (2) Cases resulting in convictions usually have fines that are minimal and perpetrators are not regularly sentenced to jail for employing children. (19) Reports also suggest that criminal investigators do not receive sufficient training on addressing 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 a lack of capacity to assist citizens abroad who are victims of labor exploitation.



**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 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. (87) During the reporting period, the Council held several meetings of district commissioners and secretaries of MOLE to raise awareness about child labor. (2) MOLE ensured better coordination for the implementation of the National Plan of Action on the Elimination of Child Labor. (2)
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. (75) In the reporting period, the agency held meetings at the district level and conducted site visits to raise awareness regarding child labor. (2)
Rescue, Recovery, Repatriation, and Integration Task Force	Coordinates efforts by the Governments of Bangladesh and India to rescue, recover, repatriate, and reintegrate survivors 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. (50,88,89) However, the government lacks the capacity to assist its citizens abroad who are victims of labor exploitation, case management systems have not been developed, and the process to repatriate human trafficking victims is lengthy. (89,90) The Task Force was active during the reporting period, and met bimonthly to coordinate Task Force members and their Indian counterparts. (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 lack of implementation.

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

Policy	Description
National Plan of Action on the Elimination of Child Labor (2021–2025)	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. (91) 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. (9)
Eighth Five-Year Plan, "Promoting Prosperity and Fostering Inclusiveness" (2021–2025)†	Includes provisions and budget to eliminate child labor. Sets out actions to initiate registration of all child births, as well as enforce and harmonize laws against human trafficking and exploitation. (2) In March 2021, the National Economic Council approved the country's Eighth Five-Year Plan. (92)
Domestic Workers Protection and Welfare Policy 2015	Sets the minimum age at 12 years for light domestic work. All children under age 18 require parental permission to engage in domestic work. (93) However, the policy is not legally enforceable until the legal framework is changed to reflect the revised policy and DIFE still has no authority to inspect households to see the working condition of domestic workers. The Central Monitoring Cell designated for the implementation of the policy has made little progress in coordinating with various required government entities. (12) In 2021, MOLE attended events organized by NGOs and printed the policy in a brochure and distributed promotional materials to create mass awareness through DIFE's 23 District offices. (2,43)
National Plan of Action for Prevention and Suppression of Human Trafficking (2018–2025)	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. (94,95) Led by MOHA. The national plan has been extended to 2025 due to the slow progress made during 2020 and 2021 pandemic lockdowns. (12) During the reporting period, MOHA monitored and implemented the action plan through the GO-NGO coordination committee. MOHA also conducted consultative meetings with domestic and international organization to collect feedback on the implementation process. (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. (96)

The National Plan of Action on the Elimination of Child Labor faces coordination and implementation challenges and research has found that MOLE is not effectively coordinating the implementation of the policy. (2,41) 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. (96)

Sources reported that the National Authority, an institution that would serve as a supervisory body on addressing human trafficking, was not active or funded. (41)

## VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2021, 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
Elimination of Hazardous Child Labor, Phase IV (2021–2023) <sup>†*</sup>	\$33 million Government of Bangladesh-funded, 3-year project implemented by MOLE. (78) 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. (22,97,98) Phase IV of the Elimination of Hazardous Child Labor program was implemented in October 2021. (2,19) MOLE has signed agreements with 112 selected NGOs to remove 100,000 children from all hazardous work by providing informal education and vocational training to child laborers most at risk. (78) During the reporting period, NGOs conducted surveys to identify the most hazardous occupations. (78)
School Programs	Second Chance Education is funded by the Bangladesh Rural Advancement Committee and provides informal schooling for children from 8 to 14 years old who have dropped out of formal schools. (43) The program had aimed to reach 1,000 children in 48 centers in 2021; however, due to COVID-19 pandemic-related school closures, teachers visited students in their homes for 30 minutes per week. (2) The School Feeding Program provides fortified biscuits and mid-day meals 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. This initiative has increased the school attendance rate from 5 to 13 percent. (43) In 2021, the UN World Food Program worked with the Ministry of Primary and Mass Education to scale up the school feeding program to serve more than 3 million school children at 15,788 schools in 35 districts of Bangladesh. (43)
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, and empower them as agents of social change to address risks and protection issues like child marriage, child labor, reproductive health, and adolescent nutrition. (19) In 2021, conducted awareness program related to child labor among 118,000 parents and 70,325 adolescents. (78) Approximately 800,000 Bangladeshis became aware of hazardous child labor through the project's radio programs. (78)
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). (19) The project offers case management services to identify vulnerable children and provide intervention plans, psychological counseling through the Child Friendly Services hub, and conditional cash support to reduce child labor. (78) During the reporting period, CSPB supported 160 families to reduce child labor, prevent early marriages, and reduce school dropouts. (78) The project also offers a 24-hour emergency hotline service through Child Helpline 1098. In 2021, the helpline received 241,712 complaints and referred 13,624 calls to different services regarding child protection, rescue, and referrals are provided. (43)

\* Program was launched during the reporting period.

<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. (41)

The MOLE was expected to conduct a national survey on child labor by 2021. (14) The Bangladesh Bureau of Statistics started the survey in 2022 with the support of the ILO. Research shows that survey results are expected after June 2022. (43)

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. (9) In addition, DIFE maintains the 16357 hotline to receive labor law violations. During the reporting period, the 16357 hotline received 831 complaints; however, the complaints were not related to child labor. (66) Ministry of Women and Children Affairs also developed a “Joy” mobile app which provides the opportunity to record dialogue and images of child labor victims and perpetrators and send the information, including GPS location, to the National Helpline Center 109 and nearby police station. (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 Bangladesh (Table 11).

## MODERATE ADVANCEMENT

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

Area	Suggested Action	Year(s) Suggested
Legal Framework	Ensure the minimum age for work applies to all children, including those engaged in informal work in the domestic service sector.	2009 – 2021
	Ensure that the types of hazardous work prohibited for children are comprehensive, in particular by including garment production and fish drying.	2016 – 2021
	Ensure that the law criminally prohibits the use of a child for pornographic performances.	2015 – 2021
	Ensure that the law criminally prohibits the use, procuring, and offering of children for both the production and trafficking of drugs.	2015 – 2021
	Ensure that the law criminally prohibits the recruitment of children under age 18 by non-state armed groups.	2016 – 2021
	Ensure that the 2010 National Education Policy, which raised the age of compulsory education from fifth grade (age 10) to eighth grade (age 14), is enforced.	2012 – 2021
Enforcement	Ensure enforcement of citations and penalties and reduce the length of time to assess penalties for labor law violations. Make certain that penalties for child labor law violations are an adequate deterrent.	2014 – 2021
	Significantly increase the number of labor inspectors to meet the ILO's technical advice.	2009 – 2021
	Ensure that the labor inspectorate has enough resources, including resources to address high turnover of inspectors.	2021
	Ensure that labor inspections are conducted unannounced and during overnight shifts as well as in the export processing and special economic zones.	2013 – 2021
	Create mechanisms for labor and criminal law enforcement to refer children involved in child labor to appropriate legal and social services.	2013 – 2021
	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.	2019 – 2021
	Collect and publish national-level data on the enforcement of criminal laws relevant to child labor, including information on the training for investigators, and the number of investigations conducted, violations found, prosecutions initiated, convictions attained, and penalties imposed.	2012 – 2021
	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 – 2021
Coordination	Ensure that the Ministry of Labor and Employment is effectively coordinating implementation of the National Plan of Action on the Elimination of Child Labor	2020 – 2021
	Ensure that the National Authority institution is active and funded to addresses human trafficking cases.	2019 – 2021
	Ensure that the Rescue, Recovery, Repatriation, and Integration Task Force has the necessary authority and tools to perform its coordination functions by establishing tools to track citizens abroad, developing case management systems, and streamlining the process of repatriating human trafficking survivors.	2018 – 2021
Government Policies	Integrate child labor elimination and prevention strategies into the National Education Policy.	2014 – 2021
	Publish activities undertaken to implement key policies related to child labor during the reporting period.	2020 – 2021
Social Programs	Enhance efforts to eliminate barriers and make education accessible for all children by removing barriers to school attendance, including increasing the capacity of the Teacher Training Institute, ensuring that there is a well-developed distance learning mechanism, and eliminating high costs for transportation and school materials.	2021
	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 – 2021
	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 – 2021
	Ensure that the Child Help Line and other hotlines report data on child labor complaints.	2020 – 2021

### REFERENCES

- 1 U.S. Department of State. Trafficking in Persons Report- 2021: Bangladesh. Washington, D.C., July 1, 2021.  
<https://www.state.gov/reports/2021-trafficking-in-persons-report/>
- 2 U.S. Embassy- Dhaka. Reporting. January 14, 2022.
- 3 Afrin, Saudia. Lead Poisoning and Child Labour: Bangladesh has a Long Way To Go. Dhaka Tribune. Dhaka Tribune, October 27, 2021. Source on file.
- 4 UNESCO Institute for Statistics. Gross intake ratio to the last grade of primary education, both sexes (%). Accessed March 3, 2022. For more information, please see "Children's Work and Education Statistics: Sources and Definitions" in the Reference Materials section of this report.  
<http://data.uis.unesco.org/>
- 5 ILO. Analysis of Child Economic Activity and School Attendance Statistics from National Household or Child Labor Surveys. Original data from Multiple Indicator Cluster Survey 6 (MICS 6), 2019. Analysis received March 2022. Please see "Children's Work and Education Statistics: Sources and Definitions" in the Reference Materials section of this report.
- 6 Allard, Tom, and Tommy Wilkes. Exclusive: \$6 for 38 days work: Child exploitation rife in Rohingya camps. Reuters, November 12, 2017.  
<https://www.reuters.com/article/us-myanmar-rohingya-exploitation/exclusive-6-for-38-days-work-child-exploitation-rife-in-rohingya-camps-idUSKBN1DD05A>
- 7 Deshwara, Mintu. May Day: Large number of children work in tea estates. Inter Press Service News Agency, May 4, 2020.  
<http://www.ipsnews.net/2020/05/may-day-large-number-children-work-tea-estates/>
- 8 Bangladesh Bureau of Statistics. Child Labor Survey Bangladesh 2013. October 2015.  
[https://www.ilo.org/ipecc/Informationresources/WCMS\\_IPEC\\_PUB\\_28175/lang--en/index.htm](https://www.ilo.org/ipecc/Informationresources/WCMS_IPEC_PUB_28175/lang--en/index.htm)
- 9 U.S. Embassy- Dhaka. Reporting. January 14, 2021.
- 10 Arnold, Katie. Traffickers prey on lost Rohingya children in Bangladesh camps. Reuters, November 7, 2017.  
<https://www.reuters.com/article/us-bangladesh-rohingya-children-traffic/traffickers-prey-on-lost-rohingya-children-in-bangladesh-camps-idUSKBN1D8015>
- 11 Anjum, Samaya. Factory Fire Reveals Bangladesh's Child Labor Problem. The Diplomat, July 21, 2021.  
<https://thediplomat.com/2021/07/factory-fire-reveals-bangladeshs-child-labor-problem>
- 12 U.S. Embassy- Dhaka. Reporting. February 8, 2022.
- 13 Ullah, Ahamed. Hazardous Child Labour Rampant in City, Outskirts. Daily Sun, February 23, 2017.  
<http://www.daily-sun.com/post/207700/Hazardous-child-labour-rampant-in-city-outskirts>
- 14 U.S. Embassy- Dhaka. Reporting. January 16, 2020.
- 15 U.S. Embassy- Dhaka. Reporting. February 13, 2018.
- 16 Kim, Jiyun et al. How the Bidi Tobacco Industry Harms Childworkers Results from a Wal-though and Quantitative Survey. Elsevier Korea, February 25, 2020.  
<https://www.ncbi.nlm.nih.gov/pmc/articles/PMC7303532/>
- 17 ILO-IPEC. Health Hazards of Child Labour in Brick Kiln of Bangladesh. Geneva: 2014.  
<http://www.ilo.org/ipeccinfo/product/download.do?type=document&id=25296>
- 18 Dhaka Tribune. Comilla brickfield owners continue to employ child labour. Dhaka Tribune, February 5, 2019.  
[https://www.dhakatribune.com/bangladesh/nation/2019/02/05/comilla-brickfield-owners-continue-to-employ-child-labour#:~:text=Fear has spread among Comilla](https://www.dhakatribune.com/bangladesh/nation/2019/02/05/comilla-brickfield-owners-continue-to-employ-child-labour#:~:text=Fear%20has%20spread%20among%20Comilla)
- 19 U.S. Embassy- Dhaka official. E-mail communication to USDOL official. July 1, 2021.
- 20 Chowdhury, Muhammod Shaheen. Study Report on Child Labour in the Shipbreaking Sector in Bangladesh. June 19, 2019.  
[https://shipbreakingplatform.org/wp-content/uploads/2022/01/Child20Labor20Final\\_compressed.pdf](https://shipbreakingplatform.org/wp-content/uploads/2022/01/Child20Labor20Final_compressed.pdf)
- 21 Dhaka Tribune. Majority use children for hazardous work despite knowing about its consequences, study finds. Dhaka Tribune, November 1, 2019.  
<https://www.dhakatribune.com/feature/2019/11/01/majority-use-children-for-hazardous-work-despite-knowing-about-its-consequences-study-finds>
- 22 U.S. Embassy- Dhaka official. E-mail communication to USDOL official. July 9, 2020.
- 23 U.S. Department of State. Trafficking in Persons Report- 2020: Bangladesh. Washington D.C., June 25, 2020.  
<https://www.state.gov/reports/2020-trafficking-in-persons-report/bangladesh/>
- 24 The Asian Age. Sylhet child workers doing hazardous jobs. February 24, 2017. Source on file.
- 25 IOM. IOM Bangladesh: Rohingya Refugee Crisis Response Situation Overview of Human Trafficking. October 2018.  
<https://reliefweb.int/report/bangladesh/iom-bangladesh-rohingya-refugee-crisis-response-situation-overview-human>
- 26 U.S. Embassy- Dhaka. Reporting. July 15, 2018.
- 27 BBC. The Rohingya children trafficked for sex. March 20, 2018.  
<https://www.bbc.com/news/world-asia-43469043>
- 28 The Daily Star. Cop arrested over child prostitution. The Daily Star, January 28, 2019.  
<https://www.thedailystar.net/backpage/news/cop-arrested-over-child-prostitution-1693840>
- 29 Redfern, Corrine. The living hell of young girls enslaved in Bangladesh's brothels. The Guardian, July 6, 2019.  
<https://www.theguardian.com/global-development/2019/jul/06/living-hell-of-bangladesh-brothels-sex-trafficking>
- 30 Doherty, Ben. Displaced Rohingya Children Left In Limbo By Refugee Crisis. The Guardian, January 31, 2018.  
<https://www.theguardian.com/world/2018/feb/01/devoid-of-hope-displaced-rohingya-children-are-vulnerable-to-trafficking-and-radicalisation>
- 31 Yu, Sylvia. Trafficking Crisis Looms For Rohingya Refugees In Bangladesh. National Observer, December 1, 2017.  
<https://www.nationalobserver.com/2017/12/01/news/trafficking-crisis-looms-rohingya-refugees-bangladesh>
- 32 PBS NewsHour. Bangladesh's leather industry exposes workers and children to toxic hazards. March 29, 2017.  
<https://www.pbs.org/newshour/show/bangladeshs-leather-industry-exposes-workers-and-children-to-toxic-hazards>
- 33 Quattri, Maria, and Kevin Watkins. Child labour and Education: A survey of slum settlements in Dhaka. Overseas Development Institute, December 2016.  
<https://www.odi.org/publications/10654-child-labour-and-education-survey-slum-settlements-dhaka>
- 34 New Age Bangladesh. Pesticide-treated dried fish exposes consumers to serious health risks in Bangladesh. September 14, 2018.  
<http://www.newagebd.net/article/50554/pesticide-treated-dried-fish-exposes-consumers-to-serious-health-risks>
- 35 Boseley, Sarah. Plight of child workers facing cocktail of toxic chemicals exposed by report. The Guardian, March 21, 2017. Source on file.
- 36 Kenny, Justin. Bangladesh's billion dollar leather industry has a problem with child labor and toxic chemicals. PBS NewsHour, March 29, 2017.  
<http://www.pbs.org/newshour/rundown/bangladesh-leather-factories-child-labor-pollution/>
- 37 Asadullah, M. Niaz & Zaki Wahhaj. Mending Bangladesh's Garment Industry. Project Syndicate, May 1, 2017.  
<https://www.project-syndicate.org/commentary/bangladesh-garment-industry-child-labor-by-m-niaz-asadullah-and-zaki-wahhaj-2017-05>
- 38 The Daily Star. Torturing house helps: 3 sent to jail. The Daily Star, July 14, 2019.  
<https://www.thedailystar.net/city/news/torturing-house-helps-3-sent-jail-1771339>



# Bangladesh

## MODERATE ADVANCEMENT

- 39 Dhaka Tribune. Domestic help murder: Female employer confesses to torturing Jannati. Dhaka Tribune, October 25, 2019. <https://www.dhakatribune.com/bangladesh/court/2019/10/25/domestic-help-murder-female-employer-confesses-to-torturing-jannati>
- 40 Ain o Salish Kendra. Violence Against Domestic Worker (Jan-Dec 2020). December 31, 2020. <http://www.askbd.org/ask/2020/12/31/violence-against-domestic-worker-jan-dec-2020/>
- 41 U.S. Embassy- Dhaka. Reporting. February 15, 2021.
- 42 UNICEF. The Future of 37 million children in Bangladesh is at risk with their education severely affected by the COVID-19 pandemic. Dhaka, Bangladesh: October 19th, 2021. <https://www.unicef.org/bangladesh/en/press-releases/future-37-million-children-bangladesh-risk-their-education-severely-affected-covid>
- 43 U.S. Embassy- Dhaka official. E-mail communication with USDOL official. June 21, 2022.
- 44 Star Business Report. 53pc RMG workers' children deprived of online class: study. The Daily Star, March 17, 2022. <https://www.thedailystar.net/business/economy/news/53pc-rmg-workers-children-deprived-online-class-study-2984646?amp>
- 45 The Daily Star. Bring children back to school. December 26, 2021. <https://www.thedailystar.net/views/editorial/news/bring-children-back-school-2925546>
- 46 IOM. Thousands at Risk of Trafficking Amid Rohingya Refugee Crisis. July 31, 2018. <https://www.iom.int/news/thousands-risk-trafficking-amid-rohingya-refugee-crisis-iom>
- 47 CNN Freedom Project. Stolen son: the child traffickers preying on the Rohingya. CNN, August 31, 2019. <https://www.cnn.com/2019/08/31/asia/stolen-son-rohingya-coxs-bazar-intl/index.html>
- 48 ISCG Secretariat. 2021 Joint Response Plan for the Rohingya Humanitarian Crisis. May 2021. [https://reliefweb.int/sites/reliefweb.int/files/resources/2021\\_jrp\\_with\\_annexes.pdf](https://reliefweb.int/sites/reliefweb.int/files/resources/2021_jrp_with_annexes.pdf)
- 49 U.S. Embassy- Dhaka. Reporting. February 3, 2021.
- 50 U.S. Department of State. Trafficking in Persons Report- 2018: Bangladesh. Washington, D.C., June 28, 2018. <https://www.state.gov/reports/2018-trafficking-in-persons-report/bangladesh/>
- 51 Shin, San Thai. Why we Rohingya want to save our refugee-run schools. The New Humanitarian, January 17, 2022. <https://www.thenewhumanitarian.org/opinion/first-person/2022/1/17/Rohingya-education-teacher-refugee-run-schools-Bangladesh-camps>
- 52 Human Rights Watch. Bangladesh: Rohingya Refugee Schools Face Closure. December 18, 2021. <https://www.hrw.org/news/2021/12/18/bangladesh-rohingya-refugee-schools-face-closure#>
- 53 Government of Bangladesh. Communication from the Embassy of Bangladesh. January 25, 2022. Source on file.
- 54 Information System on International Labour Standards. Ratifications for Bangladesh. ILO, Accessed on May 12, 2022. [https://ilo.org/dyn/normlex/en/?p=1000:11200:0::NO:11200:PI1200\\_COUNTRY\\_ID:103500](https://ilo.org/dyn/normlex/en/?p=1000:11200:0::NO:11200:PI1200_COUNTRY_ID:103500)
- 55 ILO. Bangladesh ratifies the Minimum Age Convention. Accessed on March 24, 2022. [https://www.ilo.org/global/standards/subjects-covered-by-international-labour-standards/child-labour/WCMS\\_840125/lang-en/index.htm](https://www.ilo.org/global/standards/subjects-covered-by-international-labour-standards/child-labour/WCMS_840125/lang-en/index.htm)
- 56 Government of Bangladesh. Labour Law. Enacted: June 2, 2006. Source on file.
- 57 Ministry of Labor and Employment-Child Labor Unit. List of Worst Forms of Works for Children. 2013. Source on file.
- 58 Government of Bangladesh. Penal Code, Act No. XLV. Enacted: 1860. Source on file.
- 59 Government of Bangladesh. The Prevention and Suppression of Human Trafficking Act. Enacted: 2012. <http://www.refworld.org/pdfid/543f75664.pdf>
- 60 Government of Bangladesh. The Suppression of Violence Against Women and Children. Enacted: 2000. Source on file.
- 61 Government of Bangladesh. Children's Act, No. 24. Enacted: June 20, 2013. Source on file.
- 62 Government of Bangladesh. Pornography Control Act. Enacted: 2012. Source on file.
- 63 Bangladesh Air Force. Apply for Airman. Accessed August 6, 2020. [https://baf.mil.bd/website/apply\\_for\\_airman.php](https://baf.mil.bd/website/apply_for_airman.php)
- 64 Bangladesh Army. Soldier. Accessed August 6, 2020. <https://www.army.mil.bd/Soldier>
- 65 UN Committee on the Rights of the Child. Consideration of reports submitted by States parties under article 44 of the Convention—Fifth periodic reports of States parties due in 2012. December 16, 2014: CRC/C/BGD/5. Source on file.
- 66 U.S. Embassy- Dhaka. Reporting. March 17, 2021.
- 67 Government of Bangladesh. Constitution. Enacted: March 26, 1971. Source on file.
- 68 Government of Bangladesh. Primary Education (Compulsory) Act, 1990. Enacted: 1990. <https://planipolis.iiep.unesco.org/en/1990/primary-education-compulsory-act-1990-act-no-27-1990-4770>
- 69 Government of Bangladesh. The Army Act, 1952. Enacted: 1952. Source on file.
- 70 Government of Bangladesh. Labour Inspection Report 2020-2021. Ministry of Labour and Employment, 2021. Source on file.
- 71 Bangladesh Bureau of Statistics. Baseline Survey for Determining Hazardous Child Labour Sectors in Bangladesh 2005. 2006. Source on file.
- 72 Ministry of Labor and Employment. Department of Inspection for Factories and Establishments - About Us. Accessed June 5, 2020. <http://www.dife.gov.bd/site/page/b2ef53e5-3049-4913-bc29-5ddcc015b712/About-Us>
- 73 Ministry of Labor and Employment. U.S. Department of Labor Request for Information on Child Labor and Forced Labor. March 7, 2017. Source on file.
- 74 Dhaka Tribune. Government launches helpline 16357 for garment workers. January 31, 2019. <https://archive.dhakatribune.com/business/2019/01/31/government-launches-helpline-16357-for-garment-workers>
- 75 Ministry of Home Affairs. National Plan of Action for Combating Human Trafficking 2015-2017. January 2015. Source on file.
- 76 Department of Inspection for Factories and Establishments, Government of Bangladesh. Questions from U.S. Government. February 24, 2015. Source on file.
- 77 U.S. Department of State. Country Reports on Human Rights Practices- 2018: Bangladesh. Washington, D.C., March 14, 2018. <https://www.state.gov/wp-content/uploads/2019/03/BANGLADESH-2018.pdf>
- 78 U.S. Embassy- Dhaka. Reporting. April 4, 2022.
- 79 Government of Bangladesh. Bangladesh Labour Act. 2006. Source on file.
- 80 ILOSTAT. ILO modelled estimates and projections (ILOEST)— Population and labour force. Accessed (January 25, 2022). Labor force data is modelled on a combination of demographic and economic explanatory variables by the ILO. Please see "Labor Law Enforcement: Sources and Definitions" in the Reference Materials section of this report. <https://ilostat.ilo.org/data/>
- 81 U.S. Department of State. Country Reports on Human Rights Practices- 2020: Bangladesh. Washington, D.C., 2020. <https://www.state.gov/reports/2020-country-reports-on-human-rights-practices/bangladesh/>

- 82 ILO CEACR. Individual Observation concerning Labour Inspection Convention, 1947 (No. 81) Bangladesh (Ratification: 1972). Published: 2021.  
[https://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:13100:0::NO::P13100\\_COMMENT\\_ID:4019764](https://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:13100:0::NO::P13100_COMMENT_ID:4019764)
- 83 UCA News. Bangladesh labor law changes planned. September 6, 2018.  
<https://www.ucanews.com/news/bangladesh-labor-law-changes-planned/83260>
- 84 GLO.ACT. Bangladesh organizes workshop to increase cooperation between investigating officers and prosecutors Dhaka. December 8, 2021.  
<https://www.unodc.org/unodc/en/human-trafficking/glo-act3/Countries/glo-act-bangladesh-organizes-workshop-to-increase-cooperation-between-investigating-officers-and-prosecutors.html>
- 85 Dhaka Tribune. Brick kiln workers or slaves? February 12, 2021.  
<https://www.dhakatribune.com/bangladesh/2021/02/12/brick-kiln-workers-or-slaves>
- 86 U.S. Embassy- Dhaka. Reporting. February 15, 2022.
- 87 Government of Bangladesh. National Plan of Action to Eliminate Child Labour (2020–2025). Central Monitoring Committee on Child Labour, November 30, 2020.  
[https://mole.portal.gov.bd/sites/default/files/files/mole.portal.gov.bd/project/6038e47e\\_5792\\_45f4\\_8fc0\\_958f113443f9/NPA.pdf](https://mole.portal.gov.bd/sites/default/files/files/mole.portal.gov.bd/project/6038e47e_5792_45f4_8fc0_958f113443f9/NPA.pdf)
- 88 U.S. Department of State. Trafficking in Person Report- 2019: Bangladesh. Washington, D.C., June 20, 2019.  
<https://www.state.gov/reports/2019-trafficking-in-persons-report-2/bangladesh/>
- 89 The Independent. Call to curb cross border human trafficking. August 31, 2018.  
<http://www.theindependentbd.com/printversion/details/164236>
- 90 U.S. Embassy- Dhaka. Reporting. February 13, 2020.
- 91 Government of Bangladesh. National Plan of Action for Implementing the National Child Labour Elimination Policy (2012–2016). 2013.  
<http://www.gbv.de/dms/zbw/798813121.pdf>
- 92 United News of Bangladesh. Bangladesh approves its 8th Five-Year Plan. Dhaka; UNB news, March 6, 2021.  
<https://unb.com.bd/category/Bangladesh/bangladesh-approves-its-8th-five-year-plan/62598>
- 93 Government of Bangladesh. Domestic Workers Protection and Welfare Policy. Ministry of Labor and Employment, December 28, 2015. Source on file.
- 94 Hasan, Kamrul. Five-year NPA for fighting human trafficking launched. Dhaka Tribune, December 3, 2018.  
<https://www.dhakatribune.com/bangladesh/event/2018/12/03/five-year-npa-for-fighting-human-traffickinglaunched>
- 95 Government of Bangladesh. National Plan of Action for Prevention and Suppression of Human Trafficking. 2018–2022. Source on file.
- 96 Government of Bangladesh. National Education Policy. 2010.  
<http://reliefweb.int/sites/reliefweb.int/files/resources/02.National-Education-Policy-2010-English.pdf>
- 97 U.S. Embassy- Dhaka official. E-mail communication to USDOL official. June 18, 2019.
- 98 ILO. Country Level Engagement and Assistance to Reduce (CLEAR) Child Labor Project Technical Progress Report. September 31, 2018. Source on file.
- 99 UNICEF. Global Annual Results Report 2020. New York, NY, June 2021.  
<https://www.unicef.org/media/102461/file/Global-annual-results-report-2020-goal-area-3.pdf>
- 100 Abdullah, Mamun. DPE to extend School Feeding Program by a year. Dhaka Tribune, June 27, 2021.  
<https://archive.dhakatribune.com/bangladesh/education/2021/06/27/dpe-to-extend-school-feeding-program-by-a-year>

In 2021, Belize made moderate advancement in efforts to eliminate the worst forms of child labor. The government developed Belize's second National Child Labor Policy with plans to begin implementation in 2022. It also launched a program with the ILO and the Belize Sugarcane Farmers Association to pilot strategies to promote employment for vulnerable youth and women in the sugarcane supply chain in northern Belize. In addition, Belize achieved its first two convictions under the Commercial Sexual Exploitation of Children Act. However, 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. Belize does not meet the international standard for prohibitions of hazardous work because children over age 14 are permitted to work in dangerous activities such as mining, manufacturing, and construction. 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.



## 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. (1-3) Table 1 provides key indicators on children's work and education in Belize.

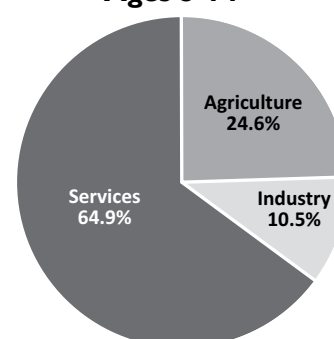
**Table 1. Statistics on Children's Work and Education**

Children	Age	Percent
Working (% and population)	5 to 14	1.6 (1,405)
Attending School (%)	5 to 14	94.5
Combining Work and School (%)	7 to 14	1.2
Primary Completion Rate (%)		104.5

Source for primary completion rate: Data from 2020, published by UNESCO Institute for Statistics, 2022. (4)

Source for all other data: International Labor Organization's analysis of statistics from National Child Activity Survey (SIMPOC), 2013. (5)

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



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

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

Sector/Industry	Activity
Agriculture	Production of beans, bananas, citrus fruits, cereals, corn, rice, sugarcane, papayas, and vegetables (1-3,6-9)
	Fishing, including for fish, lobster, and conch (1-3,6,10)
	Butchering or raising livestock, including poultry and cattle (6,10,11)
Industry	Construction, carpentry, masonry, wood carving, carrying heavy loads, and using power tools (1-3,6,10)
	Quarrying, including operating stone crushers (2,10,12)
Services	Street and retail vending (2,3,10)
	Yard work, including using lawnmowers, weed-eaters, and machetes (6,10-12)
	Sewing (10)
	Working and cooking in food service, including using large mixers and grills (3,6,10,11)
	Working in the tourist sector, including in food and alcohol service and hospitality, and as tour guides, maintenance personnel, and security guards (1-3)

## MODERATE ADVANCEMENT

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

Sector/Industry	Activity
Services	Auto repair (6,10,11)
	Welding (10,11)
	Pumping gas (6,11)
Categorical Worst Forms of Child Labor‡	Commercial sexual exploitation, sometimes as a result of human trafficking (2,13,14)
	Forced labor in working and cooking in food service (3)
	Use in illicit activities, including trafficking of drugs and weapons (1-3,10,15)

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

Belize lacks a recent comprehensive child labor study, which makes it difficult to clearly determine the sectors and activities in which working children are engaged. 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. (1,2)

Particularly in rural areas of Belize, many children are removed from school on their 14th birthday to work as street vendors or in the sectors of agriculture and construction. (16) Reports also showed that children in rural areas work in the agriculture and fishing industries, while 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. (1,3)

Among Belize’s ethnic groups, Mennonites have the highest percentage of child labor, with approximately 9.5 percent of Mennonite children engaged in child labor. (2,6,10,12) Non-Mennonite children are also engaged in child labor on Mennonite-owned land. (7) Children working on Mennonite land often use dangerous tools like machetes, tractors, and plows, and work long hours in the sun without proper hydration. (3,7,12) Limited reporting also indicates that boys working mainly in Mennonite communities may be involved in operating heavy machinery and flying small airplanes to spray crops. (1,2)

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. (1-3,10)

Government officials stated that there are anecdotal reports of Belize 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. (2,13,14) There have also been instances of 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. (17) Girls from impoverished communities and LGBTQI+ children are particularly vulnerable to commercial sexual exploitation and labor trafficking in Belize. (14,15,18) Migrant children are trafficked in commercial sexual exploitation, with most typically originating from Guatemala, El Salvador, and Honduras. (16) A limited number of sources also indicate that boys from Belize City and San Pedro were trafficked to transport and sell drugs and firearms and commit murders as part of gang warfare. (1,2,12,15,16) These activities were more prevalent in rural communities near the Mexican and Guatemalan borders, where smuggling contraband from these countries is known to be a high-profit enterprise. (16)

In Belize, primary and secondary education is tuition free up to age 14. In areas lacking a school, the state provides free transportation for children to attend the nearest primary school. (16) Many children’s access to education is hindered by the cost of school fees, textbooks, uniforms, and meals. (15,16) In 2021, approximately 60 percent of children benefited from a secondary school subsidy of \$150 per year toward education expenses. (16) Migrant children do not qualify for state benefits including tuition coverage and access to the \$150 subsidies for high school students. Parents must cover these costs and pay administrative fees or opt to remove their child from school. (16) Some Spanish-speaking children face language barriers at schools that provide






instruction only in English. (7) In addition, Belize lacks qualified teachers, basic supplies, and adequate facilities to educate children. (2)

## 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 hazardous work.

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

Standard	Meets International Standards	Age	Legislation
Minimum Age for Work	Yes	14	Articles 54, 164, and 169 of the Labor Act; Articles 2 and 3 of the Shops Act (19,20)
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 (19,21)
Identification of Hazardous Occupations or Activities Prohibited for Children	No		
Prohibition of Forced Labor	Yes		Article 8 of the Constitution; Articles 157 and 158 of the Labor Act; Articles 2 and 11 of the Trafficking in Persons (Prohibition) Act (19, 22, 25)
Prohibition of Child Trafficking	Yes		Articles 11–14 of the Trafficking in Persons (Prohibition) Act; Article 9 of the Commercial Sexual Exploitation of Children (Prohibition) Act; Articles 49–51 of the Criminal Code (23–25)
Prohibition of Commercial Sexual Exploitation of Children	No		Articles 2, 11, 13, and 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 (23–25)
Prohibition of Using Children in Illicit Activities	No		
Minimum Age for Voluntary State Military Recruitment	Yes	18	Article 16 of the Defense Act (26)
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 (27,28)
Free Public Education	Yes		Article 70 of the Education and Training Act; Article 45 of the Education Act (27,28)

\* Country has no conscription (26)

# Belize

## MODERATE ADVANCEMENT

While Belizean law does set the minimum legal age for work in wholesale and retail trade or business at age 14, the law is inconsistent with international standards on light work, because it allows children between the ages of 12 and 14 to engage in some activities deemed “light work”, but the types of light work permissible for children have not yet been identified. (19,20,29) 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 permitted to work in those types of activities. (19) 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. (19,21) While a 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. (1,3) A list of hazardous work prohibited for all children has not been adopted as law. (29,30)

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. (23,24) 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. (23,30)

The Government of Belize is currently conducting consultations on potential revisions to the Anti-Trafficking in Persons (Prohibition) Act of 2013 and the Commercial Sexual Exploitation of Children (Prohibition) Act of 2013, with the aim of achieving compliance with international standards. On March 24, 2022, the government enacted into law an amendment to the Indictable Procedures Act that adds the crimes of child abduction, child abuse, and human trafficking to the list of crimes that can be tried without a jury in order to improve the speed of court cases, address the back log of cases, and provide survivors a more comfortable environment in which to testify. (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 Human Development, Families, and Indigenous People's Affairs	Receives referrals for child labor cases. (16) Provides survivors with welfare services, including medical and social services and counseling assistance. (18) Previously known as Ministry of Human Development and Social Transformation, Department of Human Services. Department of Human Services and Child Protection remains under this ministry and is tasked with enforcement of criminal laws regarding forced child labor, child trafficking, commercial sexual exploitation, the recruitment and use of child soldiers, and use of children in illicit activities. (16)
Belize Police Department (BPD)	Investigates cases of child labor, commercial sexual exploitation, and human trafficking through Sexual Offense and Family Violence Units. (2,3,16) Through its Anti-Trafficking in Persons (A-TIP) Unit, utilizes specialized screening to identify potential survivors of trafficking and forced labor. The A-TIP Unit works closely with its counterparts in the A-TIP Council, which is the interagency governmental council overseeing cases involving trafficking and forced labor. (16)
Office of the Director of Public Prosecution	Prosecutes criminal offenses in court, including cases of commercial sexual exploitation and human trafficking. (3,11)

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

Organization/Agency	Role
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. (2) After the situation has been assessed, relevant agencies get involved, such as the Department of Human Services and BPD. (16)
Ministry of Rural Transformation, Community Development, Labor, and Local Government	Identifies cases, conducts inspections, and enforces laws related to child labor and hazardous child labor through its Labor Department. (3,16) In June 2021, held a day-long workshop on child labor issues to observe World Day Against Child Labor. (33)
Ministry of Education, Culture, Science, and Technology	Investigates truancy offenses in schools and issues fines for these violations. (2,3)

### Labor Law Enforcement

In 2021, labor law enforcement agencies in Belize took actions to address child labor (Table 6). However, gaps exist within the operations of enforcement agencies that may hinder adequate labor law enforcement, including insufficient funding for the labor inspectorate.

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

Overview of Labor Law Enforcement	2020	2021
Labor Inspectorate Funding	Unknown (3)	Unknown (16)
Number of Labor Inspectors	23 (3)	24 (16)
Mechanism to Assess Civil Penalties	Yes (19)	Yes (19)
Initial Training for New Labor Inspectors	Yes (3)	Yes (16)
Training on New Laws Related to Child Labor	N/A (3)	N/A (16)
Refresher Courses Provided	Yes (3)	Yes (16)
Number of Labor Inspections Conducted	301 (3)	584 (16)
Number Conducted at Worksite	301 (3)	584 (16)
Number of Child Labor Violations Found	0 (3)	0 (16)
Number of Child Labor Violations for Which Penalties Were Imposed	0 (3)	0 (16)
Number of Child Labor Penalties Imposed that Were Collected	0 (3)	0 (16)
Routine Inspections Conducted	Yes (3)	Yes (16)
Routine Inspections Targeted	Yes (3)	Yes (16)
Unannounced Inspections Permitted	Yes (19)	Yes (19)
Unannounced Inspections Conducted	Yes (3)	Yes (16)
Complaint Mechanism Exists	Yes (3)	Yes (16)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (3)	Yes (16)

The government incorporates child labor curriculum into inspector training programs and uses a child labor inspection and monitoring form that it developed through the CLEAR II Project to record child labor information. Of the 584 labor inspections performed during the reporting year, 197 were child labor inspections. (16) 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. (1,10) Labor inspectors are able to assess penalties, but the fine for child labor infractions is only \$12.50. Liquor licensing boards, which also have a responsibility to detect and report cases of child labor, also routinely fails to conduct required inspections of restaurants and bars. (1,34,35) Thus, inspections and penalties may be insufficient to deter child labor violations in Belize.

The government does not publish information regarding labor inspectorate funding. Government officials indicated that inspectors have sufficient office facilities, transportation, fuel, and other necessities to carry out inspections. (16) However, according to the Child Development Foundation, a local NGO that works in the field of child exploitation, abuse, neglect, and labor, the annual budget designated to address child labor is insufficient. The Child Development Foundation also noted that, in most instances, labor inspectors do not have

# Belize

## MODERATE ADVANCEMENT

transportation and fuel to travel to all locations. (16) Another NGO contact confirmed that inspectors do not travel to all areas of the country due to vehicle and fuel shortages, which prevents the proper monitoring of child labor across industries. During the reporting year, while labor inspections continued, the COVID-19 pandemic prevented inspectors from traveling on occasion. (16)

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. (1,3)

### **Criminal Law Enforcement**

In 2021, criminal law enforcement agencies in Belize took actions to address 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	2020	2021
Initial Training for New Criminal Investigators	N/A (3)	No (16)
Training on New Laws Related to the Worst Forms of Child Labor	N/A (3)	N/A (16)
Refresher Courses Provided	Yes (3)	Unknown (16)
Number of Investigations	0 (3)	Unknown (16)
Number of Violations Found	0 (3)	0 (16)
Number of Prosecutions Initiated	0 (3)	0 (16)
Number of Convictions	0 (3)	2 (36)
Imposed Penalties for Violations Related to the Worst Forms of Child Labor	No (3)	No (16)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (3)	Yes (16)

The government did not provide information on trainings for inclusion in this report, however, several trainings were attended by officers from the Anti-Trafficking in Persons (A-TIP) Police Unit and other ministries throughout the reporting period. These included a training by the International Center for Missing & Exploited Children on concepts, definitions and legal foundations on child sexual abuse and exploitation for one officer from the Department of Human Services (DHS), as well as trainings held by UNODC on cyber-enabled crimes against children and women for a total of 23 officers from A-TIP, the Ministry of Human Development, Belize Police Department, and the National Committee for Families and Children. (31) In addition, Interpol trained an A-TIP police officer on trafficking in persons and online child pornography investigation. (31)

The government did not provide information on how many investigations of child labor were conducted during the reporting period. (16)

There have been four human trafficking convictions since 2005. This includes the conviction of one trafficker in 2019 for sex and labor trafficking, and two traffickers, including the mother of the victim, for commercial sexual exploitation of children as a result of human trafficking in 2021. (35-37) The 2021 cases are the first convictions made under Belize's Commercial Sexual Exploitation of Children Act. Although the country's laws allow for the imprisonment of violators, human trafficking cases are often dismissed by lower courts and there are generally low rates of victim identification and prosecution of traffickers. (36,38) Additionally, there are anecdotal but consistent reports of low-level officials tolerating and participating in human trafficking-related offences; however, research has not found frequent occurrences of high-level complicity in human trafficking cases. (14,31,34,38,39)

Belize lacks official statistics on commercial sexual exploitation of children, and criminal investigators, police officers, and labor inspectors lack sufficient resources—such as vehicles, fuel, office supplies, and adequate training—to investigate violations of criminal law, including the worst forms of child labor. (2,12)



#### IV. COORDINATION OF GOVERNMENT EFFORTS ON CHILD LABOR

The government has established mechanisms to coordinate its efforts to address child labor (Table 8). However, gaps exist that hinder the effective coordination of efforts to address child labor, including efficacy in accomplishing mandates.

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

Coordinating Body	Role & Description
National Child Labor Committee	Coordinates efforts among ministries to prevent and eliminate 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. (40,41) The Child Labor Secretariat and Inspectorate serves as the Secretary for the Committee. (2) The Committee distinguishes between children engaged in work that is beneficial to their development and those engaged in the worst forms of child labor. (37,42) During the reporting period, resumed meetings with newly appointed representatives from various government agencies and stakeholders. (43) Five meetings were held throughout 2021. (16)
Anti-Trafficking in Persons Council	Identifies and rescues human trafficking survivors, 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. (44) During the reporting period, held an anti-trafficking in persons symposium in partnership with the Human Trafficking Institute during which stakeholders renewed their commitment to strengthening their network and discussed how they can improve efforts to address human trafficking. (45)
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. (46) 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. (3,8,47,48) Research could not determine whether activities were held 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 a lack of 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. (49) Aims to strengthen government institutions and services and to train labor officers. (41) In collaboration with the ILO and UNICEF, developed the country's second national child labor policy during the reporting year with plans to finalize and begin implementation in 2022. (16,50,51) In 2021, hosted a dedicated online workshop which brought together tripartite ILO constituents and broad representation from governmental and non-governmental entities. (50,52)
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. (2) 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. (8,47,48) Raises awareness of the role of families in promoting early childhood education. (48) 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. (49,50,53,54) Research was unable to determine whether activities were undertaken to implement the Road Map to End Child Marriage and Early Unions in Belize during the reporting period. (16)

† Policy was approved during the reporting period.

‡ The government had other policies that may have addressed child labor issues or had an impact on child labor. (18)

# Belize

## MODERATE ADVANCEMENT

### VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2021, 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 inadequacy to address 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 2010 with approximately 3,116 households benefitting annually. (55) Continues to be implemented in Belize City in areas with the highest reported incidents of child sexual exploitation. (2) 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. (2) Received additional funding for 6 months under the BCCAT pandemic relief program. (56) Research could not determine whether activities were held within the reporting period.
Social Innovative LABOR Project*	Belize Labor Department, ILO, and the Belize Sugarcane Farmers Association program that pilots strategies to promote employment for vulnerable youth and women in the sugarcane supply chain in northern Belize. (16,57) The project had a budget of \$25,000 and took place between May 12, 2021 to February 12, 2022. (16) During the reporting period, a desk study was conducted to determine implementation activities for the next phase of the project, which is expected to begin in 2022. (58)
Belize COVID-19 Cash Transfer Program (BCCAT)*	\$12.4 million cash transfer program funded by the World Bank and implemented by the Ministry of Human Development, Social Transformation and Poverty Alleviation, the National Bank of Belize Limited, Digi, and the Belize Social Investment Fund to assist 10,500 poor and vulnerable families during the pandemic. (59)

\* Program was launched during the reporting period.

‡ The government had other social programs that may have included the goal of eliminating or preventing child labor. (60)

During the reporting period, the A-TIP Council, with funding from IOM, held informational sessions on human trafficking with 30 high school teachers and 15 Red Cross volunteers of San Ignacio Town. The National Organization for the Prevention of Child Abuse and Neglect, UNICEF, and the NGO Pathlight also trained 555 primary school and high school teachers on Mandatory Reporting Training. (31) In addition, Youth Enhancement Services trained 44 officers from the Community Rehabilitation Department, Residential Care Facilities, DHS, and the Women's Department on commercial sexual exploitation of children, trafficking in persons (prohibition), and domestic violence legislation. (31)

Research found no evidence of government programs to prevent or eliminate commercial sexual exploitation of children or to assist children working in agriculture, fisheries, or construction. (3) However, the government sponsored billboards at the international airport and at border crossing points specifically to address child sex tourism. The government further participated in a multicountry program to identify and deny tourist entry to registered sex offenders. (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 Belize (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 is age 14 in all sectors.	2013 – 2021
	Ensure that the law's light work provisions specify the activities and conditions in which light work may be undertaken.	2021
	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 – 2021
	Ensure that the law prohibits all forms of commercial sexual exploitation of children ages 16 and 17.	2013 – 2021
	Ensure that laws prohibit the use of children in specific illicit activities, such as the production and trafficking of drugs.	2013 – 2021
	Ensure that the law criminally prohibits the recruitment of children under age 18 into non-state armed groups.	2016 – 2021

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

Area	Suggested Action	Year(s) Suggested
Enforcement	Publish complete information on enforcement efforts to address child labor, including labor inspectorate funding and the number of investigations.	2020 – 2021
	Ensure that law enforcement agencies have sufficient resources, including vehicles, fuel, and inspectors, to conduct labor inspections and criminal investigations.	2009 – 2021
	Ensure that the level of inspections, including liquor license inspections, and penalties are sufficient to deter child labor law violations.	2018 – 2021
	Provide sufficient funding and resources to allow agencies responsible for the enforcement of labor laws to fulfill their mission, including fuel and transportation.	2021
	Prosecute and impose criminal penalties for the worst forms of child labor, including for government officials, and ensure that courts hear and try human trafficking cases in a timely manner.	2017 – 2021
	Improve transparency regarding the status of complaints that are being investigated.	2021
Coordination	Ensure that all coordinating bodies are active and able to carry out their intended mandates.	2021
Government Policies	Publish activities undertaken to implement key policies related to child labor, including the Road Map to End Child Marriage and Early Unions in Belize, during the reporting period.	2020 – 2021
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 – 2021
	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 – 2021
	Implement programs to address commercial sexual exploitation of children and programs to assist children working in agriculture, fisheries, and construction.	2019 – 2021
	Publish activities undertaken to implement key programs related to child labor, including BOOST.	2021

**REFERENCES**

- 1 U.S. Embassy- Belmopan. Reporting. January 15, 2019.
- 2 U.S. Embassy- Belmopan. Reporting. January 28, 2020.
- 3 U.S. Embassy- Belmopan. Reporting. January 7, 2021.
- 4 UNESCO Institute for Statistics. Gross intake ratio to the last grade of primary education, both sexes (%). Accessed March 3, 2022. For more information, please see "Children's Work and Education Statistics: Sources and Definitions" in the Reference Materials section of this report. <http://data.uis.unesco.org/>.
- 5 ILO. Analysis of Child Economic Activity and School Attendance Statistics from National Household or Child Labor Surveys. Original data from National Child Activity Survey (SIMPOC), 2013. Analysis received March 2022. Please see "Children's Work and Education Statistics: Sources and Definitions" in the Reference Materials section of this report.
- 6 ILO-IPEC. Report of the National Child Activity Survey. Geneva, Statistical Institute of Belize. 2015. Source on file.
- 7 Ministry of Education official. Interview with USDOL official. December 22, 2017.
- 8 NGO official. Interview with USDOL official. April 5, 2017.
- 9 Belize Sugar Cane Farmers Association (BSCFA). Youth Inclusive Community-Based Monitoring and Remediation System on Child Labour (YICBMR). November 29, 2019. Source on file.
- 10 U.S. Embassy- Belmopan. Reporting. January 12, 2018.
- 11 U.S. Embassy- Belmopan official. E-mail communication to USDOL official. March 25, 2021.
- 12 U.S. Embassy- Belmopan. Reporting. February 3, 2017.
- 13 U.S. Embassy- Belmopan. Reporting. February 14, 2020.
- 14 U.S. Department of State. Trafficking in Persons Report- 2021: Belize. Washington, D.C., June 2021. <https://www.state.gov/reports/2021-trafficking-in-persons-report/belize/>
- 15 Child Development Foundation official. Interview with USDOL official. January 17, 2018.
- 16 U.S. Embassy- Belmopan. Reporting. January 14, 2022.
- 17 U.S. Embassy- Belmopan. Reporting. February 11, 2021.
- 18 U.S. Embassy- Belmopan. Reporting. February 14, 2017.
- 19 Government of Belize. Labour Act, Revised. Enacted: December 31, 2000. Source on file.
- 20 Government of Belize. Shops Act, Chapter 287, Revised Edition 2000. Enacted: December 31, 2000. <http://www.belize.gov.bz/web/lawadmin/index2.html>
- 21 Government of Belize. Families and Children Act, Revised Edition. Enacted: December 31, 2000. Source on file.
- 22 Government of Belize. The Constitution of Belize, Revised Edition. Enacted: December 31, 2000. Source on file.
- 23 Government of Belize. Commercial Sexual Exploitation of Children (Prohibition) Act, 2013, No. 3. Enacted: January 31, 2013. Source on file.
- 24 Government of Belize. Criminal Code. Enacted: December 31, 2000. <https://www.ilo.org/dyn/natlex/docs/ELECTRONIC/68422/66703/F1776464508/BLZ68422.pdf>
- 25 Government of Belize. Trafficking in Persons (Prohibition) Act, 2013, No. 2. Enacted: January 31, 2013. Source on file.
- 26 Government of Belize. Defence Act, Revised Edition. Enacted: December 31, 2000. Source on file.
- 27 Government of Belize. Education Act. Enacted: December 31, 2000. Source on file.
- 28 Government of Belize. Education and Training Act of 2010. Enacted: April 14, 2010. <http://planipolis.iiep.unesco.org/en/2010/belize-education-and-training-act-2010-4916>
- 29 ILO Committee of Experts. Individual Direct Request Concerning Minimum Age Convention, 1973 (No. 138) Belize (ratification: 2000) Published: 2017. [http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100\\_COMMENT\\_ID:3294159](http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:3294159)
- 30 U.S. Department of State. Country Reports on Human Rights Practices- 2016: Belize. Washington, D.C., March 3, 2017. <https://www.state.gov/reports/2016-country-reports-on-human-rights-practices/belize/>
- 31 U.S. Embassy- Belmopan. Reporting. January 28, 2022.

## MODERATE ADVANCEMENT

- 32 ILO Committee of Experts. Individual Direct Request Concerning Worst Forms of Child Labour Convention, 1999 (No. 182) Belize (ratification: 2000) Published: 2017.  
[http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100\\_COMMENT\\_ID:3294334](http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:3294334)
- 33 Polanco, Andrea. Channel 5 Belize. Talking About Child Labor: What Jobs Can Children Do, and Which Jobs Put them in Danger. June 11, 2021.  
<https://edition.channel5belize.com/archives/219960>
- 34 ILO Committee of Experts. Individual Direct Request Concerning Forced Labour Convention, 1930 (No. 29) Belize (ratification: 1983) Published: 2017.  
[http://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:13100:0::NO::P13100\\_COMMENT\\_ID:3295515](http://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:13100:0::NO::P13100_COMMENT_ID:3295515)
- 35 U.S. Embassy- Belmopan official. E-mail communication to USDOL official. May 5, 2022.
- 36 Ecker, Emma. First 2021 Human Trafficking Convictions in Belize, HTI Provides Survivor Support. Human Trafficking Institute, Accessed February 24, 2022.  
<https://traffickinginstitute.org/first-2021-human-trafficking-convictions-in-belize/>
- 37 U.S. Embassy- Belmopan. Written communication to USDOL official. June 3, 2020.
- 38 ILO Committee of Experts. Direct Request concerning Forced Labour Convention, 1930 (No. 29) Belize (ratification: 1983) Published 2022.  
[https://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100\\_COMMENT\\_ID:4116519](https://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:4116519)
- 39 U.S. Embassy- Belmopan official. E-mail communication to USDOL official. April 19, 2022.
- 40 Winrock International. CLEAR II. October 30, 2017: Technical Progress Report. Source on file.
- 41 ILO Committee of Experts. Individual Direct Request Concerning Minimum Age Convention, 1973 (No. 138) Belize (ratification: 2000). Published: 2019.  
[https://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100\\_COMMENT\\_ID:3294159](https://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:3294159)
- 42 U.S. Department of State. Country Reports on Human Rights Practices- 2019: Belize. Washington, D.C. March 11, 2020.  
<https://www.state.gov/reports/2019-country-reports-on-human-rights-practices/belize/>
- 43 Government of Belize. Resumption of the National Child Labour Committee - Ministry of Rural Transformation, Community Development, Labour and Local Government. February 17, 2021.  
<https://www.ruraltransformation.gov.bz/publications-and-more/news-and-press-releases/resumption-of-the-national-child-labour-committee/>
- 44 Government of Belize. The Anti-Trafficking in Persons Council. Accessed February 24, 2020.  
<http://humandevlopment.gov.bz/index.php/atips/>
- 45 Government of Belize. Anti-Trafficking in Persons Symposium – Government of Belize Press Office. November 4, 2021.  
<https://www.pressoffice.gov.bz/anti-trafficking-in-persons-symposium/>
- 46 National Committee for Families and Children. About us. Accessed February 24, 2022.  
<https://www.ncfc.org.bz/>
- 47 Government of Belize. Children's Agenda 2017–2030. May 15, 2017. Source on file.
- 48 The San Pedro Sun. The Children's Agenda 2017–2030 officially launched. June 15, 2017.  
<https://www.sanpedrosun.com/youth/2017/06/15/childrens-agenda-2017-2030-officially-launched/>
- 49 Government of Belize. National Child Labor Policy. 2009. Source on file.
- 50 Government of Belize. Labour Department, ILO and UNICEF Host Online Child Labour Policy Workshop – Government of Belize Press Office November 29, 2021.  
<https://www.pressoffice.gov.bz/labour-department-ilo-and-unicef-host-online-child-labour-policy-workshop/>
- 51 Rei, Diego. Revitalizing Belize's efforts to eliminate child labour. ILO. January 3, 2022.  
[https://www.ilo.org/caribbean/newsroom/WCMS\\_833454/lang--en/index.htm](https://www.ilo.org/caribbean/newsroom/WCMS_833454/lang--en/index.htm)
- 52 ILO. Revitalizing Belize's efforts to eliminate child labour. January 3, 2022.  
[https://www.ilo.org/caribbean/newsroom/WCMS\\_833454/lang--en/index.htm](https://www.ilo.org/caribbean/newsroom/WCMS_833454/lang--en/index.htm)
- 53 UNICEF. Road Map To End Child Marriage and Early Unions in Belize. October 2020.  
<https://www.unicef.org/belize/publications-and-reports/road-map-end-child-marriage-and-early-unions-belize>
- 54 UNICEF. Belize launches road map to end child marriage and early unions. October 9, 2020.  
<https://www.unicef.org/belize/publications-and-reports/road-map-end-child-marriage-and-early-unions-belize>
- 55 United Nations Development Program. COVID-19 Socioeconomic Impact Assessment - Belize 2020 January 4, 2021.  
<https://www.bz.undp.org/content/belize/en/home/research---publications/socioeconomic-impact-of-the-covid-19-pandemic-in-belize.html>
- 56 Reliefweb. World Bank Supports Programs to Assist over 13,000 Households in Belize in Response to COVID-19 Crisis. July 14, 2020.  
<https://www.worldbank.org/en/news/press-release/2020/07/13/world-bank-supports-programs-to-assist-over-13000-households-in-belize-in-response-to-covid-19-crisis>
- 57 Humes, Aaron. Belize Sugar Cane Farmers Association announces initiatives against child labour. Breaking Belize News. June 17, 2021.  
<https://www.breakingbelizenews.com/2021/06/17/belize-sugar-cane-farmers-association-announces-initiatives-against-child-labour/>
- 58 U.S. Embassy- Belmopan official. E-mail communication to USDOL official. March 24, 2022.
- 59 Government of Belize. Belize Covid-19 Cash Transfer Program (BCCAT) n.d.  
<http://humandevlopment.gov.bz/index.php/bccat/>
- 60 Sugar online. Belize: Government teams with EU on child labour consultation. April 13, 2017.  
<https://www.sugaronline.com/2017/04/12/belize-government-teams-with-eu-on-child-labour-consultation/>
- 61 U.S. Embassy- Belmopan official. E-mail communication to USDOL official. June 28, 2021.



In 2021, Benin made moderate advancement in efforts to eliminate the worst forms of child labor. The Ministry of Social Affairs removed 400 children from child labor as a result of social services inspections. In addition, the Administrative Census for Population Identification registered citizens without identity documents, and the Government of Benin streamlined processes for birth registration. 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. (1-7) 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 (Unavailable)
Attending School (%)	5 to 14	67.9
Combining Work and School (%)	7 to 14	16.8
Primary Completion Rate (%)		62.4

Source for primary completion rate: Data from 2020, published by UNESCO Institute for Statistics, 2022. (8)

Source for all other data: International Labor Organization's analysis of statistics from Demographic and Health Survey (DHS), 2017–2018. (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	Production of cotton, including exposure to pesticides† (2,4)
	Capturing,† cleaning, and descaling fish (2,3,10,11)
	Raising livestock† (2,11)
Industry	Washing† and sieving† in gold mining and collecting,† crushing,† and sieving stones† for gravel and granite quarrying (2,6,7,12,13)
	Construction (2,3,12)
Services	Domestic work† (1,2,7,14)
	Working in the transportation industry† (2,10,12)
	Street work, including vending† and begging (2,14-19)
	Dressmaking† and carpentry† (11)
	Trade, including wading into water and carrying heavy loads while loading and unloading boats (21)
	Work in restaurants and bars (2)

# Benin

## MODERATE 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 granite quarrying, domestic work, vending, handicraft activities, fishing, and agriculture, including in the production of cotton (1-4,6,7,12,14,16,18,22)
	Use in illicit activities, including drug trafficking; selling smuggled gasoline on roadsides; and illegally selling alcohol, cigarettes, and pharmaceutical products on the street (2,3)
	Forced begging (2)
	Commercial sexual exploitation, sometimes as a result of human trafficking, and use in the production of pornography (1-3,7,23)

† 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.



Child trafficking occurs mostly within Benin but it also occurs to other countries, primarily Gabon, Togo, Nigeria, and the Republic of the Congo, for purposes of domestic work, commercial sexual exploitation, and work in vending, agriculture, and mining. (1,2,7,24) Children living in the northern regions of Benin are particularly vulnerable to human trafficking to urban regions in southern Benin. (1) Reports also indicate that children living in the lakeside areas of southeastern Benin, including the commune of So Ava, are sometimes subjected to debt bondage. (2) Children work below the minimum age in the production of cotton, Benin's top export crop, and they are sometimes exposed to dangerous pesticides. (2) Furthermore, children are subjected to hazardous labor, and at times forced labor, in granite quarrying. (6) 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 are subjected to labor exploitation and sexual abuse. (7,10,14,25)

In Benin, primary education is free and compulsory for all children between ages 6 and 11, and secondary education is free for girls through grade nine. (26) While boys and girls attend primary school at roughly the same rates, gaps persist between boys and girls in terms of access to, and completion of secondary school. (27-29) Evidence suggests that incidences of abuse in school, including corporal punishment (outlawed in 2015), sexual harassment, and sexual abuse by teachers in exchange for better grades, continue to hamper educational access, especially for girls. (2,3,23) In December 2021, Benin imposed more severe penalties for sexual harassment and sexual abuse by teachers when it passed a law putting the two crimes under the national Court for the Repression of Economic Crimes and Terrorism. (24) Inadequate toilets and sanitation facilities, as well as lack of access to menstruation education and products, are further barriers to girls’ education. (3,24,27) In Benin, other barriers to education include the need to travel long distances, insufficient quantity of school staff, and inadequate access for students with disabilities. (2,25,30,31) To address the latter, the government runs 20 specialty schools in the country. (2) In rural areas, sometimes children do not have birth certificates due to the costs and parents’ limited understanding of birth registration procedures. Since birth certificates are required for school enrollment, children without documentation may be denied access to education. (2,23,26)



## 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	✓

**Table 3. Ratification of International Conventions on Child Labor (Cont.)**

Convention	Ratification
 ILO C. 138, Minimum Age	✓
ILO C. 182, Worst Forms of Child Labor	✓
 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 the lack of free public basic education guaranteed by law.

**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 (32,33)
Minimum Age for Hazardous Work	Yes	18	Articles 210 and 353 of the Child Code; Article 1 of the Hazardous Occupations List (33,34)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Hazardous Occupations List (34)
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 (32,33,35)
Prohibition of Child Trafficking	Yes		Articles 2–4, 6, 15–16, 18, and 21–25 of the Law Relating to the Transportation and Trafficking of Minors; Articles 201, 212, 352, and 353 of the Child Code; Articles 499–501 and 504 of the Penal Code (32,33,35,36)
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 (33,35–37)
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 (33,35)
Minimum Age for Voluntary State Military Recruitment	Yes	18	Article 6 of Law 2005-43 (38)
Prohibition of Compulsory Recruitment of Children by (State) Military	Yes		Article 6 of Law 2005-43; Title II, Article 32 of the Constitution (38,39)
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 (35)
Compulsory Education Age	No	11‡	Article 24 of Act No 2003-17; Article 113 of the Child Code (33,37,40)
Free Public Education	No		Article 13 of the Constitution; Article 114 of the Child Code; Article 24 of Act No 2003-17 (33,39,40)

‡ Age calculated based on available information (26,40)

Children in Benin are required to attend primary school, which lasts 6 years and typically ends at age 11. This standard makes children ages 12 through 14 vulnerable to child labor as they are not required to attend school but are not legally permitted to work. (32,33,40) 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. (10,32,33,37,40,41) In addition, while the law provides free primary education to all children, basic education through the lower secondary level is not guaranteed by law, which may increase the risk of children's vulnerability to child labor. (33,39,40)

# Benin

## MODERATE ADVANCEMENT

### III. ENFORCEMENT OF LAWS ON CHILD LABOR

The government has established institutional mechanisms for the enforcement of laws and regulations on child labor (Table 5). However, gaps exist within the operations of 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 Civil Service (MOLCS)	Enforces child labor laws and investigates labor code infractions. (2,20,42) Refers child laborers found during inspections to social services and to shelters run by the government or non-governmental organizations. (2) Coordinates the National Executive Committee to Combat Child Labor ( <i>Comité Directeur National de Lutte Contre le Travail des Enfants</i> (CDN)). (2)
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, Families, and the Prevention of Human Trafficking (OCPM). (1,3) Maintains a child trafficking database—Benin's Children ( <i>Enfants du Benin</i> )—to track and process child trafficking cases. (1) Coordinates with MOLCS to inspect labor code infractions related to child labor, and coordinates with the Ministry of Social Affairs and Microfinance to provide assistance to victims of labor exploitation. (3) The government allocated a budget of approximately \$118,000 to the OCPM in 2021. (2) Through OCPM's vice squad ( <i>Brigade des Moeurs</i> ), addresses human trafficking for sexual exploitation. (2,3)
Beninese Human Rights Commission	Independent government institution empowered to receive complaints related to human rights violations, investigate them, and issue administrative instructions to other state agencies to remedy the violation or enforce the law. In 2021, received and investigated several child labor complaints. (2)

#### Labor Law Enforcement

In 2021, labor law enforcement agencies in Benin took actions to address child labor (Table 6). However, gaps exist within the operations of the Ministry of Labor and Civil Service (MOLCS) that may hinder adequate labor law enforcement, including restrictions on inspections in agriculture.

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

Overview of Labor Law Enforcement	2020	2021
Labor Inspectorate Funding	\$200,000 (3)	\$189,000 (2)
Number of Labor Inspectors	35 (3)	35 (19)
Mechanism to Assess Civil Penalties	Yes (32)	Yes (32)
Initial Training for New Labor Inspectors	No (3)	No (2)
Training on New Laws Related to Child Labor	No (3)	No (2)
Refresher Courses Provided	No (3)	No (2)
Number of Labor Inspections Conducted	2,070 (3)	1,015 (24)
Number Conducted at Worksite	2,070 (3)	1,015 (24)
Number of Child Labor Violations Found	1,273 (3)	620 (24)
Number of Child Labor Violations for Which Penalties Were Imposed	0 (3)	Unknown (2)
Number of Child Labor Penalties Imposed that Were Collected	N/A (3)	Unknown (2)
Routine Inspections Conducted	Yes (3)	Yes (2)
Routine Inspections Targeted	Yes (3)	Yes (2)
Unannounced Inspections Permitted	Yes (32)	Yes (32)
Unannounced Inspections Conducted	Yes (3)	Yes (2)
Complaint Mechanism Exists	Yes (3)	Yes (2)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (3)	Yes (2)

Labor inspections are conducted via committee and require the presence of labor inspectors, police officers, and social workers. In practice, research suggests that these requirements create logistical challenges to the labor inspection process. (2) MOLCS estimated that its budget allocation only met 10 percent of its needs, and the labor inspectorate lacked sufficient transportation to conduct regular inspections. (2) The number of labor inspectors is likely insufficient for the size of Benin's workforce, which includes over 3.8 million workers. According to the ILO's technical advice of a ratio approaching 1 inspector for every 40,000 workers in less developed economies, Benin would need to employ about 92 inspectors. (43,44)



The government prioritized labor inspections of apprenticeship arrangements, including in construction, carpentry, cosmetology, and metalworking. (13) Resource constraints prevented sufficient inspections in quarries, in which an estimated 70 percent of workers are children. With UNICEF support, however, the government conducted inspections at quarries in 3 out of 12 departments. (2,13) MOLCS claims that it is not permitted to conduct labor inspections in agriculture due to the lack of an interministerial decree from the Ministry of Agriculture. The labor code, by contrast, allows labor inspectors to freely enter any workplace to carry out investigations, and it requires all civil authorities to collaborate with labor officials to facilitate inspections. (2,13,19) This gap between law and practice means that no inspections are carried out in agriculture, a sector in which child labor is known to be present. (2,13,19)

### **Criminal Law Enforcement**

In 2021, criminal law enforcement agencies in Benin took actions to address 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	2020	2021
Initial Training for New Criminal Investigators	No (3)	Yes (2)
Training on New Laws Related to the Worst Forms of Child Labor	N/A (3)	No (2)
Refresher Courses Provided	No (3)	Yes (45)
Number of Investigations	Unknown (3)	Unknown (2)
Number of Violations Found	Unknown (3)	Unknown (2)
Number of Prosecutions Initiated	Unknown (3)	Unknown (2)
Number of Convictions	Unknown (3)	Unknown (2)
Imposed Penalties for Violations Related to the Worst Forms of Child Labor	No (3)	Unknown (2)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (3)	Yes (2)

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 social workers regularly refer cases. (2) The government also runs a child assistance hotline, which takes anonymous tips and is staffed 24 hours a day by French and local language speakers. Tips involving child trafficking and child labor are referred to social services and criminal authorities. (1,3) Criminal law enforcement officers received initial training on child labor and child trafficking as part of the National Police Academy's curriculum, but the government and UNICEF have assessed the training as insufficient. (2) The government does not maintain a centralized criminal records database. As a result, it did not provide complete information on its criminal law enforcement efforts, including the number of investigations, violations found, prosecutions initiated, convictions, or penalties imposed for inclusion in this report. (2,24) In addition, courts often prosecute criminal cases related to labor under charges of child abuse or illegal movement of children. (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 lack of coordination among agencies.

## MODERATE ADVANCEMENT

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

Coordinating Body	Role & Description
National Executive Committee to Combat Child Labor ( <i>Comité Directeur National de Lutte contre le Travail des Enfants, CDN</i> )	Coordinates efforts to address child labor. Falls under the jurisdiction of MOLCS and includes delegates from the ILO, UNICEF, trade unions, local NGOs, and other government ministries. (2,3) Met during the reporting period. (19)
National Monitoring and Coordination Working Group for Child Protection	Established by decree in 2006 and chaired by the Ministry of Social Affairs and Microfinance's Secretary-General. Comprises 40 member organizations, including international NGOs, civil society groups, and government ministries. (3) Includes five technical committees: (1) trafficking and exploitation, (2) juvenile justice, (3) violence against children, (4) orphans and vulnerable children, and (5) early childhood. (3) Met twice during the reporting period to review child protection efforts, including initiatives to address child labor. (2)
Interministerial 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. (3,46,47) In 2021, convened for the first time since 2019, and met on an ad-hoc basis to compile and review trafficking in persons-related data. (2,45)
Ministry of Social Affairs and Microfinance	Works on committees with labor inspectors from MOLCS to conduct labor inspections at worksites. (2) Refers cases of child labor to criminal law enforcement. (2) Provides social assistance and social support services to vulnerable populations and is the lead agency for child protection in Benin. (3,42) Manages a Child Assistance hotline ( <i>Ligne d'Assistance aux Enfants</i> ) with support from UNICEF. (2,19) Operates 85 Social Promotion Centers (CPS) across the country, which provide social services to vulnerable citizens, including survivors of human trafficking and labor exploitation. CPSs also operate a referral mechanism for child labor with the local police, OCPM, and MOLCS. (11,22,45,48) Through the Family and Child Monitoring Office, maintains Child Pro, a database for child trafficking statistics. (1,22) In 2021, the Ministry of Social Affairs removed 400 children from child labor as a result of social services inspections, and it removed a separate 550 child trafficking survivors from the worst forms of child labor. (2)

Research found that there is a lack of effective coordination among agencies responsible for addressing the needs of vulnerable children, partially due to a lack of clarity regarding institutional mandates and gaps in communication regarding child labor data. (2,3,10)

## V. GOVERNMENT POLICIES ON CHILD LABOR

The government has established policies related to child labor (Table 9). However, policy gaps exist that hinder efforts to address child labor, including insufficient incorporation of 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; and (6) institutional mechanisms, and monitoring and evaluation of the plan. (3,49) Includes a vocational education program focused on formalizing and regulating apprenticeships for children. (24) In 2021, as part of this action plan, the Minister of Labor and Civil Service undertook additional inspections of apprenticeship arrangements and granted awards to apprenticeship masters who complied with child labor laws. (2,19)
Cooperative Agreement to Combat Cross-Border Trafficking	Aims to protect migrant children and survivors of transborder human trafficking. A tripartite cooperative agreement among the Governments of Benin, Burkina Faso, and Togo committing to cooperate and assist each other in the investigation of human trafficking offenses. (10) During the reporting period, Benin and Togo cooperated in investigating several trafficking cases. (19)
National Action Plan to Fight Trafficking in Persons (2020–2024)	Aims to eradicate human trafficking in Benin by strengthening governmental systems and institutional framework. (1,50) In 2021, as part of this policy, the Ministry of Social Affairs and Microfinance continued the implementation of SIDoFFE-New Generation, which allows Benin's 85 CPSs to input data relating to child protection, including child labor and child trafficking. (45)

The government indicates that inadequate resources were dedicated to the National Action Plan to Fight Trafficking in Persons. (19) In addition, the Education Sector Plan does not incorporate child labor elimination and prevention strategies. (51)

## VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2021, 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 inadequacy of programs to address the full scope of the problem.

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

Program	Description
Government-Funded Shelters†	OCPM operates an interim care facility for children rescued from child trafficking or labor exploitation. The center, which has capacity for 160 children, provides housing and medical, legal, and psychological services. (1,2) After cases are processed, children are typically reunited with their families, placed with foster families, or relocated to long-term shelters. During the reporting period, the government granted or reissued permits to 72 child protection intake centers. (2)
Government-Funded Retraining Centers†	Vocational school program to train survivors of child trafficking in a trade, maintained by MOLCS, with the assistance from UNICEF. (52) Research was unable to determine whether activities were undertaken as part of this program during the reporting year.
Integrated National School Feeding Program (2017–2021)†	\$87 million Government of Benin-funded program managed by the World Food Program. The project aimed to improve school retention and reduce child hunger by implementing feeding programs at 3,851 schools. (29,53) The program ended in December 2021. (29)
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. (54) In 2021, the Government of Benin continued to fund a portion of this project. (2)
Administrative Census for Population Identification †	Government of Benin-funded program to identify and register citizens lacking identity documents. As part of the Administrative Census, the government also standardized birth registration fees and created a new digital database with an online birth certificate application option that guarantees delivery of birth certificates within 30 days. (2) This program continued in 2021. (2)

† 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. (2,20,55-57)

During the reporting period, the impact of the COVID-19 pandemic reduced the capacity of the Central Office for the Protection of Minors, Families, and the Prevention of Human Trafficking shelters. Logistical challenges in testing, isolating, and quarantining survivors of human trafficking also affected shelters. (19) 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 work in agriculture. (2,46)

## 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 Benin (Table 11).

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

Area	Suggested Action	Year(s) Suggested
Legal Framework	Establish by law free basic public education, including lower secondary education.	2021
	Ensure that the age up to which education is compulsory is the same as the minimum age for work.	2021
Enforcement	Provide initial training, training on new laws, and refresher courses on child labor for labor inspectors and provide training on new laws for criminal law enforcement officials.	2013 – 2021
	Publish data on labor law enforcement efforts, including penalties imposed and collected.	2021
	Increase financial resources to enforce laws against child labor.	2009 – 2021
	Improve interministerial coordination in the planning and completion of labor inspections.	2021

## MODERATE ADVANCEMENT

**Table 11. 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.	2015 – 2021
	Expand labor inspections in sectors with a high prevalence of child labor, including quarrying.	2019 – 2021
	Allow the labor inspectorate to freely conduct inspections in the agriculture sector as permitted by the labor code.	2021
	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 – 2021
	Ensure that criminal offenses related to the worst forms of child labor are investigated and prosecuted under the relevant laws.	2021
Coordination	Ensure effective coordination among agencies, including by improving communication regarding the collection and sharing of data.	2019 – 2021
Government Policies	Dedicate adequate resources to support the implementation of all policies related to child labor and child trafficking, including the National Action Plan to Fight Trafficking in Persons.	2010 – 2021
	Ensure that child labor elimination and prevention strategies are integrated into the Education Sector Plan.	2010 – 2021
Social Programs	Increase access to education by ensuring the safety of children, especially girls, in schools, providing access to sanitation facilities and feminine hygiene products, ensuring accommodations in schools for children with disabilities, providing reliable transportation to schools, improving school infrastructure, and increasing birth registration rates.	2010 – 2021
	Ensure that shelters have sufficient space and resources to care for survivors of child trafficking and labor exploitation.	2021
	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 – 2021
	Report on the activities of government-funded retraining centers.	2021

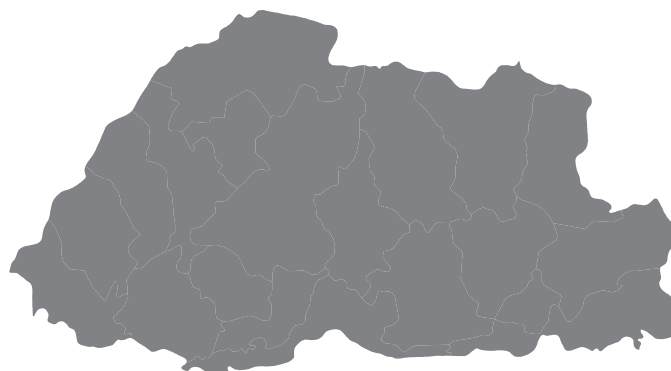
## REFERENCES

- U.S. Department of State. Trafficking in Persons Report- 2021: Benin Washington, D.C., July 1, 2021. <https://www.state.gov/reports/2021-trafficking-in-persons-report/benin/>
- U.S. Embassy- Cotonou. Reporting. January 14, 2022.
- U.S. Embassy- Cotonou. Reporting. January 21, 2021.
- Idrissou, Moutarou. Les enfants, esclaves et victimes de la production cotonnière dans l'Atacora. Agence Bénin Presse. June 23, 2021. Source on file.
- aCotonou. Travail des enfants dans le Mono: Des mineurs exploités dans les carrières de gravier à Lokossa. October 2, 2019. <http://news.acotonou.com/h/121289.html>
- OIT-IPEC. Étude d'approfondissement des connaissances sur le travail des enfants dans les mines et carrières du Bénin. May 2013. [https://www.ilo.org/ipsec/Informationresources/WCMS\\_IPEC\\_PUB\\_22815/lang--fr/index.htm](https://www.ilo.org/ipsec/Informationresources/WCMS_IPEC_PUB_22815/lang--fr/index.htm)
- ILO Committee of Experts. Individual Observation concerning Worst Forms of Child Labour Convention, 1999 (No. 182) Benin (ratification: 2001). Published: 2022. [https://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100\\_COMMENT\\_ID:4117384:YES](https://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:4117384:YES).
- UNESCO Institute for Statistics. Gross intake ratio to the last grade of primary education, both sexes (%). Accessed March 3, 2022. For more information, please see "Children's Work and Education Statistics: Sources and Definitions" in the Reference Materials section of this report. <http://data.uis.unesco.org/>
- ILO. Analysis of Child Economic Activity and School Attendance Statistics from National Household or Child Labor Surveys. Original data from Demographic and Health Survey (DHS), 2017–2018. Analysis received March 2022. Please see "Children's Work and Education Statistics: Sources and Definitions" in the Reference Materials section of this report.
- U.S. Embassy- Cotonou. Reporting. January 27, 2020.
- U.S. Embassy- Cotonou official. E-mail communication to USDOL official. February 23, 2018.
- U.S. Embassy- Cotonou. Reporting. January 25, 2019.
- U.S. Embassy- Cotonou. Reporting. October 27, 2021.
- Lepidi Pierre. Au Bénin, l'exploitation des « enfants placés », entre maltraitance et violences sexuelles. Le Monde, August 13, 2021. [https://www.lemonde.fr/afrique/article/2021/08/13/benin-le-travail-des-enfants-places-entre-tradition-et-exploitation\\_6091377\\_3212.html](https://www.lemonde.fr/afrique/article/2021/08/13/benin-le-travail-des-enfants-places-entre-tradition-et-exploitation_6091377_3212.html)
- Josaphat. Travail des enfants: L'éternel phénomène toujours irrésolu au Bénin. Benin Web TV, May 20, 2017. Source on file.
- Houssou, Rachida. Le triste sort des enfants vulnérables du Bénin. BBC News Afrique. September 24, 2019. <https://www.bbc.com/afrique/region-49761445>
- L'Agence Bénin Presse. Kandi: Caritas-Bénin et le gouvernement oeuvrent pour la réinsertion des enfants en situation de mendicité. January 11, 2018. Source on file.
- France24. Over half of Benin's children forced into employment. June 12, 2021. <https://www.france24.com/en/video/20210612-over-half-of-benin-s-children-forced-into-employment>
- U.S. Embassy- Cotonou official. E-mail communication with USDOL official. February 7, 2022.
- U.S. Embassy- Cotonou. Reporting. January 20, 2017.
- Degnidé, Innocent. Médédjonou: Quand le travail des enfants compromet le développement de la localité. Agence Bénin Presse. November 22, 2020. Source on file.
- U.S. Embassy- Cotonou. Reporting. March 26, 2019.
- UN Committee on the Rights of the Child. Concluding observations on the report submitted by Benin under article 12 (1) of the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography. November 2018. CRC/c/OPSC/BEN/CO/1. <https://undocs.org/CRC/C/OPSC/BEN/CO/1>



- 24 U.S. Embassy- Cotonou official. E-mail communication to USDOL official. April 20, 2022.
- 25 UN Human Rights Council. Compilation on Benin – Report of the Office of the United Nations High Commissioner for Human Rights. August 24, 2017: A/HRC/WG.6/28/BEN/2. <https://digitallibrary.un.org/record/1304911>
- 26 U.S. Department of State. Country report on Human Rights Practices- 2020: Benin Washington, D.C. March 30, 2021. <https://www.state.gov/reports/2020-country-reports-on-human-rights-practices/benin/>
- 27 Lepidi, Pierre Au Bénin, la scolarisation des filles reste un combat. Le Monde February 11, 2018. [https://www.lemonde.fr/afrique/article/2018/02/11/au-benin-la-scolarisation-des-filles-reste-un-combat\\_5255188\\_3212.html](https://www.lemonde.fr/afrique/article/2018/02/11/au-benin-la-scolarisation-des-filles-reste-un-combat_5255188_3212.html)
- 28 USAID. International Data & Economic Analysis (IDEA): Benin. Accessed February 22, 2022. <https://idea.usaid.gov/cd/benin/education#tab-secondary-education>
- 29 World Food Program and the Government of Benin. Évaluation décentralisée conjointe finale du Programme National d’Alimentation Scolaire Intégré (PNASI) au Bénin 2017 à 2021. September 10, 2021. <https://docs.wfp.org/api/documents/WFP-0000132292/download/>
- 30 Government of Benin. POLITIQUE NATIONALE DE PROTECTION ET D’INTEGRATION DES PERSONNES HANDICAPEES. Enacted: 2011. [https://www.ilo.org/dyn/natlex/natlex4.detail?p\\_lang=en&p\\_isn=108213&p\\_country=BEN&p\\_count=6](https://www.ilo.org/dyn/natlex/natlex4.detail?p_lang=en&p_isn=108213&p_country=BEN&p_count=6)
- 31 UN Human Rights Council. Summary of stakeholders’ submissions on Benin - Report of the Office of the United Nations High Commissioner for Human Rights. August 8, 2017: A/HRC/WG.6/28/BEN/3. Source on file.
- 32 Government of Benin. Code du travail, Loi n° 98-004. Enacted: January 27, 1998. [https://fonacbenin.files.wordpress.com/2014/09/1998\\_loi-portant-code-du-travail.pdf](https://fonacbenin.files.wordpress.com/2014/09/1998_loi-portant-code-du-travail.pdf)
- 33 Government of Benin. Code de l’enfant en République du Bénin, Loi n° 2015-08. Enacted: January 23, 2015. <https://www.ilo.org/dyn/natlex/docs/ELECTRONIC/99941/119603/F-860169827/BEN-99941.pdf>
- 34 Government of Benin. Liste des travaux dangereux interdits aux enfants en République du Bénin, Décret n° 200-029. Enacted: January 31, 2011. Source on file.
- 35 Government of Benin. Conditions de déplacement des mineurs et répression de la traite d’enfants en République du Bénin, Loi n° 2006-04. Enacted: April 10, 2006. <http://www.ilo.org/dyn/natlex/docs/SERIAL/73266/74783/F93417100/BEN73266.pdf>
- 36 Government of Benin. Code pénal, Loi n° 2018-16. Enacted: December 28, 2018. Source on file.
- 37 Government of Benin. Prévention et Répression des Violences Faites aux Femmes, Loi n° 2011-26. Enacted: January 9, 2012. <https://sgg.gouv.bj/doc/loi-2011-26/>
- 38 Government of Benin. Statut Général des Personnels Militaires des Forces Armées Béninoises, Loi n° 2005-43. Enacted: June 26, 2006. Source on file.
- 39 Government of Benin. Constitution of the Republic of Benin. Enacted: 1990. Source on file.
- 40 Government of Benin. Orientation de l’Éducation Nationale en République du Bénin, Loi n° 2003-17. Enacted: November 11, 2003. <http://www.axl.cefan.ulaval.ca/afrique/benin-loi-17-2003.htm>
- 41 ILO Committee of Experts. Individual Observation convening Minimum Age Convention, 1973 (No. 138) Benin (ratification: 2001). Published: 2022. [https://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100\\_COMMENT\\_ID:4116103:YES](https://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:4116103:YES)
- 42 Government of Benin. Normes du Travail au Bénin. Cotonou, Ministère du Travail, de la Fonction Publique, et des Affaires Sociales. 2017. Source on file.
- 43 ILO Labor Force Statistics (LFS). Population and labour force. Accessed (January 25, 2022). <https://ilostat.ilo.org/data/>
- 44 UN. World Economic Situation and Prospects. 2021. [https://www.un.org/development/desa/dpad/wp-content/uploads/sites/45/WESP2021\\_ANNEX.pdf](https://www.un.org/development/desa/dpad/wp-content/uploads/sites/45/WESP2021_ANNEX.pdf)
- 45 U.S. Embassy- Cotonou. Reporting. February 9, 2022.
- 46 U.S. Embassy- Cotonou. Reporting. February 14, 2020.
- 47 U.S. Embassy- Cotonou. Reporting. February 19, 2021.
- 48 Government of Benin. Centre de Promotion Social- Website. Ministère des Affaires Sociales et de la Microfinance. Accessed February 23, 2022. <https://social.gouv.bj/cps/>
- 49 ILO Committee of Experts. Worst Forms of Child Labour Convention, 1999 (No. 182) Benin (ratification: 2001). Published: 2022. [https://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:13100:0::NO:P13100\\_COMMENT\\_ID:4117386](https://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:13100:0::NO:P13100_COMMENT_ID:4117386)
- 50 Government of Benin. 2020–2024 ACTION PLAN TO FIGHT TRAFFICKING IN BENIN. 2020. Source on file.
- 51 Government of Benin. Plan Sectoriel de l’Education Post 2015 (2018–2030). Ministère des Enseignements Maternel et Primaire. April 2018. <https://www.globalpartnership.org/fr/content/plan-sectoriel-de-leducation-2018-2030-du-benin>
- 52 U.S. Embassy- Cotonou official. E-mail communication to USDOL official. February 26, 2021.
- 53 Fominyen, George. Eat, grow, study: School feeding in Africa. World Food Programme, March 1, 2019. <https://insight.wfp.org/eat-grow-study-school-feeding-in-africa-e255da108eb0>
- 54 USDA official. E-mail communication to USDOL official. April 1, 2019.
- 55 U.S. Embassy- Cotonou official. E-mail communication to USDOL official. February 21, 2017.
- 56 Government of Benin. Programme d’Action du Gouvernement 2016–2021. 2016. Source on file.
- 57 ILO-IPEC Geneva official. E-mail communication to USDOL official. February 9, 2017.

In 2021, Bhutan made moderate advancement in efforts to eliminate the worst forms of child labor. The National Commission for Women and Children developed a Standard Operating Procedure for children in difficult circumstances. The commission also launched a mobile application that allows people to report violations against women and children, including child labor violations, and connects citizens to the national helpline. However, children in Bhutan are subjected to the worst forms of child labor, including commercial sexual exploitation, as a result of trafficking and forced domestic work and care-giving. 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 criminal law enforcement efforts.



## I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Bhutan are subjected to the worst forms of child labor, including in forced domestic work and care giving. (1,2) Table 1 provides key indicators on children's work and education in Bhutan.

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

Children	Age	Percent
Working (% and population)	5 to 14	3.8 (6,338)
Attending School (%)	5 to 14	84.7
Combining Work and School (%)	7 to 14	3.3
Primary Completion Rate (%)		82.1

Source for primary completion rate: Data from 2020, 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 4 (MICS 4), 2010. (4)

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

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

Sector/Industry	Activity
Agriculture	Farming, activities unknown (5)
Industry	Construction,† activities unknown (6-8)
Services	Domestic work (2,5)
	Work in hospitality services, including restaurants (2,5)
	Work in automobile workshops (2)
Categorical Worst Forms of Child Labor‡	Commercial sexual exploitation, as a result of human trafficking (2)
	Forced domestic work, including forced care-giving (2,5)

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

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

There is a lack of current data on child labor in Bhutan. To date, no national survey on child labor has been conducted. Bhutanese girls are victims of sex and labor trafficking, including forced domestic work and caregiving. (2) Some are trafficked through debt bondage and threats of physical abuse. Media outlets have reported instances of child labor in Bhutan's restaurants and automobile workshop industries, with some indications of forced child labor. Some Indian children are trafficked into Bhutan for the purpose of domestic servitude. (2,9)

# Bhutan







## MODERATE ADVANCEMENT

The government provides free education to all Bhutanese citizens until grade 10. (10) While the Royal Government of Bhutan has committed to achieving universal student attendance in its 12th five-year plan, research was unable to determine whether the plan has been implemented. (10,11) Children living in remote villages, children from nomadic communities or migrant populations, and children with disabilities face significant difficulties in accessing public schools, including long distances to school and lack of transportation. (1,2,11,12) 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. (2,5,13)

## II. LEGAL FRAMEWORK FOR CHILD LABOR

Bhutan has ratified some key international conventions concerning child labor (Table 3). Bhutan is not a member of the ILO.

**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 Labour 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 Labour and Employment Act (14)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Section 9(e) of the Labour and Employment Act; Section 9 of the Regulation on Acceptable Forms of Child Labor (14,15)
Prohibition of Forced Labor	No		Amendment 9 of Penal Code (Amendment) Act of Bhutan 2021; Section 11 of Acceptable Forms of Child Labour, 2009; Sections 6–8, 9(a), and 10 of the Labor and Employment Act; Sections 154–155 of the Penal Code; Preamble, and Sections 221 and 224 of the Child Care and Protection Act (15-16)
Prohibition of Child Trafficking	No		Section 9(a) of the Labour and Employment Act; Sections 221 and 224 of the Child Care and Protection Act; Amendment 9 of Penal Code (Amendment) Act of Bhutan 2021; Sections 154 and 379–380 of the Penal Code (14,16-18,19)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Section 9(b) of the Labour and Employment Act; Sections 222–224 of the Child Care and Protection Act; Sections 225 and 375–380 of the Penal Code (14,17,18)
Prohibition of Using Children in Illicit Activities	Yes		Section 9(c) of the Labour and Employment Act; Sections 216 and 220 of the Child Care and Protection Act (14,17)
Minimum Age for Voluntary State Military Recruitment	Yes	18	Defense Service Rules and Regulations (20)

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

Standard	Meets International Standards	Age	Legislation
Prohibition of Compulsory Recruitment of Children by (State) Military	N/A*		
Prohibition of Military Recruitment by Non-state Armed Groups	Yes		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 (21)

\* Country has no conscription (20)

Bhutan's minimum age for work is not compliant with international standards because the Labour and Employment Act allows children under age 14 to work. (14) Although Bhutan provides free education through grade 10, attendance is not compulsory, which may increase the risk of children's involvement in child labor. (2,10) Laws prohibiting forced labor are not sufficient as they do not criminalize slavery. (15-17) While there is no explicit prohibition on slavery, Bhutan does criminalize practices similar to slavery such as sale of children, debt bondage, and forced labor. (14,18) While 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, it still includes the necessity of force, fraud, or coercion in child trafficking cases. (5,16,19,22)

Although the Royal Government of Bhutan reports that the minimum age for voluntary recruitment into Bhutan's military is 18, the relevant Defense Service Rules and Regulations were not available for public review. (20,22)

### 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
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. (5,10) Regularly inspects companies for compliance with the Labour 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. (23)
Royal Bhutan Police	Investigates and enforces criminal laws related to the worst forms of child labor. Includes 3 dedicated Women and Child Protection Units and 10 Women and Child Protection Desks tasked with enforcing laws protecting women and children. (5,24) Refers survivors of child abuse and exploitation to child welfare officers and the National Commission for Women and Children. (5,18)
Child Justice Court	Adjudicates criminal and civil cases involving child labor. (5,18)

#### **Labor Law Enforcement**

In 2021, labor law enforcement agencies in Bhutan took actions to address 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 insufficient financial and human resource allocation.



# Bhutan

## MODERATE ADVANCEMENT

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

Overview of Labor Law Enforcement	2020	2021
Labor Inspectorate Funding	Unknown (5)	\$180,360† (10)
Number of Labor Inspectors	Unknown (10)	23† (10)
Mechanism to Assess Civil Penalties	Yes (14)	Yes (14)
Initial Training for New Labor Inspectors	Yes (5)	Yes (10)
Training on New Laws Related to Child Labor	N/A	Yes (10)
Refresher Courses Provided	Unknown (5)	No (10)
Number of Labor Inspections Conducted	2711 (10)	998† (10)
Number Conducted at Worksite	2,350 (25)	998† (10)
Number of Child Labor Violations Found	Unknown (5)	Unknown (10)
Number of Child Labor Violations for Which Penalties Were Imposed	Unknown (5)	N/A (10)
Number of Child Labor Penalties Imposed that Were Collected	Unknown (5)	N/A (10)
Routine Inspections Conducted	Yes (5)	Yes (10)
Routine Inspections Targeted	Yes (5)	No (10)
Unannounced Inspections Permitted	Yes (14)	Yes (14)
Unannounced Inspections Conducted	Yes (5)	Yes (10)
Complaint Mechanism Exists	Yes (5)	Yes (10)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (5)	Yes (10)

† Data from July 2020–June 2021.

Ministry of Labor and Human Resources officials acknowledged that limited financial and human resources place constraints on the number of inspections conducted and inspectors employed. (1) Inspectors lack adequate training regarding human-trafficking and refresher courses were not provided due to budget issues. (2,10) Labor inspectors cannot carry out inspections in private farms or homes. In some cases, exceptions are made if underage child labor is suspected. (5) While the government allocated approximately \$180,360 towards the labor inspectorate, only \$5,000 was targeted towards operational support for child labor inspections. (10)

In 2021, the COVID-19 pandemic hampered government efforts to conduct the required number of labor inspections. Additionally, pandemic-related budget cuts exacerbated logistical and equipment challenges already faced by labor inspectors. (10) While the Royal Government of Bhutan reports that there was sufficient training for labor inspectors in 2021, one Bhutanese Government official has acknowledged that additional training beyond the initial training may be needed. (5,10)

### Criminal Law Enforcement

In 2021, criminal law enforcement agencies in Bhutan took actions to address 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 data on criminal law enforcement efforts.

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

Overview of Criminal Law Enforcement	2020	2021
Initial Training for New Criminal Investigators	Unknown (5)	N/A (10)
Training on New Laws Related to the Worst Forms of Child Labor	N/A	N/A (10)
Refresher Courses Provided	Unknown (5)	N/A (10)
Number of Investigations	Unknown (5)	Unknown (10)
Number of Violations Found	Unknown (5)	Unknown (10)
Number of Prosecutions Initiated	0 (25)	Unknown (10)
Number of Convictions	1 (22)	Unknown (10)
Imposed Penalties for Violations Related to the Worst Forms of Child Labor	Yes (5)	Unknown (10)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (5)	Unknown (10)

In January 2022, a 77-year-old Bhutanese woman was charged with trafficking a non-Bhutanese 13-year-old girl, which was brought to national attention after the trafficked girl died by suicide. (9,26) The child was allegedly trafficked to Bhutan from India around 7 years ago to work as a maid. Bhutan police have indicated that further investigation is outstanding but indicate that the accused will be charged within relevant laws against child labor and trafficking. (26) The government does not publicly release information on criminal law enforcement efforts. (5,10)

The Government of Bhutan, upon the order of the Prime Minister, officially closed the karaoke bars in 2022 to stop worker exploitation. (27) Reports had previously indicated that girls who worked as entertainers in karaoke bars and were vulnerable to trafficking for the purpose of commercial sexual exploitation. (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 a lack of 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 Ministry of Labor and Human Resources, and comprises representatives from government, international organizations, civil society, and the private sector. (28,29) Research was unable to determine whether the Child Labor Task Force was active during the reporting period.
National Commission for Women and Children (NCWC)	Coordinates the implementation of laws and policies that promote and protect the rights of women and children. Comprised of a chairperson at the cabinet level and high-level officials who represent relevant government agencies, NGOs, and the private sector. (30) During the reporting period, NCWC, along with UNICEF and Save the Children, developed a standard operating procedure for children in difficult circumstances, including child labor and the worst forms of child labor. (31,32)
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. (1) Research was unable to determine if the TIP task force met during the reporting period.

Budget cuts have hampered the National Commission for Women and Children (NCWC) from effectively implementing its programs for women and children, including providing shelter homes for children. Bhutanese officials have commented on a lack of protection, probation, and NCWC child welfare officers due to the budget cuts. (33) Due to the pandemic response and national lockdowns, many government officials were reassigned to pandemic response duties. Many government offices were closed, although essential services were still provided. (10)

### V. GOVERNMENT POLICIES ON CHILD LABOR

Research found no evidence that the government has established policies to address child labor. (10)

The government has not adopted a national strategy to address child labor, including hazardous work. (1)

### VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2021, the government funded and participated in programs that may contribute to eliminating or preventing child labor (Table 9). However, gaps exist in these social programs, including the inadequacy of programs to address the problem in all sectors.

# Bhutan

## MODERATE ADVANCEMENT

**Table 9. Key Social Programs to Address Child Labor**

Program	Description
Women and Children Hotlines†	Respond to issues related to women and children, including human trafficking cases and provide emergency assistance and referral services. (23) One hotline is run through NCWC and is managed by a team of counselors, providing counseling and legal services. MOLHR also has a hotline that can receive anonymous complaints about child labor abuses. MOLHR's online system is for employers and employees to report complaints and accidents. (24) During the reporting period, the NCWC launched a mobile application to provide additional access to existing services for women and children in need. The application allows people to report potential rights violations involving women or children. Members of the public also can access this hotline by calling 1098. (31)
Shelters for Vulnerable Women and Children†	Include Project Hope, an NCWC program that provides residential shelters for children at risk of labor exploitation. (1) In 2019, the program was transferred to Respect, Educate, Nurture, and Empower Women (RENEW) as part of its shelter program. RENEW is a Thimphu-based NGO that receives government funding, and provides shelter, counseling, and rehabilitation for women and children who have been victims of human trafficking. (1) The Nazhoen Lamtoen Children Halfway Home also provides shelter, counseling, and support services to children, in part through government funding. (25,34) During the reporting period, supported educational expenses for 18 children currently under NCWC's care as part of the shelter case management process. (31)
Promoting Rights-Based Multi-Sectoral Responses to Prevent Trafficking in Persons in Bhutan (2019–2022)	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 Responses to Prevent Trafficking in Persons in Bhutan. (1) During the reporting period, the UNODC, in collaboration with the Bhutanese government conducted anti-trafficking training to more than 255 students and educators in Thimphu. (35)

† Program is funded by the Royal Government of Bhutan.

Although Bhutan has programs that target children labor, research found that 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 the worst forms of child labor.

According to the 12th Five-Year Plan (2018–2023), the government has included achieving universal student attendance and improving education outcome for primary students by 2023. (10,11) The government has not adopted a national strategy to address child labor, including hazardous 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 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 – 2021
	Ensure that laws on child labor comply with the international standard for the minimum age for work.	2010 – 2021
	Ensure that laws prohibiting forced labor criminalize slavery.	2021
	Make primary education compulsory and ensure that the compulsory age for education extends to the minimum age for employment.	2010 – 2021
	Criminally prohibit child trafficking without needing proof of the use of force, fraud, or coercion.	2018 – 2021
	Make publicly available the legal statute that prohibits the recruitment of children under age 18 into Bhutan's military.	2018 – 2021
Enforcement	Ensure that the Department of Labor has the financial and human resources necessary to enforce labor laws and combat child labor.	2014 – 2021
	Ensure that labor inspectors receive refresher trainings to carry out their duties.	2020 – 2021
	Strengthen the labor inspectorate by initiating targeted inspections based on analysis of data related to risk-prone sectors and patterns of serious incidents.	2021
	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 – 2021

**Table 10. Suggested Government Actions to Eliminate Child Labor (Cont.)**

Area	Suggested Action	Year(s) Suggested
Enforcement	Ensure that the labor law enforcement data are disaggregated by labor violation type to better target, prevent, and eliminate child labor, including penalties imposed on child labor violations.	2021
	Publish information about the referral mechanism.	2021
Coordination	Ensure that all coordinating bodies that address child labor are active and have sufficient financial and human resources to be able to carry out their mandate.	2019 – 2021
Government Policies	Adopt a comprehensive policy or national action plan that addresses the worst forms of child labor and includes child labor prevention strategies.	2014 – 2021
Social Programs	Conduct a national child labor survey, including research to determine child labor activities in farming and construction, and publish the results.	2013 – 2021
	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 – 2021
	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 – 2021

### REFERENCES

- U.S. Embassy- New Delhi. Reporting. January 9, 2020.
- U.S. Department of State. Trafficking in Persons Report - 2021: Bhutan. Washington, DC. April 5, 2021. <https://www.state.gov/reports/2021-trafficking-in-persons-report/bhutan/>
- UNESCO Institute for Statistics. Gross intake ratio to the last grade of primary education, both sexes (%). Accessed March 3, 2022. For more information, please see the “Children’s Work and Education Statistics: Sources and Definitions” in the Reference Materials section of this report. <http://data.uis.unesco.org/>.
- ILO. Analysis of Child Economic Activity and School Attendance Statistics from National Household or Child Labor Surveys. Original data from Multiple Indicator Cluster Survey 4 (MICS 4), 2010. Analysis received March 2022. For more information, please see the “Children’s Work and Education Statistics: Sources and Definitions” in the Reference Materials section of this report.
- U.S. Embassy- New Delhi. Reporting. January 14, 2021.
- U.S. Department of State official. E-mail communication to USDOL official. June 6, 2018.
- Rai, Rajesh Mega Dry Port construction mishap kills a minor. Kuensel Online, February 12, 2021. <https://kuenselonline.com/mega-dry-port-construction-mishap-kills-a-minor/>
- U.S. Embassy New Delhi official E-mail communication to USDOL official. April 22, 2022.
- U.S. Department of State official. E-mail communication to USDOL official. January 25, 2022.
- U.S. Embassy- New Delhi. Reporting. January 26, 2022.
- Government of Bhutan 12th Five-Year Plan Thimpu 2019. <https://www.gnhc.gov.bt/en/wp-content/uploads/2019/05/TWELVE-FIVE-YEAR-WEB-VERSION.pdf>
- Government of Bhutan. National Education Policy. August 2, 2019. [http://www.education.gov.bt/wp-content/downloads/publications/publication/National Education Policy 2019 \(Draft\).pdf](http://www.education.gov.bt/wp-content/downloads/publications/publication/National Education Policy 2019 (Draft).pdf)
- U.S. Department of State official. E-mail communication to USDOL official. July 8, 2020.
- Government of Bhutan. Labour and Employment Act of Bhutan. Enacted: 2007. <http://www.ilo.org/dyn/natlex/docs/ELECTRONIC/80218/86462/F1162145166/BTN80218 English.pdf>
- Government of Bhutan. Regulation: Acceptable Forms of Child Labour. Enacted: 2009. Source on file.
- Wangmo, Choki. NC passes Penal Code Amendment Bill 2019. Kuensel Online. February 11, 2020. <https://kuenselonline.com/nc-passes-penal-code-amendment-bill-2019/#:~:text=The National Council yesterday unanimously,Amendment Bill of Bhutan 2019.&text=The amended Section 213 states,against the order of nature>
- Government of Bhutan. Penal Code of Bhutan. Enacted: 2004. <http://www.ilo.org/dyn/natlex/docs/ELECTRONIC/87826/100246/F1820522728/BTN87826 English.pdf>
- Government of Bhutan. Child Care and Protection Act. Enacted: 2011. [http://www.ilo.org/wcmsp5/groups/public/---asia/---ro-bangkok/---sro-new\\_delhi/documents/genericdocument/wcms\\_300620.pdf](http://www.ilo.org/wcmsp5/groups/public/---asia/---ro-bangkok/---sro-new_delhi/documents/genericdocument/wcms_300620.pdf)
- Government of Bhutan. Penal Code (Amendment) Act of Bhutan 2021. Enacted: 2021. Source on file.
- UN Committee on the Rights of the Child. Periodic Reports of States Parties due in 2011: Bhutan. Prepared by the Government of Bhutan, Article 8 (1) of the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict. August 29, 2016: CRC/C/OPAC/BTN/1. [http://tbinternet.ohchr.org/\\_layouts/treatybodyexternal/Download.aspx?symbolno=CRC/C/OPAC/BTN/1&Lang=en](http://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=CRC/C/OPAC/BTN/1&Lang=en)
- Government of Bhutan. The Constitution of the Kingdom of Bhutan. Enacted: 2008. <https://wipo.lex.wipo.int/en/text/167939>
- U.S. Embassy- New Delhi official. E-mail communication to USDOL official. February 5, 2021.
- U.S. Embassy - New Delhi. Reporting. February 26, 2021.
- U.S. Embassy- New Delhi. Reporting. April 8, 2019.
- U.S. Department of State official. E-mail communication to USDOL official. May 11, 2021.
- Tshering, Pema Seldon. Woman charged with alleged Trafficking of a Child after the victim dies by suicide BBS News, January 23, 2022. <http://www.bbs.bt/news/?p=165012>
- U.S. Embassy- New Delhi official. E-mail communication to USDOL official. April 18, 2022.
- U.S. Department of State official. E-mail communication to USDOL official. April 21, 2017.
- UN Committee on the Rights of the Child. List of issues in relation to the combined third to fifth periodic reports of Bhutan, Addendum. May 2, 2017. Source on file.
- National Commission for Women and Children. NCWC Background. Accessed February 21, 2019. <https://www.ncwc.gov.bt/aboutus>



## MODERATE ADVANCEMENT

- 31 National Commission for Women and Children. Annual Report 2021. [https://ncwc.gov.bt/publications/NCWC Annual Report - 20211642149917.pdf](https://ncwc.gov.bt/publications/NCWC%20Annual%20Report%20211642149917.pdf)
- 32 National Commission for Women and Children. STANDARD OPERATING PROCEDURES ON CASE MANAGEMENT FOR WOMEN AND CHILDREN IN DIFFICULT CIRCUMSTANCES The Royal Government of Bhutan, 2021. [https://ncwc.gov.bt/publications/STANDARD OPERATING PROCEDURES ON CASE MANAGEMENT.pdf](https://ncwc.gov.bt/publications/STANDARD%20OPERATING%20PROCEDURES%20ON%20CASE%20MANAGEMENT.pdf)
- 33 Lhaden, Yangyel. NCWC shortchanged to look into women and child cases. Kuensel Online. March 30, 2021. <https://kuenselonline.com/ncwc-shortchanged-to-look-into-women-and-child-cases/>
- 34 Save the Children International. Reintegrating Children in Difficult Circumstances. June 8, 2020. <https://bhutan.savethechildren.net/news/reintegrating-children-difficult-circumstances>
- 35 United Nations Office of Drug and Crime ODYSSEY: Special Newsletter from UNODC South Asia October 2021 In the reference material section of this report. [https://www.unodc.org/documents/southasia/Newsletter/2021/UNODC\\_South\\_Asia\\_Newsletter\\_Odyssey\\_October\\_2021.html](https://www.unodc.org/documents/southasia/Newsletter/2021/UNODC_South_Asia_Newsletter_Odyssey_October_2021.html)

In 2021, Bolivia made minimal advancement in efforts to eliminate the worst forms of child labor. The government passed a decree giving migrants the ability to normalize their status without paying fines, helping enroll more children in school. 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 and harvesting of Brazil nuts. 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, which does not comply with international standards. The government also did not publicly release information on its criminal law enforcement efforts.



### 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. Children also perform dangerous tasks in agriculture including in the production and harvesting of Brazil nuts. (1) Table 1 provides key indicators on children's work and education in Bolivia.

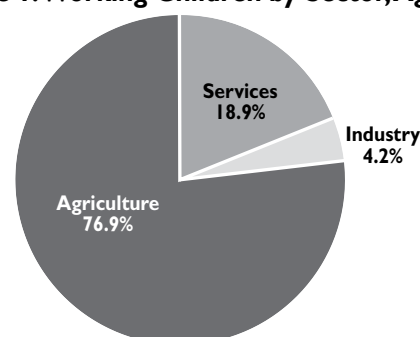
**Table 1. Statistics on Children's Work and Education**

Children	Age	Percent
Working (% and population)	7 to 14	15.4 (286,890)
Attending School (%)	7 to 14	97.5
Combining Work and School (%)	7 to 14	14.5
Primary Completion Rate (%)		91.6

Source for primary completion rate: Data from 2019, published by UNESCO Institute for Statistics, 2022. (2)

Source for all other data: International Labor Organization's analysis of statistics from Encuesta de Hogares (EH), 2020. (3)

**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	Planting and harvesting corn and peanuts (4)
	Harvesting and processing of Brazil nuts/chestnuts† and sugarcane† (1,4)
	Ranching and raising cattle† and plucking chickens (5-8)
Industry	Mining† of gold, silver, tin, and zinc (1,6,9,10)
	Construction,† including heavy lifting and shoveling (1)
	Production of bricks† (1)
Services	Street vending, juggling, shoe shining, and assisting transportation operators (6,7,11,12)
	Cleaning cemeteries (grave sites) (9,11-13)
	Domestic work (1)

# Bolivia

## MINIMAL 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 domestic work, mining, ranching, and in the production and harvesting of Brazil nuts and sugarcane (14,15)
	Forced begging (1,15)
	Commercial sexual exploitation, sometimes as a result of human trafficking (1,15)
	Use in illicit activities, including robbery and producing or transporting drugs (1,15)

† 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. (14) 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. (14) Girls, on average age 14, were found to be engaged in commercial sexual exploitation, including sex trafficking, in El Alto. (1) 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. (1,6) Bolivian children are also subjected to commercial sexual exploitation, including sex trafficking, and forced labor both within the country and abroad. (1,15) Research found that young women and girls ages 13 to 17 were increasingly being targeted for human trafficking through cyber recruitment. (16)

Attendance rates for secondary education remain low in rural areas. (7) Following the 2020 complete closure of schools due to the COVID-19 pandemic, classes resumed in February 2021 on a hybrid schedule of in-person classes, blended learning classes, and distance learning facilitated with tele-education, radio education, and the use of digital platforms. The Ministry of Education gradually shifted to nearly full-time in-person attendance following continuous health evaluations of each region. (1) In 2021, civil society reported a steady rise in the number of Venezuelan migrants electing to stay in Bolivia, most of whom lacked legal status. The children of these families often struggled to obtain the proper paperwork to enroll in the public school system. (1)

## 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 (17-20)
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 (17,18)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Article 136 of the Child and Adolescent Code (18)
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 (21-23)
Prohibition of Child Trafficking	No		Article 15 of the Constitution; Articles 6, 34, and 35 of the Comprehensive Law against Human Trafficking and Smuggling (21,23)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Articles 34 and 35 of the Comprehensive Law against Human Trafficking and Smuggling; Articles 281 bis, 32, 321 bis, 322, and 323 bis of the Penal Code (23,24)
Prohibition of Using Children in Illicit Activities	Yes		Articles 47, 48, and 56 of the Law on Coca and Controlled Substances (25)
Minimum Age for Voluntary State Military Recruitment	Yes	16*	Article 2 of the General Directive of Pre-Military Recruitment; Articles 2 and 7 of the Law of National Military Service (26,27)
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 (21,28,29)
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 (21,30)
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 (18,21,30)

\*The minimum age for combat is 18 per Article 36 of the Law of National Military Service. (26)

‡ Age calculated based on available information. (21,30)

In August 2021, the government passed a decree providing migrants with the ability to normalize their status without paying fines following delays due to the pandemic. (31) Civil society reported that this helped migrants to obtain legal residency documents and enroll their children in schools. (1)

Although legislation was passed in 2018 to clarify the minimum age for work in Bolivia at age 14, because the minimum age for work is still lower than the compulsory education age, children may be encouraged to leave school before the completion of compulsory education. (18,20) Furthermore, although Bolivian law specifies that education is compulsory through secondary school, it does not specify a start or end age. (21,30) In addition, prohibitions against child trafficking are insufficient because they require the use of threats, force, or coercion to be established for the crime. (21,23)

Although Bolivian law requires employers to grant apprentices the time necessary to attend school, it does not set a minimum age for participation in apprenticeships. (17) Articles 108 and 249 of the Constitution require Bolivian males to perform compulsory military service in accordance with national law. (21) Article 1 of Supreme Decree No. 1875, passed in 2014, lowered the minimum age at which compulsory military service may begin from age 18, as previously established, to age 17, which does not comply with international standards. (28,29)



# Bolivia

## 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 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. (6) Refers cases to the Labor Courts for adjudication of penalties and unpaid wages. (6) Engages municipal Offices of the Child Advocate to ensure the protection of children's rights. (5) Assists in the implementation of the Child and Adolescent Code. (5,18)
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 2018 amendment to the Child and Adolescent Code. (1,5,20) 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. (5,18) SINNA is administered by the Ministry of Justice and Transparency. (18,20)
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. (5,32) The Attorney General's Office oversees investigations and prosecutions at the national level. The Attorney General's Office 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. (32)
Bolivian National Police	Maintain the Special Force in the Fight Against Crime, which runs the Trafficking in Persons Division, comprising 15 investigative human trafficking units and the Police Unit for Migratory Control and Assistance, which patrols national borders. (33)

#### **Labor Law Enforcement**

Research did not find information on whether labor law enforcement agencies took actions to address child labor. Gaps also exist within the operations of the Ministry of Labor (MOL) that may hinder adequate labor law enforcement, including a lack of capacity of the offices that protect working children.

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

Overview of Labor Law Enforcement	2020	2021
Labor Inspectorate Funding	Unknown (6)	Unknown (1)
Number of Labor Inspectors	71 (6)	72 (34)
Mechanism to Assess Civil Penalties	Yes (35)	Yes (1)
Initial Training for New Labor Inspectors	Yes (6)	Yes (1)
Training on New Laws Related to Child Labor	N/A	N/A (36)
Refresher Courses Provided	No (6)	No (1)
Number of Labor Inspections Conducted	Unknown (6)	Unknown (1)
Number Conducted at Worksite	Unknown (6)	Unknown (1)
Number of Child Labor Violations Found	Unknown (6)	Unknown (1)
Number of Child Labor Violations for Which Penalties Were Imposed	Unknown (6)	Unknown (1)
Number of Child Labor Penalties Imposed that Were Collected	Unknown (6)	Unknown (1)
Routine Inspections Conducted	Yes (6)	Unknown (1)
Routine Inspections Targeted	Yes (6)	Unknown (1)
Unannounced Inspections Permitted	Yes (6)	Yes (1)
Unannounced Inspections Conducted	Yes (6)	Yes (34)
Complaint Mechanism Exists	Yes (6)	Yes (34)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (6)	Yes (34)

While the government provided some information on its labor law enforcement efforts, figures regarding inspectorate funding were not available for inclusion in this report. (1) The pandemic and subsequent budget cuts severely limited inspection operations beginning in 2020 following government restrictions on movement and a

reduction in the number of inspectors. (6) In previous reporting periods, the MOL reported that its budget was insufficient to conduct labor inspections. (1,6)

The Bolivian government has approximately 72 labor inspectors, 12 of whom focus specifically on areas in which child labor and forced labor are known problems. (34,36) However, the number of labor inspectors is likely insufficient for the size of Bolivia's workforce, which includes approximately 5.9 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 need to employ about 394 labor inspectors. (37,38)

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. (7) 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. (1,5,7)

While the Municipal Offices of the Child Advocate are charged with registering children ages 14 and older with work permits, reports indicate that up to 15 percent of municipalities in Bolivia lack a local office. 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 Child and Adolescent Code. (5,6,14) In a 2021 interview, the Ombudsman's Office admitted that the registration of adolescent workers by these Offices was lacking and that low numbers of registration reported to MOL headquarters do not reflect the reality of child labor in Bolivia, even though these numbers are not publicly available. (39)

In La Paz and Santa Cruz, Child Advocate Offices reported additional barriers to implementation of the registration section of the Code, including a lack of cooperation from parents to register their working children and prohibitive financial obstacles to obtain the proper paperwork required for registration. (14) 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. (5,6)

### **Criminal Law Enforcement**

Research did not find information on whether criminal law enforcement agencies in Bolivia took actions to address child labor. Gaps also exist within the operations of the criminal law enforcement agencies that may hinder adequate criminal law enforcement, including a lack of training for criminal investigators.

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

Overview of Criminal Law Enforcement	2020	2021
Initial Training for New Criminal Investigators	Unknown (6)	Unknown (1)
Training on New Laws Related to the Worst Forms of Child Labor	Unknown (6)	Unknown (1)
Refresher Courses Provided	Unknown (6)	Unknown (1)
Number of Investigations	Unknown (6)	Unknown (1)
Number of Violations Found	Unknown (6)	Unknown (1)
Number of Prosecutions Initiated	Unknown (6)	Unknown (1)
Number of Convictions	Unknown (6)	Unknown (1)
Imposed Penalties for Violations Related to the Worst Forms of Child Labor	No (6)	No (1)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (6)	Yes (1)

Authorities registered 200 criminal complaints involving human trafficking and smuggling between January and June of 2021. More than 75 percent of these cases involved human trafficking and smuggling for the purposes of sexual or labor exploitation, while the remaining cases involved pornography, child pornography, child abduction, and kidnapping. (1) Though the authorities did not report how many of these cases in 2021 involved minors, a study by the Ministry of Government's Citizen Security Observatory analyzed the 368 complaints of trafficking

# Bolivia

## MINIMAL ADVANCEMENT

in smuggling registered in 2015 and found 69 percent involved women and girls and 50 percent involved persons under age 17. (1)

In January 2022, officials from the Ministry of Justice and Public Ministry participated in a virtual training on trafficking in persons held by the U.S. State Department's International Law Enforcement Academy. (34,36) However, the Government of Bolivia did not provide evidence of any meaningful efforts to impose legal penalties for violations related to the worst forms of child labor, nor did it take active measures to investigate, prosecute, convict, or sentence perpetrators of these crimes. (1) In addition, the government does not maintain disaggregated information on criminal cases.

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. (14,40-42) Shelters maintained by departmental governments are underfunded and child survivors 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. (40) 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. (14)

Low rates of dedicated training on human trafficking also hampered law enforcement efforts. The high rate of rotation among police, prosecutors, and judges—a standard practice to help prevent corruption—leads to insufficient knowledge, lack of experience on human trafficking, and a judicial backlog for these types of cases. (41)

## IV. COORDINATION OF GOVERNMENT EFFORTS ON CHILD LABOR

The government has established mechanisms to coordinate its efforts to address child labor (Table 8). However, gaps exist that hinder the effective coordination of efforts to address child labor, including a lack of 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. (5) Requests for information from MOL were unable to determine whether the coordinating body was active during the reporting period. (36)
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. (18) In coordination with the National Institute of Statistics, monitors and updates SINNA. Led by the Ministry of Justice. (18) Research was unable to determine whether the coordinating body was active during the reporting period. (1)
Plurinational Council against Human Trafficking and Smuggling of Persons	Coordinates anti-trafficking efforts and implements national laws and policies on human trafficking and smuggling. (5,23,43) Chaired by the Minister of Justice and comprising eight ministries, the Public Advocate, and NGOs. (44) In 2021, the council met three times. (34)
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. (23,43) Research was unable to determine whether the coordinating body was active during the reporting period. (1)

## V. GOVERNMENT POLICIES ON CHILD LABOR

Research found no evidence that the government has established policies to address child labor.

Research could not determine any activities undertaken in 2021 to implement previously existing key policies related to child labor. Furthermore, Bolivia's national policy for addressing child labor, the National Plan for the

Progressive Eradication of Child Labor (2000–2010), expired in 2010 and research did not uncover any efforts by the government to replace or update the plan. (45) While the plan remains expired, since 2010, the government has addressed child labor by conducting several child labor surveys on the following issues: domestic workers, child labor in mining, child labor in the sugarcane industry, and child labor in La Paz and El Alto, as well as the regions of Beni and Pando. (34,36)

## VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2021, the government funded and participated in programs that may contribute to eliminating or preventing child labor (Table 9). However, gaps exist in these social programs, including efficacy in achieving programmatic goals.

**Table 9. 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 government continued to support this program during the reporting period. (1)
Safe Terminal Program†	A child sex tourism prevention campaign launched by the Bolivian government in 2018, which includes training, awareness-raising 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. (40) The government continued to support this program during the reporting period. (1)
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 and advocates for social and labor protections for working adolescents ages 14 to 17. (47)
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. (48,49) This initiative and the increasing mechanization of the industry have led to a reported near elimination of child labor in sugarcane, as reported through inspections. (34,36,50)

† Program is funded by the Government of Bolivia.

In 2021, UNICEF Bolivia supported the expansion of the "Friendly Markets for Children and Adolescents" initiative from Santa Cruz to Cobija and El Alto. (1) This program trains volunteers from local universities and market union members to offer alternatives to parents at risk of encouraging child labor, such as tutoring, supervised childcare, and support in enrolling their children in school. (1) The 2020 *Juancito Pinto* 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; information for this reporting period was unavailable. (1) In 2015, the government issued the "Patriotic Agenda" law which provides a plan to decrease poverty by 2025, and thereby reduces the risk of child labor due to poverty and the need for familiar work. (34,36)

Although the Government of Bolivia continued to support the above social programs to address child labor in 2021, research could not determine specific activities undertaken. (1,51)

## VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE CHILD LABOR

Based on the reporting above, suggested actions are identified that would advance the elimination of child labor in Bolivia (Table 10).



## MINIMAL ADVANCEMENT

**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 – 2021
	Ensure that the law sufficiently prohibits child trafficking.	2021
	Ensure that the law prohibits children under the age of 14 from participating in apprenticeships.	2010 – 2021
	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 – 2021
Enforcement	Publish information on child labor law enforcement, including labor inspectorate funding, the number of inspectors and how many inspections were conducted including at worksites, the number of child labor violations as a result of inspections, penalties imposed and collected, and whether routine and unannounced inspections were conducted.	2009 – 2021
	Ensure that inspectors receive refresher course trainings each year.	2020 – 2021
	Increase the number of labor inspectors responsible for enforcing laws on child labor to meet the ILO's technical advice.	2013 – 2021
	Provide sufficient funding to increase the Ministry of Labor's capacity to ensure the adequate enforcement of child labor laws.	2013 – 2021
	Ensure that there are systematized records or a consolidated database on the number of violations found related to child labor.	2019 – 2021
	Establish and maintain an Office of the Child Advocate in every municipality, allocating sufficient resources from municipal-level budgets 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.	2014 – 2021
	Publish information on criminal law enforcement, including training for criminal investigators; whether investigators receive training on the worst forms of child labor and refresher training; and disaggregated numbers on child labor investigations, violations found, prosecutions initiated, and convictions.	2011 – 2021
	Ensure that active measures are taken to investigate, prosecute, convict, and sentence perpetrators of crimes related to the worst forms of child labor.	2020 – 2021
	Ensure that there are sufficient shelters for survivors of the worst forms of child labor and human trafficking throughout the country and that survivors are not cast out of shelters.	2018 – 2021
	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 – 2021
Coordination	Ensure that all coordinating bodies are active and able to carry out their intended mandates.	2020 – 2021
Government Policies	Establish and implement a new national policy or national action plan to address child labor, including its worst forms.	2010 – 2021
Social Programs	Ensure that all children, regardless of migratory status, can access education and expand national programs in rural areas to increase secondary school attendance.	2010 – 2021
	Ensure that all social programs funded by the government that address the worst forms of child labor are active and publish information on activities each reporting period.	2019 – 2021

## REFERENCES

- 1 U.S. Embassy- La Paz. Reporting. January 13, 2022.
- 2 UNESCO Institute for Statistics. Gross intake ratio to the last grade of primary education, both sexes (%). Accessed March 3, 2022. For more information, please see "Children's Work and Education Statistics: Sources and Definitions" in the Reference Materials section of this report. <http://data.uis.unesco.org/>.
- 3 ILO. Analysis of Child Economic Activity and School Attendance Statistics from National Household or Child Labor Surveys. Original data from Encuesta de Hogares (EH), 2020. Analysis received March 2022. Please see "Children's Work and Education Statistics: Sources and Definitions" in the Reference Materials section of this report.
- 4 Verite. Research on Indicators of Forced Labor in the Supply Chains of Brazil Nuts, Cattle Corn, and Peanuts in Bolivia. 2013. [https://www.verite.org/wp-content/uploads/2016/11/Research-on-Indicators-of-Forced-Labor-in-the-Bolivia-Brazil-nut-Cattle-Corn-and-Peanut-Sectors\\_\\_9.19.pdf](https://www.verite.org/wp-content/uploads/2016/11/Research-on-Indicators-of-Forced-Labor-in-the-Bolivia-Brazil-nut-Cattle-Corn-and-Peanut-Sectors__9.19.pdf)
- 5 U.S. Embassy- La Paz. Reporting. February 13, 2019.
- 6 U.S. Embassy- La Paz. Reporting. January 15, 2021.
- 7 U.S. Embassy- La Paz. Reporting. February 19, 2020.
- 8 Correo del Sur. Tres niños trabajaban toda la noche en granja avícola. April 15, 2018. [http://correodelsur.com/local/20180415\\_tres-ninos-trabajaban-toda-la-noche-en-granja-avicola.html](http://correodelsur.com/local/20180415_tres-ninos-trabajaban-toda-la-noche-en-granja-avicola.html)
- 9 Bocking, David. Bolivia: The Proud Child Laborers. Spiegel Online, Accessed November 3, 2017. Source on file.
- 10 Correo del Sur. Tres de cada diez niños trabajan en Chuquisaca. December 6, 2019. [https://correodelsur.com/local/20190612\\_tres-de-cada-diez-ninos-trabajan-en-chuquisaca.html](https://correodelsur.com/local/20190612_tres-de-cada-diez-ninos-trabajan-en-chuquisaca.html)
- 11 Peredo, Nelson. La realidad supera a la ley en la lucha contra el trabajo infantil. Los Tiempos, December 6, 2017. <https://www.lostiempos.com/especial-multimedia/20170612/realidad-supera-ley-lucha-contra-trabajo-infantil>
- 12 Carpio, Edwin. El estado Boliviano esta en deuda con todos los niños. Los Tiempos, April 11, 2017. <http://www.lostiempos.com/tendencias/bienestar/20170411/estado-boliviano-esta-deuda-todos-ninos>

- 13 Valecillos, Lucas. Pequeños sepultureros. *El Periodico*, September 27, 2017. <http://www.elperiodico.com/es/mas-periodico/20160612/pequenos-sepultureros-bolivia-5191024>
- 14 U.S. Embassy- La Paz. Reporting. January 19, 2018.
- 15 U.S. Department of State. *Trafficking in Persons Report 2021*-Bolivia. Washington, D.C., July 2021. <https://www.state.gov/reports/2021-trafficking-in-persons-report/bolivia/>
- 16 U.S. Embassy- La Paz. Reporting. February 9, 2021.
- 17 Government of Bolivia. *Ley General del Trabajo*. Enacted: December 8, 1942. <http://www.ilo.org/dyn/natlex/docs/WEBTEXT/46218/65057/S92BOL01.htm#t4c6>
- 18 Government of Bolivia. *Código Niño, Niña y Adolescente*, Ley 548. Enacted: July 17, 2014. <http://www.gacetaoficialdebolivia.gob.bo/>
- 19 Tribunal Constitucional Plurinacional. *Sentencia Constitucional Plurinacional 0025/2017*. July 27, 2017. Source on file.
- 20 Government of Bolivia. *Ley No 1139, Ley de Modificación Código NNA*. Enacted: December 20, 2018. <http://www.derechoteca.com/gacetabolivia/ley-no-1139-del-20-de-diciembre-de-2018/>
- 21 Government of Bolivia. *Nueva Constitución Política del Estado*. Enacted: February 9, 2009. <http://pdba.georgetown.edu/Constitutions/Bolivia/constitucion2009.pdf>
- 22 Government of Bolivia. *Código Penal y Código de Procedimiento Penal*. Enacted: 2010. <https://tsj.bo/wp-content/uploads/2019/11/codigo-penal-y-procedimiento-penal.pdf>
- 23 Government of Bolivia. *Ley Integral Contra la Trata y Tráfico de Personas*, Ley 263. Enacted: July 31, 2012. <http://bolivia.infoleyes.com/shownorm.php?id=3946>
- 24 Government of Bolivia. *Compendio Legislación Penal*. February 10, 2020. <https://www.fiscalia.gob.bo/publicaciones/leyes/compendio-legislacion-penal>
- 25 Government of Bolivia. *Ley del Régimen de la Coca y Sustancias Controladas*, 1008. Enacted: July 19, 1988. <https://www.lexivox.org/norms/BO-L-1008.html>
- 26 Government of Bolivia. *Ley del Servicio Nacional de Defensa*. Enacted: August 1, 1966. <http://www.resdal.org/Archivo/bolivia-ley-servicio-nacional-defensa.htm>
- 27 Government of Bolivia. *Directiva General de Reclutamiento para el Servicio Premilitar No. 12/13 Categoría 2013–2014*. [http://www.mindef.gob.bo/mindef/sites/default/files/Servicio\\_Premilitar.htm](http://www.mindef.gob.bo/mindef/sites/default/files/Servicio_Premilitar.htm)
- 28 Government of Bolivia. *Decreto Supremo N° 1875*. Enacted: January 23, 2014. [https://www.lexivox.org/norms/BO-DS-N1875.xhtml?dcmi\\_identifier=BO-DS-N1875&format=xhtml](https://www.lexivox.org/norms/BO-DS-N1875.xhtml?dcmi_identifier=BO-DS-N1875&format=xhtml)
- 29 Government of Bolivia. *Decreto Supremo N° 21479*. Enacted: December 17, 1986. <http://www.derechoteca.com/gacetabolivia/decreto-supremo-21479-del-17-diciembre-1986/>
- 30 Government of Bolivia. *Ley de Educación Avelino Siñani-Elizardo Pérez*, No. 070. Enacted: November 8, 2010. [https://sital.iep.unesco.org/sites/default/files/sit\\_accion\\_files/sital\\_bolivia\\_0258.pdf](https://sital.iep.unesco.org/sites/default/files/sit_accion_files/sital_bolivia_0258.pdf)
- 31 Government of Bolivia. *Decreto Supremo 4576*. August 25, 2021. <http://www.gacetaoficialdebolivia.gob.bo/edicions/view/1421NEC>
- 32 U.S. Embassy- La Paz official. E-mail communication to USDOL official. July 2, 2019.
- 33 Government of Bolivia. *División Trata y Tráfico de Personas*. Accessed June 10, 2020. <https://issuu.com/felcc-bolivia/docs/revistafinal>
- 34 Government of Bolivia. *Response to Request for Information*. February 21, 2022. Source on file.
- 35 U.S. Embassy- La Paz official. E-mail communication to USDOL official. February 4, 2022.
- 36 U.S. Embassy- La Paz official. E-mail communication to USDOL official. May 13, 2022.
- 37 ILO Labor Force Statistics. *Population and Labour Force*. Accessed January 25, 2022. Labor Force data is government-reported data collected by the ILO. Please see "Labor Law Enforcement: Sources and Definitions" in the Reference Materials section of this report. <https://ilostat.ilo.org/data/>
- 38 UN. *World Economic Situation and Prospects 2019 Statistical Annex*. Please see "Labor Law Enforcement Sources and Definitions" in the Reference Materials section of this report. [https://www.un.org/development/desa/dpad/wp-content/uploads/sites/45/WESP2019\\_BOOK-web.pdf](https://www.un.org/development/desa/dpad/wp-content/uploads/sites/45/WESP2019_BOOK-web.pdf)
- 39 *Guardiana*. *Trabajo Infantil\_ Gobierno admite que no logro objetivos y alista política publica*. August 19, 2021. <https://guardiana.com.bo/contenido-especial/gobierno-trabajo-infantil-y-desafios/>
- 40 U.S. Embassy- La Paz. Reporting. March 8, 2019.
- 41 U.S. Embassy- La Paz. Reporting. February 1, 2018.
- 42 U.S. Embassy- La Paz official. E-mail communication to USDOL official. July 3, 2018.
- 43 Government of Bolivia - *Consejo Plurinacional Contra la Trata y Tráfico de Personas*. *Política Plurinacional de Lucha Contra la Trata y Tráfico de Personas 2013-2017*. 2014. <http://saludpublica.bvsp.org.bo/cc/bo40.1/documentos/588.pdf>
- 44 Government of Bolivia. *Defensoría del pueblo destaca plan de prevención de la trata del viceministerio de seguridad ciudadana*. December 4, 2019. <https://www.defensoria.gob.bo/noticias/defensoria-del-pueblo-destaca-plan-de-prevencion-de-la-trata-del-viceministerio-de-seguridad-ciudadana>
- 45 *Comisión Interinstitucional de Erradicación Progresiva del Trabajo Infantil*. *Plan de erradicación progresiva del trabajo infantil: 2000–2010*. November 2001. [https://www.ilo.org/ipecc/Informationresources/WCMS\\_IPEC\\_PUB\\_11071/lang-es/index.htm](https://www.ilo.org/ipecc/Informationresources/WCMS_IPEC_PUB_11071/lang-es/index.htm)
- 46 Government of Bolivia. *Viceministro Iván Bascopé inició el pago del “Bono Juancito Pinto” a niños de Caracollo*. October 23, 2019. Source on file.
- 47 U.S. Embassy- La Paz. E-mail communication to USDOL official. June 23, 2020.
- 48 U.S. Embassy- La Paz. Reporting. March 6, 2020.
- 49 *Los Tiempos*. *Libre de trabajo infantil, trabajo forzoso y discriminación*. March 5, 2022. <https://www.lostiempos.com/actualidad/opinion/20220305/columna/libre-trabajo-infantil-trabajo-forzoso-discriminacion>
- 50 U.S. Embassy- La Paz official. E-mail communication to USDOL official. May 19, 2021.
- 51 U.S. Embassy- La Paz. Reporting. January 28, 2022.

In 2021, Bosnia and Herzegovina made moderate advancement in efforts to eliminate the worst forms of child labor. The Republika Srpska National Assembly adopted amendments to its Criminal Code to include three new categories of exploitation—servitude, forced begging, and additional forms of sexual exploitation—and introduced higher penalties for trafficking children. Additionally, the Bosnia and Herzegovina Council of Ministers adopted a national-level action plan to facilitate implementation of the Strategy to Suppress Trafficking in Human Beings in Bosnia and Herzegovina (2020–2023). However, children in Bosnia and Herzegovina are subjected to the worst forms of child labor, including in forced begging. Social programs dedicated to assisting children involved in forced begging do not have adequate resources, and representatives from the Ministries of Labor are not included in the National Anti-Trafficking Strike Force, which limits coordination efforts. 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. (1-4) Table 1 provides key indicators on children's work and education in BiH.

**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 (%)		85.4%

Source for primary completion rate: Data from 2018, published by UNESCO Institute for Statistics, 2022. (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 (7-9)
	Commercial sexual exploitation, sometimes as a result of human trafficking (2,9)
	Use in illicit activities, including for pickpocketing (2,9,10)
	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 Bosnia and Herzegovina (BiH). (2,9) Organized groups sometimes traffic children to lucrative locations, both domestically and internationally, in regional and EU countries, where they are forced to beg. (2,9,11,12)

Children in the largest minority group in BiH, the Roma, are the most vulnerable group exposed to the worst forms of child labor due to discrimination on numerous grounds, including difficulty in accessing education. The

# Bosnia and Herzegovina

## MODERATE ADVANCEMENT




cost of school supplies and uniforms may be prohibitively expensive for some families. (7,13,14) 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. (15) In addition, some Roma children lack birth registration documents, which are required to attend school in BiH. UNHCR reports indicate that approximately 69 Roma inhabitants in BiH, including some children, were designated as being at risk of statelessness in 2021, and the national government has continued to work with UNHCR to improve processes related to establishing citizenship. (16,17) Children who are classified as stateless are at higher risk for labor exploitation. (10,17, 18) Additionally, migrants—particularly unaccompanied children—from Afghanistan, Pakistan, Iraq, and other countries who travel through BiH are potential targets for human traffickers. (19)

Schools in the Republika Srpska (RS) entity deny the right of 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) entity to receive education in their language. (2,17,20) In addition, discrimination persists under the "Two Schools Under One Roof" practice between Bosniaks and Croats in FBiH. Under this system, Bosniak and Croat children are in segregated classes following separate curricula in the same school building. (21) This 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. (2,17,20) 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 children with disabilities sometimes receive insufficient support from the government, and some schools are unable to provide accommodations for the children's disabilities. (20) Sources indicated that the government has not allocated enough financial resources for adequate implementation of inclusive education initiatives, particularly for students with disabilities. (1,18-20)

## 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 (BiH) is a democratic republic with a bicameral parliament. Governmental responsibilities lie with the state; the two entities of Bosnia and Herzegovina, the Federation of Bosnia and Herzegovina (FBiH) and the Republika Srpska (RS); and the self-governing Brčko District (BD). (22) 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.



**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 (23)
	Republika Srpska (RS)	No	15	Articles 26 and 27 of the Labor Law of Republika Srpska (24)
	Brčko District (BD)	No	15	Article 10 of the Labor Law of Brčko District (25)
Minimum Age for Hazardous Work	FBiH	Yes	18	Article 57 of the Labor Law of the Federation of Bosnia and Herzegovina (23)
	RS	Yes	18	Articles 103 and 264 of the Labor Law of Republika Srpska (24)
	BD	Yes	18	Article 41 of the Labor Law of Brčko District (25)
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 (23)
	RS	Yes		Articles 70, 72, 103, and 264 of the Labor Law of Republika Srpska (24)
	BD	Yes		Articles 28, 41, and 111 of the Labor Law of Brčko District (25)
Prohibition of Forced Labor	Bosnia and Herzegovina (BiH)	Yes		Articles 185 and 186a of the Criminal Code of Bosnia and Herzegovina; Article 11 of the Constitution of Bosnia and Herzegovina (26,27)
	FBiH	No		Articles 210a (2 and 3) of the Criminal Code of the Federation of Bosnia and Herzegovina (28)
	RS	Yes		Article 198b of the Criminal Code of Republika Srpska (29)
	BD	No		Article 207 of the Criminal Code of Brčko District (30)
Prohibition of Child Trafficking	BiH	No		Articles 185 and 186a of the Criminal Code of Bosnia and Herzegovina (27)
	FBiH	No		Articles 185–186a of the Criminal Code of Bosnia and Herzegovina (28)
	RS	Yes		Article 198b of the Criminal Code of Republika Srpska; Articles 185–186a of the Criminal Code of Bosnia and Herzegovina (27,29)
	BD	No		Article 207 of the Criminal Code of Brčko District (30)
Prohibition of Commercial Sexual Exploitation of Children	BiH	No		Articles 186 and 187 of the Criminal Code of Bosnia and Herzegovina (27)
	FBiH	No		Articles 210 and 211 of the Criminal Code of the Federation of Bosnia and Herzegovina (28)
	RS	Yes		Articles 198 and 198b–200 of the Criminal Code of Republika Srpska (29)
	BD	Yes		Articles 186 and 207–208 of the Criminal Code of Brčko District (30)
Prohibition of Using Children in Illicit Activities	BiH	No		Article 195 of the Criminal Code of Bosnia and Herzegovina (27)
	FBiH	Yes		Article 219 of the Criminal Code of the Federation of Bosnia and Herzegovina (28)
	RS	Yes		Articles 198b and 224 of the Criminal Code of Republika Srpska (29)
	BD	Yes		Article 216 of the Criminal Code of Brčko District (30)
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 (31)
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 (31)
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 (27)

# Bosnia and Herzegovina

## MODERATE ADVANCEMENT

**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 (32)
	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 (32,33)
	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 (32,34)
Free Public Education	FBiH, RS, BD	Yes		Article 16 of the Framework Law on Primary and Secondary Education in Bosnia and Herzegovina (32)

\* Country has no conscription (31)

‡ Age calculated based on available information (32)

During the reporting period, the Republika Srpska National Assembly (RSNA) adopted legislation to amend Article 145 of its Criminal Code to include three new categories of exploitation: servitude, forced begging, and additional forms of sexual exploitation. The new amendments introduce a minimum prison sentence of 3 years and a maximum of 20 years for offenders. (10) Additionally, the RSNA passed an amendment to Article 146 of its Criminal Code to increase the maximum sentence for trafficking of children from 8 years to 10 years. The amendment also stipulates that a sentence of 10 to 12 years should be issued to officials on duty who commit crimes related to trafficking in children, in addition to anyone who commits a related crime resulting in severe harm or the death of a victim. (10)

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, the FBiH, RS, and BD do not include street begging or illicit activities in their lists of hazardous occupations prohibited for children. (23-25) Although the Criminal Code of Bosnia and Herzegovina (BiH) criminalizes human trafficking for forced labor, it fails to specifically outlaw forced labor, debt bondage, and slavery separately from trafficking in persons. (28)

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. The laws of BiH and FBiH do not meet international standards for prohibition of commercial sexual exploitation of children, and legislation in BiH, FBiH, RS, and BD does not meet international standards for the recruitment of minors by non-state armed groups, as their criminal codes fail to explicitly prohibit this offense. (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.

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

Organization/Agency	Related Entity	Role
Ministry of Labor and Social Policy Federal Inspection Agency and Cantonal-Level Labor Inspectorates	FBiH	Enforce labor laws, including those on child labor. (2)
Ministry of Labor and Veterans Labor Inspectorate	RS	Enforces labor laws, including those on child labor. (2)
Administrative Support Department	BD	Enforces labor laws, including those on child labor. (2)
Entity and Cantonal-Level Police	BD, FBiH, RS	Enforce criminal laws against human trafficking, forced labor, prostitution, and begging. (7)

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

Organization/Agency	Related Entity	Role
Ministry of Security (MOS)	BiH	Enforces a national policy to prevent the worst forms of child labor and collects data on human trafficking. Ensures that victims are placed in government-approved shelters. (7)
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 2021, labor law enforcement agencies in Bosnia and Herzegovina (BiH) took actions to address child labor (Table 6). However, gaps exist within the operations of enforcement agencies that may hinder adequate labor law enforcement, including a lack of appropriate referral mechanisms.

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

Overview of Labor Law Enforcement	Related Entity	2020	2021
Labor Inspectorate Funding	FBiH/RS/BD	Unknown	Unknown
Number of Labor Inspectors	FBiH	133 (2)	133 (10)
	RS	31 (2)	31 (10)
	BD	12 (2)	12 (10)
Mechanism to Assess Civil Penalties	FBiH/RS/BD	Yes (23)	Yes (23)
Initial Training for New Labor Inspectors	FBiH/RS/BD	Yes (2)	Yes (10)
Training on New Laws Related to Child Labor	FBiH/RS/BD	N/A (2)	Yes (10)
Refresher Courses Provided	FBiH/RS/BD	Yes (2)	Yes (10)
Number of Labor Inspections Conducted	FBiH/RS/BD	Unknown	105,460 (10)
Number Conducted at Worksites	FBiH/RS/BD	Unknown	Unknown
Number of Child Labor Violations Found	FBiH/RS/BD	0 (2)	0 (10)
Number of Child Labor Violations for Which Penalties Were Imposed	FBiH/RS/BD	N/A (2)	N/A
Number of Child Labor Penalties Imposed that Were Collected	FBiH/RS/BD	N/A (2)	N/A
Routine Inspections Conducted	FBiH/RS/BD	Yes (2)	Yes (10)
Routine Inspections Targeted	FBiH/RS/BD	Yes (2)	Yes (10)
Unannounced Inspections Permitted	FBiH/RS/BD	Yes (23-25)	Yes (23-25)
Unannounced Inspections Conducted	FBiH/RS/BD	Yes (2)	Yes (10)
Complaint Mechanism Exists	FBiH/RS/BD	Yes (2)	Yes (10)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	FBiH/RS/BD	Yes (2)	Yes (10)

Officials indicated that there were sufficient resources provided to the Labor Inspectorates during the reporting period and that the number of labor inspectors appeared to be adequate. The Labor Inspectorate is authorized to assess administrative penalties up to approximately \$627 (1,000 *konvertibilna marka*), and labor inspectors in both entities and BD may visit any formal sector inspection site without prior supervisory approval. (10)

No labor inspectors received training on detecting hazardous child labor in agriculture, including handling agricultural chemicals. (2) Complaint mechanisms exist in both entities and BD, 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. (10) Additionally, labor inspectors do not have a mandate to inspect informal work. (23)

# Bosnia and Herzegovina

## MODERATE ADVANCEMENT

### Criminal Law Enforcement

In 2021, criminal law enforcement agencies in BiH took actions to address child labor (Table 7). However, gaps exist within the operations of enforcement agencies that may hinder adequate criminal law enforcement, including insufficient training for responsible enforcement authorities.

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

Overview of Criminal Law Enforcement	Related Entity	2020	2021
Initial Training for New Criminal Investigators	BiH/FBiH/RS/BD	Unknown	Yes (10)
Training on New Laws Related to the Worst Forms of Child Labor	BiH/FBiH/RS/BD	Unknown	Yes (10)
Refresher Courses Provided	BiH/FBiH/RS/BD	Unknown	Yes (10)
Number of Investigations	BiH	Unknown	Unknown
	FBiH/RS/BD	Unknown	Unknown
Number of Violations Found	BiH/FBiH/RS/BD	Unknown	Unknown
Number of Prosecutions Initiated	BiH	Unknown	Unknown
	FBiH/RS/BD	Unknown	Unknown
Number of Convictions	BiH	Unknown	Unknown
	FBiH/RS/BD	10 (35)	Unknown
Imposed Penalties for Violations Related to the Worst Forms of Child Labor	BiH/FBiH/RS/BD	Yes (35)	Unknown
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	BiH/FBiH/RS/BD	Unknown	Unknown

Forced begging cases are pursued by cantonal- and entity-level police and cantonal-, entity-, and state-level prosecutors. (2,8,35) 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 (MOS) or the Ministry for Human Rights and Refugees. (2,8,36) However, law enforcement officials sometimes penalize child victims of forced begging by issuing fines against the children. (37,38) During the reporting period, FBiH authorities initiated investigations of 16 suspects for trafficking of children for the purpose of forced begging. In addition, FBiH authorities sentenced seven individuals to sentences ranging from 1 year and 9 months to 8 years in prison for trafficking of children. (10,39) In RS, authorities initiated investigations against a total of three persons for trafficking of children, with one indictment raised. Additionally, the Supreme Court of the RS confirmed a prior guilty verdict against an individual per Article 198 of the Criminal Code, resulting in 5 years of imprisonment for trafficking of minors. (10)

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 simply Roma custom instead. (2,3,8) The courts sometimes impose sentences under the legal minimum, decrease the severity of the sentences, or dismiss the charges against the perpetrators altogether. (2,7,8) 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. (2,10) The government did not publish information pertaining to criminal law enforcement efforts 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 lack of 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. (7,8,10) Oversees the human trafficking database, which includes data from NGOs, the State Investigative and Protection Agency (SIPA), Border Police (SBP), and police agencies and prosecutors' offices at all levels. (8,10,40) Publishes data from this database in its annual report on human trafficking. Oversees shelter management and monitors NGO compliance with the agreed-upon provisions on victims' assistance. (10,40) During the reporting period, the State Coordinator prepared a report on activities related to the implementation of the Trafficking in Persons Strategy 2020–2023, which was approved by the BiH Council of Ministers in May 2021. (10)
Strike Force for Combating Trafficking in Persons and Organized Illegal Migration (Anti-Trafficking Strike Force)	Coordinates human trafficking investigations across government agencies. (10,40) Convenes monthly, with additional meetings scheduled as needed. (8,11) Chaired by the Chief State Prosecutor, includes BiH, FBiH, RS, and BD ministries and agencies. (1,7) The Strike Force continued to meet regularly in 2021. (10)
Strategy Implementation Monitoring Team	Responsible for the government's TIP-monitoring tasks previously undertaken by the Interministerial Working Group, which was dissolved in 2021. During the reporting period, the Team prepared its first report on the implementation of the National Trafficking in Persons Strategy in 2020. (10)
Regional Monitoring Teams	Facilitate anti-human trafficking coordination among state-, entity-, and cantonal-level institutions, as well as between NGOs and intergovernmental organizations. Include labor inspectors. (10) Seventeen of the Regional Monitoring Teams adopted action plans during the reporting period. (10)

Although the Anti-Trafficking Strike Force is meant to coordinate anti-trafficking efforts across agencies, representatives from FBiH and RS Ministries of Labor are not included. (2,7,39)

## V. GOVERNMENT POLICIES ON CHILD LABOR

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

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

Policy	Description
Strategy to Suppress Trafficking in Human Beings in Bosnia and Herzegovina (2020–2023)	Includes activities to prevent forced labor, including child labor. (2) In October 2021, the Council of Ministers adopted a national-level Action Plan to facilitate implementation of the Strategy. Ten of the regional monitoring teams, in addition to authorities in BD and RS, drafted and approved action plans for implementation of the Strategy. (10)
Guidelines for Work of Regional Monitoring Teams	Enhance the cooperation of monitoring team members and the National Referral Mechanism. (8,41) Include a section on mixed migration flows, in which unaccompanied migrant children and victims of human trafficking are addressed. (8) The regional monitoring teams continued to operate normally during the reporting period. (10)
Protocol on Cooperation and Treatment in Cases of Unlawful Behavior to the Detriment of Children in Sarajevo Canton	Prevents begging, exploitation of children, and abuse of children in Canton Sarajevo. (42,43) Sets rules on state cooperation on victim protection and mandates the provision of physical, psychological, health, and social protection for children. (43) The policy was formally active during the reporting period, but did not operate adequately in practice with numerous existing gaps in knowledge of professionals, particularly prosecutors, on how to properly refer victims. (39)

‡ The government had other policies that may have addressed child labor issues or had an impact on child labor. (10)

## VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2021, 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.

# Bosnia and Herzegovina

## MODERATE ADVANCEMENT

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

Program	Description
Registration Project	UNHCR-funded project, implemented by the NGO <i>Vaša Prava</i> , which promotes the registration of Roma people to increase their access to social benefits and schools. Has helped 1,740 individuals register for citizenship since 2009 and continues to provide legal assistance to foreign victims of trafficking. (1,11) Authorities continued to implement the registration project during the reporting period. (10)
Daily Centers†	Center for Social Welfare-supported and NGO-operated drop-in centers in seven locations across the country, designed to assist vulnerable children, especially street children. (7,8,11) 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. (2) In 2021, the seven daily centers operated normally throughout the year. (10)
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) The program formally existed during the reporting period. However, due to the lack of a state budget in 2021, the government did not disburse any funding to local NGOs that provide services to trafficking victims, thus severely endangering their operation. (39)
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 human trafficking. (38,44) Plans to achieve goals through 12 trainings for labor inspectors, police officers, healthcare providers, and education professionals. (1) During the reporting period, 105 authorities (including 30 labor inspectors) participated in trainings provided through the project. (38) Additionally, the Council of Europe's Group of Experts on Action Against Trafficking in Human Beings (GRETA) conducted a visit to Sarajevo to gauge the status of human trafficking victims' access to legal assistance and other forms of support. (44)

† 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. (10,45) Although most Daily Centers collaborate with local Centers for Social Welfare, Daily Centers are not institutionalized and, therefore, lack consistent financial and technical support. (10,45) 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. (10,45,46)

## 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 BiH (Table 11).

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

Area	Related Entity	Suggested Action	Year(s) Suggested
Legal Framework	BD, FBiH, RS	Ensure that the minimum age for work applies to all children, including those who are self-employed or working outside of formal employment relationships.	2015 – 2021
	FBiH, BD	Criminalize forced labor, debt bondage, and slavery separately from human trafficking in FBiH's laws.	2018 – 2021
	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 – 2021
	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 – 2021
	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 – 2021

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

Area	Related Entity	Suggested Action	Year(s) Suggested
Legal Framework	BiH	Ensure that BiH law criminally prohibits using children for prostitution, production of pornography, or pornographic performances.	2019 – 2021
	FBiH	Ensure that the laws of FBiH and BD criminally prohibit the use of children for prostitution.	2019 – 2021
Enforcement	BD, FBiH, RS	Collect and publish information on labor and criminal law enforcement efforts, including labor inspectorate funding, number of inspections conducted at worksites; and number of investigations, violations, prosecutions, and convictions.	2015 – 2021
	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 – 2021
	BiH, BD, FBiH, RS	Create an official mechanism for referring children identified during labor inspections to social services providers.	2018 – 2021
	BD, FBiH, RS	Ensure that children are not penalized for being victims of the worst forms of child labor.	2017 – 2021
	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 – 2021
	BiH	Ensure that labor inspectors are permitted to conduct inspections in the informal work sector.	2021
	BiH	Ensure that the government publishes criminal law enforcement data, including number of imposed penalties for violations related to the worst forms of child labor.	2021
	BiH	Ensure that a reciprocal referral mechanism exists between criminal authorities and social services.	2021
	BiH, BD, FBiH, RS	Ensure that all relevant ministries are represented in the Anti-Trafficking Strike Force.	2017 – 2021
Government Policies		Ensure that the government publishes information on policies to address child labor, including the Protocol on Cooperation and Treatment in Cases of Unlawful Behavior at the Detriment of Children in Canton Sarajevo.	2021
Social Programs	BiH	Ensure that inclusive education initiatives receive adequate funding.	2009 – 2021
	BD, FBiH, RS	Ensure that all children have access to education by eliminating school-related fees, accommodating children with disabilities, and preventing discrimination against minority students.	2013 – 2021
	BD, FBiH, RS	Ensure that all children have access to birth registration or identity documentation required to enroll in school.	2011 – 2021
	FBiH, RS	Allow all Bosniak children in RS to access education in the Bosnian language and end the "Two Schools Under One Roof" practice to eliminate discrimination in schools based on ethnicity in FBiH.	2018 – 2021
	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 – 2021
	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 – 2021
	BiH	Ensure that government support for outreach to street children extends beyond Sarajevo.	2019 – 2021
	BiH	Publish information on social programs to address child labor, including Assistance for Trafficking Victims.	2021

# Bosnia and Herzegovina

## MODERATE ADVANCEMENT

### REFERENCES

- 1 U.S. Embassy- Sarajevo. Reporting. February 24, 2020.
- 2 U.S. Embassy- Sarajevo. Reporting. January 15, 2021.
- 3 UNICEF. Situational Analysis of Children in Bosnia and Herzegovina. March 2020.  
[https://www.unicef.org/bih/media/4971/file/Situation Analysis of Children in Bosnia and Herzegovina.pdf](https://www.unicef.org/bih/media/4971/file/Situation%20Analysis%20of%20Children%20in%20Bosnia%20and%20Herzegovina.pdf)
- 4 U.S. Department of State. Trafficking in Persons Report- 2020: Bosnia and Herzegovina. Washington, D.C., June 25, 2020.  
<https://www.state.gov/reports/2020-trafficking-in-persons-report/bosnia-and-herzegovina/>
- 5 UNESCO Institute for Statistics. Gross intake ratio to the last grade of primary education, both sexes (%). Accessed: March 3, 2022. For more information, please see "Children's Work and Education Statistics: Sources and Definitions" in the Reference Materials section of this report.  
<http://data.uis.unesco.org/>
- 6 ILO. Analysis of Child Economic Activity and School Attendance Statistics from National Household or Child Labor Surveys. Original Data from Multiple Indicator Cluster Survey 3 (MICS 3), 2006. Analysis received March 2022. Please see "Children's Work and Education Statistics: Sources and Definitions" in the Reference Materials section of this report.
- 7 U.S. Embassy- Sarajevo. Reporting. January 30, 2019.
- 8 U.S. Embassy- Sarajevo. Reporting. March 14, 2019.
- 9 U.S. Department of State. Trafficking in Persons Report- 2021: Bosnia and Herzegovina. Washington, D.C., July 1, 2021.  
<https://www.state.gov/reports/2021-trafficking-in-persons-report/bosnia-and-herzegovina/>
- 10 U.S. Embassy- Sarajevo. Reporting. January 21, 2022.
- 11 U.S. Embassy- Sarajevo. Reporting. February 9, 2018.
- 12 U.S. Embassy- Sarajevo. Reporting. February 12, 2021.
- 13 U.S. Embassy- Sarajevo. Reporting. January 18, 2018.
- 14 Kali Sara-Roma Information Center official. Interview with USDOL official. May 17, 2017.
- 15 U.S. Embassy- Sarajevo official. E-mail communication to USDOL official. May 22, 2017.
- 16 UNHCR. The Urgent Need to End Childhood Statelessness. 2022.  
<https://www.unhcr.org/ibelong/the-urgent-need-to-end-childhood-statelessness/>
- 17 UNHCR. Bosnia and Herzegovina - Operational Context. 2022.  
<https://www.unhcr.org/ibelong/bosnia-and-herzegovina-joint-strategy/>
- 18 Human Rights Watch. World Report: Bosnia and Herzegovina, Events of 2020. 2021.  
<https://www.hrw.org/world-report/2021/country-chapters/bosnia-and-herzegovina>
- 19 U.S. Embassy- Sarajevo. Reporting. February 7, 2022.
- 20 Oslobođenje. Another deadline to begin working with more than one hundred children with disabilities. March 9, 2018.  
<http://www.oslobodjenje.ba/vijesti/sarajevo/probjen-jos-jedan-rok-za-pocetak-rada-sa-vise-od-stotinu-djece-sa-poteskocama>
- 21 OSCE. "Two Schools Under One Roof" The Most Visible Example of Discrimination in Education in Bosnia and Herzegovina. OSCE, November 2018.  
<https://www.osce.org/mission-to-bosnia-and-herzegovina/404990?download=true>
- 22 U.S. Department of State. Country Reports on Human Rights Practices- 2019: Bosnia and Herzegovina. Washington, D.C., March 11, 2020.  
<https://www.state.gov/reports/2019-country-reports-on-human-rights-practices/bosnia-and-herzegovina/>
- 23 Government of Bosnia and Herzegovina. Labor Law of the Federation of Bosnia and Herzegovina. Enacted: 2003.  
<http://ilo.org/dyn/natlex/docs/ELECTRONIC/104623/127699/F1877709948/BIH-2016-L-104623.pdf>
- 24 Government of Bosnia and Herzegovina. Labor Law of Republika Srpska. Enacted: 2003.  
<http://www.ilo.org/dyn/natlex/docs/ELECTRONIC/102220/123487/F-1030013146/BIH-2015-L-102220.pdf>
- 25 Government of Bosnia and Herzegovina. Labor Law of Brčko District. Enacted: 2005.  
<http://ilo.org/dyn/natlex/docs/ELECTRONIC/99959/119633/F1307714070/BIH99959.Bsn.pdf>
- 26 Government of Bosnia and Herzegovina. Constitution of Bosnia and Herzegovina. Enacted: 1995.  
<https://www.refworld.org/docid/3ae6b56e4.html>
- 27 Government of Bosnia and Herzegovina. Criminal Code of Bosnia and Herzegovina. Enacted: 2003.  
[https://advokat-prnjavorac.com/zakoni/Krivicni\\_zakon\\_BiH.pdf](https://advokat-prnjavorac.com/zakoni/Krivicni_zakon_BiH.pdf)
- 28 Government of Bosnia and Herzegovina. Criminal Code of the Federation of Bosnia and Herzegovina, amendments in Official Gazette Number 46. Enacted: June 15, 2016.  
[http://www.tuzilastvobih.gov.ba/files/docs/Krivicni\\_zakon\\_F\\_BiH\\_izmjene\\_i\\_dopune\\_46\\_16\\_bos.pdf](http://www.tuzilastvobih.gov.ba/files/docs/Krivicni_zakon_F_BiH_izmjene_i_dopune_46_16_bos.pdf)
- 29 Government of Bosnia and Herzegovina. Criminal Code of Republika Srpska. Enacted: July 1, 2003.  
[https://www.unodc.org/cld/document/bih/2003/criminal\\_code\\_of\\_republika\\_srpska\\_as\\_of\\_2013.html](https://www.unodc.org/cld/document/bih/2003/criminal_code_of_republika_srpska_as_of_2013.html)
- 30 Government of Bosnia and Herzegovina. Criminal Code of the Brčko District of Bosnia and Herzegovina. Enacted: May 28, 2003.  
[http://www.ohr.int/ohr-dept/legal/laws-of-bih/pdf/005 - Criminal Code, Criminal Procedure Codes and Criminal Sanctions/Criminal Codes/ BDBH/BD Criminal Code 10-03.pdf](http://www.ohr.int/ohr-dept/legal/laws-of-bih/pdf/005-Criminal%20Code,%20Criminal%20Procedure%20Codes%20and%20Criminal%20Sanctions/Criminal%20Codes/BDBH/BD%20Criminal%20Code%2010-03.pdf)
- 31 Government of Bosnia and Herzegovina. Law on Service in the Armed Forces in Bosnia and Herzegovina. Enacted: 2005. Source on file.
- 32 Government of Bosnia and Herzegovina. Framework Law on Primary and Secondary Education in Bosnia and Herzegovina, No. 18/03. Enacted: 2003.  
[http://fmon.gov.ba/Upload/Dokumenti/7e1e8c33-c594-4784-817a-e46de79149fa\\_Okvirni zakon o osnovnom i srednjem obrazovanju u Bosni i Hercegovini.pdf](http://fmon.gov.ba/Upload/Dokumenti/7e1e8c33-c594-4784-817a-e46de79149fa_Okvirni_zakon_o_osnovnom_i_srednjem_obrazovanju_u_Bosni_i_Hercegovini.pdf)
- 33 Government of Bosnia and Herzegovina. Law on Primary Education of Republika Srpska. Enacted: 2007.  
<https://advokat-prnjavorac.com/zakoni/Zakon-o-osnovnom-vaspitanju-i-obrazovanju-RS.pdf>
- 34 Government of Bosnia and Herzegovina. Law on Education in Primary and Secondary Schools in Brčko District. Enacted: March 27, 2008.  
[http://skupstinabd.ba/ba/zakon.html?lang=ba&id=/Zakon o obrazovanju u osnovnim i srednjim s--kolama](http://skupstinabd.ba/ba/zakon.html?lang=ba&id=/Zakon%20o%20obrazovanju%20u%20osnovnim%20i%20srednjim%20s--kolama)
- 35 U.S. Embassy- Sarajevo. Reporting. May 24, 2021.
- 36 U.S. Embassy- Sarajevo official. E-mail communication to USDOL official. January 26, 2018.
- 37 Government of Bosnia and Herzegovina. Written Communication. Submitted in response to USDOL Federal Register Notice (2017). Request for Information of Efforts by Certain Countries to Eliminate the Worst Forms of Child Labor. Sarajevo. 2018.
- 38 Council of Europe. Training on human trafficking for labour exploitation continued in Bosnia and Herzegovina. December 15, 2021.  
<https://www.coe.int/en/web/sarajevo/-/training-on-human-trafficking-for-labour-exploitation-continued-in-bosnia-and-herzegovina>
- 39 U.S. Embassy- Sarajevo official. E-mail communication with USDOL official. June 10, 2022.
- 40 U.S. Embassy- Sarajevo official. E-mail communication to USDOL official. February 12, 2019.
- 41 Government of Bosnia and Herzegovina. Guidelines for Work of Regional Monitoring Teams for Combatting Trafficking in Human Beings in Bosnia and Herzegovina. 2018.  
[https://bih.iom.int/sites/bih/files/TRAFFIC/GUIDELINES FOR WORK OF REGIONAL MONITORING TEAMS FOR COMBATTING TRAFFICKING IN HUMAN BEINGS IN BOSNIA AND HERZEGOVINA.pdf](https://bih.iom.int/sites/bih/files/TRAFFIC/GUIDELINES%20FOR%20WORK%20OF%20REGIONAL%20MONITORING%20TEAMS%20FOR%20COMBATTING%20TRAFFICKING%20IN%20HUMAN%20BEINGS%20IN%20BOSNIA%20AND%20HERZEGOVINA.pdf)



- 42 Radio Sarajevo. KS rule is decisive: Prevent beggars and exploiting children. October 2, 2018.  
<https://www.radiosarajevo.ba/metromahala teme/sarajevska-vlast-odlucna-sprijeciti-prosjacenja-skitnje-i-iskoristavanje-djece/314297>
- 43 Government of Canton Sarajevo. Protocol on cooperation and treatment in cases of unlawful behavior at the detriment of children in Canton Sarajevo. 2018. Source on file.
- 44 Council of Europe. GRETA visits Bosnia and Herzegovina as part of the third evaluation round. September 6, 2021.  
<https://www.coe.int/en/web/sarajevo/-/greta-visits-bosnia-and-herzegovina-as-part-of-the-third-evaluation-round>
- 45 U.S. Embassy- Sarajevo official. E-mail communication to USDOL official. May 10, 2018.
- 46 U.S. Department of State. Country Reports on Human Rights Practices- 2020: Bosnia and Herzegovina. Washington, D.C., March 30, 2021.  
<https://www.state.gov/reports/2020-country-reports-on-human-rights-practices/bosnia-and-herzegovina/>

In 2021, Botswana made minimal advancement in efforts to eliminate the worst forms of child labor. The government secured a conviction and imposed a 10-year sentence on an individual for forced labor of a child in domestic servitude. However, children in Botswana are subjected to the worst forms of child labor, including in commercial sexual exploitation, sometimes as a result of human trafficking, and forced labor in cattle herding and domestic service. Key gaps remain in the country's legal framework, including the lack of a minimum age for compulsory education and a list of hazardous work activities for children. The government did not provide information on its labor law enforcement efforts for inclusion in this report. In addition, social programs do not always reach children in child labor, 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, sometimes as a result of human trafficking, and forced labor in cattle herding and domestic service. (1,2) Table I 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 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 (%)		94.6

Source for primary completion rate: Data from 2015, published by UNESCO Institute for Statistics, 2022. (3)

Data were unavailable from International Labor Organization's analysis, 2022. (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 and spraying of cattle (5,6)
Services	Street work, including vending (7)
	Domestic work (8,9)
Categorical Worst Forms of Child Labor‡	Commercial sexual exploitation, sometimes as a result of human trafficking (1,2,10)
	Forced labor in cattle herding and domestic service (1)

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

Children in Botswana are victims of commercial sexual exploitation, sometimes as a result of human trafficking. (1,2) 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. (1,7) 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. (1) Children, particularly children from the San minority ethnic group, work on commercial farms in the Ghanzi Region, tending to and herding cattle. (2,8) An NGO reported 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,

# Botswana

## MINIMAL ADVANCEMENT




employers may withhold food rations unless children perform work. (1,5,8) Children working in domestic service settings are exposed to various conditions that are indicative of forced labor including confinement, denial of promised educational opportunities and basic necessities, and physical, verbal, and sexual abuse. (1)

Botswana law provides for free basic education. The costs of books, uniforms, and other materials may be waived for children from poorer families; however insufficient transportation to schools in remote regions of Botswana and lack of materials in indigenous languages create educational barriers for children from minority ethnic groups. (2,11,12) In addition, school enrollment requires an identity document, such as a birth certificate or national identity card. (1) 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. (2,13) 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. (2,12,14,15) Moreover, pervasive physical and sexual abuse, including gender-based violence, within schools, by both teachers and peers, contributes to children leaving education early and becoming vulnerable to the worst forms of child labor. (5,7,16,17)

## II. LEGAL FRAMEWORK FOR CHILD LABOR

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

**Table 3. Ratification of International Conventions on Child Labor**

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

The government has established laws and regulations related to child labor (Table 4). However, gaps exist in Botswana's legal framework to adequately protect children from the worst forms of child labor, including the lack of a compulsory education age that is consistent with the minimum age for work.

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

Standard	Meets International Standards	Age	Legislation
Minimum Age for Work	Yes	15	Articles 2 and 107 of the Employment Act (18)
Minimum Age for Hazardous Work	Yes	18	Articles 2 and 110 of the Employment Act (18)
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 9–10 of the Anti-Human Trafficking Act; Section 262 of the Penal Code (18,19)
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 (19,20)

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

Standard	Meets International Standards	Age	Legislation
Prohibition of Commercial Sexual Exploitation of Children	No		Sections 25 and 57–59 of the Children's Act; Sections 9 and 10 of the Anti-Human Trafficking Act (19,20)
Prohibition of Using Children in Illicit Activities	Yes		Section 60 of the Children's Act (20)
Minimum Age for Voluntary State Military Recruitment	Yes	18	Section 17 of the Botswana Defense Force Act (21)
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 (20)
Compulsory Education Age	No		
Free Public Education	Yes		Section 18 of the Children's Act (20)

\* Country has no conscription. (21)

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 includes 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. (11) 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. (18) Although the government compiled a comprehensive list of hazardous occupations, including the handling of pesticides and agricultural chemicals, the list has not yet been approved. (10,12) In addition, legal protections for children from commercial sexual exploitation do not meet international standards because the use of children for prostitution is not criminally prohibited. (20)

Despite the provision of free basic education, there is not a compulsory education age, which may increase children's vulnerability to child labor. (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 Labor	Enforces child labor laws and conducts inspections under the Employment Act. (18,22) Facilitates coordination with local leaders and law enforcement officers. Posts labor inspectors to District Council offices to carry out their duties. (22) Coordinates with the Ministry of Local Government and Rural Development (MLGRD) to respond to cases of child labor and place children in safe environments. (7,23)
District and Municipal Council Child Welfare Divisions	Enforce child labor laws at the local level. (22) The District and Municipal Council Child Welfare Divisions report to the Social Protection Department under the MLGRD (24)
Botswana Police Service (BPS)	Responds to cases of labor law violation, including child labor violations, based on referrals from the Ministry of Labor. (25) Investigates cases of the worst forms of child labor, including commercial sexual exploitation of children and child trafficking. (22)
Ministry of Justice	Monitors suspected human trafficking cases and leads the Human Trafficking (Prohibition) Committee. (22)



# Botswana

## MINIMAL ADVANCEMENT

### Labor Law Enforcement

In 2021, labor law enforcement agencies in Botswana took actions to address 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	2020	2021
Labor Inspectorate Funding	\$64,424 (26)	Unknown (2)
Number of Labor Inspectors	Unknown (25)	Unknown (2)
Mechanism to Assess Civil Penalties	No (18)	No (18)
Initial Training for New Labor Inspectors	Yes (25)	Unknown (2)
Training on New Laws Related to Child Labor	N/A (25)	N/A (2)
Refresher Courses Provided	No (25)	Unknown (2)
Number of Labor Inspections Conducted	76 (26)	Unknown (2)
Number Conducted at Worksite	76 (26)	Unknown (2)
Number of Child Labor Violations Found	0 (26)	Unknown (2)
Number of Child Labor Violations for Which Penalties Were Imposed	N/A (26)	Unknown (2)
Number of Child Labor Penalties Imposed that Were Collected	N/A (26)	Unknown (2)
Routine Inspections Conducted	Yes (26)	Yes (2)
Routine Inspections Targeted	No (26)	Unknown (2)
Unannounced Inspections Permitted	Yes (18)	Yes (18)
Unannounced Inspections Conducted	Yes (25)	Yes (18)
Complaint Mechanism Exists	Yes (25)	Yes (2)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (25)	Yes (2)

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. (18)

The government did not provide complete information on its labor law enforcement efforts to address child labor for inclusion in this report. (25) In addition, the labor inspectorate lacks sufficient resources to adequately enforce labor laws. (25) Some of Botswana's largest administrative districts have only one or two labor inspectors. (5,25)

The government reported that 54 labor inspectors participated in a workshop on modern inspection techniques during the reporting period but did not indicate whether this number comprised the entire inspectorate. (24) Research has been unable to determine precisely how many labor inspectors Botswana currently employs. According to the ILO's technical advice of a ratio approaching 1 inspector for every 15,000 workers in countries with developing economies, Botswana would need to employ about 66 labor inspectors to adequately protect its workforce of nearly 1,000,000 workers. (7,27,28) Evidence suggests that inadequate numbers of labor inspectors may be hindering enforcement in Botswana, especially in the agricultural sector. For example, there is only 1 labor inspector assigned to the Ghanzi District, a district that spans 117,000 square kilometers and where there are reports of child labor at farms and cattle posts. (5,25) Furthermore, enforcement efforts may be hindered by limits on labor inspectors' authority. 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. (5,7)

### Criminal Law Enforcement

In 2021, criminal law enforcement agencies in Botswana took actions to address child labor (Table 7). However, gaps exist within the operations of criminal enforcement agencies that may hinder adequate criminal law enforcement, including lack of published information on criminal law enforcement efforts.

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

Overview of Criminal Law Enforcement	2020	2021
Initial Training for New Criminal Investigators	Unknown (25)	Yes (2)
Training on New Laws Related to the Worst Forms of Child Labor	N/A (25)	N/A (2)
Refresher Courses Provided	Unknown (25)	Unknown (2)
Number of Investigations	2 (29)	Unknown (2)
Number of Violations Found	2 (29)	Unknown (2)
Number of Prosecutions Initiated	2 (29)	1 (30)
Number of Convictions	Unknown (25)	1 (30)
Imposed Penalties for Violations Related to the Worst Forms of Child Labor	Unknown (25)	Yes (30)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (25)	Yes (2)

The government did not provide complete information on its criminal law enforcement efforts, including refresher trainings for criminal law enforcement investigators and the number of investigations related to the worst forms of child labor, for inclusion in this report. (25) During the reporting period, Botswana courts convicted a Zimbabwean woman for bringing a 16 year-old child into Botswana for forced domestic servitude. The court imposed a 10-year sentence, marking the first conviction and imposed penalty for human trafficking in 2 years. (30) Although the government convicted four other individuals and initiated two new prosecutions under the trafficking in persons law during the reporting period, the ages of the victims and whether the cases pertained to the worst forms of child labor are unknown. (25,31)

#### IV. COORDINATION OF GOVERNMENT EFFORTS ON CHILD LABOR

The government has established mechanisms to coordinate its efforts to address child labor (Table 8). However, gaps exist that hinder the effective coordination of efforts to address child labor, including inefficacy in accomplishing mandates.

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

Coordinating Body	Role & Description
Advisory Committee on Child Labor	Oversees government policies and efforts to prevent and eliminate child labor. Reports to the government three to four times a year. (2) Includes representatives from government agencies, various NGOs, worker federations, and employer organizations. (2) Led by the Ministry of Labor, with participation from the MLGRD, Ministry of Finance, and the Office of the President. (13)
Child Labor Committees	Identify child laborers at the village level. Include social workers; schoolteachers; members of the Village Development Committees, which are local government structures; labor inspectors; and community leaders, including chiefs and priests. (2)
Human Trafficking (Prohibition) Committee	Provides an interministerial reporting and referral mechanism for children subjected to human trafficking. (13) Led by the Ministry of Justice, with representation from MELSD, BPS, the Directorate of Public Prosecutions, and ministries responsible for gender affairs, social protection, immigration, and transportation. (22,32) The committee met three times during the reporting period and facilitated the development of standard operating procedures for repatriation of trafficking survivors to their countries of origin. (33)

Research could not determine whether coordinating bodies were active during the reporting period. (2,31) The Ministry of Justice reported the need for technical support, training, and increased coordination among agencies to address human trafficking. It indicated that referral and rehabilitation services for human trafficking survivors are also needed. (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 a lack of implementation.

# Botswana

## MINIMAL ADVANCEMENT

**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. Includes awareness-raising programs and training on child labor for relevant stakeholders and implementers. (22)

Research indicates that the government is not actively supporting implementation of key national policies for the prevention and elimination of child labor. (2) Child labor elimination and prevention strategies are not included in relevant national policies, including the Education and Training Sector Strategic Plan and the Botswana National Youth Policy. (36,37)

## VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2021, 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 inadequacy 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. These include: NGO-run shelters that cater to human trafficking survivors, 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 Development 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. (22) Research could not determine whether activities were undertaken to implement other relevant government-funded programs during the reporting period, such as the National School Feeding Program, the Remote Area Dweller Program, the Orphan Care Program, and the Needy Children and Needy Students program.

† Program is funded by the Government of Botswana.

There are no government-run shelters that cater to child survivors of human trafficking. While the government funds and contracts with NGO-run shelters that serve this population, it does not directly provide such services. (2) An NGO reported that established shelters lack resources to attend to the needs of older children. (6)

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 – 2021
	Determine by national law or regulation the types of hazardous work prohibited for children, after consultation with employers' and workers' organizations.	2009 – 2021
	Ensure that the use of children in prostitution is criminally prohibited.	2020 – 2021
	Establish a compulsory education age consistent with the minimum age of employment.	2010 – 2021
Enforcement	Publish information regarding labor law enforcement efforts.	2016 – 2021
	Ensure that the labor inspectorate has sufficient human and financial resources to adequately enforce labor laws, including on farms and cattle posts.	2020 – 2021

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

Area	Suggested Action	Year(s) Suggested
Enforcement	Ensure the number of labor inspectors in Botswana meets the ILO's technical guidance.	2020 – 2021
	Ensure that labor inspectors have authorization to access worksite premises and are able to conduct inspections at farms and domestic households.	2018 – 2021
	Publish information about criminal law enforcement efforts related to the worst forms of child labor.	2017 – 2021
Coordination	Ensure that all coordinating bodies are active and able to carry out their intended mandates.	2018 – 2021
	Ensure that Ministry of Justice employees receive sufficient technical support and training, and improve coordination among agencies on issues relating to human trafficking, including services to survivors.	2017 – 2021
	Ensure that there are adequate referral and rehabilitation services for human trafficking victims.	2018 – 2021
Government Policies	Ensure activities are undertaken to implement key policies related to child labor and publish results from activities implemented during the reporting period	2017 – 2021
	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 – 2021
Social Programs	Collect and publish data on the extent and nature of child labor to inform policies and programs.	2013 – 2021
	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, including a lack of school materials in indigenous languages; prevent physical and sexual violence in schools; increase resources for students with disabilities; and expand birth registration and national identification for migrants and children born outside of health facilities.	2020 – 2021
	Ensure activities are undertaken to implement key social programs related to child labor and publish results from activities implemented during the reporting period	2020 – 2021
	Establish official government-run shelters to assist child survivors of worst forms of child labor, while ensuring that shelters have sufficient resources to attend to the care of older children.	2020 – 2021
	Develop programs to fully address the scope of child labor in commercial sexual exploitation, domestic work, and cattle herding.	2012 – 2021

**REFERENCES**

- U.S. Department of State. Trafficking in Persons Report- 2021: Botswana. Washington, D.C., July 1, 2021. <https://www.state.gov/reports/2021-trafficking-in-persons-report/botswana/>
- U.S. Embassy- Gaborone. Reporting. January 13, 2022.
- UNESCO Institute for Statistics. Gross intake ratio to the last grade of primary education, both sexes (%). Accessed March 3, 2022. For more information, please see "Children's Work and Education Statistics: Sources and Definitions" in the Reference Materials section of this report. <http://data.uis.unesco.org/>
- ILO. Analysis of Child Economic Activity and School Attendance Statistics from National Household or Child Labor Surveys. Analysis received March 2022. Please see "Children's Work and Education Statistics: Sources and Definitions" in the Reference Materials section of this report.
- U.S. Embassy- Gaborone. Reporting. November 5, 2020.
- NGO official. Interview with USDOL official. February 5, 2021.
- U.S. Embassy- Gaborone. Reporting. January 28, 2020.
- NGO official. Interview with USDOL official. February 2, 2021.
- NGO official. Interview with USDOL official. February 9, 2021.
- ILO CEACR. Individual Observation concerning Worst Forms of Child Labour Convention, 1999 (No. 182) Botswana (ratification: 2000). Published 2022. [https://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100\\_COMMENT\\_ID:4124172:YES](https://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:4124172:YES)
- ILO Committee of Experts. Direct Request concerning Minimum Age Convention, 1973 (No. 138) Botswana (ratification: 1997). Published: 2019. [https://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100\\_COMMENT\\_ID:3959459](https://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:3959459)
- U.S. Department of State. Country Reports on Human Rights Practices- 2020: Botswana. Washington, D.C., March 2021. <https://www.state.gov/reports/2020-country-reports-on-human-rights-practices/botswana/>
- U.S. Embassy- Gaborone official. E-mail communication to USDOL official. March 27, 2020.
- Cultural Survival. Observations on the State of Indigenous Human Rights in Botswana. January 2018. <https://www.culturalsurvival.org/sites/default/files/UPRReportBotswana2017.pdf>
- Molosiwa, Annah Anikie and Dipotso Galeforolwe. Child rearing practices of the San communities in Botswana: potential lessons for educators. AlterNative, 2018. <https://journals.sagepub.com/doi/pdf/10.1177/1177180118772601>
- Diraditsile, Kabo and Morena J. Rankopo. Students' Views and Experiences on Child Sexual Abuse in Botswana: Implications for Educational Research and Policy Implementation. 2018. <https://journals.ub.bw/index.php/mosenodi/article/view/1466>
- U.S. Embassy- Gaborone official. E-mail communication to USDOL official. February 2, 2021.
- Government of Botswana. Employment Act. Enacted: 1982. <http://www.ilo.org/dyn/natlex/docs/WEBTEXT/842/64792/E82BVA01.htm>
- Government of Botswana. Anti-Human Trafficking Act. Enacted: 2014, Amended 2018. Source on file.
- Government of Botswana. Children's Act, No. 8. Enacted: 2009. [http://www.ilo.org/dyn/natlex/natlex4.detail?p\\_lang=en&p\\_isn=97343](http://www.ilo.org/dyn/natlex/natlex4.detail?p_lang=en&p_isn=97343)
- Government of Botswana. Botswana Defence Force Act, No. 23. Enacted: 1977. [https://ihl-databases.icrc.org/applic/ihl/ihl-nat.nsf/0/aa3071dc073984c6c125775200312bdd/\\$FILE/46443107.pdf/Botswana-DefenceForce.pdf](https://ihl-databases.icrc.org/applic/ihl/ihl-nat.nsf/0/aa3071dc073984c6c125775200312bdd/$FILE/46443107.pdf/Botswana-DefenceForce.pdf)
- U.S. Embassy- Gaborone. Reporting. February 8, 2019.



## MINIMAL ADVANCEMENT

- 23 U.S. Department of State official. E-mail communication to USDOL official. February 28, 2019.
- 24 U.S. Embassy- Gaborone official. E-mail communication to USDOL official. May 3, 2021.
- 25 U.S. Embassy- Gaborone. Reporting. January 15, 2021.
- 26 U.S. Embassy- Gaborone official. E-mail communication to USDOL official. February 17, 2021.
- 27 UN. World Economic Situation and Prospects. 2021 Statistical Annex. New York, 2021. Please see "Labor Law Enforcement: Sources and Definitions" in the Reference Materials section of this report. [https://www.un.org/development/desa/dpad/wp-content/uploads/sites/45/WESP2021\\_ANNEX.pdf](https://www.un.org/development/desa/dpad/wp-content/uploads/sites/45/WESP2021_ANNEX.pdf)
- 28 ILO. Labor Force Statistics (LFS) – Population and labour force. Accessed February 7, 2022. Please see "Labor Law Enforcement: Sources and Definitions" in the Reference Materials section of this report. <https://ilostat.ilo.org/data/>
- 29 U.S. Embassy- Gaborone. Reporting. February 19, 2021.
- 30 U.S. Embassy-Gaborone. Reporting. November 18, 2021.
- 31 U.S. Embassy-Gaborone. Reporting. March 11, 2022.
- 32 U.S. Embassy- Gaborone. Reporting. February 18, 2020.
- 33 Government of Botswana 2022 Botswana Trafficking in Persons Report 2022. Source on File.
- 34 U.S. Embassy- Gaborone. Reporting. April 12, 2019.
- 35 Government of Botswana. Anti-Human Trafficking National Action Plan, 2017–2020. 2017. Source on file.
- 36 Government of Botswana, Ministry of Labor and Home Affairs. National Youth Policy. February 1996. Source on file.
- 37 Government of Botswana. Education and Training Sector Strategic Plan 2015–2020. April 2015. Source on file.

In 2021, 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 Labor and Welfare found to be using slave labor, including that of children. It also established the Intersectoral Commission to Combat Violence Against Children and Adolescents, with the aim of consolidating public policies relevant to addressing all types of violence against children and adolescents. Furthermore, the government updated the Federal Pact for the Eradication of Forced Labor, with the objective of promoting, improving, and maximizing communication between entities involved in addressing slave labor and extending participation to all 5,000 municipalities in the country. Lastly, the Ministry of Citizenship's Monitoring System of the Child Labor Eradication Program, which tracks actions taken by state and municipal governments in support of the National Program to Eradicate Child Labor, registered 12,756 activities carried out nationwide to address child labor. 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. 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. (1,2) Children also engage in child labor in agriculture, including in the production of coffee. (3,4) 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. (5) The survey also revealed a decrease of approximately 200,000 child laborers since 2016. (5) 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.

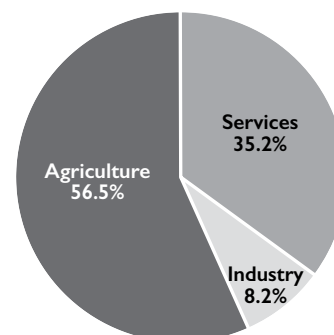
**Table 1. Statistics on Children's Work and Education**

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, 2022. (6)

Source for all other data: International Labor Organization's analysis of statistics from Pesquisa Nacional por Amostra de Domicílios (PNAD) Continua, 2015. (7)

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



# Brazil

## MODERATE ADVANCEMENT

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

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

Sector/Industry	Activity
Agriculture	Harvesting of <i>açaí</i> and citrus fruits, and the production of bananas, cocoa, coffee, corn, cotton,† eucalyptus, grapes, mangoes, manioc, mate tea, onions, pineapples,† rice, sisal,† soy, sugarcane,† tobacco,† and watermelons (3,4,8-14)
	Cattle ranching and raising livestock, including hogs, poultry, and sheep (4,8,15)
	Fishing and harvesting mollusks† (4,8,16)
	Forestry, including logging,† extracting carnauba palm leaves, and producing charcoal† (4,8,17-19)
Industry	Slaughtering animals,† including for beef production (20)
	Processing manioc/cassava flour† and cashews† (21,22)
	Production of ceramics† and bricks† (19,23)
	Production of footwear and textiles, including garments (8,19,23)
	Construction† (12,24)
	Work in stone quarries† (19,25)
Services	Rolling straw cigarettes† (26,27)
	Street work,† including vending,† washing cars,† collecting recycling,† and garbage scavenging† (12,19,28-30)
	Work in markets and fairs, including hauling fruits and vegetables and transporting heavy loads (31)
	Restaurant food delivery, including by bicycle (32)
	Selling alcoholic beverages † (28,29)
	Artistic and sports-related activities and cultural work (33)
Categorical Worst Forms of Child Labor‡	Domestic work,† including babysitting, housekeeping, and eldercare (12,19)
	Commercial sexual exploitation, including use in the production of pornography, sometimes as a result of human trafficking (1,2,30,34)
	Forced domestic work (34)
	Forced labor in agriculture, including in the production of coffee and manioc (3,35)
	Forced labor in the production of garments, including in garment factories (36)
	Use by gangs to perform illicit activities, including drug trafficking, sometimes as a result of human trafficking (37,38)
	Forced begging (39)

† 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 continued to affect the Brazilian economy, causing an increase in the number of children engaging in child labor. During the reporting period, approximately 47,000 children and adolescents between the ages of 5 and 17 were found working in the State of Espírito Santo in agriculture and street vending. The State of Espírito Santo also found that some children were subjected to prostitution and drug trafficking. (40) In June 2021, Rio de Janeiro's Municipal Social Assistance Department found 20 children and adolescents working as food scavengers and selling sweets on the streets in a popular local market. (41) In addition, São Paulo State registered 3,558 children engaged in child labor during the first semester of 2021; of this number, 2,085 children were living and working on the streets, while 967 were involved in illicit activities, such as drug trafficking, and 126 were subjected to commercial sexual exploitation. (12)

The overall scope and magnitude of commercial sexual exploitation of children is unknown; however, the latest biennial report published by the Federal Highway Police, in collaboration with Childhood Brazil, identified 3,651 areas along highways throughout the country where children are vulnerable to commercial sexual exploitation. Areas are assessed by evaluating the risk of exploitation and the implementation of preventative mechanisms and strategies that exist within each state. (2) According to the report, the states of Bahia, Goiás, Pará, Minas Gerais and Ceará have the highest risk for this type of exploitation. Furthermore, the recent report also indicated a 0.4 percent decrease in these vulnerable areas since its previous publication. (2) 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. (34,42)

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 between July 2017 and June 2018, with the aim of exposing companies and holding them accountable for their child labor and forced labor violations. (43,44)




Research found that some schools, particularly those in rural areas, are overcrowded, have poor infrastructure, and lack basic resources and teachers. (12,45) In previous years, birth registration documents were required for school enrollment, which occasionally caused delays in processing school registration while children were being registered for birth certificates. However, in November 2020, the Ministry of Education officially published Resolution No. 1, which removed the need for birth registration documents for school enrollment, including by migrant, refugee, stateless, and asylum-seeking children. (46)

A survey by the education-focused NGO Education for All (*Todos pela Educação*), using data from the second quarter of 2021's Continuous Household Survey (PNAD), found that the number of children ages 6 to 14 who were out of school grew 171 percent compared to the same calendar period in 2019, resulting in 244,000 children out of school, the largest number since 2012. Furthermore, the percentage of school-enrolled children fell from 98 percent in 2019 to 96.2 percent in 2021. (47)

## 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 deficiencies with its child trafficking prohibitions.

**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 (48)
Minimum Age for Hazardous Work	Yes	18	Article 2 of the Hazardous Work List (49)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Hazardous Work List (49)
Prohibition of Forced Labor	Yes		Articles 149 and 149-A of the Penal Code (50,51)
Prohibition of Child Trafficking	No		Article 149-A of the Penal Code; Article 244-A of the Child and Adolescent Statute (51,52)
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 (50,52)
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 (52,53)



# Brazil

## MODERATE ADVANCEMENT

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

Standard	Meets International Standards	Age	Legislation
Minimum Age for Voluntary State Military Recruitment	Yes	17	Article 127 of the Military Service Regulation (54)
Prohibition of Compulsory Recruitment of Children by (State) Military	Yes		Article 5 of the Military Service Law (55)
Prohibition of Military Recruitment by Non-state Armed Groups	No		
Compulsory Education Age	Yes	17	Article 4 of the National Education Law (56)
Free Public Education	Yes		Article 4 of the National Education Law (56)

The national "Dirty List," which contains information on employers that are found to be using slave labor, including that of children, was updated in April 2021 with 19 names and in October 2021 with 13 names. (57-59)

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. (51) As the minimum age for work is lower than the compulsory education age, children may be encouraged to leave school before the completion of compulsory education. (48,56)

### 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 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 Welfare (MTP)	Oversees the Secretariat of 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. (12,60) Upon finding children in hazardous working conditions, labor inspectors immediately remove and return them to their families or refer them to social services providers. (12) In 2021, the government re-established the Ministry of Labor, which had been incorporated into the Ministry of Economy in 2019, as the MTP. (61)
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 address child labor. Collects fines for forced labor violations and allocates funds for initiatives that address child labor and forced labor. (12) Led by the Ministry of Public Union. (62)
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 help identify areas in which children are at high risk of commercial sexual exploitation. (12) In 2021, the Federal Police expanded its capacity to respond to cases of human trafficking and forced labor. (59,63) Previously, the Service for the Repression of Trafficking in Persons and Human Smuggling (S RTP) was the only office, within the Federal Police, to lead these investigations; however, during the reporting period, an additional office was established, the Nucleus to Repress Forced Labor, to respond to cases of forced labor. In addition, the S RTP increased in size, including a police delegate leading the division and supported by three federal police officers and additional staff support, depending on the specific mission, with a focus on human trafficking and smuggling. (59,63)
Ministry of Justice and Public Security (MJSP)	Leads efforts to address 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. (12) Eight Advanced Posts operate throughout the country to identify human traffickers and potential victims in high-transit areas, including airports and bus stations. (63)

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

Organization/Agency	Role
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. (12,64)
State Councils for Child and Adolescent Rights	Ensure compliance at state, federal, and local levels with public policies legislating the human rights of children and adolescents. (12) Chaired by members of government and civil society. Councils can levy Guardianship Counsels, Special Protection Precincts, and solicit judicial action by the MJSP, Public Defenders, and the Special Courts for Childhood and Youth. (12)

### Labor Law Enforcement

In 2021, labor law enforcement agencies in Brazil took actions to address child labor (Table 6). However, gaps exist within the operations of the Ministry of Labor and Welfare (MTP) that may hinder adequate labor law enforcement, including insufficient human resource allocation.

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

Overview of Labor Law Enforcement	2020	2021
Labor Inspectorate Funding	\$1,759,952 (65)	Unknown
Number of Labor Inspectors	2,084 (66)	2,015 (12)
Mechanism to Assess Civil Penalties	Yes (67)	Yes (67)
Initial Training for New Labor Inspectors	N/A (66)	N/A
Training on New Laws Related to Child Labor	N/A (66)	N/A
Refresher Courses Provided	Yes (66)	Yes (12)
Number of Labor Inspections Conducted	194,126 (59)	169,038 (59)
Number Conducted at Worksite	194,126 (59)	169,038 (59)
Number of Child Labor Violations Found	279 (68)	1100 (59)
Number of Child Labor Violations for Which Penalties Were Imposed	681 (12)	933 (59)
Number of Child Labor Penalties Imposed that Were Collected	Unknown (66)	Unknown
Routine Inspections Conducted	Yes (66)	Yes (12)
Routine Inspections Targeted	Yes (66)	Yes (12)
Unannounced Inspections Permitted	Yes (67)	Yes (67)
Unannounced Inspections Conducted	Yes (66)	Yes (12)
Complaint Mechanism Exists	Yes (66)	Yes (12)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (66)	Yes (12)

According to the Under Secretariat for Labor Inspection, 1,838 children and adolescents were removed from situations of child labor during the reporting period. Reports indicate that these operations covered several sectors with a focus on open air markets, street commerce on beaches and in public places, and garbage dumps in the states of Maranhão, Bahia, Espírito Santo, Ceará, and Paraíba. (12) In February 2021, the Regional Office of the Ministry of Labor in Minas Gerais State rescued 11 people, including minors, from a ceramics factory. The factory owner signed a conduct adjustment agreement with the Public Ministry of Minas Gerais and issued severance payments to each of the rescued workers, including those below age 18. (69) Also in February, labor inspectors removed 39 children, between the ages of 7 and 17, and cited 16 employers during a coordinated action in Bahia State in the capital city of Salvador and the surrounding region. (70) In addition, in Ceará State, 149 children were rescued from situations of child labor, which was a significant contrast to the 30 rescued in 2020. Of the 149 children rescued, 148 were found working in activities determined by Brazilian legislation as the worst forms of child labor, such as construction and garbage collection in landfills. (71) The inspections in Ceará were conducted by the MTP's labor inspection unit and focused on planned mapping efforts of 177 possible incidences of child labor in the state. (71) The Under Secretariat of Labor Inspection's Special Mobile Inspection Groups (GEFM) also removed three minors, ages 9, 10, and 13, along with their parents and two younger siblings, from a coffee and eucalyptus plantation. The three minors fertilized and cleaned around the property, including the owner's house. (72) Moreover, the GEFM rescued 116 workers, including 5 adolescents, from a Goiás farm

# Brazil

## MODERATE ADVANCEMENT

supplying straw to Brazil's largest straw cigarettes manufacturer. (27) In September, for the first time in 10 years, labor inspectors identified six adolescents, ages 15 to 17, working in the fruit industry in the Petrolina region of Pernambuco, including on grape and mango farms. Four farms were inspected and child labor was identified on three of them. (12)

According to the Under Secretariat for Labor Inspection, when children are found in situations of child labor, including in hazardous working conditions, they are immediately removed from the situation. Relevant data related to the violations are collected and forwarded to social services providers within the child and adolescent protection network, and reports are sent to the Public Ministry for further guidance. (73) In addition, children over age 14 may be referred to the country's apprenticeship program. (73) The number of labor inspectors is likely insufficient for the size of Brazil's workforce, which includes approximately 99.56 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 need to employ roughly 6,637 labor inspectors. (74,75)

### **Criminal Law Enforcement**

In 2021, criminal law enforcement agencies in Brazil took actions to address child labor (Table 7). However, gaps exist within the operations of the criminal enforcement agencies that may hinder adequate criminal law enforcement, including insufficient efforts to hold 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	2020	2021
Initial Training for New Criminal Investigators	Yes (66)	Yes (12)
Training on New Laws Related to the Worst Forms of Child Labor	N/A (66)	N/A
Refresher Courses Provided	Yes (66)	Yes (12)
Number of Investigations	Unknown (66)	Unknown
Number of Violations Found	Unknown (66)	Unknown
Number of Prosecutions Initiated	Unknown (66)	Unknown
Number of Convictions	Unknown (66)	Unknown
Imposed Penalties for Violations Related to the Worst Forms of Child Labor	Unknown (66)	Unknown
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (66)	Yes (12)

Although the government did not provide criminal law enforcement data for the reporting period, reports indicate that a U.S. citizen was found guilty and sentenced to 9 years in prison under the Brazilian Penal Code 218-B for "Enticement of a Minor for Sexual Exploitation;" however, the case has been appealed and the accused remains free. The victim's mother was also sentenced under the same violation, receiving a sentence of 12 years in prison, though she also remains free, pending appeal. (12)

In April 2021, during an operation to address child labor exploitation in the state of Bahia, Salvador's Specialized Police for the Repression of Crimes against Children and Adolescents identified more than 20 minors begging in supermarket parking lots and at traffic lights throughout the city. These children were accompanied by adults, and five of them were determined to have been subjected to forced begging. (39) In addition, during the reporting period, Federal Police agents rescued three Bolivian adolescents, ages 16 and 17, working in a clothing factory in a small town in the interior of São Paulo. All three victims were imprisoned in a small house behind the factory, with poor sanitary conditions and without access to the outside world. (36)

The Federal Police, under Operation Harem, infiltrated an international sex trafficking ring and arrested six members in Brazil, Spain, and Portugal in April 2021. Allegedly, the network is led by a Brazilian and extends over 15 countries across multiple continents with over 200 women, including minors, recruited through social media and messaging applications with promises of money and work in modeling agencies. (76)

The Judiciary, the MPT, and the federal and state police have databases to track cases of human trafficking for sexual exploitation; however, information from these databases is not shared in a standardized way across relevant agencies. (12,77) 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. (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 the effective coordination of efforts to address child labor, including lack of 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)	Leads implementation of the National Plan for the Prevention and Eradication of Child Labor and the Protection of Working Adolescents. 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. (66) 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, though these special representatives are not allowed to vote on any new initiatives. (78) In September 2021, conducted one meeting, after its re-establishment, to discuss general housekeeping matters and internal regulations. (12)
Intersectoral Commission to Combat Violence Against Children and Adolescents*	Established by Federal Decree No. 10.701 in 2021, thereby replacing the Intersectoral Commission to Combat Sexual Violence Against Children and Adolescents. Aims to consolidate public policies relevant to addressing violence against children and adolescents, including physical, sexual, psychological, and institutional violence. (12,79) Also aims to draft, monitor, and evaluate a national plan to address violence against children and adolescents in coordination with the National Council for the Rights of Children and Adolescents (CONANDA). Led by the Ministry of Women, Family and Human Rights, and includes representatives from MJSP, and the ministries of Education, Citizenship, Health, and Tourism. (12,79) In July 2021, the Commission conducted its first meeting and created an agenda for the drafting of a national action plan. (79)
National Council for the Rights of Children and Adolescents (CONANDA)	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 MJSP's Special Secretariat for Human Rights. (80) In 2021, designated, within its scope, the members of the Monitoring and Evaluation Commission; established the Organizing Committee of the XII National Conference on the Rights of Children and Adolescents and appointed its members; and approved amendments to article 22(4) of Resolution No. 217 of December 26, 2018, thus allowing a remaining tie to be decided by CONANDA's President casting a vote at the subsequent meeting. (81-84) In addition, held monthly meetings and elected civil society representatives. Its Adolescent Advisory Committee published a newsletter and hosted a virtual event in collaboration with SaferNet Brasil, a Brazilian NGO committed to online safety. (59) In May 2021, conducted events in support of the National Day to Combat Abuse and Sexual Exploitation of Children and Adolescents. (59)
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. (85) Includes 11 representatives from the Superior Labor Court and regional labor courts. (86) Research was unable to determine whether activities were undertaken by the council during the reporting period.
National Committee to Combat Trafficking in Persons (CONATRAP)	Led by the National Secretariat for Justice within MJSP. Coordinates activities to address human trafficking and advises the Ministry on public policies related to human trafficking, including child trafficking. (42,87) Comprising seven voting members distributed among government and civil society. (42) In 2021, issued updates to its committee bylaws. (59)
Anti-Trafficking Coordination Centers ( <i>Núcleos de Enfrentamento</i> )	Coordinate activities to address human trafficking, including medical, legal, and psychological assistance, in 16 states and the Federal District. (88) Research was unable to determine whether activities were undertaken by the Anti-Trafficking Coordination Centers during the reporting period.

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

During the reporting period, the mayor of the municipality of Vila Velha, Espírito Santo, signed Decree No. 276 establishing a taskforce aimed at preventing and eradicating child labor. The taskforce comprises city officials and representatives of the judiciary. (12,89)



# Brazil

## MODERATE ADVANCEMENT

### V. GOVERNMENT POLICIES ON CHILD LABOR

The government has established policies related to child labor (Table 9). However, policy gaps exist that hinder efforts to address child labor, including insufficient funding and lack of 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)	Prioritizes the prevention and eradication of child labor and the protection of adolescent workers; raises public awareness of child labor and its worst forms, including the risks of child labor; ensures relevant legislative compliance related to the prohibitions of child labor and its worst forms; strengthens family security and stability through the increase of employment opportunities; ensures access to quality education; and establishes health support systems for child labor victims. (90) In 2021, MPT published a manual on addressing some of the worst forms of child labor, including domestic work, street work, rural labor activities, drug trafficking, and commercial sexual exploitation of children. The manual further includes concepts, data, and possible strategies to address these issues. (12,91)
National Plan to Combat Human Trafficking III (2018–2022)	Outlines the government's strategy to address human trafficking. Includes 58 objectives based on 6 themes: policy management, information management, training, accountability, victim assistance and prevention, and public awareness raising. (42,92) Research was unable to determine whether activities were undertaken to implement the National Plan to Combat Human Trafficking during the reporting period.
Federal Pact for the Eradication of Forced Labor	Aims to establish a database on forced labor, create state-level commissions to address forced labor, and strengthen interagency coordination. Led by MJSP's Special Secretariat for Human Rights, and currently signed by 23 of the 27 states. (42,93,94) In 2021, the Pact was revised, allowing all 5,000 municipalities throughout the country to be included. Additionally, this revision aims to promote and improve communication between related entities involved in addressing matters related to the eradication of slave labor. (94,95)
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. (96) In 2021, the goal of increasing full-time school enrollment rose by 15 percent in high schools and 10 percent in elementary schools; however, over the past 7 years, only 5 out of the 20 goals of the National Education Policy have been partially achieved. (12,97) In addition, research found that frequent cuts to the national education budget affected the implementation of the National Education Plan. (97,98)

‡ The government had other policies that may have addressed child labor issues or had an impact on child labor. (99,100)

### VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2021, 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 inadequacy 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 addresses child labor through awareness-raising activities, victim identification and protection, and conditional cash transfers. To receive program benefits, family participants must ensure that children are not working and maintain at least 85 percent school attendance. (101) According to the Ministry's Monitoring System of the Child Labor Eradication Program (SIMPETI), which tracks actions taken by state and municipal governments towards the five objectives in support of PETI, there were 12,756 activities carried out nationwide to address child labor during the reporting period. The state of Pernambuco led the effort with 554 actions through its Department of Social Development, Children, and Youth, allocating \$150,000 for the execution of strategic actions in support of PETI, including technical assistance and monitoring of actions carried out by social assistance teams. (12)
Aid Brazil ( <i>Auxílio Brasil</i> )*‡	MOC cash transfer program that integrates various public policies addressing social assistance, health, education, employment, and income. Aimed at families living in poverty and extreme poverty throughout the country. (102) Established in November 2021, the new program replaces the pre-existing Family Stipend ( <i>Bolsa Família</i> ) program, increasing the amounts paid to vulnerable families and incorporating all families previously enrolled in the <i>Bolsa Família</i> program. The government also aims to expand eligibility to increase the recipients from 14.6 million to 17.5 million by January 2022. (12)
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. (103) The centers continued to provide services during the reporting period. (104)

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

Program	Description
South-South Cooperation Projects†	Government of Brazil-funded projects implemented by ILO to address child labor and promote South-South cooperation. (105) In 2021, ILO and other Brazilian institutions launched the "Consolidation of the Progress of the Latin America and Caribbean Regional Initiative Free of Child Labor" project, which aims to address child labor in the region by 2025 and seeks to share the Brazilian experience through data generation, labor inspection, and local coordination to implement national policies to address child labor. The launch event was attended by more than 40 representatives, including MOC, MTP, the Brazilian Institute of Geography and Statistics, and regional partners. (12)
National Flow of Assistance to Victims of Slave Labor‡	Creates an integrated network of social services providers and standardizes assistance to victims of slave labor across the country. It is structured into three stages: complaint and planning, rescue and reintegration, and the identification of organizations mandated to act at each stage, including their role detail. (106) Led by the Ministry for Women, Family, and Human Rights (MMFDH). (107) In October 2021, MMFDH published Ordinance No. 3.484, which ensured national implementation of the National Flow of Assistance to Slave Labor Victims. In addition, MMFDH trained service providers on its implementation during the reporting period. (106)
USDOL-Funded Projects	Cooperation on Fair, Free, Equitable Employment (COFFEE), 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 address child and forced labor in coffee supply chains. Measurement, Awareness-Raising, and Policy Engagement (MAPI6) Project on Child Labor and Forced Labor, a global project with a \$225,000 component in Brazil that supported a National Forced Labor Survey. (108,109) As of the publication of this report, the results of the survey have not yet been published. For additional information, please see our website.

\* 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. (110-114)

The Ministry of Women, Family and Human Rights manages a human rights hotline that directs child labor, child trafficking, and child sexual exploitation complaints to relevant institutions. (12) In 2021, the hotline received 2,492 reports of potential child labor cases and 353 reports of 602 potential forced labor violations involving both children and adults. Data related to child labor complaints were as follows: 73 in rural areas, 836 in domestic service, 509 in commercial or industrial settings, and 1,161 in the informal sector. (12)

Because PETI 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. (115) In addition, many states reported a lack of resources to adequately assist, identify, refer, and support child trafficking victims, and many did not have specialized shelters for child victims of commercial sexual exploitation. (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 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 – 2021
	Ensure that the law criminally prohibits the recruitment of children under age 18 by non-state armed groups.	2016 – 2021
	Raise the minimum age for work to the age up to which education is compulsory.	2018 – 2021
Enforcement	Publish information regarding labor inspectorate funding, the number of labor inspections conducted, and number of child labor penalties that were imposed and collected.	2012 – 2021
	Significantly increase the number of labor inspectors to meet the ILO's technical advice.	2014 – 2021
	Publish information related to criminal law enforcement efforts, such as the number of investigations conducted, violations found, prosecutions initiated, convictions obtained, and penalties imposed for violations related to the worst forms of child labor.	2021

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

Area	Suggested Action	Year(s) Suggested
Enforcement	Ensure that relevant enforcement agencies are able to coordinate on their efforts to collect data on cases of human trafficking for sexual exploitation and ensure that the data are disaggregated by victims' ages.	2009 – 2021
	Ensure that all violators of the worst forms of child labor violations are held accountable in accordance with the law.	2015 – 2021
Coordination	Ensure that the Labor Justice Commission for the Eradication of Child Labor and Protection of Working Adolescents and the Anti-Trafficking Coordination Centers carry out their intended mandates.	2021
Government Policies	Provide sufficient funding to ensure that the goals outlined in the National Education Plan are achieved.	2015 – 2021
	Ensure that activities are undertaken to implement the National Plan to Combat Human Trafficking and publish results from activities implemented during the reporting period.	2021
Social Programs	Remove barriers to education, including by ensuring an adequate number of trained teachers, providing sufficient schools, improving school infrastructure, and taking steps to enroll children in rural areas.	2013 – 2021
	Ensure that the government publishes the results of National Forced Labor Survey.	2020 – 2021
	Support local governments in the implementation and monitoring of the National Program to Eradicate Child Labor.	2009 – 2021
	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 – 2021

### REFERENCES

- Cunha, Joana. Pará é emblema da exploração sexual; conheça o drama das ribeirinhas. *Epoca*. May 22, 2017. <http://www1.folha.uol.com.br/seminariosfolha/2017/05/1885719-para-e-emblema-da-exploracao-sexual-conheca-o-drama-de-meninas-a-beira-dos-rios.shtml>
- Polícia Rodoviária Federal, et. al. MAPEAR 2019/2020: Mapeamento dos Pontos Vulneráveis à Exploração Sexual de Crianças e Adolescentes nas Rodovias Federais Brasileiras. December 2020. [https://www.childhood.org.br/childhood/publicacao/mapear2019\\_2020\(1\).pdf](https://www.childhood.org.br/childhood/publicacao/mapear2019_2020(1).pdf)
- Danwatch. Bitter Coffee: Slavery-like Working Conditions and deadly Pesticides on Brazilian Coffee Plantations. March 2016. <https://www.ituc-csi.org/IMG/pdf/danwatch-bitter-coffee-march-2016.pdf>
- ABRINQ Foundation. O Trabalho Infantil no Brasil. 2017. <http://www.chegadetrabalho infantil.org.br/wp-content/uploads/2017/06/Versão-Final-Trabalho-Infantil-no-Brasil-Desafio-Trab-Inf-Ativ-Agrícolas-1.pdf>
- Instituto Brasileiro de Geografia e Estatística. Pesquisa Nacional por Amostra de Domicílios Contínua: Trabalho de crianças e adolescentes de 5 a 17 anos de idade 2016–2019. 2020. [https://biblioteca.ibge.gov.br/visualizacao/livros/liv101777\\_informativo.pdf](https://biblioteca.ibge.gov.br/visualizacao/livros/liv101777_informativo.pdf)
- UNESCO Institute for Statistics. Gross intake ratio to the last grade of primary education, both sexes (%). Accessed: March 3, 2022. For more information, please see “Children’s Work and Education Statistics: Sources and Definitions” in the Reference Materials section of this report. <http://data.uis.unesco.org/>
- ILO. Analysis of Child Economic Activity and School Attendance Statistics from National Household or Child Labor Surveys. Original data from Pesquisa Nacional por Amostra de Domicílios (PNAD) Contínua, 2015. Analysis received March 2022. Please see “Children’s Work and Education Statistics: Sources and Definitions” in the Reference Materials section of this report.
- Fórum Nacional de Prevenção e Erradicação do Trabalho Infantil (FNPETI). O Trabalho Infantil nos Principais Grupamentos de Atividades Econômicas do Brasil. December 2016. <http://www.tst.jus.br/documents/2237892/0/estudo/2802c7cc-36a1-c216-cfca-328630c73119>
- Santiado, Henriqueta. Em Dez Anos 108 Mil Deixam Trabalho Infantil na Paraíba. *Portal CZN*. October 18, 2010. <http://portalczn.com.br/em-dez-anos-108-mil-deixam-trabalho-infantil-na-paraiba/>
- U.S. Embassy- Brasília. Reporting. January 24, 2020.
- Barbosa, Leandro. Você Prefere seu Açaí com Granola, Banana ou Trabalho Infantil? *The Intercept*. December 31, 2019. <https://theintercept.com/2019/12/31/acai-trabalho-infantil-para/>
- U.S. Embassy- Brasília. Reporting. January 28, 2022.
- de Souza, Alice. Fiscalização volta a flagrar trabalho infantil no cultivo de uva e manga em Petrolina. *Marco Zero* Conteúdo, September 28, 2021. <https://marcozero.org/fiscalizacao-volta-a-flagrar-trabalho-infantil-no-cultivo-de-uva-e-manga-em-petrolina/>
- Ministério Público do Trabalho em Campinas. Operação resulta em prisões em flagrante por trabalho escravo na região de Marília (SP). March 12, 2021. <https://www.prt15.mpt.mp.br/2-uncategorised/1238-operacao-resulta-em-prisoes-em-flagrante-por-trabalho-escravo-na-regiao-de-marilia-sp>
- U.S. Embassy- Brasília official. E-mail communication to USDOL official. March 31, 2017.
- Câmera Record. No Alagoas, crianças abandonam os estudos para trabalhar na produção de sururu. June 26, 2017. <https://www.youtube.com/watch?v=FTLhAC-yK0w>
- Câmera Record. Carvoaria de Minas Gerais contrata mão de obra infantil por R\$ 20. June 26, 2017. [https://www.youtube.com/watch?v=-\\_xh62DaNR8](https://www.youtube.com/watch?v=-_xh62DaNR8)
- Hanson, Hilary. Workers Who Help Make Haribo Gummies Kept In ‘Slave’-Like Conditions, Says Report. October 26, 2017. [https://www.huffingtonpost.com/entry/haribo-slave-conditions-labor-animal-cruelty\\_us\\_59f20663e4b077d8dfc80bc2?ncid=inbknushpimg00000009&link\\_id=83&can\\_id=facbl38fb6be3a66213f845403005bd4&source=email-media-mentions-october-26-2017&email\\_referrer=email\\_253](https://www.huffingtonpost.com/entry/haribo-slave-conditions-labor-animal-cruelty_us_59f20663e4b077d8dfc80bc2?ncid=inbknushpimg00000009&link_id=83&can_id=facbl38fb6be3a66213f845403005bd4&source=email-media-mentions-october-26-2017&email_referrer=email_253)
- Rio Grande Tem. No Dia Mundial de Combate ao Trabalho Infantil, governo ressalta importância da conscientização. June 12, 2020. <https://www.riograndetem.com.br/no-dia-mundial-de-combate-ao-trabalho-infantil-governo-ressalta-importancia-da-conscientizacao/>
- Câmera Record. Em Pernambuco, crianças trabalham em matadouros em condições insalubres. June 26, 2017. <https://www.youtube.com/watch?v=Rpd7xy4G3mY>
- Câmera Record. Crianças deixam de frequentar a escola para trabalhar em tempo integral. June 26, 2017. [https://www.youtube.com/watch?v=zcBg\\_bQuDVK](https://www.youtube.com/watch?v=zcBg_bQuDVK)
- Garcia, Maria Fernanda. Vítimas de trabalho infantil no RN, crianças chegam a perder as digitais. July 11, 2019. <https://observatorio3setor.org.br/noticias/vitimas-trabalho-infantil-rn-criancas-chegam-a-perder-digitais/>

- 23 Trajano, Cida. Governo Temer prepara o terreno para aumento do trabalho infantil. June 12, 2017.  
<http://www.cntvcut.org.br/artigos/governo-temer-prepara-o-terreno-para-aumento-do-trabalho-infantil-a3b8/>
- 24 Globo. Adolescentes são resgatados de trabalho em andaime 'nas piores condições possíveis' no Ceará. November 1, 2021.  
<https://g1.globo.com/ce/ceara/noticia/2021/11/01/adolescentes-sao-resgatados-de-trabalho-irregular-em-construcao-de-escola-no-ceara.ghhtml>
- 25 Jornal da Paraíba. Adolescente de 16 anos morreu após cair de pedreira em João Pessoa. January 18, 2018.  
[https://jornaldaparaiba.com.br/noticias/vida\\_urbana/2018/01/18/adolescente-de-16-anos-morre-apos-cair-de-pedreira-em-joao-pessoa](https://jornaldaparaiba.com.br/noticias/vida_urbana/2018/01/18/adolescente-de-16-anos-morre-apos-cair-de-pedreira-em-joao-pessoa)
- 26 Camargos, Daniel. Trabalho infantil, jornada exaustiva e covid-19: o drama dos enroladores de cigarros de palha em MG. Reporter Brasil, August 25, 2020.  
<https://reporterbrasil.org.br/2020/08/trabalho-infantil-jornada-exaustiva-e-covid-19-o-drama-dos-enroladores-de-cigarros-de-palha-em-mg/>
- 27 Camargos, Daniel. Em maior resgate do ano, Souza Paiol é responsabilizada por manter 116 trabalhadores escravizados na colheita de palha para seus cigarros. October 26, 2021.  
[https://reporterbrasil.org.br/2021/10/em-maior-resgate-do-ano-souza-paiol-e-responsabilizada-por-manter-116-trabalhadores-escravizados-na-colheita-de-palha-para-seus-cigarros/?utm\\_source=realradiotvbrasil.com.br&utm\\_medium=referral&utm\\_content=portal\\_primenews&utm\\_campaign=hotfixpress](https://reporterbrasil.org.br/2021/10/em-maior-resgate-do-ano-souza-paiol-e-responsabilizada-por-manter-116-trabalhadores-escravizados-na-colheita-de-palha-para-seus-cigarros/?utm_source=realradiotvbrasil.com.br&utm_medium=referral&utm_content=portal_primenews&utm_campaign=hotfixpress)
- 28 Sindicato Nacional dos Auditores Fiscais do Trabalho. Trabalho infantil: Auditores-Fiscais do Trabalho reforçam fiscalização no carnaval. February 9, 2018.  
<https://sinait.org.br/site/noticia-view?id=15408/trabalho+infantil+auditores-fiscais+do+trabalho+reforc+am+fiscaliz+cao+n+o+carnaval>
- 29 Pinho, Márcio. Grupo denuncia trabalho infantil no carnaval de rua de São Paulo. March 4, 2017.  
<https://g1.globo.com/sao-paulo/carnaval/2017/noticia/grupo-denuncia-trabalho-infantil-no-carnaval-de-rua-de-sao-paulo.ghhtml>
- 30 U.S. Embassy- Brasília. Reporting. January 16, 2018.
- 31 O Povo. Trabalho infantil no Nordeste perpetua o ciclo da pobreza e miséria. June 12, 2018.  
<https://www20.opovo.com.br/app/maisnoticias/brasil/2016/06/12/noticiasbrasil,3623300/trabalho-infantil-no-nordeste-perpetua-o-ciclo-da-pobreza-e-miseria.shtml>
- 32 Teixeira, Fabio. Exclusive: Children in Brazil found working for food delivery apps. December 3, 2020.  
<https://news.trust.org/item/20201203090436-evjw0>
- 33 Schramm, Franciele Petry. Especialistas alertam para riscos do trabalho infantil no esporte profissional. Brasil de Fato, June 12, 2017.  
<https://www.brasildefato.com.br/2017/06/12/especialistas-alertam-para-riscos-do-trabalho-infantil-no-esporte-profissional>
- 34 U.S. Department of State. Trafficking in Persons Report- 2021: Brazil. Washington, DC, July 1, 2021.  
<https://www.state.gov/reports/2021-trafficking-in-persons-report/brazil/>
- 35 Diário do Poder. Meninas de três e cinco anos foram vítimas de trabalho escravo em Pernambuco. August 8, 2019.  
<https://diariodopoder.com.br/brasil-e-regioes/meninas-de-tres-e-cinco-anos-foram-vitimas-de-trabalho-escravo-em-pernambuco>
- 36 Machado, Simone. SP: PF resgata adolescentes bolivianas em situação análoga à escravidão... -Veja mais em November 11, 2021.  
<https://noticias.uol.com.br/cotidiano/ultimas-noticias/2021/11/11/policia-resgata-jovens-bolivianas-em-situacao-analog-a-escravidao-em-sp.htm?cmpid=copiaecola>
- 37 Corrêa, Hudson. Traficantes cariocas recrutam e armam crianças cada vez mais novas para o crime. Epoca, January 16, 2017.  
<http://epoca.globo.com/brasil/noticia/2017/01/traficantes-cariocas-recrutam-e-armam-criancas-cada-vez-mais-novas-para-o-crime.html>
- 38 Fórum Nacional de Prevenção e Erradicação do Trabalho Infantil (FNPETI). Trabalho Infantil nos ODS. October 2017.  
[https://fnpeti.org.br/media/12dejunho/documentos-de-referencia/Trabalho\\_Infantil\\_nos\\_ODS.pdf](https://fnpeti.org.br/media/12dejunho/documentos-de-referencia/Trabalho_Infantil_nos_ODS.pdf)
- 39 Globo. Exploração infantil: Polícia investiga caso de crianças que eram 'alugadas' e obrigadas a mendigar na Bahia. September 24, 2021.  
<https://g1.globo.com/ba/bahia/noticia/2021/09/24/exploracao-infantil-policia-investiga-caso-de-criancas-que-eram-alugadas-e-obrigadas-a-mendigar-na-bahia.ghhtml>
- 40 Vieira, Munik. Mais de 47 mil crianças e adolescentes capixabas são vítimas do trabalho infantil. June 21, 2021.  
<https://esbrasil.com.br/47-mil-capixabas-sao-vitimas-do-trabalho-infantil/>
- 41 Gomes Freire, Quintino. Assistência Social do Rio de Janeiro encontra trabalho infantil na Ceasa. Diário do Rio, June 15, 2021.  
<https://diariodorio.com/assistencia-social-do-rio-de-janeiro-encontra-trabalho-infantil-na-ceasa/>
- 42 U.S. Embassy- Brasília. Reporting. February 13, 2020.
- 43 Console, Luciana. "Chocolate à venda no Brasil está contaminado por trabalho infantil", diz pesquisador. December 4, 2018.  
[https://www.brasildefato.com.br/2018/12/04/todo-chocolate-a-venda-no-brasil-esta-contaminado-pelo-trabalho-infantil-entenda/index.html?fbclid=IwAR2Rx9i0xoSpoINbv0DVKDx\\_kpsg9FfEHd\\_Xuq9PWbYgQuMfzRWBQ6q0w](https://www.brasildefato.com.br/2018/12/04/todo-chocolate-a-venda-no-brasil-esta-contaminado-pelo-trabalho-infantil-entenda/index.html?fbclid=IwAR2Rx9i0xoSpoINbv0DVKDx_kpsg9FfEHd_Xuq9PWbYgQuMfzRWBQ6q0w)
- 44 Government of Brazil. Relatório sobre trabalho escravo e infantil na cadeia produtiva do cacau será lançado nesta sexta (30). Ministério Público do Trabalho. November 26, 2018.  
<https://mpt.mp.br/pgt/noticias/relatorio-sobre-trabalho-escravo-e-infantil-na-cadeia-produtiva-do-cacau-sera-lancado-nesta-sexta-30>
- 45 de Oliveira, Cida. Fechamento de escolas rurais obriga crianças a passar mais tempo na estrada que em aula. Rede Brasil Atua. March 9, 2017.  
<http://www.redebrasilatual.com.br/educacao/2017/03/fechamento-de-escolar-rurais-obriga-criancas-a-passar-mais-tempo-na-estrada-do-que-em-sala-de-aula>
- 46 Government of Brazil. RESOLUÇÃO Nº 1, DE 13 DE NOVEMBRO DE 2020. November 13, 2020.  
<https://www.in.gov.br/web/dou/-/resolucao-n-1-de-13-de-novembro-de-2020-288317152>
- 47 Todos pela Educação. PNAD: Levantamento do Todos mostraprimeiros impactos da pandemia nas taxas de atendimento escolar. December 2, 2021.  
<https://todospelaeducacao.org.br/noticias/pnad-levantamento-do-todos-mostra-primeiros-impactos-da-pandemia-nas-taxas-de-atendimento-escolar/>
- 48 Government of Brazil. Decreto-Lei Nº 5.452, Consolidação das Leis do Trabalho (with modifications until October 2013). Presidência da República. Enacted: May 1, 1943.  
[http://www.planalto.gov.br/ccivil\\_03/decreto-lei/Del5452.htm](http://www.planalto.gov.br/ccivil_03/decreto-lei/Del5452.htm)
- 49 Government of Brazil. Decreto Nº 6.481. Presidência da República. Enacted: June 12, 2008.  
[http://www.planalto.gov.br/ccivil\\_03/\\_Ato2007-2010/2008/Decreto/D6481.htm](http://www.planalto.gov.br/ccivil_03/_Ato2007-2010/2008/Decreto/D6481.htm)
- 50 Government of Brazil. Código Penal (with modifications until 2013). Nº 2.848. Presidência da República. Enacted: December 7, 1940.  
[http://www.planalto.gov.br/ccivil\\_03/Decreto-Lei/Del2848compilado.htm](http://www.planalto.gov.br/ccivil_03/Decreto-Lei/Del2848compilado.htm)
- 51 Government of Brazil. Lei Nº 13.344, amending the Penal Code. Presidência da República. Enacted: October 6, 2016.  
[http://www.planalto.gov.br/ccivil\\_03/\\_Ato2015-2018/2016/Lei/L13344.htm](http://www.planalto.gov.br/ccivil_03/_Ato2015-2018/2016/Lei/L13344.htm)
- 52 Government of Brazil. Estatuto da Criança e do Adolescente. Lei Nº 8.069. Presidência da República. Enacted: July 13, 1990.  
[http://www.planalto.gov.br/ccivil\\_03/leis/L8069.htm](http://www.planalto.gov.br/ccivil_03/leis/L8069.htm)
- 53 Government of Brazil. Lei Nº 11.343. Presidência da República. Enacted: August 23, 2006.  
[http://www.planalto.gov.br/ccivil\\_03/\\_ato2004-2006/2006/lei/11343.htm](http://www.planalto.gov.br/ccivil_03/_ato2004-2006/2006/lei/11343.htm)
- 54 Government of Brazil. Decreto Nº 57.654. Presidência da República. Enacted: January 20, 1966.  
[http://www.planalto.gov.br/ccivil\\_03/decreto/d57654.htm](http://www.planalto.gov.br/ccivil_03/decreto/d57654.htm)



## MODERATE ADVANCEMENT

- 55 Government of Brazil. Lei N° 4.375, Lei do Serviço Militar. Presidência da República. Enacted: August 17, 1964.  
[http://www.planalto.gov.br/ccivil\\_03/leis/l4375.htm](http://www.planalto.gov.br/ccivil_03/leis/l4375.htm)
- 56 Government of Brazil. Lei N° 9.394. Presidência da República. Enacted: December 20, 1996.  
[http://www.planalto.gov.br/ccivil\\_03/Leis/L9394.htm](http://www.planalto.gov.br/ccivil_03/Leis/L9394.htm)
- 57 Klassman, Bruna. Nova edição da 'lista suja' do trabalho escravo tem 92 nomes de empregadores. April 6, 2021. Source on file.
- 58 Henrique, Guilherme. Procurador aposentado e ex-prefeito estão entre os 13 novos nomes da 'lista suja' do trabalho escravo. October 5, 2021.  
<https://reporterbrasil.org.br/2021/10/procurador-aposentado-e-ex-prefeito-estao-entre-os-13-novos-nomes-da-lista-suja-do-trabalho-escravo/>
- 59 U.S. Embassy Brasília official. E-mail communication to USDOL official. June 24, 2022.
- 60 Government of Brazil. Quem é quem? Ministério do Trabalho e Previdência, June 2022.  
<https://www.gov.br/trabalho-e-previdencia/pt-br/aceso-a-informacao/institucional/quem-e-quem-l>
- 61 Government of Brazil. Sancionada lei que recria Ministério do Trabalho e Previdência. Câmara dos Deputados, December 17, 2021.  
<https://www.camara.leg.br/noticias/840497-sancionada-lei-que-recria-ministerio-do-trabalho-e-previdencia/>
- 62 Government of Brazil. Criança e Adolescente. Ministério Público do Trabalho Procuradoria-Geral. 2021.  
<https://mpt.mp.br/pgt/areas-de-atuacao/coordinancia>
- 63 U.S. Embassy- Brasília. Reporting. May 9, 2022.
- 64 Jusbrasil. Juizado Especial da Infância e Adolescência no âmbito da Justiça do Trabalho. 2017.  
<https://tatioidias.jusbrasil.com.br/artigos/484886152/juizado-especial-da-infancia-e-adolescencia-no-ambito-da-justica-do-trabalho>
- 65 U.S. Embassy- Brasília official. E-mail communication to USDOL official. March 26, 2021.
- 66 U.S. Embassy- Brasília. Reporting. January 14, 2021.
- 67 Government of Brazil. Decreto N° 4.552, De 27 De Dezembro De 2002 - Regulamento da Inspeção do Trabalho. Enacted: December 27, 2002.  
[http://www.planalto.gov.br/ccivil\\_03/decreto/2002/d4552.htm](http://www.planalto.gov.br/ccivil_03/decreto/2002/d4552.htm)
- 68 U.S. Embassy Brasília official. E-mail communication to USDOL official. June 30, 2021.
- 69 Baptista, Elisângela. Trabalhadores são resgatados em situação análoga à de escravos em MG. February 8, 2021.  
<https://noticias.uol.com.br/cotidiano/ultimas-noticias/2021/02/08/trabalhadores-sao-resgatados-em-situacao-analoga-a-de-escravos-em-mg.htm>
- 70 A Tarde. MPT abre inquéritos sobre flagrantes de trabalho infantil em praias de Salvador. February 18, 2021.  
<https://atarde.com.br/bahia/bahiasalvador/mpt-abre-inqueritos-sobre-flagrantes-de-trabalho-infantil-em-praias-de-salvador-l147089>
- 71 Costa, Andre. Adolescentes são resgatados enquanto trabalhavam em construção de uma escola em São Benedito - Região - Diário do Nordeste. Diário do Nordeste, November 1, 2021.  
<https://diariodonordeste.verdesmares.com.br/regiao/adolescentes-sao-resgatados-enquanto-trabalhavam-em-construcao-de-uma-escola-em-sao-benedito-l3154653>
- 72 Sakamoto, Leonardo. Crianças flagradas em trabalho escravo dependiam do auxílio emergencial. February 26, 2021.  
<https://noticias.uol.com.br/colunas/leonardo-sakamoto/2021/02/26/criancas-flagradas-em-trabalho-escravo-dependiam-do-auxilio-emergencial.htm>
- 73 Government of Brazil. Observações sobre o Relatório da Embaixada dos Estados Unidos da América relativo ao Trabalho Infantil. May 2021. Source on file.
- 74 UN. World Economic Situation and Prospects 2017 Statistical Annex. New York, 2017. Please see "Labor Law Enforcement: Sources and Definitions" in the Reference Materials section of this report.  
[https://www.un.org/development/desa/dpad/wp-content/uploads/sites/45/publication/2017wesp\\_full\\_en.pdf](https://www.un.org/development/desa/dpad/wp-content/uploads/sites/45/publication/2017wesp_full_en.pdf)
- 75 ILOSTAT. ILO Labor Force Statistics (LFS) – Population and labour force. Accessed January 25, 2022. <https://ilostat.ilo.org/data/>. Labor force data is government-reported data collected by the ILO. Please see "Labor Law Enforcement: Sources and Definitions" in the Reference Materials section of this report."
- 76 Golfieri, Daniela. Operação Harem: quadrilha investigada por tráfico de mulheres escolhia vítimas por fotos nas redes sociais. April 27, 2021.  
<https://g1.globo.com/sp/sorocaba-jundiai/noticia/2021/04/27/operacao-harem-quadrilha-investigada-por-trafico-de-mulheres-escolhia-vitimas-por-fotos-nas-redes-sociais.ghml>
- 77 U.S. Embassy Brasília official. E-mail communication to USDOL official. June 15, 2021.
- 78 Vila-Nova, Carolina. Bolsonaro esvazia comissão contra trabalho infantil. Folha de S. Paulo, December 25, 2020.  
<https://www1.folha.uol.com.br/cotidiano/2020/12/bolsonaro-esvazia-comissao-contra-trabalho-infantil.shtml>
- 79 Government of Brazil. Comissão Intersetorial de Enfrentamento à Violência contra Crianças e Adolescentes se reúne pela primeira vez. July 15, 2021. Source on file.
- 80 Government of Brazil. Carta de Constituição de Estratégias em Defesa da Proteção Integral dos Direitos da Criança e do Adolescente. Conselho Superior da Justiça, et al. October 9, 2012.  
<https://www.tjdft.jus.br/informacoes/infancia-e-juventude/publicacoes-textos-e-artigos/publicacoes/publicacoes-l/carta-de-constituicao-de-estrategias-em-defesa-da-protecao-integral-dos-direitos-da-crianca-e-do-adolescente/view>
- 81 Government of Brazil. Resolução N° 226, de 23 de Dezembro de 2021. December 23, 2021. Source on file.
- 82 Government of Brazil. Resolução n° 223, de 20 de Outubro de 2021. October 20, 2021. Source on file.
- 83 Government of Brazil. Resolução n° 222, de 24 de Junho de 2021. June 24, 2021. Source on file.
- 84 Government of Brazil. Resolução n° 217, de 26 de Dezembro de 2018. December 26, 2018. Source on file.
- 85 Government of Brazil. Ato Conjunto N° 21/TST.CSJT.GP. Tribunal Superior do Trabalho, Conselho Superior da Justiça. Enacted: July 19, 2012.  
[https://juslaboris.tst.jus.br/bitstream/handle/20.500.12178/26000/2012\\_atc0021\\_tst\\_csjt.pdf?sequence=17](https://juslaboris.tst.jus.br/bitstream/handle/20.500.12178/26000/2012_atc0021_tst_csjt.pdf?sequence=17)
- 86 Government of Brazil. Ato Conjunto N° 6/TST.CSJT.GP. Conselho Superior da Justiça do Trabalho. Enacted: March 10, 2014.  
[http://aplicacao.tst.jus.br/dspace/bitstream/handle/1939/36779/2014\\_atc0006\\_tst\\_csjt.pdf?sequence=1](http://aplicacao.tst.jus.br/dspace/bitstream/handle/1939/36779/2014_atc0006_tst_csjt.pdf?sequence=1)
- 87 Government of Brazil. Comitê Nacional de Enfrentamento ao Tráfico de Pessoas. Ministério da Justiça. Accessed: December 13, 2021.  
<https://www.novo.justica.gov.br/sua-protecao-2/trafico-de-pessoas/politica-brasileira/conatrap>
- 88 U.S. Embassy- Brasília. Reporting. February 11, 2021.
- 89 Government of Brazil. Decreto No. 276, de 28 de Julho de 2021. July 28, 2021.  
<https://www.vilavelha.es.gov.br/legislacao/Arquivo/Documents/legislacao/html/D2762021.html>
- 90 Government of Brazil. III Plano Nacional de Prevenção e Erradicação do Trabalho Infantil e Proteção ao Adolescente Trabalhador (2019–2022). November 29, 2018.  
[https://www.mdh.gov.br/todas-as-noticias/2018/novembro/lancado-3o-plano-nacional-de-prevencao-e-erradicacao-do-trabalho-infantil/copy\\_of\\_PlanoNacionalversosite.pdf](https://www.mdh.gov.br/todas-as-noticias/2018/novembro/lancado-3o-plano-nacional-de-prevencao-e-erradicacao-do-trabalho-infantil/copy_of_PlanoNacionalversosite.pdf)

- 91 Government of Brazil. Contribuições para o enfrentamento das piores formas de trabalho infantil. Ministério Público do Trabalho, October 26, 2021.  
<https://www.prt5.mpt.mp.br/informe-se/noticias-do-mpt-ba/1737-mpt-lanca-manual-sobre-o-enfrentamento-das-piores-formas-de-trabalho-infantil>
- 92 Government of Brazil. III Decreto Nº 9.440: III Plano Nacional de Enfrentamento ao Tráfico de Pessoas. Presidência da República. July 3, 2018.  
[http://www.planalto.gov.br/ccivil\\_03/\\_ato2015-2018/2018/decreto/D9440.htm](http://www.planalto.gov.br/ccivil_03/_ato2015-2018/2018/decreto/D9440.htm)
- 93 Government of Brazil. Portaria Nº 110. Ministério da Justiça e Cidadania. Enacted: January 24, 2017.  
[http://www.trtsp.jus.br/geral/tribunal2/ORGaos/Min\\_Div/MJ\\_Port110\\_17.html](http://www.trtsp.jus.br/geral/tribunal2/ORGaos/Min_Div/MJ_Port110_17.html)
- 94 Government of Brazil. Portaria Nº 1.620, de 13 de Maio de 2021. Ministério da Mulher, da Família e dos Direitos Humanos, May 13, 2021.  
<https://www.in.gov.br/en/web/dou/-/portaria-n-1.620-de-13-de-maio-de-2021-319830407>
- 95 OrzilNews. Portaria inclui municípios em Pacto Federativo para Erradicação do Trabalho Escravo. May 14, 2021.  
<https://www.orzil.org/noticias/portaria-inclui-municipios-em-pacto-federativo-para-erradicacao-do-trabalho-escravo/>
- 96 Government of Brazil. Planejando a Próxima Década - Conhecendo as 20 Metas do Plano Nacional de Educação. Ministério da Educação. 2014.  
[http://pne.mec.gov.br/images/pdf/pne\\_conhecendo\\_20\\_metas.pdf](http://pne.mec.gov.br/images/pdf/pne_conhecendo_20_metas.pdf)
- 97 Centro de Referências em Educação Integral. Balanço do Plano Nacional de Educação indica estagnação e retrocessos. June 29, 2021.  
<https://educacaointegral.org.br/reportagens/balanco-do-plano-nacional-de-educacao-indica-estagnacao-e-retrocessos/>
- 98 GIFE - Group of Institutes, Foundations and Enterprises. Plano Nacional de Educação chega à metade do prazo com apenas quatro das 20 metas parcialmente cumpridas. March 9, 2020.  
<https://gife.org.br/plano-nacional-de-educacao-chega-a-metade-do-prazo-com-apenas-quatro-das-20-metas-parcialmente-cumpridas/?lang=en>
- 99 Government of Brazil. Lei Nº 13.415. Presidência da República. February 16, 2017.  
[http://www.planalto.gov.br/ccivil\\_03/\\_ato2015-2018/2017/Lei/L13415.htm](http://www.planalto.gov.br/ccivil_03/_ato2015-2018/2017/Lei/L13415.htm)
- 100 Government of Brazil. 2º Plano Nacional para a Erradicação do Trabalho Escravo. Conselho Nacional de Justiça. 2008.  
<https://reporterbrasil.org.br/documentos/novoplanonacional.pdf>
- 101 Government of Brazil. PETI - Programa do Governo Federal para Erradicação do Trabalho Infantil. Accessed: February 29, 2018.  
<http://www.caixa.gov.br/programas-sociais/peti/Paginas/default.aspx>
- 102 Government of Brazil. O que é o Auxílio Brasil? Ministério da Cidadania. Accessed February 22, 2022.  
<https://www.gov.br/cidadania/pt-br/auxilio-brasil>
- 103 Government of Brazil. Acessar CREAS - Centro de Referência Especializado em Assistência Social. Ministério da Cidadania, December 18, 2019.  
<https://www.gov.br/pt-br/servicos/acessar-creas-centro-de-referencia-especializado-em-assistencia-social>
- 104 Government of Brazil. Acessar o Centro de Referência Especializado em Assistência Social (CREAS). 2022.  
<https://www.gov.br/pt-br/servicos/acessar-creas-centro-de-referencia-especializado-em-assistencia-social>
- 105 ILO-IPEC Geneva official. E-mail communication to USDOL official. March 14, 2019.
- 106 Government of Brazil. Portaria n 3.484, de 6 de Outubro de 2021. October 6, 2021.  
<https://www.in.gov.br/en/web/dou/-/portaria-n-3.484-de-6-de-outubro-de-2021-350935539>
- 107 Government of Brazil. Governo divulga fluxo de atendimento para vítimas de trabalho escravo. July 15, 2020.  
<https://agenciabrasil.ebc.com.br/direitos-humanos/noticia/2020-07/governo-divulga-fluxo-de-atendimento-para-vitimas-de-trabalho>
- 108 U.S. Department of Labor. COFFEE Project Summary. 2020.  
<https://www.dol.gov/agencies/ilab/cooperation-fair-free-equitable-employment-coffee-project>
- 109 U.S. Department of Labor. Measurement, Awareness-Raising, and Policy Engagement (MAP 16) Project on Child Labor and Forced Labor. 2021.  
<https://www.dol.gov/agencies/ilab/measurement-awareness-raising-and-policy-engagement-map-16-project-child-labor-and>
- 110 Government of Brazil. Sobre o Programa Brasil Carinhoso. Ministério da Educação, 2020.  
<http://www.fnede.gov.br/index.php/programas/brasil-carinhoso/sobre-o-plano-ou-programa/sobre-o-brasil-carinhoso>
- 111 Government of Brazil. Lei Nº 12.816. Presidência da República. Enacted: June 5, 2013.  
[http://www.planalto.gov.br/ccivil\\_03/\\_ato2011-2014/2013/Lei/L12816.htm](http://www.planalto.gov.br/ccivil_03/_ato2011-2014/2013/Lei/L12816.htm)
- 112 Government of Brazil. Pronatec. Ministério da Educação. Accessed: March 16, 2022.  
<http://portal.mec.gov.br/pronatec>
- 113 UNICEF, and Human Rights Secretariat. Proteja Brasil. Accessed: March 20, 2018.  
[https://www.unicef.org/brazil/media/1286/file/Protect Brazil Report 2017. pdf](https://www.unicef.org/brazil/media/1286/file/Protect%20Brazil%20Report%202017.pdf)
- 114 Portal Mix Vale. Serviço de Convivência e Fortalecimento de Vínculos promove inclusão dos usuários da rede de assistência social. January 17, 2020.  
<https://www.mixvale.com.br/2020/01/17/servico-de-convivencia-e-fortalecimento-de-vinculos-promove-inclusao-dos-usuarios-da-rede-de-assistencia-social/>
- 115 U.S. Embassy- Brasilia official. E-mail communication to USDOL official. July 9, 2020.

Although research found no evidence that child labor exists in the British Virgin Islands, in 2021, the government made no advancement in efforts to prevent the worst forms of child labor. There is no list of hazardous work prohibited for children in the British Virgin Islands, nor does the law 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) Table 1 provides one key indicator on children's education in the British Virgin Islands. (2)

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

Children	Age	Percent
Primary Completion Rate (%)		98.1







Source for primary completion rate: Data from 2020, published by UNESCO Institute for Statistics, 2022. (2)

The cost of uniforms, books, and lunches prevents some children from attending school. In addition, violence in schools can deter children from attending. (2,3) Children not in school may be vulnerable to engage in child labor.

## II. LEGAL FRAMEWORK FOR CHILD LABOR

British Overseas Territories 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. (4) 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. (4) The following Convention has 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 failure to criminalize 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	Articles 3 and 128 of the Labor Code (5)
Minimum Age for Hazardous Work	Yes	18	Articles 3 and 130 of the Labor Code (5)
Identification of Hazardous Occupations or Activities Prohibited for Children	No		Articles 130 and 146 of the Labor Code (5)

# British Virgin Islands

## NO ADVANCEMENT

**Table 3. Laws and Regulations on Child Labor (Cont.)**

Standard	Meets International Standards	Age	Legislation
Prohibition of Forced Labor	Yes		Article 130 of the Labor Code; Article 14 of the Constitution Order; Section 201A of the Criminal Code (5-7)
Prohibition of Child Trafficking	Yes		Section 201A of the Criminal Code (7)
Prohibition of Commercial Sexual Exploitation of Children	No		Sections 127, 201A and 284A of the Criminal Code; Article 130 of the Labor Code (5,7)
Prohibition of Using Children in Illicit Activities	No		Articles 3 and 130 of the Criminal Code (7)
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 (8,9)
Free Public Education	Yes		Article 22 of the Constitution Order; Section 17 of the Education Act (6,8)

\* Country has no conscription (10)

† Country has no standing military (10)

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 or light work that may be engaged in by children who are at least 14. (4,11) There is also no criminal prohibition against using children in illicit activities, including in the production and trafficking of drugs. Additionally, the laws prohibiting the commercial sexual exploitation of children do not meet international standards as they do not cover girls ages 16-17 or boys. (7) 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. (5,8,9)

### 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 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	Enforce labor laws and collects data and statistics on violations of the Labor Code. (5)

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. (11,12) 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 make the most use of their single labor inspector by conducting annual inspections on newly established businesses and worksites and those reported by employees or other stakeholders for possible violations. (11)

### 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. (13)

## 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 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 – 2021
	Determine the types of hazardous work prohibited for children, in consultation with employers' and workers' organizations.	2012 – 2021
	Ensure that the commercial sexual exploitation of girls ages 16-17 and boys is criminally prohibited.	2021
	Ensure that the use of children in illicit activities, including in the production and trafficking of drugs, is criminally prohibited.	2015 – 2021
	Ensure that the law criminally prohibits the recruitment of children under age 18 by non-state armed groups.	2016 – 2021
	Raise the minimum age for work to the age up to which education is compulsory.	2018 – 2021
Social Programs	Ensure that all children can attend school by eliminating prohibitive school costs and violence in schools.	2018 – 2021

## REFERENCES

- 1 U.S. Embassy- London. Reporting. February 3, 2022.
- 2 UNESCO Institute for Statistics. Gross intake ratio to the last grade of primary education, both sexes (%). Accessed March 3, 2022. For more information, please see "Children's Work and Education Statistics: Sources and Definitions" in the Reference Materials section of this report. <http://data.uis.unesco.org/>
- 3 U.S. Embassy- London. Reporting. February 6, 2019.
- 4 U.S. Embassy- London. Reporting. January 24, 2017.
- 5 Government of the British Virgin Islands. Virgin Islands Labour Code, 2010. Enacted: 2010. <http://bviaco.org/Portals/0/xBlog/uploads/2016/3/24/Labour Code 2010.pdf>
- 6 Government of the British Virgin Islands. The Virgin Islands Constitution Order 2007. Enacted: June 15, 2007. <https://bvi.gov.vg/content/virgin-islands-constitution-order-2007>
- 7 Government of the British Virgin Islands. Criminal Code (Amendment) Act, 2007, 3. Enacted: February 8, 2007. Source on file.
- 8 Government of the British Virgin Islands. Virgin Islands Education Act. Enacted: August 5, 2004. <http://www.bvi.gov.vg/sites/default/files/resources/Education Act, 2004.pdf>
- 9 Government of the British Virgin Islands. Education (Amendment) Act. Enacted: June 14, 2014. [http://www.bvi.gov.vg/sites/default/files/resources/Virgin Islands Education \(Amendment\) Act, 2014\\_0.pdf](http://www.bvi.gov.vg/sites/default/files/resources/Virgin Islands Education (Amendment) Act, 2014_0.pdf)
- 10 CIA. The World Factbook: British Virgin Islands. Accessed August 6, 2018. Please see "Labor Law Enforcement: Sources and Definitions" in the Reference Materials section of this report. <https://www.cia.gov/the-world-factbook/countries/british-virgin-islands/>
- 11 U.S. Embassy- London. Reporting. January 14, 2020.
- 12 U.S. Embassy- London official. E-mail communication to USDOL official. June 17, 2020.
- 13 Government of the British Virgin Islands. BVI Training Intensifies To Crack Down On Child Abuse. July 11, 2017. <http://www.bvi.gov.vg/media-centre/bvi-training-intensifies-crack-down-child-abuse>

In 2021, Burkina Faso made moderate advancement in efforts to eliminate the worst forms of child labor. The government developed an implementation plan for the National Strategy to Combat the Worst Forms of Child Labor for the period of 2022 to 2023.

It also signed a memorandum of understanding with Nigeria to address human trafficking and completed a national child labor survey. 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 perform 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 labor and criminal law 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 perform dangerous tasks in artisanal gold mining. (1-3) 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.

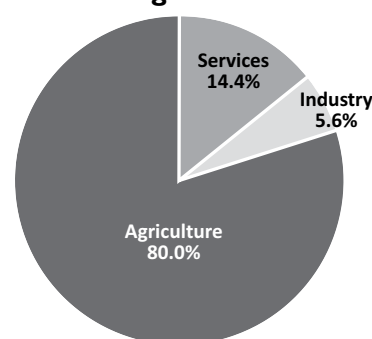
**Table 1. Statistics on Children's Work and Education**

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 (%)		64.9

Source for primary completion rate: Data from 2020, published by UNESCO Institute for Statistics, 2022. (4)

Source for all other data: International Labor Organization's analysis of statistics from Enquête Multisectorielle Continuee (EMC), 2014. (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	Planting, weeding, and harvesting crops, including cotton (3,6-9) Raising and herding† livestock, including cattle and goats (10-12)
Industry	Artisanal mining† of gold, including digging† and crushing† rock, working underground,† carrying heavy loads,† and using mercury† (1,3,7,8,11-16) Quarrying† and transporting heavy loads† while working to extract granite (12) Working in construction (10,16)
Services	Domestic work (2,3,16) Street work, including vending† (10,17)
Categorical Worst Forms of Child Labor‡	Commercial sexual exploitation, sometimes as a result of human trafficking (1,2,18) Farming, including production of cotton, cocoa, and livestock raising, domestic work, begging, gold mining, and quarrying, each sometimes as a result of human trafficking (1,2,12,16)

# Burkina Faso

## MODERATE ADVANCEMENT

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

Sector/Industry	Activity
Categorical Worst Forms of Child Labor†	Forced begging in unregistered, and thus illegal, Koranic schools (1,2,16)
	Recruitment by non-state armed groups for use in armed conflict (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.

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. (1,2,20) 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. (2,7,12,21) Burkina Faso is also one of the largest producers of cotton in Africa, with a reported 250,000 children involved in growing the crop, primarily on small family farms. (9,22) 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. (6,12)

During the reporting period, children were used as soldiers by extremist armed groups. Research indicates that a village attack in 2021, Burkina Faso's deadliest terrorist attack in years, which killed at least 132, was carried out mostly by children under the age of 14. (19) In addition, a military coup in January 2022 and continued insecurity has led to the mass displacement of over 1.4 million IDPs in the last 3 years, including a large number of vulnerable children. (1,11,12,23)



Although the Law Orienting the Education System mandates free education until age 16, many children face barriers to education access. (3,11,24,25) Due to a lack of infrastructure, some communities create makeshift structures to serve as schools, and in rural areas, teacher shortages are common, especially in post-primary levels. In addition, there are fees for all levels of public education, which sometimes pose heavy burdens on families. (3,11) Moreover, school violence exists and is exacerbated by the current security crisis, and transportation costs restrict access to schooling in urban areas. (11)

Children in Burkina Faso must have birth documentation (a birth certificate or supplemental birth judgment) to register for school. (11,26) A student may begin schooling without documentation, but documentation must be provided before the end of the first quarter following the child’s registration. (3,11) 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. (11) 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. (11) 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. (11)

## 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	✓

**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 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 (27,28)
Minimum Age for Hazardous Work	Yes	18	Articles 149 and 150 of the Labor Code; Article 1 of the Hazardous Work List (27,29)
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 (27,29,30)
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 (27,31,32)
Prohibition of Child Trafficking	Yes		Article 153 of the Labor Code; Articles 1–5, 14, and 15 of the Law on Combating Trafficking of Persons and Similar Practices (27,32)
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 (27,31)
Prohibition of Using Children in Illicit Activities	Yes		Article 153 of the Labor Code (27)
Minimum Age for Voluntary State Military Recruitment	Yes	20	Article 2 of the Decree Organizing Operations Related to Convoking the Contingent (33)
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 (27)
Compulsory Education Age	Yes	16	Article 4 of the Law Orienting the Education System (25)
Free Public Education	Yes		Article 6 of the Law Orienting the Education System (25)

\* Country has no conscription (34)

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 light work that may be permitted are not identified in legislation. (27,28)

### 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 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 address child labor. (35)
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. (12,36) Operates a free hotline to report child abuse, and maintains civil registry offices in maternity wards to register newborn babies. Enlists its National Council for Childhood to oversee all policies aimed at the survival, protection, development, and participation of children in broader policy initiatives. (37) It is unknown how many cases of child labor are identified as a result of complaints made to the MFSNF hotline.
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. Assists MFPTSS by participating in joint routine inspections related to child labor in suspected human trafficking cases. (12,36)
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. (12,38)

### Labor Law Enforcement

In 2021, labor law enforcement agencies in Burkina Faso took actions to address 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 resources.

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

Overview of Labor Law Enforcement	2020	2021
Labor Inspectorate Funding	Unknown (11)	Unknown
Number of Labor Inspectors	159 (11)	Unknown
Mechanism to Assess Civil Penalties	Yes (27)	Yes (27)
Initial Training for New Labor Inspectors	Yes (11)	Unknown
Training on New Laws Related to Child Labor	N/A (11)	Unknown
Refresher Courses Provided	Unknown (11)	Yes (3)
Number of Labor Inspections Conducted	Unknown (11)	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	Unknown (11)	Unknown
Routine Inspections Targeted	Unknown (11)	Unknown
Unannounced Inspections Permitted	Yes (27)	Yes (27)
Unannounced Inspections Conducted	Yes (11)	Unknown
Complaint Mechanism Exists	Yes (11)	Yes (3)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (11)	Yes (3)

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 need to employ about 213 labor inspectors. (39) 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. (20,40) The government did not provide information on its labor law enforcement efforts for inclusion in this report. (3) However, labor inspectors received training on the National Strategy to End the Worst Forms of Child Labor (2019–2023) (SN/PFTE), its Plan of Operational Action 2019–2021, and on general child labor issues during the year. (3)

### Criminal Law Enforcement

In 2021, criminal law enforcement agencies in Burkina Faso took actions to address child labor (Table 7). However, gaps exist within the operations of 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	2020	2021
Initial Training for New Criminal Investigators	Unknown (11)	Unknown (3)
Training on New Laws Related to the Worst Forms of Child Labor	N/A (11)	N/A (3)
Refresher Courses Provided	Unknown (11)	Unknown (3)
Number of Investigations	1 (41)	Unknown (3)
Number of Violations Found	Unknown (11)	Unknown (3)
Number of Prosecutions Initiated	Unknown (11)	Unknown (3)
Number of Convictions	Unknown (11)	Unknown (3)
Imposed Penalties for Violations Related to the Worst Forms of Child Labor	Unknown (11)	Unknown (3)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Unknown (11)	Unknown (3)

During the reporting period, law enforcement agents and social workers received training on addressing trafficking in persons as a part of the Tripartite Cooperation Agreement for the Protection of Children on the Move or Victims of Cross-Border Trafficking between the Governments of Benin, Burkina Faso, and Togo. (42) In addition, during the reporting period, 18 children who were potential victims of child trafficking were intercepted in Burkina Faso. (3,42)

Although the government has standard victim identification and referral procedures, criminal law enforcement authorities and frontline responders do not apply them uniformly. (2,20) The government did not provide information on its criminal law enforcement efforts for inclusion in this report. (11)

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 indicates that children suspected of terrorist activity are being held in prison along with adults, with some children being held for years. (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 insufficient coordination among ministries.

**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 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. (3,11) Promotes consultation and synergy of action between the actors involved in SN/PFTE implementation. Validates the annual activity programs of SN/PFTE. (11) Monitors and evaluates the implementation and proposes necessary readjustments. Reviews and adopts the reports submitted to it by the Technical Secretariat. (11) Issues reasoned opinions on any question relating to the worst forms of child labor. (11) During the reporting period, the National Coordination Committee developed a new operational plan for the National Strategy to Combat the Worst Forms of Child Labor for the period of 2022 to 2023. (3)
MFPTSS Directorate to Combat Child Labor and its Worst Forms	Coordinates and leads interagency efforts to address child labor, including its worst forms; collects information on child labor; and conducts awareness-raising activities. Serves as the Secretariat for CNC-SN/PFTE. (44) Research was unable to determine whether the Directorate was active during the reporting period.

# Burkina Faso

## MODERATE ADVANCEMENT

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

Coordinating Body	Role & Description
National Committee for Vigilance and Surveillance Against the Trafficking in Persons and Assimilated Practices (CNVS)	Coordinates actions at the national level to address the worst forms of child labor, including human trafficking, and oversees Committees for Vigilance and Surveillance in each of the regions. MFSNF serves as the lead agency, with MATDSI playing a secondary role; includes representatives from MFPTSS, MFSNF, and NGOs. (1,12,16) Research was unable to determine whether CNVS was active during the reporting period.
Child Protection Networks	Assist CNVS with bringing together state and non-state actors and coordinating and facilitating the collection of statistical data on human trafficking, specifically the trafficking of women and children. (11) Established by MFSNF, the networks comprise social workers, magistrates, judges, police officers, health workers, and NGOs in 23 of the country's 45 provinces. Research was unable to determine whether the Child Protection Networks were active during the reporting period.
Cooperation Agreements with other countries	Aim to address cross-border trafficking in children. (1) 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. (45) Research was unable to determine whether the Parliamentary Network for the Promotion of Child Rights was active during the reporting period.

During the reporting period, Burkina Faso and Nigeria signed an MOU to fight trafficking in persons, which consists of 18 articles and addresses identification, prosecution, repatriation, as well as rehabilitation and reintegration of victims, among other issues. (3,42)

The National Coordination Committee for the National Strategy Plan to Combat the Worst Forms of Child Labor (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. (11) However, all 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. (3,21,40)

## 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 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 monitor, address, prevent, and protect against the worst forms of child labor in Burkina Faso, and to reintegrate victims. (1,3) Developed by law enforcement agencies focused on child labor and its worst forms; governmental and non-governmental bodies; technical, financial, and social partners; and civil society organizations, including children's associations. (11) 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. (26) Research was unable to determine whether activities were undertaken to implement the National Child Protection Strategy during the reporting period.

## VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2021, 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 inadequacy 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†	Aim to address human trafficking. Include the operation of transit centers that provide food, medical assistance, and counseling to child trafficking survivors and children vulnerable to trafficking. (2,46) Transit centers aim to reintegrate victims into their communities and facilitate repatriation of foreign victims when possible. (2) The National Parenting Program assists parents in providing access to education and raising awareness about child trafficking. Nationwide media campaigns to address human trafficking provide advocacy, raise awareness, and build capacity for key actors involved in child protection issues, including child trafficking. (2) Watchdog and monitoring committees ensure that all cases of alleged trafficking of children are reported to the justice system by social workers. (47) Research was unable to determine whether activities were undertaken to implement the MFSNF Projects to Combat Human Trafficking during the reporting period.
Campaign to Remove Street Children	NGO MinWomen-funded program, with coordination by the MFSNF, 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, Baskuy, Nongremassom, and Cissin districts of Ouagadougou. (20,40) Research was unable to determine whether activities were undertaken to implement the Campaign to Remove Street Children during the reporting period.
ILO-Implemented Projects to Combat Child Labor	Project to address child labor and forced labor in supply chains, implemented by ILO in collaboration with the Food and Agriculture Organization (FAO). Includes Eliminating Child Labor and Forced Labor in the Cotton, Textile and Garment Value Chains: an Integrated Approach (2018–2022), a EUR 9 million EU and ILO initiative of the UN-funded global project to combat child labor and forced labor in cotton and textile supply chains. (48) Research was unable to determine whether activities were undertaken to implement the Eliminating Child Labor and Forced Labor 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. (49,50) 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 16) Project on Child Labor and Forced Labor (2019–2021)	USDOL-funded global project implemented by ILO to support global and national efforts aimed at countering child labor and the forced labor of adults and children. Includes the Measurement, Awareness-Raising, and Policy Engagement (MAP 16) Project on Child Labor and Forced Labor (2019–2021), a \$170,000 program. (51) Additional information is available on the USDOL website.

† Program is funded by the Government of Burkina Faso.

In 2021, the Ministry of Public Service, Labor, and Social Security completed a national child labor survey, though the results were not published. (3)

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. (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 Burkina Faso (Table 11).

**Table 11. 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 – 2021
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 – 2021
	Publish statistics on labor law enforcement efforts, including the labor inspectorate's funding, number of labor inspectors employed, number and type of labor inspections conducted, the number of child labor violations found, the number of penalties imposed and collected, number of inspections conducted at worksites, the number of targeted and routine inspections, and whether unannounced inspections were conducted.	2009 – 2021



# Burkina Faso

## MODERATE ADVANCEMENT

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

Area	Suggested Action	Year(s) Suggested
Enforcement	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 – 2021
	Ensure that criminal law enforcement authorities and frontline responders apply standard victim identification and referral procedures uniformly.	2016 – 2021
	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 – 2021
	Ensure a referral mechanism between criminal authorities and social services is operational.	2019 – 2021
	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 – 2021
Coordination	Ensure that all coordinating bodies are active and able to carry out their intended mandates.	2020 – 2021
	Ensure that coordinating bodies receive adequate resources, such as computers and electricity, to accomplish their mandates.	2015 – 2021
	Enhance coordination and collaborative processes and procedures among ministries, law enforcement, and social services.	2019 – 2021
Government Policies	Ensure activities are undertaken to implement key policies related to child labor and publish results from activities implemented during the reporting period.	2020 – 2021
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 – 2021
	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, and ending violence in schools.	2010 – 2021
	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 – 2021
	Ensure activities are undertaken to implement key social programs to address child labor during the reporting period and make information about implementation measures publicly available.	2020 – 2021
	Expand existing programs to fully address child labor in cotton production and gold mining.	2009 – 2021

## REFERENCES

- U.S. Embassy- Ouagadougou. Reporting. March 2, 2020.
- U.S. Department of State. Trafficking in Persons Report 2021- Burkina Faso. Washington, D.C., June 2021. <https://www.state.gov/reports/2021-trafficking-in-persons-report/burkina-faso/>
- U.S. Embassy- Ouagadougou. Reporting. March 16, 2022.
- UNESCO Institute for Statistics. Gross intake ratio to the last grade of primary education, both sexes (%). Accessed March 3, 2022. For more information, please see "Children's Work and Education Statistics: Sources and Definitions" in the Reference Materials section of this report. <http://data.uis.unesco.org/>
- ILO. Analysis of Child Economic Activity and School Attendance Statistics from National Household or Child Labor Surveys. Original data from Enquête Multisectorielle Continué (EMC), 2014. Analysis received March 2022. For more information, please see "Children's Work and Education Statistics: Sources and Definitions" in the Reference Materials section of this report.
- Suisse Solidar. ENQUÊTE SUR LE COTON. January 2019. [https://solidar.ch/wp-content/uploads/2019/01/baumwoll\\_report\\_2019\\_f\\_solidar\\_suisse\\_web.pdf](https://solidar.ch/wp-content/uploads/2019/01/baumwoll_report_2019_f_solidar_suisse_web.pdf)
- Government of Burkina Faso. Étude de base pour la Relecture du Décret No. 2009-365/PRES/PM/MTSS/MS/MASSN du 28 mai 2009 Portant Détermination de la Liste des Travaux Dangereux Interdits aux Enfants au Burkina Faso. May 28, 2009. Source on file.
- International Bureau for Children's Rights. État des lieux du système de protection de l'enfant au Burkina Faso portant sur les rôles et responsabilités des policiers, des gendarmes, des travailleurs sociaux et du personnel de justice. July 5, 2017. [http://www.ibcr.org/wp-content/uploads/2017/07/Etat-des-lieux-Burkina-Faso\\_COURTE\\_web.pdf](http://www.ibcr.org/wp-content/uploads/2017/07/Etat-des-lieux-Burkina-Faso_COURTE_web.pdf)
- U.S. Department of Agriculture. Commodity Intelligence Report. July 16, 2019. <https://ipad.fas.usda.gov/highlights/2019/07/benin/index.pdf>
- Institut National de la Statistique et de la Démographie. Analyse Complémentaire sur le Travail des Enfants Agés de 5 à 14 Ans au Burkina Faso. May 2011. [http://www.insd.bf/content/enquetes\\_recensements/enquete\\_travail\\_des\\_enfants/Etude\\_complaire\\_travail\\_enfants.pdf](http://www.insd.bf/content/enquetes_recensements/enquete_travail_des_enfants/Etude_complaire_travail_enfants.pdf)
- U.S. Embassy- Ouagadougou. Reporting. February 3, 2021.
- U.S. Embassy- Ouagadougou official. E-mail communication with USDOL official. June 7, 2022.
- Terre des hommes. Child Labour Report 2017 – The Neglected Link – Effects of Climate Change and Environmental Degradation on Child Labour. June 10, 2017. [https://reliefweb.int/sites/reliefweb.int/files/resources/CL-Report-2017-engl\\_0.pdf](https://reliefweb.int/sites/reliefweb.int/files/resources/CL-Report-2017-engl_0.pdf)
- UNICEF Burkina Faso. Getting children out of mines in Burkina Faso. YouTube.com [video]. February 16, 2017. [https://www.youtube.com/watch?v=ER\\_pL\\_ZyIGY](https://www.youtube.com/watch?v=ER_pL_ZyIGY)
- Balima, Jacques Théodore. Orpaillage: « Eau Vive » veut promouvoir les droits humains sur les sites. lefaso.net, April 12, 2017. <http://lefaso.net/spip.php?article76637>

- 16 U.S. Embassy- Ouagadougou. Reporting. February 17, 2021.
- 17 U.S. Department of State. Trafficking in Persons Report 2018- Burkina Faso. Washington, D.C., June 14, 2019.  
<https://www.state.gov/reports/2018-trafficking-in-persons-report/burkina-faso/>
- 18 Africa News. Nigeria; Sex Slaves – Syndicate Allegedly Kidnaps 40 Nigerian Girls. July 18, 2017. Source on file.
- 19 France24. 'Children killing children': Two detained over Burkina Faso village massacre. June 29, 2021.  
<https://www.france24.com/en/africa/20210629-children-killing-children-two-detained-over-burkina-faso-village-massacre>
- 20 U.S. Embassy- Ouagadougou official. E-mail communication to USDOL official. June 19, 2019.
- 21 U.S. Embassy- Ouagadougou. Reporting. March 27, 2019.
- 22 Solidar Suisse. Cotton: Stop Child Labor! Accessed 2022.  
<https://solidar.ch/en/topics/child-labour/cotton/>
- 23 CNN. Burkina Faso's military seizes power in a coup, detains president and dissolves government. January 24, 2022.  
<https://www.cnn.com/2022/01/24/africa/military-detains-president-kabore-intl/index.html>
- 24 U.S. Embassy- Ouagadougou. Reporting. January 23, 2017.
- 25 Government of Burkina Faso. Loi N° 013-2007/AN Portant loi d'orientation de l'éducation. Enacted: July 30, 2007.  
<http://www.ilo.org/dyn/natlex/docs/ELECTRONIC/77498/82167/F578256246/BFA-77498.pdf>
- 26 U.S. Department of State. Country Reports on Human Rights Practices 2020- Burkina Faso. Washington, D.C., March 30, 2021.
- 27 Government of Burkina Faso. Loi N° 028-2008/AN du 13 mai 2008 Portant Code du Travail au Burkina Faso. Enacted: May 13, 2008.  
[http://www.ilo.org/wcmsp5/groups/public/---ed\\_protect/---protrav/---ilo\\_aids/documents/legaldocument/wcms\\_126287.pdf](http://www.ilo.org/wcmsp5/groups/public/---ed_protect/---protrav/---ilo_aids/documents/legaldocument/wcms_126287.pdf)
- 28 Government of Burkina Faso. Arrêté N° 2008-027/MTSS/SG/DGSST du 26 décembre 2008 portant dérogation de l'âge d'admission à l'emploi. Enacted: December 26, 2008.  
<http://www.ilo.org/dyn/natlex/docs/MONOGRAPH/96329/113810/F692170910/BFA-96329.pdf>
- 29 Government of Burkina Faso. Décret N° 2016-504/PRES/PM/MFPTPS/MS/MFSNF Portant Détermination de la Liste des Travaux Dangereux Interdits aux Enfants. Enacted: June 9, 2016. Source on file.
- 30 Government of Burkina Faso. Loi N° 036-2015/CNT Portant Code Minier du Burkina Faso. Enacted: June 26, 2015.  
<https://www.ilo.org/dyn/natlex/docs/ELECTRONIC/101264/121922/F-259063524/BFA-101264.pdf>
- 31 Government of Burkina Faso. Loi Portant Répression de la Vente d'Enfants, de la Prostitution des Enfants et de la Pornographie Mettant en Scène des Enfants, Loi N° 011-2014/AN. Enacted: April 17, 2014.  
<http://www.ilo.org/dyn/natlex/docs/ELECTRONIC/98001/116475/F-1511397845/BFA-98001.pdf>
- 32 Government of Burkina Faso. Loi N° 029-2008/AN Portant Lutte Contre la Traite des Personnes et Les Pratiques Assimilées. Enacted: May 15, 2008.  
<https://www.ilo.org/dyn/natlex/docs/ELECTRONIC/79122/84952/F1942473436/BFA-79122.pdf>
- 33 Government of Burkina Faso. Décret N° 2013-358/PRES/PM/MDNAC Portant Organisation des Opérations Relatives à l'Appel du Contingent JO N° 34 du 22 Août 2013. Enacted: April 29, 2013. Source on file.
- 34 U.S. Embassy- Ouagadougou official. E-mail communication with USDOL official. February 23, 2018.
- 35 Government of Burkina Faso. Décret N° 2016-006/PRES/PM/SGG-CM 06 Février 2016 Portant Attributions des Membres du Gouvernement. Enacted: February 8, 2016.  
<https://www.ilo.org/dyn/natlex/docs/ELECTRONIC/104131/126907/F1207739908/BFA-104131.pdf>
- 36 U.S. Embassy- Ouagadougou official. E-mail communication with USDOL official. April 30, 2018.
- 37 Government of Burkina Faso. Décret N° 2014-092/PRES/PM/MASSN/MEF/MATS Portant Création, Attributions, Composition et Fonctionnement d'un Conseil National pour l'Enfance. Enacted: February 20, 2014.  
<https://www.ilo.org/dyn/natlex/docs/ELECTRONIC/98000/116474/F-1201415008/BFA-98000.pdf>
- 38 Government of Burkina Faso. Décret Promulguant la loi n° 015-2014/AN du 13 mai 2014 Portant Protection de l'Enfant en Conflit avec la loi ou en Danger, Decree N° 2014-519/PRES. Enacted: June 20, 2014.  
[http://www.ilo.org/dyn/natlex/natlex4.detail?p\\_lang=en&p\\_isn=98010](http://www.ilo.org/dyn/natlex/natlex4.detail?p_lang=en&p_isn=98010)
- 39 ILO. ILO modelled estimates and projections (ILOEST) – Population and labour force. Accessed January 25, 2022. Labor force data is modelled on a combination of demographic and economic explanatory variables by the ILO. Please see "Labor Law Enforcement: Sources and Definitions" in the Reference Materials section of this report.  
<https://ilostat.ilo.org/data/>
- 40 U.S. Embassy- Ouagadougou. Reporting. February 22, 2019.
- 41 U.S. Embassy- Ouagadougou official. E-mail communication to USDOL official. June 17, 2021.
- 42 U.S. Embassy- Ouagadougou. Reporting. March 4, 2022.
- 43 Voice of America. Hundreds in Burkina Faso, Including Minors, Await Trial on Terrorism Charges. October 6, 2021.  
<https://www.voanews.com/a/hundreds-in-burkina-faso-including-minors-await-trial-on-terrorism-charges-/6260162.html>
- 44 U.S. Embassy- Ouagadougou. Reporting. February 5, 2018.
- 45 Government of Burkina Faso. Droits de l'Enfant: Les Députés Membres du REPRODEN se Forment en Matière d'Interpellation du Gouvernement. National Assembly Burkina Faso. Accessed January 11, 2014. Source on file.
- 46 U.S. Department of State. Trafficking in Persons Report 2017- Burkina Faso. Washington, D.C., June 27, 2017.  
<https://www.state.gov/reports/2017-trafficking-in-persons-report/burkina-faso/>
- 47 UN Human Rights Committee. Concluding observations on the initial report of Burkina Faso - Addendum - Information received from Burkina Faso on follow-up to the concluding observations. September 12, 2017: CCPR/C/BFA/CO/1/Add.1.  
<http://docstore.ohchr.org/SelfServices/FilesHandler.ashx?enc=6QkGI/dPPRiCAqhKb7yhsvOZ9yy4HyCRjzP2m4A/0VWEZYp3T7yn7phznP46xXdN7qO0+yK9Tzgl08dEHqGltCWYj+scwdrLN3i9BSB+JMwfqec8qPuLdHVXehpCerHMCWtLerSzFXijUQX/nkdvA==>
- 48 ILO. CLEAR Cotton: Eliminating child labour and forced labour in the cotton, textile and garment value chains: an integrated approach. Accessed March 25, 2022.  
<https://www.ilo.org/ipecc/projects/global/clearcotton/lang--en/index.htm>
- 49 World Bank. Social Safety Net Project (PI24015). June 14, 2017: Implementation Status & Results Report - Sequence 09.  
<http://documents.worldbank.org/curated/en/24097149745766248/pdf/ISR-Disclosable-PI24015-06-14-2017-1497457666509.pdf>
- 50 World Bank. Education Access and Quality Improvement Project (EAQIP) (PI48062).  
<https://projects.worldbank.org/en/projects-operations/project-detail/PI48062>
- 51 U.S. Department of Labor. Measurement, Awareness-Raising, and Policy Engagement (MAP I6) Project on Child Labor and Forced Labor. Accessed March 17, 2021.  
<https://www.dol.gov/agencies/ilab/measurement-awareness-raising-and-policy-engagement-map-i6-project-child-labor-and>

## NO ADVANCEMENT – EFFORTS MADE BUT COMPLICIT IN FORCED CHILD LABOR

In 2021, Burma is receiving an assessment of no advancement. On February 1, 2021, Burma's military launched a coup and seized control of the state from the democratically elected civilian government. The return of a military regime and the resulting instability severely impacted the ability of Burma to fully engage in addressing the worst forms of child labor throughout the country. 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 national military continued to force civilians, including children, to work in non-combat roles as porters, cleaners, cooks, and agricultural laborers in conflict areas, including Rakhine, during the reporting period. While Burma took at least one step to address child labor—the drafting of a hazardous work list for children—the list was not published during the reporting period. Children in Burma are subjected to the worst forms of child labor, including in the forced 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 because of restrictions on their movements imposed by the regime. Penalties for recruitment and use of children by the military, or for the military's use of civilian populations for forced labor, are also not sufficient for the seriousness of the crime. In addition, the regime did not publicly release information on its labor law enforcement efforts.



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

Children in Burma are subjected to the worst forms of child labor, including in the forced recruitment of children for use in armed conflict and in 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**

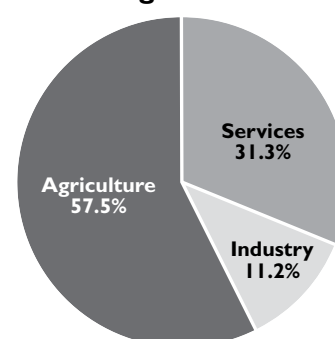
Children	Age	Percent
Working (% and population)	5 to 14	0.4 (39,370)
Attending School (%)*	5 to 14	95.3
Combining Work and School (%)	7 to 14	0.1
Primary Completion Rate (%)		95.4

Source for primary completion rate: Data from 2018, published by UNESCO Institute for Statistics, 2022. (3)

Source for all other data: International Labor Organization's analysis of statistics from Labour Force Survey (LFS), 2019. (4)

\* School attendance is dramatically lower post-COVID-19 pandemic and after the February 1, 2021 coup. Exact percentages are unknown, as many parents refuse to enroll their children in regime-controlled schools and many teachers joined the Civil Disobedience Movement and refuse to teach in schools controlled by the regime. (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.

# Burma

## NO ADVANCEMENT – EFFORTS MADE BUT COMPLICIT IN FORCED CHILD LABOR

**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 (1,2,4,6)
	Fishing and processing fish and seafood (1,2,4,6-8)
	Forestry, including on teak plantations (4,8-10)
Industry	Producing garments (11)
	Construction and carrying stones (2,4,9,12,13)
	Quarrying and mining, including for jade and rubies (2,4,7,9,14,15)
Services	Domestic work (2,4,7,9,12,16)
	Working in teashops and restaurants, including waiting tables and washing dishes (2,4,9,12)
	Vending, including in fish markets, collecting garbage and recyclables, and working in transportation (6,9,17)
Categorical Worst Forms of Child Labor‡	Forced recruitment of children by state and non-state armed groups for use in armed conflict (1,2,12,18-20)
	Forced labor in agriculture, including harvesting bamboo and producing beans, rice, rubber, sugarcane, and teak (1,2,10)
	Forced labor in manufacturing bricks and construction (10,21)
	Forced labor in domestic work, teashops, and begging (2,7,9,16,22)
	Commercial sexual exploitation, sometimes as a result of human trafficking (2,7,9,20)

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

The military staged a coup on February 1, 2021, which resulted in limited oversight and reporting on child labor issues in Burma during the reporting year. (1) The regime banned most trade unions and failed to conduct regular labor inspections. (1,23) In addition, the Myanmar Police Force Anti-Trafficking in Persons Division largely ceased its enforcement work after February 1, which collectively contributed to underreporting of child trafficking and forced labor. (1)

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. (2,20,21,24) In 2021, research indicated that children continued to be used by the national military in non-combat roles. (1,2,8,19,24,25) After the coup, the military often forced civilians, reportedly including children, to work in non-combatant roles as porters, cleaners, and cooks in both conflict and non-conflict areas. While clearing Yangon and other major urban areas of protests in March and April, for instance, the military and police often forced civilians—sometimes at gunpoint and with threat of detention—to remove barricades and other defensive barriers erected in neighborhoods. (1) Local media reported in December 2021 that the military had begun to force military members' children, some as young as age 12, to participate in mandatory military training, including training with weapons. (1)

After the coup, the military and the regime's Ministry of Defense ceased cooperation with the UN Country Task Force for Monitoring and Reporting (UNCTFMR) on activities to end child use and recruitment. In the UN Annual Report on Children and Armed Conflict, the UN Secretary General on June 21 re-listed the Myanmar military as an entity that recruits child soldiers, alongside seven ethnic armed groups in Myanmar, including the Karen National Liberation Army, United Wa State Army, Democratic Karen Benevolent Army (DKBA), Kachin Independence Army, Karenni Army, Karen National Liberation Army Peace Council, and the Restoration Council of Shan State/Shan State Army. (1,18,24-26) In the past, civilian brokers with military connections have sometimes facilitated entry of underage recruits into the military, in some instances bypassing standard age verification procedures by producing sophisticated counterfeit identity documents. (2,7,20,24) There were reports of 719 cases of use and recruitment of children for combat and non-combat roles by other armed actors in Burma in 2021, including by the military, ethnic armed organizations, and pro-democracy people's defense force groups. (1,25) However, according to UNCTFMR, the vast majority of reported cases of underage military recruitment for combat roles occurred in previous years and not in 2021. (1) The DKBA signed a joint action plan to end recruitment and use of children in armed conflict with the UN CTFMR in November 2020. (27) Efforts to enforce the joint action plan ceased after the military coup. (10)



## NO ADVANCEMENT – EFFORTS MADE BUT COMPLICIT IN FORCED CHILD LABOR

Moreover, in early 2022, the ILO established a new Commission of Inquiry on Burma due to escalation of large-scale lethal violence against civilians, including children. (28) Research showed that in December 2021 at least 35 people in Kayah State, 2 of whom were Save the Children staff, were killed and their bodies torched. UNICEF also reported that three children were abducted from their homes in Kayah State, and their bodies and another child's body were later found in a toilet pit of an IDP camp. (28)

Child victims, particularly girls, are trafficked both domestically and to other countries for commercial sexual exploitation. (1,25,29) Research found that Burmese girls were trafficked to Burma's border with China for the purpose of commercial sexual exploitation. (1,20,24)

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. (9,30,31)

Since August 2017, an estimated 884,000 people, primarily from the Rohingya minority, have fled from Burma to Bangladesh following acts of violence and ethnic cleansing perpetuated by the military in northern Rakhine State. (21,32-37) As a result, over 450,000 Rohingya refugees are children who 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. (7,9,33,37-41) 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. (16,21,42) Research also found that increasing numbers of children, particularly girls, are leaving camps for refugee and internally displaced people (IDP) 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. (16,20,35,43,44) 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. (43)

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. (2,20,24,33,35,45,46)

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. (47) Local officials and school authorities typically ban Rohingya children from attending government schools with ethnic Rakhine children. (47,48) In addition, Burmese law guarantees education only for Burmese citizens, and citizenship rates in Rohingya communities are extremely low. (45) 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. (9,19,49) 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. (19,21,24,45,50)

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. (45)

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

# Burma




## NO ADVANCEMENT – EFFORTS MADE BUT COMPLICIT IN FORCED CHILD LABOR

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, increasing their vulnerability to the worst forms of child labor. (1,12,16,24,51,52) 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. (1,16,24,51) When the regime mandated that school re-open in November 2021, it was reported that both students and teachers largely refused to attend. (1)

## 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	✓

The regime has 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 (53-55)
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 (55)
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 (53,54,56)
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 Tracts Administrative Law (55,57-59)
Prohibition of Child Trafficking	No		Chapter I, Section 3(s)-(t) and Chapters XVII, Sections 103 and 106, and XVIII, Section 66 of the Child Rights Law; Sections 3, 24, and 29 of the Anti-Trafficking in Persons Law; Sections 372 and 366(a) of the Penal Code (55,57,58)
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 and 373 of the Penal Code (55,58)
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 (55,60)
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 Services Act (War Office Council Instruction 13/73) (55)

## NO ADVANCEMENT – EFFORTS MADE BUT COMPLICIT IN FORCED CHILD LABOR

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

Standard	Meets International Standards	Age	Legislation
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 (55)
Compulsory Education Age	No	10‡	Chapter XIV, Section 48(b) of the Child Rights Law; Section 4(j) of the National Education Law (55,61)
Free Public Education	Yes		Chapter XIII, Section 46(b) of the Child Rights Law; Section 4(j) of the National Education Law (55,61)

\* Country has no conscription

‡ Age calculated based on available information (62,63)

According to the Defense Services Act, persons under the age of 18 are prohibited from joining the armed forces. The regime has not taken actions to enforce this law during the reporting period. (1)

MOLIP has prepared a draft hazardous work list and worked to finalize the implementing regulation for the Child Rights Law (2019), but the regime has yet to release it. (1,9,20,49,51,55,64) 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 2021. (7,9,16,30,65-67)

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 persons cases to be seized, was still awaiting approval. (2,7,20,51,68)

Burmese education law and policies provide that school is required for children through age 10; however, the minimum age for work is 14. (63,64) This does not meet international standards because the compulsory schooling age is lower than the minimum work age.

### III. ENFORCEMENT OF LAWS ON CHILD LABOR

The regime has 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 — Factories and General Labor Laws Inspection Department (FGLLID)*	During the reporting year, the Ministry of Labor, Immigration, and Population was broken up and the Ministry of Labor is now a standalone ministry. (1,10) Inspects factories, shops, and establishments for child labor law violations. (53,54) 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. (20,24,51)
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 police units. (7,20,51,69) Oversees nine specialized Child Protection Units in Rangoon, Mandalay, and Nay Pyi Daw to address child exploitation cases, including child trafficking, and uses formal written procedures with questions to screen victims. (20,25,69) Staffed by 476 personnel and operates nine 24/7 hotlines dedicated to reporting human trafficking cases. (7,10,20) During the reporting period, only a handful of cases were reported and the status of these cases is unknown. Information on trafficking in persons crimes is underreported as a result of the military coup. (10)

# Burma

## NO ADVANCEMENT – EFFORTS MADE BUT COMPLICIT IN FORCED CHILD LABOR

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

Organization/Agency	Role
Ministry of Defense— Committee for the Prevention of Military Recruitment of Underage Children	Sanctions perpetrators that recruit or use children in the armed forces. (51,70)
Ministry of Legal Affairs	Previously named the Union Attorney General's Office. (1) Responsible for prosecuting trafficking in persons (TIP) crimes. TIP Coordinators 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. (20,51) During the reporting period, the Ministry of Legal Affairs did not publish comprehensive data on trafficking in persons prosecutions. (10)

\* Agency responsible for child labor enforcement was created 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. (2,7,9,20) 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 human trafficking victims being turned away when attempting to report their cases. (2,20)

### Labor Law Enforcement

Research did not find information on whether labor law enforcement agencies in Burma took actions to address child labor.

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

Overview of Labor Law Enforcement	2020	2021
Labor Inspectorate Funding	Unknown (51)	Unknown (1)
Number of Labor Inspectors	180 (51)	Unknown (1)
Mechanism to Assess Civil Penalties	Yes (53,54)	Yes (53,54)
Initial Training for New Labor Inspectors	No (51)	Unknown (1)
Training on New Laws Related to Child Labor	N/A (51)	Unknown (1)
Refresher Courses Provided	No (51)	Unknown (1)
Number of Labor Inspections Conducted	1,100 (51)	Unknown (1)
Number Conducted at Worksite	1,100 (51)	Unknown (1)
Number of Child Labor Violations Found	0 (51)	Unknown (1)
Number of Child Labor Violations for Which Penalties Were Imposed	N/A (51)	Unknown (1)
Number of Child Labor Penalties Imposed that Were Collected	N/A (51)	Unknown (1)
Routine Inspections Conducted	Yes (51)	Unknown (1)
Routine Inspections Targeted	No (51)	Unknown (1)
Unannounced Inspections Permitted	Yes (53,54)	Yes (53,54)
Unannounced Inspections Conducted	Yes (51)	Unknown (1)
Complaint Mechanism Exists	Yes (51)	Unknown (1)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	No (51)	Unknown (1)

In the post-coup environment, the regime did not release information on labor law enforcement for the reporting period. (1) The regime also has no functional complaint mechanisms for people to report use and recruitment of child soldiers or forced labor. (25)

In 2021, it was reported that the number of inspectors decreased during the reporting period as many inspectors joined the pro-democracy Civil Disobedience Movement and refused to work for the regime. (1,10) In addition, trainings for labor inspectors were halted and the number of labor inspections conducted declined sharply due to pandemic-related restrictions on movement put in place by the regime. Due to these restrictions, labor inspections were geographically limited to Burma's major urban centers, including Yangon, Mandalay, and Nay Pyi Taw. (5,51)



## NO ADVANCEMENT – EFFORTS MADE BUT COMPLICIT IN FORCED CHILD LABOR

It was reported that the Ministry of Labor no longer conducts regular inspections, and when inspections do occur, the inspectors regularly side with management or the regime in disputes. (1) 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. (9,21,51) In addition, only the Ministry of Labor has the power to pursue legal actions and impose penalties. And even on the rare occasion that penalties are imposed, they are too low to act as a disincentive for most medium to large enterprises. (1)

The regime did not provide any information on labor law enforcement efforts during the reporting year. (1)

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. (9,51) Due to capacity and resource constraints, the Factories and General Labor Laws Inspection Department (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 554 inspectors. (51,71-73)

### **Criminal Law Enforcement**

In 2021, criminal law enforcement agencies in Burma took limited actions to address the worst forms of child labor (Table 7). However, gaps exist within the authority of the MPF that may hinder adequate criminal law enforcement, including failure to investigate or prosecute officials who accept bribes.

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

Overview of Criminal Law Enforcement	2020	2021
Initial Training for New Criminal Investigators	Yes (51)	Unknown (1)
Training on New Laws Related to the Worst Forms of Child Labor	Yes (51)	Unknown (1)
Refresher Courses Provided	Yes (51)	Unknown (1)
Number of Investigations	Unknown (51)	5 (1)
Number of Violations Found	39 (51)	5 (1)
Number of Prosecutions Initiated	Unknown (51)	5 (1)
Number of Convictions	Unknown (51)	Unknown (1)
Imposed Penalties for Violations Related to the Worst Forms of Child Labor	Yes (51)	Unknown (1)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (51)	Unknown (1)

In 2021, the ATIPD reported five cases involving child labor. One investigation involved the forced labor of a 16-year-old boy on a fishing vessel. (1) The four other cases involved child trafficking with indicators of sex or labor exploitation. Two of the cases involved forced prostitution and two cases involved forced marriage to men in China. (1) All five cases were referred to the Ministry of Legal Affairs for prosecution, but the status of each trial is unknown. (1)

While the government continued training its personnel on age verification at recruitment centers, insufficient access to identity documents and security issues continued to present challenges to the full prevention of the recruitment of children. (21) 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. (2,8,21) 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. (2,9,21,24)

# Burma

## NO ADVANCEMENT – EFFORTS MADE BUT COMPLICIT IN FORCED CHILD LABOR

Research noted that some regime authorities and regime law enforcement officers allegedly participated in, facilitated, or profited from human trafficking. This included police officers and other regime officials accepting bribes, and in some cases, individuals claiming to have ties to high-level officials purportedly pressuring victims not to take legal action against their traffickers. (2,20)

The regime did not provide information on training for new criminal investigators or on the number of convictions and penalties imposed related to child labor during the reporting period. (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 lack of 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. (55) 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. (55) In March 2021, the regime reconstituted the 40-member committee, though any substantive activities are unknown. (1)
Child Soldiers: UNCTFMR; 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 (UNCTFMR) on Grave Violations Against Children: Coordinates with the government to end and prevent the recruitment and use of children in Burma's armed forces. (74) Operates a hotline for reporting cases of child soldiering. (20,25) 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. (9,74-76) Research was unable to determine whether this task force was active during the reporting period after the coup. (1,25)</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. (7,30) Members include 13 ministries. 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. (51) Research was unable to determine whether this committee was active during the reporting period. (1)</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 by the civilian government in November 2020. (10) 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. (77) Chaired by the Minister for Social Welfare, Relief and Rehabilitation. (20,77) Has 16 members, including the Ministry of Defense, MOHA, Ministry of Health, Ministry of Information, and the Ministry of Legal Affairs. (20,77) Research was unable to determine whether this committee was active during the reporting period. (1)</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. (12,15,78) Chaired by the Vice Chairman of State Administration Council and consists of 39 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. (9,10,78) Held meetings during the reporting year during which the committee considered the report on child labor in 2020 and reviewed the national action policy and plan for eliminating child labor, but did not include international and labor representation in meetings. (1,10,79,80)</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 the Ministry of Labor, Immigration, and Population (MOLIP), consists of stakeholders from eight government ministries, employers, and civil society organizations. (8,81) Research was unable to determine whether this committee was active during the reporting period. (1)</p> <p>Forced Labor Committee did not meet during the reporting year. (1)</p>

## NO ADVANCEMENT – EFFORTS MADE BUT COMPLICIT IN FORCED CHILD LABOR

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

Coordinating Body	Role & Description
Central Body for the Suppression of Trafficking in Persons	Coordinates efforts to address trafficking in persons. Chaired by the Minister of MOHA and previously included six government agencies and several NGOs. (5,7,20,51,70) 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). (7,20,82) 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. (7,20) Research was unable to determine whether this committee was active during the reporting period. (1)
Township Committees of the Rights of the Child	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. (12,62) Research was unable to determine whether these committees were active during the reporting period.

Research indicates that the regime government continues to be hampered by limited interministerial coordination, including communication, across all ministries. (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 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	Established a national plan of action to eliminate child labor, including hazardous child labor. (12) Ended in 2021. (10) Research was unable to determine specific activities undertaken during the reporting period to implement this policy.
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)	<p>Joint Action Plan with the UN to Prevent the Recruitment and Use of Children for Military Purposes aims to end all recruitment and use of children in Burma's 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 UNCTFMR. (83) There are two action plans in Burma under implementation: Tatmadaw Kyi as of June 2012 and Democratic Karen Benevolent Army as of November 2020. (84)</p> <p>National Action Plan on Preventing Grievous Injuries and Sexual Abuse of Children in Armed Conflicts (2020–2021) is 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. (20) Coordinated with government ministries and civil society organizations to establish annual work plans, and developed appropriate capacity building and awareness-raising campaigns related to prevention of the six grave violations against children in armed conflict. Issued annual report. (20)</p>
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. (85) Action Plan Item 4.3.6 specifically addresses eliminating child labor through education. (9,85) Research was unable to determine specific activities undertaken during the reporting period to implement this policy.
Myanmar Decent Work Country Program (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. (36,86) During the reporting period, the regime Ministry of Labor threatened to halt this program after ILO refused to accredit the regime at an annual ILO meeting. (10) 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. (7,83) Third iteration of the NPA. Implemented by the Central Body for Suppression of Trafficking in Persons. (7,20) 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. (7,83) Research was unable to determine specific activities undertaken during the reporting period.

# Burma

## NO ADVANCEMENT – EFFORTS MADE BUT COMPLICIT IN FORCED CHILD LABOR

Although the government had previously 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.

### VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2021, 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 inadequacy 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. (1,20,87) Includes the ability to report cases of child labor and child soldier recruitment. (51,88) After the coup, ceased updating statistics about number of complaints received. (1)
Department of Social Welfare	Responsible for the care of child labor survivors. (1) 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. (7,9,20) However, research has not found whether these resources are used by the regime. (1)
Hotlines	UNICEF and World Vision-operated hotlines for reporting suspected cases of child recruitment or use of children by Burma's military, which remain active. (89) UNICEF and World Vision reported that the number of calls received declined during the reporting period. (10)
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 Myanmar Program on the Elimination of Child Labour (My-PEC) Project (2013–2022), a \$7.75 million global project implemented by ILO, which concludes in December 2022; SafeYouth@Work Project: Building a Generation of Safe and Healthy Workers, a global project implemented by the ILO; and Measurement, Awareness-Raising, and Policy Engagement (MAPI6) Project on Child Labor and Forced Labor, a global project implemented by ILO. (1,9,90-92) For additional information, please see the USDOL website.

In 2021, in addition to the My-PEC program, funded by the U.S. Department of Labor; there were two other ILO Myanmar projects: Achieving Reduction of Child Labor in Support of Education: Program to reduce the worst forms of child labor in agriculture, funded by the Government of Japan, and the Asian Regional Child Labor Program (ARC), funded by the Foreign, Commonwealth and Development Office of the UK government. (93,94) The My-PEC project, while not working directly with the government after the military coup, continues to raise awareness of child labor; build capacity of civil society organizations and worker and employer organizations, and provide school and livelihood support through its current end date of December 2022. (90)

Although the government has a permanent National Complaints Mechanism (NCM) for Forced Labor, research found that there was no mechanism in place for the ILO to follow up on cases it referred to the NCM. (7,9,20,30,34,88,95) 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 the publishing of NCM data online through MOLIP's website. (20,77,88) In addition, research found that even though the Ministry of Social Welfare, Relief and Rehabilitation has implemented a standard operating procedure for victim support and rehabilitation that includes rehabilitation and reintegration of former child soldiers, due to a lack of resources and understanding of victim reintegration and the decentralization of responsibility to state and regional authorities, the protection of victims and the ability to adequately prevent forced labor remain unaddressed. (24,51,88)

During the reporting year, the IOM continued to train local TIP services providers on the National Standard Operating Procedures (NSOP) on Return/Repatriation, Reintegration and Rehabilitation of Victims of Trafficking, training 70 community-based services providers on NSOP procedures. (1) Overall, the government lacks



## NO ADVANCEMENT – EFFORTS MADE BUT COMPLICIT IN FORCED CHILD LABOR

sufficient social programs to adequately address the worst forms of child labor, including forced child labor and the commercial sexual exploitation of children. (I)

### 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 I I).

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

Area	Suggested Action	Year(s) Suggested
Legal Framework	Finalize and 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 – 2021
	Finalize and implement the draft law on domestic work and the Occupational Safety and Health Bill.	2016 – 2021
	Finalize, enact, and implement the draft 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 – 2021
	Ensure that the law provides criminal penalties for the use, procuring, and offering of children under age 18 for illicit activities, including in the production and trafficking of drugs.	2016 – 2021
	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 – 2021
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 – 2021
	Ensure that labor inspections occur outside of the main urban centers.	2020 – 2021
	Establish a complaint mechanism for the public to report use and recruitment of child soldiers and forced labor.	2021
	Ensure all labor inspectors receive training related to the enforcement of child labor laws.	2020 – 2021
	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 an increase in the number of case managers at the Department of Social Welfare.	2016 – 2021
	Ensure that prior notice of unannounced inspections is not given to factory owners, that inspectors conduct thorough inspections that 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 – 2021
	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 – 2021
	Allow ILO to operate according to its mandate and increase the number of labor inspectors to meet the ILO's technical advice.	2016 – 2021
	Publish data related to labor law enforcement, including labor inspectorate funding, number of labor inspectors, training for new labor inspectors, number of labor inspections conducted, number of child labor violations found, routine inspections conducted, and whether a complaint mechanism and reciprocal referral mechanism exist.	2016 – 2021
	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 – 2021
	Continue to improve military oversight and monitoring of recruitment procedures to prevent the recruitment of children as front-line combatants by the national military and non-state armed groups in conflict areas.	2017 – 2021
	Ensure that there are appropriate penalties for the recruitment and use of children in the military for the seriousness of the crime.	2017 – 2021
	Publish data related to criminal law enforcement, including information on training for new criminal investigators, as well as the number of convictions and penalties imposed related to child labor.	2016 – 2021
	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 – 2021
	Ensure Department of Rehabilitation staff and police officers are properly trained on the National Standard Operating Procedures on Return/Repatriation, Reintegration and Rehabilitation guidelines so they can properly screen and identify victims of human trafficking.	2020 – 2021

## NO ADVANCEMENT – EFFORTS MADE BUT COMPLICIT IN FORCED CHILD LABOR

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

Area	Suggested Action	Year(s) Suggested
Enforcement	Investigate and prosecute regime authorities and law enforcement officers alleged to have participated in, facilitated, or profited from human trafficking, including those accepting bribes and pressuring victims not to seek legal redress against their perpetrators.	2020 – 2021
	Enforce child labor laws to prevent the practice use by the military of the “self-reliance” policy that compels the forced labor of civilians, including children.	2016–2021
Coordination	Ensure frequent and regular coordination, including communication, across all government ministries related to the worst forms of child labor.	2019 – 2021
	Ensure that all coordinating bodies are active and able to carry out their intended mandates, including the National Committee on Child Labor Eradication, UN Country Task Force on Monitoring and Reporting on Grave Violations Against Children, Committee for the Prevention of Grave Violations Against Children in Armed Conflicts, National Committee on Child Labor Eradication, Central Body for the Suppression of Trafficking in Persons, and the Township Committees of the Rights of the Child,	2020 – 2021
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 – 2021
	Ensure that activities are undertaken to implement all policies, including the Myanmar Child Labor Eradication Project, Joint Action Plan with the UN to Prevent the Recruitment and Use of Children for Military Purposes, Myanmar Sustainable Development Plan, Myanmar Decent Work Country Program, and the Third 5-Year National Plan of Action to Combat Trafficking in Persons, and that data on these activities are published.	2020 – 2021
Social Programs	Publish results from the 2019 survey data collected by the Ministry of Labor, Immigration, and Population, and statistics about the number of complaints received, including information related to child labor.	2020 – 2021
	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 – 2021
	Allow Rohingya children to attend school, regardless of citizenship status, to decrease their vulnerability to the worst forms of child labor.	2019 – 2021
	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 – 2021
	Develop and implement a program that ensures the safe return of Rohingya refugees, including children, to the Rakhine State.	2018 – 2021
	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 – 2021
	Develop and implement programs to address all worst forms of child labor, including forced child labor, and the commercial sexual exploitation of children.	2016 – 2021
	Provide sufficient resources to improve victim assistance and reintegration services to victims of forced labor.	2020 – 2021
	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.	2020 – 2021

### REFERENCES

- 1 U.S. Embassy- Rangoon. Reporting. January 27, 2022.
- 2 U.S. Department of State. Trafficking in Persons Report- 2020: Burma. Washington, D.C., June 2020.  
<https://www.state.gov/reports/2020-trafficking-in-persons-report/burma/>
- 3 UNESCO Institute for Statistics. Gross intake ratio to the last grade of primary education, both sexes (%). Accessed March 3, 2022. For more information, please see “Children’s Work and Education Statistics: Sources and Definitions” in the Reference Materials section of this report.  
<http://data.uis.unesco.org/>
- 4 ILO. Analysis of Child Economic Activity and School Attendance Statistics from National Household or Child Labor Surveys. Original data from Labour Force Survey (LFS), 2019. Analysis received March 2022.  
<https://www.ilo.org/surveyLib/index.php/catalog/1291/study-description>
- 5 U.S. Embassy- Rangoon official. E-mail communication with USDOL official. June 17, 2022.
- 6 ILO. Agricultural Sub-sector Child Labor Survey: Children working in the cultivation and processing of Inland Fishing Stocks, Sugarcane, and Beans and Pulses in Myanmar. 2016.  
<http://www.ilo.org/ipeinfo/product/download.do?type=document&id=29335>
- 7 U.S. Embassy- Rangoon. Reporting. February 14, 2020.
- 8 ILO CEACR. Individual Observation concerning Worst Forms of Child Labour Convention, 1999 (No. 182) Myanmar (ratification: 2013). Published 2019. Accessed March 6, 2019.  
[https://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:13100:0::NO::P13100\\_COMMENT\\_ID:3956513](https://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:13100:0::NO::P13100_COMMENT_ID:3956513)
- 9 U.S. Embassy- Rangoon. Reporting. January 31, 2020.
- 10 U.S. Embassy- Rangoon. Reporting. January 22, 2022.

## NO ADVANCEMENT – EFFORTS MADE BUT COMPLICIT IN FORCED CHILD LABOR

- 11 Theuws, Martje, and Pauline Overeem. The Myanmar Dilemma: Can the garment industry deliver decent jobs for workers in Myanmar? Centre for Research on Multinational Corporations. SOMO, August 2017. <https://www.somo.nl/wp-content/uploads/2017/02/170731-The-Myanmar-Dilemma-update-web-1.pdf>
- 12 U.S. Embassy- Rangoon. Reporting. January 18, 2019.
- 13 U.S. Embassy- Rangoon. Reporting update. February 14, 2020.
- 14 Myanmar Centre for Responsible Business. Briefing Paper: Children's Rights and Business in Myanmar. April 2017. <https://www.myanmar-responsiblebusiness.org/pdf/Briefing-Paper-Childrens-Rights-and-Business-in-Myanmar.pdf>
- 15 U.S. Embassy- Rangoon. Reporting. February 14, 2018.
- 16 ILO CEACR. Individual Direct Request concerning Worst Forms of Child Labour Convention, 1999 (No. 182) Myanmar (ratification: 2013). Published 2019. Accessed March 5, 2019. [https://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:13100:0::NO::PI3100\\_COMMENT\\_ID:3956517](https://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:13100:0::NO::PI3100_COMMENT_ID:3956517)
- 17 Human Rights Now. Child Labour in the Myanmar Fishing Sector. October 2018. [http://hrn.or.jp/eng/wp-content/uploads/2018/10/HRN\\_Child\\_Labour\\_in\\_the\\_Myanmar\\_Fishing\\_Sector\\_2018.pdf](http://hrn.or.jp/eng/wp-content/uploads/2018/10/HRN_Child_Labour_in_the_Myanmar_Fishing_Sector_2018.pdf)
- 18 UN Security Council. Report of the Secretary-General on children and armed conflict: A/74/845–S/2020/525. New York, June 9, 2020. <https://undocs.org/S/2020/525>
- 19 Targeted News Service. Fortify Rights: Myanmar—Ongoing Human Rights Violations Against Rohingya. December 6, 2019. Source on file.
- 20 U.S. Embassy- Rangoon. Reporting. March 1, 2021.
- 21 U.S. Department of State. Trafficking in Persons Report- 2019: Burma. Washington D.C., June 20, 2019. <https://www.state.gov/reports/2019-trafficking-in-persons-report-2/burma/>
- 22 Aung, Ei Cherry. Isolated and lacking labor rights, Myanmar's housemaids toil in silence. Reuters, July 4, 2016. <http://www.reuters.com/article/us-myanmar-rights-housemaids-idUSKCN0ZL005>
- 23 Reuters. Global union watchdog reports abuses of Myanmar workers' rights to ILO. March 15, 2021. <https://www.reuters.com/article/us-myanmar-politics-ilo/global-union-watchdog-reports-abuses-of-myanmar-workers-rights-to-ilo-idUSKBN2B71GC>
- 24 U.S. Department of State. Country Reports on Human Rights Practices- 2020: Burma. Washington, D.C., March 2020. <https://www.state.gov/wp-content/uploads/2021/03/BURMA-2020-HUMAN-RIGHTS-REPORT.pdf>
- 25 U.S. Embassy- Rangoon. Reporting. February 15, 2022.
- 26 UCA News. The ordeals of Myanmar's child soldiers. June 15, 2021 <https://www.ucanews.com/news/the-ordeals-of-myanmars-child-soldiers/92821#>
- 27 U.S. Embassy- Rangoon official. E-mail communication to USDOL official. June 22, 2021.
- 28 ILO. Governing Body 334th Session, Geneva. March 2022. Source on file.
- 29 Office of the Special Representative of the Secretary-General for Children and Armed Conflict. Myanmar. June 21, 2021 <https://childrenandarmedconflict.un.org/six-grave-violations/child-soldiers/>
- 30 U.S. Embassy- Rangoon official. E-mail communication with USDOL official. March 22, 2020.
- 31 ILO. Myanmar—Labour Force Survey 2017. Report generated: April 2, 2019. Source on file.
- 32 IOM. Thousands at Risk of Trafficking Amid Rohingya Refugee Crisis. July 31, 2018. <https://www.iom.int/news/thousands-risk-trafficking-amid-rohingya-refugee-crisis-iom>
- 33 UN Security Council. Report of the Secretary-General on children and armed conflict in Myanmar. October 29, 2018: S/2018/956. [https://www.securitycouncilreport.org/atf/cf/{65BFCF9B-6D27-4E9C-8CD3-CF6E4FF96FF9}/s\\_2018\\_956.pdf](https://www.securitycouncilreport.org/atf/cf/{65BFCF9B-6D27-4E9C-8CD3-CF6E4FF96FF9}/s_2018_956.pdf)
- 34 ILO. Application of International Labour Standards 2020: Report of the Committee of Experts on the Application of Conventions and Recommendations. February 14, 2020. [https://www.ilo.org/global/standards/applying-and-promoting-international-labour-standards/committee-of-experts-on-the-application-of-conventions-and-recommendations/WCMS\\_735945/lang--en/index.htm](https://www.ilo.org/global/standards/applying-and-promoting-international-labour-standards/committee-of-experts-on-the-application-of-conventions-and-recommendations/WCMS_735945/lang--en/index.htm)
- 35 Quinley, Caleb. Why Rohingya women and girls are risking dangerous smuggling routes. The New Humanitarian, January 16, 2020. <https://www.thenewhumanitarian.org/news/2020/1/16/Rohingya-trafficking-refugees-forced-marriage>
- 36 ILO CEACR. Observation concerning Forced Labour Convention, 1930 (No. 29) Myanmar (ratification: 1955). Published: 2021. [https://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100::PI3100\\_COMMENT\\_ID:4012858](https://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100::PI3100_COMMENT_ID:4012858)
- 37 Inter-Sector Coordination Group Secretariat. Joint Response Plan: Rohingya Humanitarian Crisis. 2021. Source on file.
- 38 UNICEF. Rohingya Crisis. August 23, 2018. [https://www.unicef.org/emergencies/bangladesh\\_100945.html](https://www.unicef.org/emergencies/bangladesh_100945.html)
- 39 Esveld, Bill Van. A Step Forward for 10,000 Rohingya Refugee Children. January 29, 2020. <https://www.hrw.org/news/2020/01/29/step-forward-10000-rohingya-refugee-children>
- 40 International Rescue Committee. New IRC Report: More than 300,000 Rohingya refugee children need Internet access for remote learning during COVID-19 pandemic. Dhaka: International Rescue Committee, August 26, 2020. <https://www.rescue.org/press-release/new-irc-report-more-300000-rohingya-refugee-children-need-internet-access-remote>
- 41 Human Rights Watch. Rohingya: Donors Should Require Including Education. New York: Human Rights Watch, October 22, 2020. <https://www.hrw.org/news/2020/10/22/rohingya-donors-should-require-including-education>
- 42 BBC. The Rohingya children trafficked for sex. March 20, 2018. <https://www.bbc.com/news/world-asia-43469043>
- 43 IOM. IOM Bangladesh: Rohingya Refugee Crisis Response. Situation Overview of Human Trafficking. October 2018. [https://www.iom.int/sites/default/files/situation\\_reports/file/bangladesh\\_sr\\_201810.pdf](https://www.iom.int/sites/default/files/situation_reports/file/bangladesh_sr_201810.pdf)
- 44 Doherty, Ben. Displaced Rohingya Children Left in Limbo by Refugee Crisis. The Guardian, January 31, 2018. <https://www.theguardian.com/world/2018/feb/01/devoid-of-hope-displaced-rohingya-children-are-vulnerable-to-trafficking-and-radicalisation>
- 45 Government of Burma. Ministry of Social Welfare, Relief and Resettlement. Accessed: July 10, 2020. <https://myanmar.gov.mm/en/ministry-of-social-welfare-relief-resettlement>
- 46 Human Rights Watch. "An Open Prison without End" - Myanmar's Mass Detention of Rohingya in Rakhine State. October 2020. <https://www.hrw.org/report/2020/10/08/open-prison-without-end/myanmars-mass-detention-rohingya-rakhine-state#>
- 47 Amnesty International. "Caged without a roof": Apartheid in Myanmar's Rakhine State. 2017. <https://www.amnesty.org/download/Documents/ASAI674842017ENGLISH.PDF>
- 48 UNICEF. Lives on Hold: Making sure no child is left behind in Myanmar. May 2017. [https://www.unicef.org/media/49541/file/UNICEF\\_Lives\\_on\\_Hold\\_Myanmar.pdf](https://www.unicef.org/media/49541/file/UNICEF_Lives_on_Hold_Myanmar.pdf)
- 49 Maung, Manny. Myanmar's New Children's Law a Step Forward. Human Rights Watch, August 27, 2019. <https://www.hrw.org/news/2019/08/27/myanmars-new-childrens-law-step-forward>
- 50 UN. Committee on the Elimination of All Forms of Discrimination against Women - CEDAW/C/SR.1668. March 6, 2019. Source on file.
- 51 U.S. Embassy- Rangoon. Reporting. January 14, 2021.

## NO ADVANCEMENT – EFFORTS MADE BUT COMPLICIT IN FORCED CHILD LABOR

- 52 ILO-IPEC. Rapid Assessment on Child Labour in Hlaing Thar Yar Industrial Zone in Yangon, Myanmar. 2015.  
<http://www.ilo.org/ipinfo/product/download.do?type=document&id=27439>
- 53 Government of Burma. The Factories Act, Act 65 of 1951. Enacted: 1951; Amended: January 20, 2016.  
[http://www.ilo.org/dyn/natlex/docs/MONOGRAPH/88477/123120/F1558150740/MMR88477\\_Eng\\_2016.pdf](http://www.ilo.org/dyn/natlex/docs/MONOGRAPH/88477/123120/F1558150740/MMR88477_Eng_2016.pdf)
- 54 Government of Burma. The Shops and Establishments Law 2016. Enacted: 2015.  
[http://www.ilo.org/dyn/natlex/docs/MONOGRAPH/101962/123121/F1897640234/MMR101962\\_Eng.pdf](http://www.ilo.org/dyn/natlex/docs/MONOGRAPH/101962/123121/F1897640234/MMR101962_Eng.pdf)
- 55 Government of Burma. The Child Rights Law No. 22/2019. Enacted: July 23, 2019. Source on file.
- 56 Myanmar Centre for Responsible Business. Main Laws Applicable to the Mining Sector in Myanmar. May 23, 2018. Source on file.
- 57 Government of Burma. The Anti Trafficking in Persons Law No. 5/2005. Enacted: September 13, 2005. Source on file.
- 58 Government of Burma. Penal Code. Enacted: 1861.  
[https://www.google.com/url?sa=t&rct=j&q=&esrc=s&source=web&cd=1&cad=rja&uact=8&ved=0ahUKEwji2\\_y16YLRAhVWBQYKHX8xCIAQFggAMAA&url=http://www.burmalibrary.org/docs6/MYANMAR\\_PENAL\\_CODE-corr\\_1.pdf&usq=AFQjCNE5rfjSa4oUSHcco2axdT1OdJRhpq&sig=SRsVA1IGQ](https://www.google.com/url?sa=t&rct=j&q=&esrc=s&source=web&cd=1&cad=rja&uact=8&ved=0ahUKEwji2_y16YLRAhVWBQYKHX8xCIAQFggAMAA&url=http://www.burmalibrary.org/docs6/MYANMAR_PENAL_CODE-corr_1.pdf&usq=AFQjCNE5rfjSa4oUSHcco2axdT1OdJRhpq&sig=SRsVA1IGQ)
- 59 Government of Burma. Law Amending the Ward or Village Track Administration Law No. 7/2012. Enacted: March 28, 2012.  
<http://www.myanmar-law-library.org/law-library/laws-and-regulations/laws/myanmar-laws-1988-until-now/union-solidarity-and-development-party-laws-2012-2016/myanmar-laws-2012/pyidaungsu-hluttaw-law-no-1-2012-ward-or-village-administration-law-burmese.html>
- 60 Government of Burma. Narcotic Drugs and Psychotropic Substances Law (1993) No. 1/93. Enacted: January 25, 1993.  
<http://www.asianlii.org/mm/legis/laws/ndapsllaorcln193893/>
- 61 Government of Burma. National Education Law, Law No. 41. Enacted: 2014.  
<http://www.myanmar-law-library.org/law-library/laws-and-regulations/laws/myanmar-laws-1988-until-now/union-solidarity-and-development-party-laws-2012-2016/myanmar-laws-2014/pyidaungsu-hluttaw-law-no-41-2014-national-education-law-burmese-and-english.html>
- 62 Government of Burma. The Child Law, No. 9/93. Enacted: July 14, 1993.  
<http://www.ilo.org/dyn/natlex/docs/ELECTRONIC/72890/74311/F1884014594/MMR72890.pdf>
- 63 Government of Burma. Education System in Myanmar: Self-Evaluation and Future Plans. Ministry of Education.  
<http://203.81.81.180/dhel/education-system-in-myanmar/education-structure/>
- 64 Maung, Manny. Myanmar's Military Still Using Children in Fighting. Human Rights Watch, November 17, 2020.  
<https://www.hrw.org/news/2020/11/17/myanmars-military-still-using-children-fighting>
- 65 ILO. Myanmar Programme on the Elimination of Child Labour (My-PEC) Project: Technical Progress Report. September 30, 2018. Source on file.
- 66 Government of Burma. Occupational Safety and Health Law (Draft). 2017. Source on file.
- 67 Chau, Thompson. New labour law paves way for worker safety standards. The Myanmar Times, March 25, 2019.  
<https://www.mmtimes.com/news/new-labour-law-paves-way-worker-safety-standards.html>
- 68 Government of Burma. The Anti-Trafficking in Persons Law (Draft). 2019. Source on file.
- 69 U.S. Embassy- Rangoon. Reporting. February 15, 2019.
- 70 U.S. Embassy- Rangoon. Reporting. February 13, 2017.
- 71 UN. World Economic Situation and Prospects 2017 Statistical Annex. New York, 2017. Please see "Labor Law Enforcement: Sources and Definitions" in the Reference Materials section of this report.  
[https://www.un.org/development/desa/dpad/wp-content/uploads/sites/45/publication/2017wesp\\_full\\_en.pdf](https://www.un.org/development/desa/dpad/wp-content/uploads/sites/45/publication/2017wesp_full_en.pdf)
- 72 ILO. Strategies and Practice for Labour Inspection. Geneva: Committee on Employment and Social Policy, GB.297/ESP/3. November 2006. Please see "Labor Law Enforcement: Sources and Definitions" in the Reference Materials section of this report.  
<http://www.ilo.org/public/english/standards/relm/gb/docs/gb297/pdf/esp-3.pdf>
- 73 ILO modelled estimates and projections (ILOEST) – Population and labour force. Accessed (January 25, 2022). Labor force data is modelled on a combination of demographic and economic explanatory variables by the ILO. Please see "Labor Law Enforcement: Sources and Definitions" in the Reference Materials section of this report.  
<https://ilostat.ilo.org/data/>
- 74 UNICEF. Seventy-five children and young people released by the Myanmar Armed Forces. September 3, 2018.  
<https://www.unicef.org/eap/press-releases/seventy-five-children-and-young-people-released-myanmar-armed-forces>
- 75 UN News. Myanmar: 'Shocking' killing of children allegedly used as human shields. October 14, 2020.  
<https://news.un.org/en/story/2020/10/1075362#:~:text=The two boys were killed,in a statement, on Wednesday>
- 76 Wunna, Sai. Tatmadaw punishes 65 troops for recruiting child soldiers. Myanmar Times, April 28, 2020.  
<https://www.mmtimes.com/news/tatmadaw-punishes-65-troops-recruiting-child-soldiers.html>
- 77 U.S. Embassy- Rangoon. Reporting. January 11, 2021. Source on file.
- 78 U.S. Embassy- Rangoon official. E-mail communication to USDOL official. June 1, 2018.
- 79 CINCDs Myanmar. Myanmar National Committee to Eliminate Child Labour holds fourth work coordination meeting. April 22, 2021.  
<https://cincds.gov.mm/node/12002?d=1>
- 80 Government of Burma. MOL National Committee on the Elimination of the Worst Forms of Child Labour Meets - Ministry of Labour. August 5, 2021.  
<https://www.mol.go.th/en/news/mol-national-committee-on-the-elimination-of-the-worst-forms-of-child-labour-meets>
- 81 ILO. Background Report for the National Action Plan on Child Labour in Myanmar: An overview of issues to be considered in the development of the NAP. April 27, 2017.  
[http://www.ilo.org/ipcec/Informationresources/WCMS\\_IPEC\\_PUB\\_29337/lang-en/index.htm](http://www.ilo.org/ipcec/Informationresources/WCMS_IPEC_PUB_29337/lang-en/index.htm)
- 82 ILO CEACR. Direct Request on the Forced Labour Convention, 1930 (No. 29) Myanmar (ratification: 1955). Published: 2021.  
[https://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100\\_COMMENT\\_ID:4012710](https://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:4012710)
- 83 Government of Burma. Third Five-Year National Plan of Action to Combat Trafficking in Persons. 2017. Source on file.
- 84 Office of the Special Representative of the Secretary-General for Children and Armed Conflict. Action Plans. August 2021.  
<https://childrenandarmedconflict.un.org/tools-for-action/action-plans/>
- 85 Government of Burma. Myanmar Sustainable Development Plan (2018–2030). August 2018.  
[http://themimu.info/sites/themimu.info/files/documents/Core\\_Doc\\_Myanmar\\_Sustainable\\_Development\\_Plan\\_2018\\_-\\_2030\\_Aug2018.pdf](http://themimu.info/sites/themimu.info/files/documents/Core_Doc_Myanmar_Sustainable_Development_Plan_2018_-_2030_Aug2018.pdf)
- 86 ILO. Myanmar Decent Country Work Programme 2018–2021.  
[https://www.ilo.org/wcmsp5/groups/public/---asia/---ro-bangkok/---ilo-yangon/documents/publication/wcms\\_645042.pdf](https://www.ilo.org/wcmsp5/groups/public/---asia/---ro-bangkok/---ilo-yangon/documents/publication/wcms_645042.pdf)
- 87 ILO. Forced Labour Complaint Mechanism. Accessed February 9, 2017.  
<http://ilo.org/yangon/complaints/lang-en/index.htm>
- 88 U.S. Embassy- Rangoon. Reporting. December 31, 2020. Source on file.
- 89 The Borgen Project. History of Child Soldiers in Myanmar. August 26, 2021.  
<https://borgenproject.org/child-soldiers-in-myanmar/>
- 90 ILO. Myanmar Programme on the Elimination of Child Labour (My-PEC) Project. October 25, 2017: Technical Progress Report. Source on file.



## NO ADVANCEMENT – EFFORTS MADE BUT COMPLICIT IN FORCED CHILD LABOR

- 91 ILO. SafeYouth@Work Project: Building a Generation of Safe and Healthy Workers. Accessed February 9, 2017.  
[http://www.ilo.org/safework/projects/WCMS\\_516592/lang--en/index.htm](http://www.ilo.org/safework/projects/WCMS_516592/lang--en/index.htm)
- 92 USDOL. MAPI6 Project Summary. Source on file.
- 93 United Nations. The ILO in Action\_ Boosting family finances to tackle child labour. October 15, 2021.  
<https://myanmar.un.org/en/151767-ilo-action-boosting-family-finances-tackle-child-labour>
- 94 ILO. Reduction of Child Labour in Myanmar\_ Achieving reduction of child labour in support of education\_ Programme to reduce the worst forms of child labour in agriculture. October 1, 2020.  
[https://www.ilo.org/yanmar/projects/WCMS\\_834425/lang--en/index.htm](https://www.ilo.org/yanmar/projects/WCMS_834425/lang--en/index.htm)
- 95 Xinhua. Myanmar to set up forced labor complaint mechanism. May 26, 2019.  
[http://www.xinhuanet.com/english/2019-05/26/c\\_138090676.htm](http://www.xinhuanet.com/english/2019-05/26/c_138090676.htm)

In 2021, Burundi made moderate advancement in efforts to eliminate the worst forms of child labor. Burundi developed its first ever data management system to track human trafficking cases and passed a new migration law intended to permit official intervention in cases of international trafficking in persons. The government also established a permanent commission to coordinate anti-trafficking in persons efforts. 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 poor 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 (%)		52.9

Source for primary completion rate: Data from 2021, published by UNESCO Institute for Statistics, 2022. (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 coffee, sugarcane, cotton, palm oil, peat, and rice (1,2,6-9)
	Fishing, including managing heavy fishing nets and preparing meals for fishermen (1,2,8-12)
	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 (9)
	Manufacturing, including soldering, welding, processing plastics and metals, and helping in garages and workshops (8,9)
	Producing, packing, loading, and unloading charcoal (9)
Services	Domestic work (2,6-8)
	Street vending, including selling food (1,2,6)
	Begging (2,7,8,13)
	Working in hotels and restaurants, including cooking, dishwashing, and waiting tables (1,2,7)

# Burundi

## MODERATE ADVANCEMENT

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

Sector/Industry	Activity
Categorical Worst	Commercial sexual exploitation, sometimes as a result of human trafficking (12,14)
Forms of Child Labor†	Domestic work as a result of human trafficking (2,12,14)
	Forced labor in agriculture, mining, charcoal production, construction, fishing, street vending, and begging (1,2,7,12,14)

† 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.

Burundi is one of the poorest countries in the world, with between 80 and 90 percent of its citizens engaged in agriculture, primarily subsistence and smallholder farming. Approximately 80 percent of the workforce is employed in the informal economy. (1,15-17) Poverty often results in Burundian children leaving school for paid work. (18) 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. (19)

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. (3,14) 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. (12) Burundian girls are also trafficked internationally for commercial sexual exploitation in Kenya, Rwanda, Uganda, the Democratic Republic of the Congo, and countries in the Middle East. (7,12,14,20,21) Evidence also suggests that children are trafficked to the Middle East and Tanzania for work in agriculture and for domestic work. (12) In 2021, a local NGO identified 908 cases of children trafficked to Tanzania for forced and child labor purposes. An unreported number of those children were killed when they expressed a desire to return to Burundi. (9)




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 smugglers and thieves are present. (8,9,17) 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. (8,9,12) 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. (2,9) 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 a lower attendance rate among girls. (2,9) Children with disabilities and mobility issues face discrimination in schools, along with a lack of appropriate materials and infrastructure, limiting access to education. (22) Moreover, because birth certificates are required to attend school, many unregistered children, in particular children of the Batwa ethnic group, remain out of school and vulnerable to child labor. (2,9,23)

## 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 sufficient prohibitions against the use of children by non-state armed groups.

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

Standard	Meets International Standards	Age	Legislation
Minimum Age for Work	Yes	16	Articles 2, 10, and 618 of the Labor Code (24)
Minimum Age for Hazardous Work	Yes	18	Articles 270, 279, and 618 of the Labor Code; Article 13 of the Ministerial Ordinance to Regulate Child Labor (25,24)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Articles 9–15 of the Ministerial Ordinance to Regulate Child Labor (25)
Prohibition of Forced Labor	Yes		Articles 4–6, 10, and 18-20 of the Trafficking in Persons Law; Articles 7 and 617 of the Labor Code (24,26)
Prohibition of Child Trafficking	Yes		Article 12 of the Labor Code; Articles 4–6, 10, and 18-20 of the Trafficking in Persons Law; Article 197, 246, and 255 of the Penal Code (24-27)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Article 12 of the Labor Code; Articles 542–544, and 546 of the Penal Code; Articles 4, 10, and 18-20 of the Trafficking in Persons Law (24-27)
Prohibition of Using Children in Illicit Activities	No		Article 12 and 618 of the Labor Code (24,27)
Minimum Age for Voluntary State Military Recruitment	Yes	18	Article 2 and 6(c) of the National Defense Troops Law (28)
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 200.6, 200.2.27, 200.5.7 and 202 of the Penal Code (24,27)
Compulsory Education Age	No	15‡	Article 35 of the Law on Basic and Secondary Education (29)
Free Public Education	No		Article 53 of the Constitution; Articles 17, 35, and 47 of the Law on Basic and Secondary Education (29,30)

\* Country has no conscription. (28)

‡ Age calculated based on available information. (29)

Legal 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 under difficult conditions such as long hours. (7,25)

Although the Constitution prohibits the use of children in armed conflict, the Penal Code criminalizes only the use of children under age 15 in armed conflict, leaving children between the ages of 15 and 18 vulnerable to this worst form of child labor. (27,31) However, Burundian law does prohibit the recruitment of children under



# Burundi

## MODERATE ADVANCEMENT

age 18 by state armed forces, and available evidence indicates that the government continued to comply with this provision. (1,15)

Although the Law on Basic and Secondary Education provides for guaranteed free education, some funding from families is required. (29) 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 age 6. (32,33) The compulsory education age, however, is lower than the minimum age for work, making children between the ages of 15 and 16 vulnerable to labor exploitation. (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 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. (35)
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. (1,2,7,14,15)
Ministry of Justice	Prosecutes cases of the worst forms of child labor through its General Prosecutor's Office. (1,2,7)

#### **Labor Law Enforcement**

In 2021, labor law enforcement agencies in Burundi took actions to address 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	2020	2021
Labor Inspectorate Funding	\$2,589 (8)	\$2,589 (9)
Number of Labor Inspectors	38 (8)	40 (9)
Mechanism to Assess Civil Penalties	Yes (24)	Yes (24)
Initial Training for New Labor Inspectors	Yes (8)	Yes (9)
Training on New Laws Related to Child Labor	N/A (8)	N/A
Refresher Courses Provided	Yes (8)	No (9)
Number of Labor Inspections Conducted	552 (8)	Unknown
Number Conducted at Worksite	552 (8)	Unknown
Number of Child Labor Violations Found	0 (8)	Unknown
Number of Child Labor Violations for Which Penalties Were Imposed	0 (8)	Unknown
Number of Child Labor Penalties Imposed that Were Collected	0 (8)	Unknown
Routine Inspections Conducted	Yes (8)	Yes (9)
Routine Inspections Targeted	No (8)	Yes (9)
Unannounced Inspections Permitted	Yes (24)	Yes (24)
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)

While the government indicated it conducted labor inspections during the reporting period, the government did not provide full law enforcement data for inclusion in this report. However, partners such as UNICEF reported having identified 24 child labor violations during the reporting period. (9)

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 over 5.2 million workers. According to the ILO's technical advice of a ratio approaching 1 inspector for every 40,000 workers in less developed economies, Burundi would need to employ about 132 inspectors. (37) Reporting suggests that inspections are conducted exclusively in the formal sector, in which child labor is relatively rare, and exclude the agricultural sector. (2,9,38,39)

Government officials have acknowledged that the labor inspectorate budget is not sufficient, and inspectors do not have sufficient resources to adequately carry out their duties. (8,9) 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. (6,7,40)

### **Criminal Law Enforcement**

In 2021, criminal law enforcement agencies in Burundi took actions to address child labor (Table 7). However, gaps exist within the operations 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	2020	2021
Initial Training for New Criminal Investigators	Unknown (8)	Unknown
Training on New Laws Related to the Worst Forms of Child Labor	N/A	N/A
Refresher Courses Provided	Yes (14)	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	Yes (14)	Unknown
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (8)	Yes (9)

In November of 2021, the Government of Burundi passed a new migration law that, in addition to defining government agencies' various responsibilities in enforcing migration regulations, also provides a legal basis to enable interventions to prevent the trafficking of vulnerable populations. (41) In addition, the government continued to implement measures to prevent international child trafficking, including sending diplomatic notes to neighboring countries requesting that Burundian minors exiting through their respective ports of entry to Gulf countries be returned to Burundi. (42)

During the reporting period, Burundi developed its first ever data collection system for human trafficking cases and trained prosecutors and judges on how to utilize the system. Developed with assistance from international partners such as the IOM, the database houses information from law enforcement and judicial personnel from all 18 provinces dating back 6 years and is maintained by 54 newly appointed human trafficking specialists. (12,43) Meanwhile, the Ministry of Interior, Community Development and Public Security provided training to 280 Judicial Police on human trafficking issues, including child trafficking. (42)

The government operates multiple hotlines that assist in the identification of child trafficking victims, including one managed by the Ad Hoc Committee for Consultation and Monitoring on the Prevention and Suppression of Trafficking in Persons, and another specifically to report child abuse managed by the Ministry of National Solidarity, Social Affairs, Human Rights and Gender. During the reporting period, authorities indicated that the hotlines identified 33 cases of child trafficking that resulted in investigations and referrals to social services. (42) The government and the IOM reported identifying 61 cases of child labor trafficking, while UNICEF reported identifying 613 cases of child labor trafficking. (42) The government did not provide complete information on its criminal law enforcement efforts for inclusion in this report. (9)

# Burundi

## MODERATE ADVANCEMENT

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 investigating trafficking in persons, sex trafficking, and child and forced labor issues, it lacked capacity and often did not receive referrals from other police units. (20) 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. (12,14,39)

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. As a result, some officials, including immigration and police officers, reportedly punished child victims of human trafficking or forced labor. (12) 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. (3,12) In general, agencies lacked resources necessary to respond to victims' needs and had to rely primarily on services from civil society and international organizations. (12,20)

## 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 lack of Ministry of Public Service, Labor, and Employment participation in key coordinating bodies.

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

Coordinating Body	Role & Description
Multisector Committee for the Elimination of the Worst Forms of Child Labor	Under the Child and Family Department and the Ministry of National Solidarity, Social Affairs, Human Rights, and Gender, works with local NGOs to address child protection issues. (8,9) During the reporting period, the committee met on a twice monthly basis to focus on child protection issues. (9)
Ad Hoc Committee for Consultation and Monitoring on the Prevention and Repression 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; Justice; Interior; and Community Development and Public Security. (14) During the reporting period, assisted in the development of Burundi's first data collection system on human trafficking. (43)

In order to establish a permanent coordinating body for human trafficking issues, the government inaugurated the Consultation and Monitoring Commission on Prevention and Repression of Trafficking in Persons in 2021. Led by the Office of the Prime Minister, the permanent commission is made up of seven members from relevant ministries and will take the place of the ad hoc committee. (42)

Research was unable to identify evidence of the Ministry of Public Service, Labor, and Employment's participation in the activities of the Multisector Committee for the Elimination of the Worst Forms of Child Labor. Furthermore, while sources indicate the Multisector Committee for the Elimination of the Worst Forms of Child Labor was active during the reporting period, 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. (12,14) 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 a lack of relevant policies covering all worst forms of child labor.

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

Policy	Description
Burundi National Development Plan (2018–2027)	Aims to address economic and social challenges in the country, with goals to target poverty and access to education. Seeks to enhance youth employment through strategies such as updates to the labor code and improvements in basic and vocational education. (45) In 2021, as part of the policy and in cooperation with the UN, Burundi released its 2021 Burundi Joint Resettlement and Reintegration Plan, which projected that the country would need to provide services to 143,000 returning refugees at a cost of \$104.3 million. (46)

‡ The government has other policies that may have addressed child labor issues or had an impact on child labor. (47)

In 2021, the government had yet to renew its national action plan to address child labor, which expired in 2015, or its anti-human trafficking plan which expired in 2020. The government has indicated it is still implementing the expired action plan on human trafficking. (12,42)

## VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2021, 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 inadequacy 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†	Operated by the Ministry of National Solidarity, Social Affairs, Human Rights, and Gender; 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. (48) Remained active throughout the country during the reporting period, focusing on issues such as child protection and gender-based violence. (49-51)
Country Program for the Promotion of Decent Work (2020–2023)†*	Officially launched in 2021 and implemented by the Ministry of Public Service, Labor, and Employment in partnership with ILO, aims to increase job opportunities for vulnerable populations, such as youth who are at risk of becoming victims of human trafficking, and to promote the application of international labor standards. (14,52)
Education Cannot Wait, Burundi Multi-Year Resilience Program*	Launched in 2021 through a collaborative agreement among the Government of Burundi, UNICEF, and World Vision, a 3-year, \$12 million grant aiming to provide educational opportunities to 130,000 vulnerable children and reduce the risks of exploitation, including child labor, for vulnerable families. (53)
IOM Anti-Trafficking Programs	Includes the Burundi Counter-Trafficking (2019–2022) program launched in partnership with the Kingdom of the Netherlands, which aims to reinforce government anti-human trafficking efforts by improving coordination among 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. (20,54) Includes the USAID-funded "National Response to Victim Protection, Prevention, and Prosecution of Trafficking in Burundi" program, a 2-year, \$1.5 million project that seeks to improve Burundi's capacity by raising awareness, improving victim services, and centralizing government counter-trafficking efforts. (55) During the reporting period, IOM reported it had facilitated the rescue and return of 12 Burundian females who had been trafficked to Kuwait and Saudi Arabia for exploitation in domestic servitude. USAID project funds enabled the survivors' return and reintegration back to Burundi. (56)
"Back to School" Campaign†	UNICEF campaign to promote equitable access and retention in school for basic education students. In 2021, the program provided school kits to over 2.5 million children in cooperation with the World Bank and the Global Partnership for Education. (57)

\* 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, in which child labor is most prevalent.

## VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE CHILD LABOR

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



# Burundi

## MODERATE ADVANCEMENT

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

Area	Suggested Action	Year(s) Suggested
Legal Framework	Ensure that the use of children in illicit activities is criminally prohibited with possible penalties beyond fines.	2015 – 2021
	Establish by law a compulsory education age equal to the minimum age for work.	2009 – 2021
	Ensure that all children are protected from hazardous work activities, including in agriculture, in which child labor is known to occur.	2016 – 2021
Enforcement	Ensure that the law criminally prohibits the recruitment of children under age 18 by non-state armed groups.	2012 – 2021
	Conduct targeted inspections in sectors and geographic areas in which child labor is known to be prevalent, including in agriculture and the informal sector.	2020 – 2021
	Publish information on child labor law enforcement efforts, including the number of inspections conducted, the number of violations identified, and the number of penalties imposed and collected.	2021
	Ensure that the government conducts an adequate number of labor inspections and that inspections cover all areas of the country.	2019 – 2021
	Increase the number of labor inspectors to meet the ILO's technical advice.	2009 – 2021
	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 – 2021
	Publish information on criminal law enforcement efforts, including whether initial training is provided to investigators and the number of investigations conducted, violations identified, prosecutions initiated, and convictions obtained related to the criminal enforcement of child labor laws.	2017 – 2021
	Ensure that criminal law enforcement officials receive adequate training on laws pertaining to the worst forms of child labor.	2019 – 2021
	Ensure that criminal law enforcement agencies and other agencies responsible for responding to human trafficking have the resources, guidance, and capacity necessary to investigate cases and provide services to victims.	2019 – 2021
	Strengthen referral mechanisms between law enforcement agencies, social services, and civil society organizations to ensure that cases are properly investigated, victims receive services, and child victims are not punished for the worst forms of child labor.	2020 – 2021
Coordination	Ensure that the Ministry of Public Service, Labor, and Employment participates in the Multisector Committee for the Elimination of the Worst Forms of Child Labor.	2021
	Improve the capacity of the Multisector Committee for the Elimination of the Worst Forms of Child Labor to ensure coverage in areas outside of the capital city.	2015 – 2021
	Ensure the viability of established coordinating mechanisms by dedicating regular funding for their operation.	2019 – 2021
	Improve training and coordination among anti-trafficking in persons stakeholders.	2020 – 2021
Government Policies	Adopt policies that address all relevant worst forms of child labor, such as a national child labor action plan and a national trafficking in persons action plan.	2015 – 2021
Social Programs	Collect and publish data on child labor prevalence across relevant sectors.	2020 – 2021
	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 – 2021
	Institute new programs and expand existing ones in sectors in which child labor is prevalent, including in agriculture.	2009 – 2021

## REFERENCES

- 1 U.S. Embassy- Bujumbura. Reporting. February 7, 2019.
- 2 U.S. Embassy- Bujumbura. Reporting. January 15, 2020.
- 3 U.S. Department of State. Trafficking in Persons Report- 2020: Burundi. Washington, D.C., March 2020. <https://www.state.gov/reports/2020-trafficking-in-persons-report/burundi/>
- 4 UNESCO Institute for Statistics. Gross intake ratio to the last grade of primary education, both sexes (%). Accessed March 3, 2022. For more information, please see "Children's Work and Education Statistics: Sources and Definitions" in the Reference Materials section of this report. <http://data.uis.unesco.org/>.
- 5 ILO. Analysis of Child Economic Activity and School Attendance Statistics from National Household or Child Labor Surveys. Original data from Demographic and Health Survey (DHS), 2016–2017. Analysis received March 2022. Please see "Children's Work and Education Statistics: Sources and Definitions" in the Reference Materials section of this report.
- 6 U.S. Embassy- Bujumbura. Reporting. February 3, 2017.
- 7 U.S. Embassy- Bujumbura. Reporting. January 18, 2018.
- 8 U.S. Embassy- Bujumbura. Reporting. January 21, 2021.
- 9 U.S. Embassy- Bujumbura. Reporting. January 20, 2022.
- 10 ILO. Rapport de l'étude de cartographie sur les zones d'occurrence des pires formes de travail au Burundi. June 2013. Source on file.
- 11 Nininahazwe, Bella Lucia. Children under 15 recruited to cook for fishermen in Rumonge. November 2, 2017. <http://www.iwacu-burundi.org/englishnews/children-under-15-recruited-to-cook-for-fishermen-in-rumonge/>
- 12 U.S. Department of State. 2021 Trafficking in Persons Report-- Burundi. Washington, D.C., June 2021. <https://www.state.gov/reports/2021-trafficking-in-persons-report/burundi/>
- 13 Batha, Emma. Former Burundi street child helps heal civil war divisions. Thomson Reuters Foundation. March 20, 2017. <https://www.reuters.com/article/us-burundi-conflict-streetchildren/former-burundi-street-child-helps-heal-civil-war-divisions-idUSKBN16R0NN>
- 14 U.S. Embassy- Bujumbura. Reporting. February 16, 2021.

- 15 U.S. Embassy- Bujumbura. Reporting. February 28, 2019.
- 16 U.S. Department of State. Integrated Country Strategy: Burundi. March 16, 2020.  
[https://www.state.gov/wp-content/uploads/2022/04/ICS\\_AF\\_Burundi\\_Public.pdf](https://www.state.gov/wp-content/uploads/2022/04/ICS_AF_Burundi_Public.pdf)
- 17 U.S. Embassy- Bujumbura. Official e-mail communication to U.S. Department of Labor official. June 7, 2022.
- 18 de Neubourg, Chris, Nesha Ramful, Lien Boon. La Pauvreté des enfants au Burundi. UNICEF. January 2017. Source on file.
- 19 Nimpagaritse, Patrick. Gilbert Nkurunziza. Burundi: le travail des enfants, ça nous concerne tous. Yaga. June 12, 2019. Source on file.
- 20 U.S. Embassy- Bujumbura. Reporting. March 23, 2020.
- 21 U.S. Embassy- Bujumbura official. E-mail communication with USDOL official. July 10, 2020.
- 22 Harerimana, Egide. People with disabilities encounter several challenges in Burundi education. Iwacu English News. September 19, 2019.  
<https://www.iwacu-burundi.org/englishnews/people-with-disabilities-encounter-several-challenges-in-burundi-education/>
- 23 ILO Committee of Experts. Observation concerning Worst Forms of Child Labour Convention, 199 (No. 182) Burundi (ratification 2002). Published 2022.  
[https://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:13100:0::NO::PI3100\\_COMMENT\\_ID,PI3100\\_COUNTRY\\_ID:4117398,103466](https://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:13100:0::NO::PI3100_COMMENT_ID,PI3100_COUNTRY_ID:4117398,103466)
- 24 Government of Burundi. Loi n° 11 du 24 novembre 2020 portant révision du code du travail du Burundi.  
[https://www.ilo.org/dyn/natlex/natlex4.detail?p\\_lang=fr&p\\_isn=11173&p\\_classification=01.02](https://www.ilo.org/dyn/natlex/natlex4.detail?p_lang=fr&p_isn=11173&p_classification=01.02)
- 25 Government of Burundi. Ordonnance ministérielle n° 630/I du 5 janvier 1981 portant réglementation du travail des enfants. Enacted: 1981. Source on file.
- 26 Government of Burundi. Portant prévention et répression de la traite des personnes et protection des victimes de la traite, Loi No. 1/28. Enacted: 2014. Source on file.
- 27 Government of Burundi. Loi n° 1/27 du 29 décembre 2017 portant Révision du Code Pénal. Enacted: 2017. Source on file.
- 28 Government of Burundi. Portant statut des hommes de troupe de la force de défense nationale, Loi No. 1/17. Enacted: 2006. Source on file.
- 29 Government of Burundi. Portant organisation de l'enseignement de base et secondaire, Loi No. 1/19. Enacted: 2013. Source on file.
- 30 Government of Burundi. Constitution de la République du Burundi. Enacted May 17, 2018.  
<https://www.ilo.org/dyn/natlex/docs/ELECTRONIC/110590/137602/F502086490/BDI-110590.pdf>
- 31 Government of Burundi. Constitution interimaire post-transition de la République du Burundi. Enacted: 2005. Source on file.
- 32 Government of Burundi. Transitional Education Plan 2018-2020. May 2018.  
[https://www.globalpartnership.org/sites/default/files/plan\\_transitoire\\_education\\_du\\_burundi.pdf](https://www.globalpartnership.org/sites/default/files/plan_transitoire_education_du_burundi.pdf)
- 33 U.S. Department of State. Country Reports on Human Rights Practices-2020: Burundi. Washington, D.C., March 31, 2021.  
<https://www.state.gov/reports/2020-country-reports-on-human-rights-practices/burundi/>
- 34 ILO Committee of Experts. Observation concerning Minimum Age Convention, 1973 (No. 138) Burundi (ratification 2000). Published 2022.  
[https://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100::PI3100\\_COMMENT\\_ID,PI3100\\_COUNTRY\\_ID:4116112,103466](https://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100::PI3100_COMMENT_ID,PI3100_COUNTRY_ID:4116112,103466)
- 35 Government of Burundi. Inspection Générale du Travail et de la Sécurité Sociale (IGTSS). Ministère de la Fonction Publique, du Travail et de l'Emploi. Accessed April 15, 2020.  
<http://www.ministereftps.gov.bi/?q=inspection-generale-du-travail>
- 36 U.S. Embassy- Bujumbura official. E-mail communication with USDOL official. March 1, 2019.
- 37 ILO modelled estimates and projections (ILOEST) – Population and labour force. Accessed January 25, 2022. Labor force data is modelled on a combination of demographic and economic explanatory variables by the ILO. Please see "Labor Law Enforcement: Sources and Definitions" in the Reference Materials section of this report.  
<https://ilostat.ilo.org/data/>
- 38 U.S. Department of State. Country Reports on Human Rights Practices-2019: Burundi. Washington, D.C., March 11, 2020.  
<https://www.state.gov/reports/2019-country-reports-on-human-rights-practices/burundi/>
- 39 U.S. Embassy- Bujumbura official. E-mail communication with USDOL official. June 10, 2021.
- 40 U.S. Embassy- Bujumbura official. E-mail communication with USDOL official. June 13, 2019.
- 41 Government of Burundi. Law No. 1-25 of 05 November 2020 Regarding Migration in Burundi. Source on file.
- 42 U.S. Embassy- Bujumbura. Reporting. February 11, 2022.
- 43 IOM. Burundi improves anti-trafficking efforts. ReliefWeb. July 7, 2021.  
<https://reliefweb.int/report/burundi/burundi-improves-anti-trafficking-efforts-according-united-states-2021-report>
- 44 Government of Burundi. Plan d'Activités Intégré portant sur la Traite des Personnes 2019/2020. December 26, 2018. Source on file.
- 45 Government of Burundi. Burundi National Development Plan 2018–2027. June 2018.  
<https://www.ilo.org/dyn/natlex/docs/ELECTRONIC/110657/137683/F754275122/BDI-110657.pdf>
- 46 UNHCR. 2021 Burundi Joint Refugee Resettlement and Reintegration Plan. February 15, 2021.  
[https://reporting.unhcr.org/sites/default/files/2021\\_Burundi\\_JRRRP\\_15\\_February\\_2021.pdf](https://reporting.unhcr.org/sites/default/files/2021_Burundi_JRRRP_15_February_2021.pdf)
- 47 African Union. 10-Year Action Plan (2020-2030) to Eradicate Child Labor, Forced Labor, Human Trafficking, and Modern Slavery.  
[https://www.ilo.org/wcmsp5/groups/public/---africa/---ro-abidjan/documents/publication/wcms\\_778560.pdf](https://www.ilo.org/wcmsp5/groups/public/---africa/---ro-abidjan/documents/publication/wcms_778560.pdf)
- 48 Government of Burundi. Decree on the Creation, Structure, Missions and Roles of the CDFC December 17, 2012. Source on file.
- 49 Ininahazwe, Ivan Napoleon. Terintambwe, un tremplin pour l'autonomisation la femme rurale. Yaga Burundi. December 29, 2021.  
<https://www.yaga-burundi.com/2021/terintambwe-tremplin-autonomisation-femme-rurale/>
- 50 Agence Burundaise de Presse. Des femmes de la commune Mugina témoignent du bien fait des groupes de solidarite. Cibitoke. December 22, 2021.  
<https://abpinfo.bi/2021/12/24/des-femmes-de-la-commune-mugina-temoignent-du-bien-fait-des-groupes-de-solidarite/>
- 51 Government of Burundi. Official Communication. October 6, 2021.  
<https://twitter.com/CankuzoProvince/status/1445811364564389890>
- 52 ILO. Burundi signs Decent Work Country Programme 2020–2023. March 16, 2021.  
[https://www.ilo.org/africa/media-centre/pr/WCMS\\_776533/lang--en/index.htm](https://www.ilo.org/africa/media-centre/pr/WCMS_776533/lang--en/index.htm)
- 53 ReliefWeb. Education Cannot Wait announces US\$12 million catalytic grant. December 31, 2021.  
<https://reliefweb.int/report/burundi/education-cannot-wait-announces-us12-million-catalytic-grant-multi-year-resilience>
- 54 IOM. IOM Partners with Burundi to Combat Human Trafficking. July 12, 2019.  
<https://www.iom.int/news/iom-partners-burundi-combat-human-trafficking>
- 55 IOM. IOM with the Support of USAID Strengthens Collaboration with Government of Burundi to Combat Human Trafficking. February 2, 2020.  
<https://www.iom.int/news/iom-support-usaid-strengthens-collaboration-government-burundi-combat-human-trafficking>
- 56 IOM Burundi. Official Communication. July 27, 2021. Source on file.
- 57 Barikumutima, Jean-Sacha. Heading back to school in Burundi. UNICEF Burundi. September 21, 2021. September 21, 2021.  
<https://www.unicef.org/burundi/stories/heading-back-school-burundi>

In 2021, Cabo Verde made moderate advancement in efforts to eliminate the worst forms of child labor. The government amended the Penal Code and the Code of Criminal Procedure to increase penalties for sexual crimes committed against children, notably those between the ages of 14 and 16. These amendments also increase penalties by one-third in situations involving family relationships or guardianships, and attribute accountability not only to perpetrators but also to those who assist in the victimization of children. In addition, the Cabo Verdean Institute for Children and Adolescents launched a program to ensure that children remain in school and stay off the streets. Furthermore, a National Plan to Prevent and Combat Sexual Violence Against Children and Adolescents, along with a National Communications Strategy for the Prevention and Combat of Sexual Violence were approved.

In 2021, Maio Island recorded zero cases of child labor after having recorded the highest number of cases in the country during the previous reporting period, due to extensive awareness-raising efforts conducted throughout the island and increased collaboration between relevant agencies. 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. Laws prohibiting forced labor are not sufficient as they do not criminalize practices similar to slavery or debt bondage and forced or compulsory labor. In addition, communication among law enforcement agencies is limited and 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 1 provides key indicators on children's work and education in Cabo Verde.

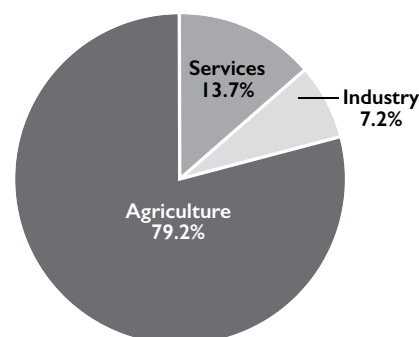
**Table 1. Statistics on Children's Work and Education**

Children	Age	Percent
Working (% and population)	10 to 14	3.2 (2,392)
Attending School (%)	5 to 14	90.1
Combining Work and School (%)	10 to 14	1.7
Primary Completion Rate (%)		100.0

Source for primary completion rate: Data from 2019, published by UNESCO Institute for Statistics, 2022. (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 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.

# Cabo Verde

## MODERATE ADVANCEMENT

**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 (12)
	Artisanal fishing in small boats† (8,13)
Industry	Construction, including sand extraction (8,13)
Services	Domestic work (1,7,8,11)
	Street work, including vending, garbage scavenging,† car washing, and begging (6-8,13-15)
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 (6,12)

† 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.

As of June 2021, the Cabo Verdean Institute for Children and Adolescents in Maio Island reported zero child labor cases, likely due to extensive awareness-raising efforts conducted throughout the island and increased collaboration between relevant agencies. In 2020, according to the Institute, the island had recorded the highest number of cases in the country. (16)




The commercial sexual exploitation of boys and girls, including in the tourism industry, occurs in Cabo Verde. (3,4,6,12) Research indicates that the islands of Sal and Boa Vista register the highest incidence of commercial sexual exploitation of children. (2) In addition, anecdotal reports indicate that children may have been victims of commercial sexual exploitation on the islands of Brava, Santiago, Fogo, and São Vicente. (6)

According to the Cabo Verdean Institute for Children and Adolescents (ICCA), not all special needs students or children in remote areas of Cabo Verde have equal access to education. In some areas, children must travel long distances through mountainous topography 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 has established laws and regulations related to child labor (Table 4). However, gaps exist in Cabo Verde'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 261 of the Labor Code (17)
Minimum Age for Hazardous Work	Yes	18	Article 264 of the Labor Code; Article 133 of the Civil Code (17,18)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		National List of Dangerous Work for Children (19)
Prohibition of Forced Labor	No		Article 14 of Chapter 3 of the Labor Code; Articles 271 and 271-A of the Penal Code (17,20,21)
Prohibition of Child Trafficking	Yes		Articles 149 and 271-A of the Penal Code (20)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Articles 144, 145, 148–150, and 271-A of the Penal Code (20)
Prohibition of Using Children in Illicit Activities	Yes		Article 8 of the Drug Trafficking Law (22)
Minimum Age for Voluntary State Military Recruitment	Yes	17	Article 31 of the Military Service Law (23)
Prohibition of Compulsory Recruitment of Children by (State) Military	Yes		Article 2 of the Military Service Law (23)
Prohibition of Military Recruitment by Non-state Armed Groups	Yes		Article 268-C of the Penal Code (20)
Compulsory Education Age	Yes	15‡	Articles 13 and 20 of the Education Law (24)
Free Public Education	Yes		Article 14 of the Education Law (24)

‡ Age calculated based on available information (25)

In 2021, amendments were made to the Penal Code and the Code of Criminal Procedure, increasing penalties, in some cases by several years, for sexual crimes committed against children up to age 16, including commercial sexual exploitation crimes. These amendments also increase penalties by one-third in cases involving a family relationship or guardianship, and not only hold perpetrators accountable but also any persons who may have assisted in the victimization of children in such crimes. (21)

Laws prohibiting forced labor are not sufficient because they do not criminalize practices similar to slavery, including debt bondage and forced or compulsory labor. (17,20) 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. (18,26,27)

### 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.

**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). (11)
Attorney General's Office	Determines whether cases have merit and refers relevant cases to the Judicial Police for further investigation. Prepares cases for trial. (28)
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. (8)

# Cabo Verde

## MODERATE ADVANCEMENT

### Labor Law Enforcement

In 2021, labor law enforcement agencies in Cabo Verde took actions to address 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 insufficient financial resource allocation.

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

Overview of Labor Law Enforcement	2020	2021
Labor Inspectorate Funding	Unknown	Unknown
Number of Labor Inspectors	21 (11)	21 (8)
Mechanism to Assess Civil Penalties	Yes (29)	Yes (29)
Initial Training for New Labor Inspectors	N/A	N/A
Training on New Laws Related to Child Labor	N/A	N/A
Refresher Courses Provided	Unknown	Yes (8)
Number of Labor Inspections Conducted	723† (11)	1,087 (8)
Number Conducted at Worksites	723† (11)	1,087 (8)
Number of Child Labor Violations Found	Unknown	1 (8)
Number of Child Labor Violations for Which Penalties Were Imposed	Unknown	1 (8)
Number of Child Labor Penalties Imposed that Were Collected	Unknown	1 (8)
Routine Inspections Conducted	Yes (11)	Yes (8)
Routine Inspections Targeted	Yes (11)	Yes (8)
Unannounced Inspections Permitted	Yes (29)	Yes (29)
Unannounced Inspections Conducted	Yes (11)	Yes (8)
Complaint Mechanism Exists	Yes (11)	Yes (8)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (11)	Yes (8)

† Data are from January 2020 to June 2020. (11)

During the reporting period, labor inspectors received training on laws related to child labor and hazardous child labor. In addition, about a quarter of the IGT's labor inspectors completed a 15-hour online training focused on the elimination of child labor, along with other participants from the community of Portuguese-speaking countries. (8) Course objectives focused on increasing participants' understanding of child labor and how to eliminate it, sharing best practices to address the challenges of the COVID-19 pandemic, and defining how governments and relevant entities can be more effective toward eliminating child labor. (30)

From January to June 2021, ICCA received 17 allegations of child labor violations through its child protection hotline. ICCA conducts informal inspections when it receives any allegations of child labor and keeps the Attorney General's office informed whenever further investigative action is needed. (8) All child labor cases found by IGT inspectors are referred to ICCA for care or for referral to social services providers. (8)

Reports indicate that the number of labor inspectors is insufficient to cover the entire country. The IGT also reported that its budget is not sufficient to fulfill all its operational needs. (8)

### Criminal Law Enforcement

In 2021, criminal law enforcement agencies in Cabo Verde took actions to address child labor (Table 7). However, gaps exist within the operations of criminal enforcement agencies that may hinder adequate criminal law enforcement, including insufficient allocation of human resources.

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

Overview of Criminal Law Enforcement	2020	2021
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

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

Overview of Criminal Law Enforcement	2020	2021
Number of Investigations	Unknown	Unknown
Number of Violations Found	Unknown	Unknown
Number of Prosecutions Initiated	Unknown	Unknown
Number of Convictions	0 (31)	1 (32)
Imposed Penalties for Violations Related to the Worst Forms of Child Labor	Unknown	Unknown
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (11)	Yes (8)

The government did not provide information on its criminal law enforcement efforts for inclusion in this report. However, 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. (33)

Although the government compiled anti-trafficking statistics during the reporting period, reports indicate that comprehensive sharing of anti-human trafficking and victim protection data remained weak among agencies. (6) In addition, while law enforcement agencies work well together, limited coordination between these agencies, such as struggles in sharing case information and updates, may hinder their enforcement efforts. (12) 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, including children subjected to commercial sexual exploitation. (2,3,33)

#### 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 support from the Ministry of Youth, Labor and Development of Human Resources. (34) In 2021, continued drafting an updated National Action Plan for the Prevention and Eradication of Child Labor. (8)
ICCA	Coordinates and monitors the implementation of all national programs and activities to prevent and eliminate child labor. Works closely with the Inspector General for Labor and the National Committee for Child Labor Prevention and Eradication on all matters related to prevention and elimination of child labor in the country. (8) During the reporting period, began collecting data to better understand how the pandemic is affecting the child labor situation in the country. Moreover, launched a program to ensure children remain in school and stay off the streets and conducted a mapping analysis of NGOs and community associations involved in the protection of children's rights. (8,35,36)
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. (12) Led by ICCA. (37) In 2021, in collaboration with UNICEF, drafted the new National Plan to Prevent and Combat Sexual Violence against Children and Adolescents (2022–2024), which was approved by the government. (38,39)
Observatory for Monitoring and Rapid Identification of Situations of Trafficking in Persons	Coordinates and monitors all efforts to eliminate human trafficking. Comprises law enforcement, NGOs, civil society, and various government agencies. (12,40) Led by the Ministry of Justice and Labor. (12) In 2021, conducted meetings with representatives of law enforcement and other agencies and, with IOM, participated in a launch of standard operating procedure manuals for entities responsible for responding to cases of human trafficking. (8)

#### V. GOVERNMENT POLICIES ON CHILD LABOR

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

## MODERATE ADVANCEMENT

**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. (34) Active in 2021. (8)
National Plan to Prevent and Combat Sexual Violence Against Children and Adolescents (2022–2024)†	Aims to prevent and eliminate the sexual exploitation of children by building on lessons learned from the previous plan, while ensuring coordination among institutions and organizations that work to prevent and address sexual violence against children and adolescents. Establishes five goals, including (1) the active participation of children and adolescents; (2) the development of preventive actions against sexual violence; (3) a network of specialized care by trained professionals; (4) combating impunity; and (5) strengthening the national, regional and local entities focused on combating and eliminating sexual violence against children and adolescents, including commercial sexual exploitation. (39)
National Communication Strategy for the Prevention and Combat of Sexual Violence†	Aims to coordinate public policies to protect children and adolescents against sexual violence, including commercial sexual exploitation. Approved in August 2021 for implementation in 2022. (41)
Code of Ethics Against the Sexual Exploitation of Children	Guides and governs agencies involved in the tourism sector to eliminate the commercial sexual exploitation of children and adolescents. (42) In 2021, UNICEF, in partnership with ICCA, introduced the Code of Conduct for the Protection of Children from Sexual Exploitation in Travel and Tourism to the Cabo Verdean Institute of Tourism, the Association of Tourist guides, travel agencies, hotels, and NGOs. (36)
National Action Plan to Combat Trafficking in Persons (2018–2021)	Prioritized five strategic areas: prevention, awareness, protection, investigation, and coordination. (43) Established the Observatory for Monitoring and Rapid Identification of Situations of Trafficking in Persons. (12,40) Implemented during the reporting period. (8)

† Policy was approved during the reporting period.

## VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2021, 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 inadequacy 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. (8) In 2021, a campaign was conducted in the capital to raise awareness of the consequences of child labor among parents and the community. (44)
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. (33) 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 its Nós Kaza project. (33) 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. (45) In 2021, a new day center was opened in Maio Island. (46)
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. (34) Active in 2021. (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. (47) In 2021, continued collecting donations for school kits, including backpacks, uniforms, notebooks, and books, to be distributed to students in need. (48)

† 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.



## 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 I I).

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

Area	Suggested Action	Year(s) Suggested
Legal Framework	Ensure that laws prohibiting forced labor criminalize slavery and practices similar to slavery, including debt bondage and forced or compulsory labor.	2021
	Prescribe by law the number of hours per week and conditions under which light work may be undertaken.	2015 – 2021
Enforcement	Publish information on labor inspectorate funding and ensure that the number of labor inspectors is sufficient to cover the country's workforce.	2011 – 2021
	Ensure that the Inspector General for Labor is provided with an adequate budget to fulfill all its needs.	2021
	Ensure that criminal investigators receive sufficient financial and human resources to conduct thorough investigations, including investigations of child labor.	2014 – 2021
	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 – 2021
	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 – 2021
	Ensure that the judiciary has sufficient resources and personnel to allow cases to be prosecuted in a timely manner.	2019 – 2021
Social Programs	Ensure that special needs students and children in remote areas have equal access to education, including by providing adequate transportation.	2020 – 2021
	Conduct awareness-raising activities on human trafficking, including child sex tourism, on all nine inhabited islands.	2018 – 2021
	Institute programs to address child labor in agriculture and domestic work.	2010 – 2021

## REFERENCES

- Pina, Constância. PR chama “níveis pouco razoáveis” abuso e exploração sexual menores. June 1, 2018. Source on file.
- A Nação. Boa Vista e Sal têm “maior índice” de criminalidade de exploração sexual de menores – deputada. October 25, 2019. <https://anacao.cv/noticia/2019/10/25/boa-vista-e-sal-tem-maior-indice-de-criminalidade-de-exploracao-sexual-de-menores-deputada/>
- U.S. Embassy- Praia. Reporting. February 4, 2020.
- Rede Nacional de Prevenção de Abuso e Exploração Sexual de Menores. Plano de Ação da Coordenação Nacional das Redes e Prevenção e Combate aos Abusos e Exploração Sexuais de Crianças em Cabo Verde. January 2019. Source on file.
- A Nação. Predadores sexuais via Facebook: Pena dura para irmãos Alves. February 25, 2018. <https://anacao.cv/noticia/2018/02/25/predadores-sexuais-via-facebook-pena-dura-irmaos-alves/>
- U.S. Department of State. Trafficking in Persons Report- 2021: Cabo Verde. Washington, D.C., July 1, 2021. <https://www.state.gov/reports/2021-trafficking-in-persons-report/cabo-verde/>
- Agência Cabo Verdiana de Notícias. Situação do trabalho infantil em Santiago Norte continua “preocupante” – delegado do ICCA. Inforpress, June 12, 2018. <https://inforpress.cv/situacao-do-trabalho-infantil-em-santiago-norte-continua-preocupante-delegado-do-icca/>
- U.S. Embassy- Praia. Reporting. January 28, 2022.
- UNESCO Institute for Statistics. Gross intake ratio to the last grade of primary education, both sexes (%). Accessed: March 3, 2022. For more information, please see “Children's Work and Education Statistics: Sources and Definitions” in the Reference Materials section of this report. <http://data.uis.unesco.org/>
- ILO. Analysis of Child Economic Activity and School Attendance Statistics from National Household or Child Labor Surveys. Original data from Inquérito as Despesas e Receitas Familiares (HHS), 2001–2002. Analysis received March 2022. For more information, please see “Children's Work and Education Statistics: Sources and Definitions” in the Reference Materials section of this report.
- U.S. Embassy- Praia. Reporting. January 25, 2021.
- U.S. Embassy- Praia. Reporting. January 23, 2019.
- A Nação. São Vicente: Uma em cada cinco crianças do Centro Juvenil foi vítima de trabalho infantil. June 10, 2021. <https://www.anacao.cv/noticia/2021/06/10/sao-vicente-uma-em-cada-cinco-criancas-do-centro-juvenil-foi-vitima-de-trabalho-infantil/>
- dos Santos, Carla. Crianças vão deixar de vender fruta nas estradas de Santiago. October 17, 2017. <https://santiagomagazine.cv/sociedade/criancas-vaio-deixar-de-vender-frutas-nas-estradas-de-santiago>
- ILO Committee of Experts. Individual Direct Request concerning Worst Forms of Child Labour Convention, 1999 (No. 182) Cabo Verde (ratification: 2001). Published: 2019. Accessed: February 28, 2019. [https://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100\\_COMMENT\\_ID:3950043](https://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:3950043)
- RTC - Rádio Televisão Cabo-Verdiana. Ilha do Maio sem casos de trabalho infantil. June 12, 2021: television broadcast. <https://www.rtc.cv/tcv/video-details?id=20179>
- Government of Cabo Verde. Código Laboral Cabo-Verdiano, Lei n.º 5/2007. Enacted: October 16, 2007. Source on file.
- Government of Cabo Verde. Código Civil, Portaria n.º 68-A/97. Enacted: September 30, 1997.

## MODERATE ADVANCEMENT

- [http://www.africanchildforum.org/clr/Legislation Per Country/cabo verde/capeverde\\_civilcode\\_1997\\_pr.pdf](http://www.africanchildforum.org/clr/Legislation%20Per%20Country/cabo%20verde/capeverde_civilcode_1997_pr.pdf)
- 19 Government of Cabo Verde. Lei n.º 113/III/2016, de 10 de março, que aprova a Lista Nacional do Trabalho Infantil Perigoso (TIP) e regula a sua aplicação. Enacted: March 10, 2016.  
[http://www.ilo.org/dyn/natlex/docs/ELECTRONIC/101425/122193/F1140011145/LEY113\\_CABOVERDE.pdf](http://www.ilo.org/dyn/natlex/docs/ELECTRONIC/101425/122193/F1140011145/LEY113_CABOVERDE.pdf)
  - 20 Government of Cabo Verde. Código Penal, Decreto-legislativo n.º 4/2015. Enacted: November 11, 2015. Source on file.
  - 21 Government of Cabo Verde. Lei n.º 117/IX/2021 - Procede à quarta alteração ao Código Penal, aprovado pelo Decreto-Legislativo n.º 4/2003, de 18 de novembro. Enacted: February 11, 2021. Source on file.
  - 22 Government of Cabo Verde. Lei n.º 78/IV/93. Enacted: July 12, 1993. Source on file.
  - 23 Government of Cabo Verde. Lei do Serviço Militar, Decreto-Legislativo n.º 6/93. Enacted: May 24, 1993. Source on file.
  - 24 Government of Cabo Verde. Bases do Sistema Educativo, Decreto-Legislativo n.º 13/2018. December 7, 2018. Source on file.
  - 25 Government of Cabo Verde. Bases do Sistema Educativo, Decreto-Legislativo n.º 2/2010. Enacted: May 7, 2010. Source on file.
  - 26 Government of Cabo Verde. Lei n.º 50/VIII/2013, Estatuto da Criança e do Adolescente - ECA. ICCA, Ministério da Juventude, Emprego e Desenvolvimento dos Recursos Humanos. December 26, 2013.  
<https://abortion-policies.srhr.org/documents/countries/10-Cape-Verde-Statute-on-Children-and-Adolescents-2013.pdf>
  - 27 ILO Committee of Experts. Individual Direct Request concerning Minimum Age Convention, 1973 (No. 138) Cabo Verde (ratification: 2011). Published: 2018.  
[https://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100\\_COMMENT\\_ID:3339528:YES](https://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:3339528:YES)
  - 28 U.S. Embassy Praia official. E-mail communication to USDOL official. May 17, 2021.
  - 29 Government of Cabo Verde. Decreto-Lei n.º 13/2012. May 4, 2012. Source on file.
  - 30 ILO. Curso de E-Learning sobre o Ano Internacional para a Eliminação do Trabalho Infantil para os Países da CPLP. November 8-26, 2021.  
[https://trabalho infantil.cplp.org/media/2830/a2714653\\_ilsgen\\_e-learning-ano-internacional-eliminacao-trabalho-infantil\\_infonote-002.pdf](https://trabalho infantil.cplp.org/media/2830/a2714653_ilsgen_e-learning-ano-internacional-eliminacao-trabalho-infantil_infonote-002.pdf)
  - 31 U.S. Embassy- Praia. Reporting. February 25, 2021.
  - 32 U.S. Embassy- Praia official. E-mail communication to USDOL official. May 2, 2022.
  - 33 U.S. Embassy- Praia official. E-mail communication to USDOL official. May 17, 2021.
  - 34 Government of Cabo Verde. Plano de Acção de Prevenção e Erradicação do Trabalho Infantil-PANPETI, Resolução n.º 43/2014, do B.O.I Série, n.º 36. Enacted: June 2, 2014. Source on file.
  - 35 InforPress. ICCA e Acrídes admitem que crise da COVID-19 pode levar ao aumento de crianças na rua - Sociedade - Santiago Magazine. June 1, 2021.  
<https://santiagomagazine.cv/sociedade/icca-e-acrides-admitem-que-crise-da-covid-19-pode-levar-ao-aumento-de-criancas-na-rua>
  - 36 UN Cabo Verde. Proteção das crianças e dos adolescentes contra a exploração e abuso sexual uma prioridade nacional. Abril 5, 2021.  
<https://caboverde.un.org/pt/123949-protacao-das-criancas-e-dos-adolescentes-contra-exploracao-e-abuso-sexual-uma-prioridade>
  - 37 U.S. Embassy- Praia official. E-mail communication to USDOL official. March 10, 2017.
  - 38 InforPress. Governo aprova Plano Nacional de Prevenção e Combate à Violência Sexual de Crianças e Adolescentes para 2021-2023. August 5, 2021.  
<https://inforpress.cv/governo-aprova-plano-nacional-de-prevencao-e-combate-a-violencia-sexual-de-criancas-e-adolescentes-para-2021-2023/>
  - 39 Government of Cabo Verde. Resolução n.º 102/2021: Plano de Acção Nacional de Prevenção e Combate à Violência Sexual Contra Crianças e Adolescentes. November 19, 2021. Source on file.
  - 40 Pinto Machado, Isabel. Cabo Verde tem Plano contra Tráfico de Seres Humanos. As Vozes do Mundo, July 30, 2018.  
<http://pt.rfi.fr/cabo-verde/20180730-cabo-verde-cria-observatorio-de-monitorizacao-e-identificacao-rapida-de-situacao>
  - 41 Government of Cabo Verde. Resolução n.º 101/2021: Aprova a Estratégia Nacional de Comunicação para a Prevenção e Combate à Violência Sexual. November 19, 2021. Source on file.
  - 42 Government of Cabo Verde. Código de Conduta Ética do Turismo Contra a Exploração Sexual da Criança e do Adolescente. Enacted: April 2, 2014. Source on file.
  - 43 Government of Cabo Verde. I Plano Nacional de Combate ao Tráfico de Seres Humanos 2018-2021. January 2018. Source on file.
  - 44 Radio Televisão de Cabo Verde. ACRIDES promove atividades de sensibilização sobre o trabalho infantil. June 12, 2021.  
[https://www.youtube.com/watch?v=mUVizxEm\\_fA](https://www.youtube.com/watch?v=mUVizxEm_fA)
  - 45 U.S. Embassy- Praia official. E-mail communication to USDOL official. May 15, 2021.
  - 46 Government of Cabo Verde. Governo reforça políticas de proteção de crianças e adolescentes na Ilha do Maio. February 16, 2021.  
<https://www.governo.cv/governo-reforca-politicas-de-protacao-de-criancas-e-adolescentes-na-ilha-do-maio/>
  - 47 Fundação Caboverdiana de Acção Social Escolar: Parceiros e FICASE engajados para uma Educação Inclusiva e de Qualidade. December 18, 2020.  
[https://ficase.cv/?page=noticia-icia=\\_Parceiros\\_e\\_FICASE\\_engajados\\_para\\_uma\\_Educacao](https://ficase.cv/?page=noticia-icia=_Parceiros_e_FICASE_engajados_para_uma_Educacao)
  - 48 FICASE. Uma Doação Um Kit Escolar. 2021.  
[https://ficase.cv/?page=projeto&campanha=Campanha\\_Uma\\_Doacao\\_Um\\_Kit\\_Esc](https://ficase.cv/?page=projeto&campanha=Campanha_Uma_Doacao_Um_Kit_Esc)

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

In 2021, Cambodia made minimal advancement in efforts to eliminate the worst forms of child labor. The government launched its first 5-year National Action Plan to Prevent and Respond to Online Child Sexual Exploitation (2021–2025). The government also held campaigns and workshops to raise awareness about child labor and gender equity in the freshwater fishing sector. However, despite new initiatives to address child labor, Cambodia is assessed as having made only minimal advancement because it continued to implement practices that delay 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. 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. In addition, the government did not publicly release information on its criminal law enforcement efforts.



### 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. (1-4) Table I provides key indicators on children's work and education in Cambodia.

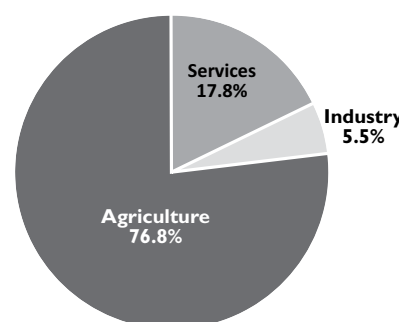
**Table I. Statistics on Children's Work and Education**

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 (%)		92.0

Source for primary completion rate: Data from 2020, published by UNESCO Institute for Statistics, 2022. (5)

Source for all other data: International Labor Organization's analysis of statistics from Socio-Economic Survey (CSES), 2017. (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	Fishing, including deep-sea† and night fishing† (2,4,7-11)
	Peeling shrimp (10,13)
	Production of palm oil, bananas, tobacco, cassava, rubber, and rice (2,10,11,13-15)
	Growing, cutting, tying, carrying,† and spraying pesticides† on sugarcane (2,10,11,15,16)
	Logging† for the production of timber (9,10,13)

# Cambodia

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

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

Sector/Industry	Activity
Agriculture	Production of salt (17)
	Production of bovines (18,19)
Industry	Making bricks, <sup>†</sup> including feeding clay into brickmaking machines, removing wood fuel from trucks and feeding to brickmaking machines, drying bricks, transporting bricks to the oven, <sup>†</sup> and loading bricks onto and off of trucks (1,2,7,15)
	Construction, <sup>†</sup> including operating transportation equipment <sup>†</sup> (2,7,11,14,15,20)
	Production of textiles, including bleaching, <sup>†</sup> dyeing, <sup>†</sup> and finishing with chemicals; <sup>†</sup> garments; and footwear (7,11,13,15,21,22)
	Production of alcoholic beverages <sup>†</sup> (7,9,13)
	Work in slaughterhouses <sup>†</sup> for the production of meat <sup>†</sup> (7,9)
	Manufacturing of wood and metal <sup>†</sup> products (7)
Services	Domestic work (2,7,12,14,23)
	Work as security guards <sup>†</sup> and in entertainment, <sup>†</sup> including as bartenders, <sup>†</sup> masseurs, <sup>†</sup> dancers, <sup>†</sup> and waiters <sup>†</sup> (2,4,7,11,15)
	Street work, including car washing, begging, vending, scavenging, collecting garbage, and exploitation by orphanages to fraudulently lure donations from tourists (2,12,14,20,24-26)
	Work as garbage pickers in dumpsites (2,15)
Categorical Worst Forms of Child Labor <sup>‡</sup>	Commercial sexual exploitation, sometimes as a result of human trafficking (2,3,12,14,23,26)
	Forced begging or street vending (9,12,14,15,27)
	Use in illicit activities, including drug trafficking (20)
	Forced labor in the production of bricks (1,11,13-15,20,23,28,29)
	Forced labor in fishing (4)

<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 Cambodian brick factories, some children engage in forced labor, sometimes in dangerous conditions, to offset family debt to employers. (2,3,14,23,28,30,31) 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. (11,28,30,32) Failed harvests from droughts have compounded farmers' debts; harvest are sold to brick kiln owners, thus placing farmers' families into hereditary debt bondage until the debts are repaid. (2,11,14,28,30-34) The government's 2019 census of all 486 operational kilns in the country found no instances of child labor or debt bondage. These results contradict findings by independent researchers, which show high rates of child labor and debt bondage at brick kilns. (11,15,23,29,34-38)

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 debt bondage. There is also research indicating that children in domestic work face similar debt bondage conditions. Approximately 30 percent of child domestic workers are under the age of 18. (15)

Although Cambodia conducted a nationwide survey of child labor in 2019—the first such survey since 2012—it has yet to publish the results of this survey or make the data publicly available. (11,13,15,36)

Cambodia is a source and destination country for child trafficking, both transnational and domestic. Some Cambodian children are trafficked transnationally, in particular to other countries in Asia or to countries in the Middle East 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, in domestic work (often through debt-based coercion), or for purposes of commercial sexual exploitation. (3,14,26) However, the COVID-19 pandemic decreased such migration along with all types of cross-border travel. (3,14,26) Children living in Cambodia are also vulnerable to domestic trafficking. Children, girls in particular, are subjected to domestic human trafficking, from rural to urban areas, and internationally, to countries such as Thailand and Vietnam, for the purpose of commercial sexual exploitation (CSEC). (12,14,23,25,26,30) Girls as young as age 14 are "bride trafficked" to



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

China for CSEC, and research found that the number of these cases has doubled since 2020. Many of these girls had previously worked in the garment, hospitality, and tourism sectors, which were particularly impacted by the pandemic. (15,26,39)

The largely unregulated growth of casinos, entertainment establishments, and other commercial enterprises owned by the People's Republic of China (PRC) in Preah Sihanouk Province led to an increase of Cambodian girls in forced labor, including sex trafficking, although such activity has decreased since Cambodia banned online gambling in August 2019, leading to an exodus of PRC businesses and citizens. (14,15,23,26,40) In addition, PRC and Southeast Asian nationals as young as age 15 were trafficked into Cambodia to work in online gambling and internet scam operations, particularly in the port town of Sihanoukville; some of these girls are victims of commercial sexual exploitation. (2)

Online sexual exploitation of children (OSEC) is reportedly increasing in Cambodia, facilitated by an increase in cheap, high-speed Internet access. (10,11,25,26,41-43) 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, the survey 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. (15,44,45)

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. (11,14,25,26,46) Many private residential care institutions reportedly exploit children as "sham" orphans to lure donations from foreigners. (11,25,46)




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. (11,15,20,47) 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. (9,11,14,15,46,48,49) 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. (15,49)

While education is free through grade nine, it is not compulsory. (46,47,50) Nearly 13 percent of primary school-age children were not enrolled in school during the reporting year. (2) 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. (47,50-52) Most Cambodian children attend school only 4 hours a day, so many children spend the remainder of the day with their parents on or near work-sites. (2) More than 60 percent of children with disabilities are unable to attend school, according to the Cambodian Disabled People's Organization. (2,53) In addition, sanitation conditions are unsafe in Cambodia's 34 "floating schools" in or around fishing communities, and children as young as age 6 often travel to school by boat, many of whom are ethnic Vietnamese and face language barriers. (2) of the country's primary schools, 60 percent are without access to water and more than 25 percent are without access to latrines. (2) Children from indigenous groups in particular face challenges in accessing education, including "incomplete schools" (in which not all grades are supported), the lack of availability of secondary schools, and large geographical distances between homes and schools. (2)

## 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 (51)
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 and 340 of the Penal Code (51-55)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Article 2 of the Regulation on the Prohibition of Hazardous Child Labor (54)
Prohibition of Forced Labor	Yes		Articles 15 and 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 (51,56,57)
Prohibition of Child Trafficking	Yes		Articles 10–20 and 22 of the Law on Suppression of Human Trafficking and Sexual Exploitation (56)
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 (55,56)
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 (55,58)
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 (59)
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 (59)
Prohibition of Military Recruitment by Non-state Armed Groups	No		
Compulsory Education Age	No		
Free Public Education	Yes		Article 31 of the Education Law (47)

In October 2021, an amendment to the Labor Law was promulgated. (60) Among the changes included in this amendment is a provision establishing Cambodian labor inspectors as having the status of "judicial police," which gives them the authority to arrest people suspected of labor violations that are also criminal violations. (40)

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. (46,54) The Ministry of Labor and Vocational Training's (MOLVT) regulation on household work extends minimum age protections for domestic

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

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. (10,46,50,51,61)

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. (20,55)

### 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)	Head of MOLVT's Child Labor Bureau also serves as the Secretary General of the National Committee on Countering Child Labor (NCCL). (11,15,62) Enforces child-related provisions of the Labor Law, and trains Commune Committees for Women and Children that oversee local child labor monitoring systems. (62) Includes 24 MOLVT inter-departmental inspection teams. (63) Tasked with removing children from child labor, including at brick kilns. (11) Employs 1 child labor inspector in each of Cambodia's 25 provinces. (10,64)
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. (20,25) 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. (20,25) Field complaints from the public about human trafficking, which can be filed through the anti-human trafficking hotline. (38) 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. (26,62,63)
Provincial Police Commissariats—Bureaus of Anti-Human Trafficking and Juvenile Protection and Bureaus of Criminal Police	Through their Anti-Trafficking and Juvenile Protection Bureaus, enforce laws against human trafficking and commercial sexual exploitation of children at the provincial level. Coordinates with the AHTJP. (15,38) Through their Criminal Police Bureaus, enforce criminal law at the provincial level. Coordinates with the Department of Criminal Police. (15,38)
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. (38)
Ministry of Tourism—Tourism Police Department	Tourism Police Department works to address the sexual exploitation of children in travel and tourism and child trafficking. Disseminates public awareness materials to counter child sexual abuse. (26)

During the reporting year, the Ministry of Land Management, Urban Planning, and Construction, which oversees construction sites, trained 330 of its inspectors on ensuring safe working conditions using a new checklist; inspections resumed in March 2022. However, the checklist does not include items specific to child labor and the training was not coordinated with MOLVT's labor inspectorate. (2)

### Labor Law Enforcement

In 2021, labor law enforcement agencies in Cambodia took actions to address child labor (Table 6). However, gaps exist within the operations of MOLVT that may hinder adequate enforcement of child labor laws, including financial resource allocation.

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

Overview of Labor Law Enforcement	2020	2021
Labor Inspectorate Funding	Unknown (15,65)	Unknown (2)
Number of Labor Inspectors	602 (15)	602 (2)
Mechanism to Assess Civil Penalties	Yes (51)	Yes (51)

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

Overview of Labor Law Enforcement	2020	2021
Initial Training for New Labor Inspectors	Yes (15)	Unknown (2)
Training on New Laws Related to Child Labor	N/A (15)	No (2)
Refresher Courses Provided	Yes (15)	Yes (2)
Number of Labor Inspections Conducted	1,824(2)	176 (2)
Number Conducted at Worksite	1,309(15)	45 (2)
Number of Child Labor Violations Found	4 (15)	0 (2)
Number of Child Labor Violations for Which Penalties Were Imposed	4 (15)	N/A (2)
Number of Child Labor Penalties Imposed that Were Collected	4 (15)	N/A (2)
Routine Inspections Conducted	Yes (15)	Unknown (2)
Routine Inspections Targeted	Yes (15)	Yes (2)
Unannounced Inspections Permitted	Yes (51)	Yes (51)
Unannounced Inspections Conducted	Yes (15)	Unknown (40)
Complaint Mechanism Exists	Yes (15)	Yes (2)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (15)	Yes (2)

During the reporting period, MOLVT conducted 176 inspections, down sharply from 1,824 in 2020 due to the pandemic; it did not specify how many of these were routine inspections and how many were unannounced or “special” inspections.(40) MOLVT indicated it only conducts unannounced labor inspections for cases in which a specific request was made or a serious violation was reported. (2) In October 2021, MOLVT launched a pilot project for online factory self-assessments for all garment, footwear, and travel goods factories, which will serve as background information for in-person inspections that may resume in mid-2022. (2)

The Child Labor Bureau primarily focuses on inspections of brick kilns, and relies on other MOLVT bureaus to alert them to possible child labor issues in other sectors before inspections occur. (40) Staff in MOLVT bureaus are not equipped with the proper technical training or expertise to identify child labor, resulting in staff typically asking very few questions during inspections. (10,11) In an effort to improve labor inspectors' performance, MOLVT requires all national-level labor inspectors take and pass a yearly online examination that aims to assess and improve overall technical skills and legal knowledge in order to continue working as labor inspectors. (11,38) The government has 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. (15,38,66)

The government proactively inspects only two sectors for child labor: the brick kiln industry and the export garment sector. Research indicated that labor inspectors were rarely able to conduct inspections in the construction sector, as owners who were closely affiliated with government officials or powerful tycoons were able to obstruct labor inspectors from accessing their properties. (3,11,15,38,40) 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. (3,65) 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, police view brick kiln inspection as the MOLVT's responsibility and said they would only investigate a kiln if the MOLVT asked them to and reported suspected criminal activity, which they have not to date. (14)

The government, the ILO, and NGOs all agree that the labor inspectorate is insufficiently funded and there is 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. (2,7,10,11,15,46,67) 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



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

inspectors for overtime work. (10,15,46) While unannounced inspections are permitted, they rarely happen in practice. (10,11,15,64)

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. (9-11,15,46,68) 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. (11,15)

During the reporting period, MOLVT launched two social media “channels” on the app Telegram where the public can submit complaints on child labor violations. This is in addition to the existing “1297” phone hotline, MOLVT’s Facebook page, or calling a labor inspector directly using phone numbers published on MOLVT’s website. (2)

The government did not publish data on the labor inspectorate funding, training for new labor inspectors, and number of routine inspections conducted.

### Criminal Law Enforcement

In 2021, criminal law enforcement agencies in Cambodia took actions to address child labor (Table 7). However, gaps exist within the operations of the Cambodian National Police that may hinder adequate enforcement of child labor laws, including training for criminal investigators.

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

Overview of Criminal Law Enforcement	2020	2021
Initial Training for New Criminal Investigators	Unknown (15)	Unknown (2)
Training on New Laws Related to the Worst Forms of Child Labor	N/A (15)	Unknown (2)
Refresher Courses Provided	Unknown (15)	Unknown (2)
Number of Investigations	21 (38)	Unknown (2)
Number of Violations Found	31 (15)	Unknown (2)
Number of Prosecutions Initiated	Unknown (15)	Unknown (2)
Number of Convictions	Unknown (15)	Unknown (2)
Imposed Penalties for Violations Related to the Worst Forms of Child Labor	Unknown (15)	Unknown (2)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (15)	Yes (2)

Research found that criminal law enforcement officials 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. (2,14,23,46,69) In particular, police officers admitted 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. (2,14,28,46,70,71) The government failed to make significant efforts to investigate, prosecute, or convict government officials complicit in the worst forms of child labor. (3,14,23,46,69)

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. (2,3,14,70,72) 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 avoid investigation, prosecution, and fines. (2,14,23,46,70,72) Research also found instances when raids into these establishments were thwarted by “tip-offs” from working-level police in advance of the raids. (3,14,23)

# Cambodia

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

To minimize internal leaks, some provincial police chiefs turned cases over to the Anti-Human Trafficking Juvenile Police, which conducted independent raids without notifying the local authorities until moments before they began. (3,14) In 2021, U.S. law enforcement officials referred nine potential cases of online child sexual exploitation to Cambodia's anti-human trafficking and cybercrime specialists, leading to four arrests under Cambodian domestic trafficking laws. (43)

In addition, many law enforcement officials, particularly those located in rural areas, are unaware of how to properly conduct anti-trafficking in persons work, as most have not received training on basic law enforcement techniques. (3,14,23) Furthermore, law enforcement officials investigating suspected human trafficking cases are expected to personally cover all expenses of the investigation, 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. (11,14,23,70)

Research also found that local officials allegedly facilitated cross-border human trafficking by accepting bribes to forge identity documents. (14) 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 regulation forces victims and their families to interact directly with criminal law enforcement authorities, resulting in most victims declining to file complaints or obtain the identity documents necessary to receive services. (3,14)

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. (14,30,46) 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. (3,14,26,70,73) 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. (14) Furthermore, law enforcement generally focused on deterring foreign involvement in CSEC, despite the fact that the local population constituted the main source of demand. (3,14)

Research indicates that the use of "judicial supervision," where defendants are released on their own recognizance in advance of a 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. (3,14,23) 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. (14) In addition, the government has yet to fully implement the "Child Friendly Court" program as instructed by the Ministry of Justice in 2018 that will make it easier for child victims to provide testimony by using video-conferencing technology instead of confronting defendants in person, which can result in re-traumatization. (14,23)

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. (3,14,26) 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. (3,14,26)

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,

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

equipment, and funding. (3,23,38) 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 penalties imposed for violations related to the worst forms of child labor for inclusion in this report.

The Cambodian Human Rights and Development Association reported that it had rescued five children from prostitution in Siem Reap Province in 2021. (2) 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. (74,75)

### 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 inter-ministerial coordination.

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

Coordinating Body	Role & Description
National Committee on Countering Child Labor (NCCL)	Serves as the primary interagency coordinating body for the government's various ministries on child labor issues. Labor Minister serves as its chair and the head of MOLVT's Child Labor Bureau serves as the Secretary General. (2) No meetings were held during the reporting year due to the pandemic. (2)
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. (9,25,26,38) 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. (9) Includes concerned ministries, businesses, trade unions, and NGOs. Oversees Provincial Committees on the Protection of Child Rights and Provincial Committees on Child Labor. (9) Coordinates all government ministries, institutions, international NGOs, development partners, and the community in promoting and protecting children's rights. (76) Oversees the National Child Protection Commission that coordinates and collaborates with government, civil society organizations, and NGOs. (77) Oversees the Online Child Sexual Exploitation (OSEC) Committee, which works in collaboration with nearly 20 institutions and ministries to address online abuse and exploitation of children. (15,38) In 2021, in partnership with other government agencies, organized the official launch ceremony for Cambodia's first 5-year Action Plan to Prevent and Respond to Online Child Sexual Exploitation (OCSE Action Plan 2021–2025). (43,78)
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 the Ministry of Interior's Director General of General Department of Local Administration. (20,25,38) Research was unable to determine whether these coordinating bodies were active during the reporting period.
National Committee for Counter Trafficking (NCCT)	Coordinates government, NGO, civil society, and private sector efforts to address trafficking in persons and sexual exploitation. (3,23,25,79) Produces an annual report documenting the government's anti-trafficking in persons efforts. (3) Focuses on children's affairs, international cooperation, justice, law enforcement, migration, prevention, protection, recovery, reintegration, and repatriation. (80) Chaired by the Deputy Prime Minister and Minister of Interior, with 4 vice chair ministries and 14 participating ministries. (26,30) Oversees Provincial Committees for Counter Trafficking in each province. (3,30,81) 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). (3,23,26) Produced an annual report documenting anti-trafficking efforts; however, the report was not exhaustive amidst insufficient data collection. (11) In August 2021, launched a 5-year Anti-Trafficking in Persons project (2021–2026), which will focus on addressing the root causes of human trafficking and protecting vulnerable people, including children from trafficking, labor abuse, and risky migration. (82) In cooperation with Plan Thailand, Cambodia Acts, and the Education Ministry, led a study to identify the needs of bilingual Khmer-Thai Cambodian children who live in Cambodia's Koh Kong Province and Thailand's Trat Province, which was developed to improve access to education for children as they move across the border with their migrant parents and to reduce the risk of trafficking and child labor. (43)
National Committee on Child Protection	Coordinates inter-ministerial action on strengthening Cambodia's child protection system, and preventing and addressing all forms of abuses and violence against children. (15) 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. (15) Research was unable to determine whether this coordinating body was active during the reporting period.

Inter-ministerial coordination remains a serious challenge in Cambodia, both for countering child labor and trafficking in persons. (2) The ILO has joined the National Committee for Counter Trafficking (NCCT) and some

# Cambodia

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

of the National Committee on Countering Child Labor (NCCT) working groups. However, the coordinating body on child labor, the NCCL, has not invited the ILO to participate in its meetings. (2) Additionally, the Commune Committees for Women and Children continue to be underfunded. (38)

## 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	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. (20) Overseen by MOLVT. (15) 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. (22,38,50,76) Mandates awareness-raising activities, legal action, and collaborations with civil society actors. (76) During the reporting period, committees continued to prepare a 5-year progress report for endorsement. (2)
Action Plan to Prevent and Respond to Violence Against Children (2017–2021)	Led by the Ministry of Women's Affairs. (63,77) Developed in response to the Cambodia Violence Against Children Survey conducted in 2013. (26,77) Aims to prevent and respond to violence against children, including the worst forms of child labor. (26,42,84) 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. (11,26) Works to properly assess the scale and specific nature of OSEC in Cambodia to inform policy. (11) During the reporting period, continued to develop policies related to “child-friendly schools,” including preventing malnutrition. (2)
Action Plan for Gender Equality Promotion and Child Labor Elimination in the Fisheries Sector (2016–2020)	Overseen by the Ministry of Agriculture, Forestry, and Fisheries under the Fisheries Administration of Cambodia (FiA). Aligned with the Strategic Planning Framework for Fisheries (2010–2019). (22) Sought to prevent and withdraw children from child labor and hazardous work in the fisheries sector. (85) During the reporting period, government conducted campaigns and organized workshops to raise awareness of child labor and gender equity, targeting women and children in freshwater fishing areas around the Tonle Sap Lake. (2)
Third 5-Year National Plan of Action on the Suppression of Human Trafficking, Smuggling, Labor, and Sexual Exploitation (2019–2023)	Coordinated by NCCT, with input from the Ministries of Justice; Women's Affairs; Foreign Affairs; Labor; and Social Affairs, Veterans, and Youth Rehabilitation. (10) 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. (84) 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. (29) Research was unable to determine whether these coordinating bodies were active during the reporting period.
Strategic and Operational Plan for the Implementation of Juvenile Justice Law (2018–2020)	Overseen by Ministry of Social Affairs, Veterans and Youth Rehabilitation (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. (10) 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. (15) During the reporting year, issued the first diversion order in Kampong Cham; a diversion refers to directing the path of an accused child away from formal court proceedings and toward a more constructive and positive solution. (86)

‡ The government had other policies that may have addressed child labor issues or had an impact on child labor. (8,80,87-90)

## VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2021, 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.



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

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

Program	Description
Cambodia Countering Trafficking in Persons (CCTIP) (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. (63,91) In December 2021, the CCTIP project in collaboration with NCCT released a mid-term review report of the NCCT's 5-year national strategic plan for CCTIP 2019–2023. The mid-term review was conducted to assess the establishment and functions of all PCCTs and all technical working groups under NCCT, the impact of the pandemic on the implementation of the strategy, the results and achievement against the set targets; and to provide concrete recommendations for reinforcement of mechanisms to implement, monitor, and report CCTIP efforts in Cambodia. (2,91)
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. (9,63) Additional information is available on the program's website. During the reporting period, completed 552 virtual compliance checks and found no instances of child labor or suspected child labor. (2)
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. (92) In 2021, provided school meals to 300,000 vulnerable and poor school children; cash assistance to 3,745 households (18,625 individuals) affected by floods in Pursat, Battambang, and Banteay Meanchey provinces; and capacity strengthening to national and sub-national authorities (the National Committee for Disaster Management and its sub-national authorities) on emergency preparedness and response. (2)
Child Protection Programs: Family Care First (FCF REACT) (2015–2023) and Cambodia Child Protection Program	<p>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. (36,63) Aims to support more than 7,000 Cambodian children to live in safe, nurturing, family-based care. (36,63,93) Activities include supporting the development of Social Service Workforce Training curriculum modules, the reintegration of children from residential care institutions to family-based care, the closure and transition of residential care institutions, the provision of prevention and response social services, and continued strengthening of Cambodia's alternative care system. (2) 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. (11) During the reporting period, awarded over \$1 million to six local partners to implement child protection activities and approximately \$550,000 to six partners to implement livelihood interventions. Additionally, provided cash transfers to 750 households in 15 provinces to mitigate the financial impacts of the pandemic on vulnerable families. (2)</p> <p>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. (15,38) 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 services delivery to vulnerable children and families. (15) During the reporting period, launched the Child Protection Information Management System, which will enable public-private organizations to measure progress in child protection against 50 key indicators. (2,94)</p>
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. (2,95–96) 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. (95,97) In 2021, supported approximately 1,060 out-of-school children to access education. It focused on ensuring that schools have adequate infrastructure and are a safe space for students, built 11 new schools and 78 new classrooms, as well as refurbished 414 classrooms in provinces across Cambodia. (2)

† 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.

In 2021, MOLVT visited 170 brick kilns and intervened to help 350 cases involving children who may be vulnerable to child labor and were living on brick kilns or on cassava plantations, with education, vocational training, and jobs. However, MOLVT did not remove any children from child labor as a result of labor inspections. (2,43) MOLVT also disseminated material on child labor prevention to commercial and family-based sugar-cane production operations. (2,43)

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

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. As a result, victims are left vulnerable, leaving the government heavily reliant on NGOs to fill this need. (3,14,26,70)

Many poor households in rural communities lack access to a social protection safety net, increasing the vulnerability of children to child labor as a means to supplement family income. (30) 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. (10,11)

## VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE CHILD LABOR

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

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

Area	Suggested Action	Year(s) Suggested
Legal Framework	Ensure the minimum age for work applies to all children, including those engaged in informal work in domestic work and employed by their relatives.	2018 – 2021
	Ensure that the law criminally prohibits the use of a child for pornographic performances.	2015 – 2021
	Ensure that the law criminally prohibits the recruitment of children by non-state armed groups.	2016 – 2021
	Raise the minimum age for work to the age up to which education is compulsory.	2009 – 2021
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 – 2021
	Ensure and permit labor inspectors conduct inspections in the construction and entertainment sectors and impose penalties when child labor violations are found.	2021
	Ensure inspectors of construction sites are trained on child labor violations and that such training is coordinated with Ministry of Labor and Vocational Training's labor inspectorate.	2021
	Ensure the labor inspectorate conducts unannounced inspections as a matter of practice, not only when requests are made or violations are reported.	2021
	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 – 2021
	Collect, properly store, and publicly release disaggregated data on labor and criminal law enforcement efforts, including labor inspectorate funding, initial training for new criminal investigators, routine inspections conducted, the number of prosecutions initiated, the number of convictions, and the number of penalties imposed for violations related to the worst forms of child labor.	2015 – 2021
	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 offs 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 – 2021
	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 – 2021
	Ensure that funding for criminal law enforcement agencies is sufficient to cover all expenses, including transportation costs, for law enforcement officials.	2019 – 2021
	Address the misuse of resources by law enforcement officials 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 – 2021
	Protect and prevent intimidation of human trafficking victims and allow them access to protection services pending court proceedings.	2019 – 2021
Coordination	Ensure that the Commune Committees for Women and Children are able to carry out their intended mandate.	2019 – 2021
	Increase funding for the Commune Committees for Women and Children.	2016 – 2021
	Ensure that annual reports produced by the National Committee for Counter Trafficking are comprehensive.	2020 – 2021
	Improve inter-ministerial coordination by allowing ILO to participate in meetings of the National Committee on Countering Child Labor.	2021

## 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
Government Policies	Publish activities undertaken to implement the Third 5-year National Plan of Action on the Suppression of Human Trafficking, Smuggling, Labor, and Sexual Exploitation (2019–2023) during the reporting period.	2021
Social Programs	Publish the results of the 2019 nationwide child labor survey.	2020 – 2021
	Strengthen child protection services, gatekeeping mechanisms, and the alternative care system to reduce the number of children unnecessarily placed in residential care and ensure that Residential Care Facilities and orphanages protect the health and well-being of children living in them.	2019 – 2021
	Increase access to free basic education by eliminating unofficial school-related fees; 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; eliminating barriers to school for children with disabilities; and providing safe, sanitary schools with access to water and latrines.	2013 – 2021
	Establish a system to accurately capture and monitor the reintegration of victims of the worst forms of child labor, including human trafficking.	2019 – 2021
	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 – 2021
	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 – 2021

## REFERENCES

- Cambodian League for the Promotion and Defense of Human Rights (LICADHO). Built on Slavery: Debt Bondage and Child Labour in Cambodia's Brick Factories. Phnom Penh: December 2016. [https://www.licadho-cambodia.org/reports/files/221LICADHO\\_Built\\_On\\_Slavery\\_Report\\_ENG.pdf](https://www.licadho-cambodia.org/reports/files/221LICADHO_Built_On_Slavery_Report_ENG.pdf)
- U.S. Embassy- Phnom Penh. Reporting. February 8, 2022.
- U.S. Embassy- Phnom Penh. Reporting. February 26, 2021.
- U.S. Department of State. Trafficking in Persons Report- 2021: Cambodia. Washington, D.C., June 9, 2021. <https://www.state.gov/reports/2021-trafficking-in-persons-report/cambodia/>
- UNESCO Institute for Statistics. Gross intake ratio to the last grade of primary education, both sexes (%). Accessed March 3, 2022. For more information, please see "Children's Work and Education Statistics: Sources and Definitions" in the Reference Materials section of this report. <http://data.uis.unesco.org/>
- ILO. Analysis of Child Economic Activity and School Attendance Statistics from National Household or Child Labor Surveys. Original data from Socio-Economic Survey (CSES), 2017. Analysis received March 2022. Please see "Children's Work and Education Statistics: Sources and Definitions" in the Reference Materials section of this report.
- National Institute of Statistics of Cambodia and ILO. Cambodia Labour Force and Child Labour Survey 2012: Child Labour Report. Phnom Penh: November 2013. [http://www.ilo.org/wcmsp5/groups/public/---asia/---ro-bangkok/---sro-bangkok/documents/publication/wcms\\_230723.pdf](http://www.ilo.org/wcmsp5/groups/public/---asia/---ro-bangkok/---sro-bangkok/documents/publication/wcms_230723.pdf)
- Government of Cambodia. Policy and Strategic Framework on Childhood Development and Protection in the Agriculture Sector 2016–2020. August 2015. <http://extwprlegs1.fao.org/docs/pdf/cam165884.pdf>
- U.S. Embassy- Phnom Penh. Reporting. January 17, 2018.
- U.S. Embassy- Phnom Penh. Reporting. February 8, 2019.
- U.S. Embassy- Phnom Penh. Reporting. February 3, 2020.
- United Nations Office on Drugs and Crime. Trafficking in persons from Cambodia, Lao PDR and Myanmar to Thailand. August 2017. [https://www.unodc.org/documents/southeastasiaandpacific/Publications/2017/Trafficking\\_in\\_persons\\_to\\_Thailand\\_report.pdf](https://www.unodc.org/documents/southeastasiaandpacific/Publications/2017/Trafficking_in_persons_to_Thailand_report.pdf)
- U.S. Embassy- Phnom Penh. Reporting. January 30, 2020.
- U.S. Department of State. Trafficking in Persons Report- 2020: Cambodia. Washington, D.C., June 26, 2020. <https://www.state.gov/reports/2020-trafficking-in-persons-report/cambodia/>
- U.S. Embassy-Phnom Penh. Reporting. January 28, 2021.
- ILO Committee of Experts. Individual direct observation for the Worst Forms of Child Labour Convention, 1999 (No. 182) Cambodia (ratification: 2006). Published: 2018, Accessed: January 11, 2019. [https://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100\\_COMMENT\\_ID:3338306](https://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:3338306)
- UCW. The twin challenges of child labour and educational marginalisation in the South-East and East Asia region: An overview. May 2014. [http://www.ilo.org/ipecc/Informationresources/WCMS\\_IPEC\\_PUB\\_25520/lang-en/index.htm](http://www.ilo.org/ipecc/Informationresources/WCMS_IPEC_PUB_25520/lang-en/index.htm)
- Asia Beef Cattle Network. Cambodia beef cattle industry. December 2016. <http://www.asiabeefnetwork.net/wp-content/uploads/2016/12/151101-Myanmar-profile.pdf>
- National Institute of Statistics. Cambodian Socio-Economic Survey (CSEC). 2016. <https://www.nis.gov.kh/index.php/en/14-cses/12-cambodia-socio-economic-survey-reports>
- U.S. Embassy- Phnom Penh. Reporting. January 13, 2017.
- Human Rights Watch. Submission by Human Rights Watch to the Committee on the Rights of the Child Concerning Cambodia. 2019. [https://tbinternet.ohchr.org/\\_layouts/15/treatybodyexternal/Download.aspx?symbolno=INT/CRC/NGO/KHM/35821&Lang=en](https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=INT/CRC/NGO/KHM/35821&Lang=en)
- ILO Committee of Experts. Individual Direct Request for the Worst Forms of Child Labour Convention, 1999 (No. 182) Cambodia (ratification: 2006). Published: 2018, Accessed: January 11, 2019. [https://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100\\_COMMENT\\_ID:3338310](https://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:3338310)
- U.S. Embassy- Phnom Penh. Reporting. February 11, 2020.
- Southeary, Pech. Woman charged with abusing child beggars. Khmer Times, July 5, 2017. <https://www.khmertimeskh.com/news/40001/woman-charged-with-abusing-child-beggars/>
- United Nations – Human Rights Council. Sexual Exploitation of Children in Cambodia Submission – for the Universal Periodic Review of the human rights situation in Cambodia. July 9, 2018. Source on file.
- APLE Cambodia and ECPAT International. Supplementary report on: "Sexual Exploitation of Children in Cambodia" to combined fourth, fifth, and sixth periodic reports of Cambodia on the implementation of the Convention on the Rights of the Child, including the implementation of the Optional Protocol on the sale of children, child prostitution and child pornography. Bangkok, July 1, 2019. [https://tbinternet.ohchr.org/\\_layouts/15/treatybodyexternal/Download.aspx?symbolno=INT/CRC/NGO/KHM/35818&Lang=en](https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=INT/CRC/NGO/KHM/35818&Lang=en)

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

- 27 David, Sen. Child beggars repatriated from Vietnam. Khmer Times, June 16, 2017.  
<https://www.khmertimeskh.com/news/39393/child-beggars-repatriated-from-vietnam/>
- 28 Brickell, Katherine, et. al. Blood Bricks: Untold Stories of Modern Slavery and Climate Change from Cambodia. Royal Holloway, University of London, October 2018. Source on file.
- 29 Parsons, L. and Long Ly Vouch. A Survey of the Cambodian Brick Industry: Population, Geography, Practice. Phnom Penh: Building Workers Trade Union of Cambodia, 2020. Source on file.
- 30 U.S. Embassy- Phnom Penh. Reporting. March 4, 2019.
- 31 The ASEAN Post. Cambodia's farmers fight debt bondage. January 6, 2019. <https://theaseanpost.com/article/cambodias-farmers-fight-debt-bondage#:~:text=>
- 32 Royal Holloway. New report finds modern slavery, which is part of construction boom in Cambodia, is linked to climate change. October 16, 2018. Source on file.
- 33 Kijewski, Leonie. Cambodia Launches Campaign to End Child Labor in Brick Industry. Voice of America, September 7, 2019.  
<https://www.voanews.com/east-asia-pacific/cambodia-launches-campaign-end-child-labor-brick-industry#:~:text=>
- 34 Blomberg, Matt. Expose reveals child labor in Cambodian brick kilns despite. Phnom Penh: Thomas Reuters Foundation. February 12, 2020. <https://www.reuters.com/article/us-cambodia-construction-child-labour-idUSKBN20702Y>
- 35 U.S. Embassy- Phnom Penh official. E-mail communication with USDOL official. February 21, 2020.
- 36 U.S. Embassy- Phnom Penh official. E-mail communication with USDOL official. March 4, 2020.
- 37 Government of Cambodia. Report on Child Labor Prevention Campaign in Cambodian Brick Manufacturing Industry. 2019 Source on file.
- 38 U.S. Embassy- Phnom Penh official. E-mail correspondence with USDOL official. March 3, 2021.
- 39 Blomberg, Matt. Pandemic seen fuelling Cambodian 'bride trafficking' to China. Phnom Penh: Thomas Reuters Foundation, December 11, 2020. <https://www.reuters.com/article/cambodia-china-trafficking/pandemic-seen-fuelling-cambodian-bride-trafficking-to-china-idUSL8N2IQ2MF>
- 40 U.S. Department of State official. E-mail communication with USDOL official. June 17, 2022.
- 41 Blomberg, Matt. Cambodia feared lagging behind predators in cybersex trafficking crackdown. Reuters, September 10, 2019.  
<https://www.reuters.com/article/us-cambodia-sexcrimes-children/cambodia-feared-lagging-behind-predators-in-cybersex-trafficking-crackdown-idUSKCN1VW00B>
- 42 The ASEAN Post Team. Poverty And Violence In Cambodia. The ASEAN Post. October 29, 2020.  
<https://theaseanpost.com/article/poverty-and-violence-cambodia>
- 43 U.S. Embassy- Phnom Penh. Reporting. April 8, 2022.
- 44 Plan International. Joint statement: Children's rights and COVID-19 response in Cambodia. June 1, 2020.  
<https://plan-international.org/publications/joint-statement-childrens-rights-and-covid-19-response-cambodia>
- 45 Wongsamuth, Nanchanok and Blomberg, M. Coronavirus fuels cyber sex trafficking fears for children in Southeast Asia. Bangkok/Phnom Penh: Thomas Reuters Foundation, March 26, 2020.  
<https://www.reuters.com/article/health-coronavirus-trafficking-idUSL8N2BI0P9>
- 46 U.S. Department of State. Country Reports on Human Rights Practices- 2020: Cambodia. Washington, D.C., March 11, 2021.  
<https://www.state.gov/wp-content/uploads/2021/03/CAMBODIA-2020-HUMAN-RIGHTS-REPORT.pdf>
- 47 Government of Cambodia. The Law on Education. Enacted: November 21, 2007.  
<http://www.moeys.gov.kh/en/laws-and-legislations/law/ច្បាប់-ស្តីពី-ការអប់រំ>
- 48 United Nations United Nations Development Assistance Framework for Cambodia, 2019–2023. 2019. Source on file.
- 49 UNICEF. Why Are the Boys Leaving Lower Secondary School Early in Cambodia? August 2020. Source on file.
- 50 ILO Committee of Experts. Individual Direct Observation concerning the Minimum Age Convention, 1973 (No. 138) Cambodia (ratification: 1999). Published: 2018, Accessed: January 11, 2019.  
[https://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100\\_COMMENT\\_ID:3338313](https://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:3338313)
- 51 Government of Cambodia. Cambodian Labor Law. Enacted: March 13, 1997. Source on file.
- 52 UN in Cambodia. United Nations Development Assistance Framework: Cambodia 2019–2023. UN, 2020.  
<https://cambodia.un.org/en/38874-united-nations-development-assistance-framework-2019-2023>
- 53 Phnom Penh Post. CDPO announces plan to compile data on disabled. September 11, 2019.  
<https://www.phnompenhpost.com/national/cdpo-announces-plan-compile-data-disabled>
- 54 Government of Cambodia. Prakas on the Prohibition of Hazardous Child Labor, 106. Enacted: April 28, 2004. Source on file.
- 55 Government of Cambodia. Penal Code. Enacted: December 10, 2010. Source on file.
- 56 Government of Cambodia. Law on Suppression of Human Trafficking and Sexual Exploitation, NS/RKM/0208/005. Enacted: February 20, 2008. Source on file.
- 57 Government of Cambodia. Law on Juvenile Justice, NS/RKM/0716/009. Enacted: June 29, 2016. Source on file.
- 58 Government of Cambodia. Law on Control of Drugs. Enacted: December 9, 1996.  
[http://www.cambodiainvestment.gov.kh/wp-content/uploads/2012/03/Law-on-Drug-Management\\_full-text\\_961209.pdf](http://www.cambodiainvestment.gov.kh/wp-content/uploads/2012/03/Law-on-Drug-Management_full-text_961209.pdf)
- 59 Government of Cambodia. The Law on the General Statute of Military Personnel of the Royal Cambodian Armed Forces. Enacted: September 15, 1997.  
<https://www.ilo.org/dyn/natlex/docs/ELECTRONIC/93508/109344/F811412622/KHM93508 Eng.pdf>
- 60 Government of Cambodia. Labor Law Amendment. Promulgated October 2021. Source on file.
- 61 Government of Cambodia. MOLVT's Prakas on Working Conditions for House Workers. Enacted: May 29, 2018. Source on file.
- 62 U.S. Department of State official. E-mail communication with USDOL official. July 2, 2020.
- 63 U.S. Embassy- Phnom Penh official. E-mail correspondence with USDOL official. April 9, 2020.
- 64 U.S. Department of State. Country Reports on Human Rights Practice- 2018: Cambodia. Washington, D.C., 2019.  
<https://www.state.gov/reports/2018-country-reports-on-human-rights-practices/cambodia/>
- 65 U.S. Embassy- Phnom Penh official. E-mail communication to USDOL official. June 16, 2021.
- 66 Government of Cambodia. Prakas on Joint Inspections in the Manufacturing Sector. 2020. Source on file.
- 67 ILO. Cambodia, Labour Inspection Structure and Organization. Accessed: November 4, 2016.  
[http://www.ilo.org/labadmin/info/WCMS\\_209354/lang--en/index.htm](http://www.ilo.org/labadmin/info/WCMS_209354/lang--en/index.htm)
- 68 U.S. Department of State. Trafficking in Persons Report- 2019: Cambodia Washington, D.C., June 20, 2019.  
<https://www.state.gov/reports/2019-trafficking-in-persons-report/cambodia/>
- 69 U.S. Department of State official. E-mail communication with USDOL official. February 28, 2020.
- 70 U.S. Department of State official. E-mail communication with USDOL official. February 12, 2020.



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

- 71 Royal Holloway-University of London researcher. E-mail communication with USDOL official. May 20, 2020. Source on file.
- 72 U.S. Embassy- Phnom Penh official. E-mail communication with USDOL official. May 27, 2020. Source on file.
- 73 U.S. Department of State. Country Reports on Human Rights Practice- 2019: Cambodia. Washington, D.C., 2019. <https://www.state.gov/wp-content/uploads/2020/02/CAMBODIA-2019-HUMAN-RIGHTS-REPORT.pdf>
- 74 APLE. Impact Report 2017–2018. 2019. [https://issuu.com/seilarocky/docs/impact\\_report-final\\_web\\_version](https://issuu.com/seilarocky/docs/impact_report-final_web_version)
- 75 Koemsoeun, Soth. Online education stirs concerns over child sexual abuse Phnom Penh Post, July 16, 2020. <https://www.phnompenhpost.com/national/online-education-stirs-concerns-over-child-sexual-abuse>
- 76 U.S. Embassy- Phnom Penh official. E-mail communication with USDOL official. July 18, 2019.
- 77 UN Committee on the Rights of the Child. Combined fourth to sixth reports submitted by Cambodia under article 44 of the Convention, due in 2018. June 12, 2019: CRC/C/KHM/4-6 <https://undocs.org/CRC/C/KHM/4-6>
- 78 UNICEF. Official Launch of the National Action Plan to Prevent and Respond to Online Child Sexual Exploitation in Cambodia 2021-2025. July 14, 2021. <https://www.unicef.org/cambodia/press-releases/official-launch-national-action-plan-prevent-and-respond-online-child-sexual>
- 79 UN Committee on the Elimination of Discrimination against Women. Sixth periodic report submitted by Cambodia under article 18 of the Convention, due in 2017. June 12, 2018: CEDAW/C/KHM/6. Source on file.
- 80 Government of Cambodia. National Plan of Action of the National Committee for Counter Trafficking (2014–2018). February 6, 2015. <https://opendevelopmentcambodia.net/tag/national-committee-for-counter-trafficking-ncct/>
- 81 U.S. Embassy- Phnom Penh. Reporting. February 19, 2016.
- 82 Khmer Times. Anti-Trafficking in Persons project to combat human trafficking. August 28, 2021. <https://www.khmertimeskh.com/50924907/anti-trafficking-in-persons-project-to-combat-human-trafficking/>
- 83 IOM. Coordinated Mekong Ministerial Initiative against Trafficking (COMMIT). Accessed: March 25, 2020. <https://www.iom.int/coordinated-mekong-ministerial-initiative-against-trafficking-commit-process>
- 84 Government of Cambodia. Action Plan to Prevent and Respond to Violence Against Children. December 11, 2017. <https://www.end-violence.org/sites/default/files/paragraphs/download/EVAC 2017-2021.pdf>
- 85 Government of Cambodia. Action Plan for Gender Equality Promotion and Child Labor Elimination in the Fisheries Sector (2016–2020). Fisheries Administration, December 2015. Source on file.
- 86 UNICEF. Diversion\_ a juvenile justice success story. October 21, 2021. <https://www.unicef.org/cambodia/stories/diversion-juvenile-justice-success-story>
- 87 Government of Cambodia. Education Strategic Plan 2014–2018. Ministry of Education, Youth, and Sport, March 2014. <http://www.moeys.gov.kh/en/policies-and-strategies/559.html#WL69v9LyTQl>
- 88 Government of Cambodia. National Policy on Youth Development. Phnom Penh: Ministry of Education, Youth and Sports, June 24, 2011. [http://www.youthpolicy.org/national/Cambodia\\_2011\\_Policy\\_Youth\\_Development.pdf](http://www.youthpolicy.org/national/Cambodia_2011_Policy_Youth_Development.pdf)
- 89 Government of Cambodia. Safety Village Commune/Sangkat Policy Guideline. Phnom Penh: August 2010. Source on file.
- 90 Government of Cambodia, Ministry of Social Affairs, Veterans and Youth Rehabilitation. Policy on Protection of the Rights of Victims of Human Trafficking. Phnom Penh: 2009. Source on file.
- 91 Winrock International. Launch of USAID Cambodia Counter Trafficking in Persons (CTIP) Program. August 26, 2021. <https://winrock.org/launch-of-usaid-cambodia-counter-trafficking-in-persons-ctip-program/>
- 92 World Food Program Cambodia. WFP Cambodia Country Brief. October 2017. [https://documents.wfp.org/stellent/groups/public/documents/ep/wfp273243.pdf?\\_ga=2.265899270.822048756.1521136285-525172881.1521136285](https://documents.wfp.org/stellent/groups/public/documents/ep/wfp273243.pdf?_ga=2.265899270.822048756.1521136285-525172881.1521136285)
- 93 USAID. Education and Child Protection - Cambodia. Accessed: December 2020. <https://www.usaid.gov/cambodia/education>
- 94 U.S. Embassy-Phnom Penh official. E-mail communication with USDOL official. May 3, 2022.
- 95 Education Above All Foundation. EAA Project Aimed at Improving Access to Equitable and high-quality Education in Cambodia. November 23, 2020. <https://reliefweb.int/report/cambodia/support-education-above-all-foundation-s-project-aimed-improving-access-equitable>
- 96 Aide et Action. Cambodian Consortium of Out of School Children. Accessed: March 25, 2020. <https://aide-et-action.org/humanitarian-projects/cambodian-consortium-of-out-of-school-children/>
- 97 Educate a Child. Cambodia Consortium for Out of School Children - Phase II. Accessed: March 25, 2021. <https://educateachild.org/our-partners-projects/projects/cambodia-consortium-out-school-children-ccoosc---phase-ii>

In 2021, Cameroon made moderate advancement in efforts to eliminate the worst forms of child labor. The government launched the "Zero Children in Gold Mines" program to address child labor in the gold mining sector. The government also convened meetings at the level of the technical secretariat for the Inter-Ministerial Committee on Trafficking in Persons, where it adopted an Operational Action Plan to Combat Trafficking in Persons and Smuggling of Migrants. 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, and in the recruitment by non-state armed groups for use in conflict. Children also perform dangerous tasks in cocoa production and gold mining. In addition, the government has not addressed gaps in Cameroon's legal framework regarding the prohibition of use of children in illicit activities, including in the production and trafficking of drugs, and the prohibition of the recruitment of children under age 18 by non-state armed groups.



### 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, and in the recruitment by non-state armed groups for use in conflict. Children also perform dangerous tasks in cocoa production and gold mining. (1,2) 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, 2022. (3)

Source for all other data: International Labor Organization's analysis of statistics from Multiple Indicator Cluster Survey 5 (MICS 5), 2014. (4)

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

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

Sector/Industry	Activity
Agriculture	Production of bananas, kola nuts, cocoa, onions, coffee, and tea, including handling pesticides, using machetes, clearing fields, climbing trees, and lifting heavy loads† (2,5-7)
	Raising livestock (1,2)
	Fishing (1,2,8)
Industry	Working in artisanal gold mines† and gravel quarries,† transporting heavy loads of sand or gravel, breaking stones, handling mercury, and digging or standing in stagnant water to extract minerals (1,2,9-11)
	Construction, including carrying water, concrete, and cement blocks (2,7)
Services	Domestic work (1,2,12)
	Working in restaurants and as phone booth operators (2)
	Working in transportation as assistants to bus drivers (1,8,13)
	Street work, including vending and begging (1,2)

# Cameroon

## MODERATE ADVANCEMENT

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

Sector/Industry	Activity
Categorical Worst Forms of Child Labor†	Commercial sexual exploitation, sometimes as a result of human trafficking (1,2,14,15)
	Recruitment of children by non-state armed groups for use in armed conflict, including suicide bombing, fighting, gathering intelligence, providing operational support as porters and cooks, and sexual slavery (1,2,14-16)
	Forced labor in agriculture in the production of cocoa, cotton, onions, and tea; fishing; livestock raising; domestic work; spare parts shops; artisanal gold mines and gravel quarries; street vending; and construction (1,6-8,13,17)
	Forced begging (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.

Cameroon is a source, transit, and destination country for child trafficking from neighboring countries in Central and West Africa, and child trafficking also occurs within Cameroon. (1,15) Children are trafficked for commercial sexual exploitation, domestic work, and forced labor in mining and agriculture. (1,15) Parents often entrust children to intermediaries who promise to take them to urban centers for education or improved living conditions, and these children are often subject to exploitation. (1) In the artisanal mining sector in eastern Cameroon, children are subject to hazardous conditions, including frequent collapses of open pit mines and use of dangerous chemicals including mercury. The Government of Cameroon banned the presence of children at mining sites in August 2021, but research indicates that child labor continues to be widespread in the sector. (2,9,10,18,19)

Several crises within Cameroon and in neighboring countries have heightened children's vulnerability. (20) The crisis in the Northwest and Southwest regions began in 2016 as mass protests by lawyers and teachers, and it has since evolved into an armed separatist movement exacerbated by criminal opportunists taking advantage of the general insecurity in the two regions. Violence continued to escalate in the second half of 2021, and to date, the crisis has claimed an estimated 4,000 civilian lives and internally displaced approximately 573,000 people. (16,21,22) Nearly 2.2 million people are in need of humanitarian assistance due to the crisis in the Northwest and Southwest regions, including more than 1.2 million school-age children. Disruptions to family livelihoods as a result of the crisis place children at greater risk of human trafficking and child labor. (16) In Cameroon's Far North Region, the non-state armed group Boko Haram continued its insurgency, launching multiple attacks on civilians during the reporting period. Although the death of Boko Haram leader Abdubakar Shekau in May significantly diminished the capacity of the terrorist group to carry out attacks on civilians in the second half of the year, the Boko Haram insurgency remains a major humanitarian crisis, and more than 350,000 people have been internally displaced. (22,23) Cameroon also hosts nearly half a million refugees, primarily from the Central African Republic and Nigeria. Between refugees, asylum seekers, and IDPs, Cameroon, which has a population of 29.3 million people, is home to nearly 2 million displaced people. (22,24)

Children in Cameroon are subject to recruitment and use in non-state armed groups. (2) In 2021, in the Far North Region, Boko Haram and ISIS-West Africa recruited children to act as soldiers and suicide bombers. They also forcibly recruited children to act as porters, scouts, and cooks. (2) English-speaking separatist groups in the Northwest and Southwest regions have recruited and used children as fighters. (16) Anecdotal evidence suggests that some community neighborhood watch groups in the Far North Region, known as Vigilance Committees, may have incorporated children into their ranks. Vigilance Committees carry out reconnaissance operations against Boko Haram and ISIS-West Africa, and some vigilance committees receive non-lethal material support from the government. (1,2,15)

Ongoing violence in Cameroon and the surrounding regions has significantly disrupted children's schooling, making both Cameroonian and refugee children vulnerable to exploitation. Since 2016, armed separatist groups have violently enforced school boycotts, leading to long-term disruptions of education for children in the Northwest and Southwest regions. (16) Separatists frequently attacked and kidnapped students and teachers who attended classes, often releasing them only after collecting ransom. In 2021, approximately 700,000 children




were not in school due to these boycotts, making them more vulnerable to child labor. (2,13,16) In addition, armed separatists have occupied and used schools as camps and bases for their operations. (16) Although the "Interim Government of Ambazonia," one of the largest separatist groups in Cameroon, allowed hundreds of schools to open for the first time in 5 years in August 2021, by November, the same organization announced a renewed school boycott. (16,25) In the Far North Region, terrorist activity by Boko Haram and ISIS-West Africa has also disrupted children's schooling. (2,20)

The government requires children to have identification documents, including birth certificates, to fully access education. Those without birth certificates often face difficulties registering for end-of-course examinations to enter secondary school. (2) Many public officials in the Northwest and Southwest regions have fled since the beginning of the crisis in those regions, reducing access to birth registration services. In addition, many internally displaced children lost their birth certificates as they fled the violence due to the Anglophone crisis and have been unable to participate in end-of-course examinations. (2) In September 2021, certain schools in the West Region refused to admit 700 internally displaced children into school due to their lack of documentation. (2) The law guarantees free education up to the age of 12, but in practice, additional school fees are often charged and families must pay the cost of books and uniforms, which is a significant barrier for many families. In the Far North region, for example, 61 percent of teachers are paid by parents. (2,26,27) In addition, at the secondary school level, students are responsible for the cost of tuition, additional fees, books, and uniforms, rendering secondary education unaffordable for many families. (27) Further barriers to education include inadequate school facility infrastructure, including toilets and sanitation facilities, and an insufficient number of teachers. (2,28)

## 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	✓

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 lack of prohibition of 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 2 of Order N° 17 on Child Labor; Section 86 of the Labor Code (29,30)
Minimum Age for Hazardous Work	Yes	18	Articles 9–23 of Order N° 017 on Child Labor; Section 86 of the Labor Code (29,30)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Articles 9–23 of Order N° 017 on Child Labor (30)



# Cameroon

## MODERATE ADVANCEMENT

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

Standard	Meets International Standards	Age	Legislation
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; Section 2 of the Labor Code (29,31,32)
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 (31,32)
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 (31,33)
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 (34,35)
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 (34,35)
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 (36,37)
Free Public Education	No		Article 46-2 and Articles 47–48 of the Decree on the Organization of Public Schools (38)

\* Country has no conscription (39)

‡ Age calculated based on available information (27)

Children in Cameroon are required to attend only 6 years of primary school, which typically concludes at age 12. This standard makes children ages 13 through 14 vulnerable to child labor because they are not required to attend school but are not legally permitted to work. (36,37) In addition, the Decree on the Organization of Public Schools provides for free schooling only through primary school, but basic education is a total of 9 years and includes three years of lower secondary school. The failure to provide for complete free basic education may increase the risk of children's involvement in the worst forms of child labor. (38) Human trafficking provisions do not meet international standards because 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 for the purposes for trafficking in persons provisions. (31,32) In addition, the types of hazardous work prohibited for children under age 18 are not comprehensive, because work at dangerous heights and underwater is not prohibited. (30,40)

### 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.

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

Organization/Agency	Role
Ministry of Labor and Social Security (MINLSS)	Enforces labor laws, including those related to child labor; promotes decent working conditions, and leads the National Committee to Combat Child Labor (CNLCTE). (41)
Ministry of Justice (MOJ)	Prosecutes cases referred by the General Delegate for National Security or the Ministry of Defense's National Gendarmerie (SED), and contributes to investigations, as appropriate. (2,41)

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

Organization/Agency	Role
General Delegate for National Security	Operates as the national police service of Cameroon. Enforces laws against the worst forms of child labor and investigates violations in urban areas. (2,41) Through its Special Vice Squad, investigates cases of human trafficking, commercial sexual exploitation, and other forms of abuse against women and children. Refers cases to MOJ or the Ministry of Defense for investigation by SED. (2,41) In the reporting period, coordinated with NGOs and a partner government to conduct trainings for law enforcement on identifying and assisting human trafficking victims. (1)
SED	Investigates cases of child trafficking and commercial sexual exploitation in both urban and rural areas before referring cases to MOJ for prosecution. (2,41) Operates a reporting hotline for human trafficking cases. (2,41,42)

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. (43,44)

### **Labor Law Enforcement**

In 2021, labor law enforcement agencies in Cameroon took actions to address child labor (Table 6). However, gaps exist within the operations of the Ministry of Labor and Social Security that may hinder adequate labor law enforcement, including insufficient financial resource allocation.

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

Overview of Labor Law Enforcement	2020	2021
Labor Inspectorate Funding	Unknown (13)	\$1,840,000 (2)
Number of Labor Inspectors	300 (13)	223 (2)
Mechanism to Assess Civil Penalties	Yes (29)	Yes (29)
Initial Training for New Labor Inspectors	Yes (13)	Yes (2)
Training on New Laws Related to Child Labor	N/A (13)	N/A (2)
Refresher Courses Provided	Unknown (13)	Yes (2)
Number of Labor Inspections Conducted	3,591 (13)	5,348 (2)
Number Conducted at Worksite	3,591 (13)	Unknown (2)
Number of Child Labor Violations Found	Unknown (13)	0 (2)
Number of Child Labor Violations for Which Penalties Were Imposed	Unknown (13)	0 (2)
Number of Child Labor Penalties Imposed that Were Collected	Unknown (13)	0 (2)
Routine Inspections Conducted	Yes (13)	Yes (2)
Routine Inspections Targeted	Yes (13)	Yes (2)
Unannounced Inspections Permitted	Yes (29)	Yes (29)
Unannounced Inspections Conducted	Yes (13)	Yes (2)
Complaint Mechanism Exists	Yes (13)	No (2)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (13)	Yes (2)

In January 2021, inspectors from the East Region Delegate of Social Affairs found that 605 children were subjected to child labor in 29 mining sites in the region. (2) The number of labor inspectors is likely insufficient for the size of Cameroon's workforce, which includes approximately 12 million workers. According to the ILO's technical advice of a ratio approaching 1 inspector for every 15,000 workers in developing economies, Cameroon would need to employ about 797 labor inspectors, but it currently employs only 223. (2,45-47) Labor inspectors are not empowered to conduct inspections in the informal sector, in which the majority of child labor occurs. (2,48) The labor inspectorate lacked sufficient resources, including transportation, to carry out its mission. (2) In Cameroon's largest city, Douala, there were only 15 inspectors, which trade union leaders described as "totally inadequate" to inspect the thousands of workplaces in the city. (2,41) Government officials and NGOs in the East Region indicated that labor inspections rarely took place, especially at rural mining sites. (2)

# Cameroon

## MODERATE ADVANCEMENT

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, the Ministry of Labor and Social Security, the State Defense Secretariat, and the Ministry of Justice. (2)

### **Criminal Law Enforcement**

In 2021, criminal law enforcement agencies in Cameroon took actions to address child labor (Table 7). However, gaps exist within the operations of enforcement agencies that may hinder adequate criminal law enforcement, including insufficient allocation of financial resources.

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

Overview of Criminal Law Enforcement	2020	2021
Initial Training for New Criminal Investigators	Yes (13)	Yes (2)
Training on New Laws Related to the Worst Forms of Child Labor	N/A (13)	N/A (2)
Refresher Courses Provided	Yes (13)	Yes (2)
Number of Investigations	Unknown (13)	0 (22)
Number of Violations Found	Unknown (13)	0 (22)
Number of Prosecutions Initiated	Unknown (13)	0 (22)
Number of Convictions	Unknown (13)	0 (22)
Imposed Penalties for Violations Related to the Worst Forms of Child Labor	Unknown (13)	No (22)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (13)	Yes (2)

The General Delegate for National Security reported that in 2021, 154 police officers received training on portions of the Penal Code related to trafficking in persons as part of a 12-month refresher course. (15) In addition, the National Gendarmerie introduced a module on organized crime, including trafficking of persons, including children, into the training curriculum for the Judicial Police Officers. (15) Law enforcement officers, however, did not receive training specifically addressing child labor, and criminal law enforcement agencies do not receive adequate funding to investigate the worst forms of child labor. (2,5,13,43) In 2013, the Ministry of Social Affairs and the IOM developed the National Referral System and Standard Operating Procedures to coordinate the identification and assistance of human trafficking victims, including children found to be in the worst forms of child labor. Research shows no evidence of relevant stakeholders using this system during the reporting period. (2)

Research did not uncover information about any individuals involved in ongoing prosecutions that began in previous reporting periods. (2) While the government of Cameroon did not compile comprehensive statistics on trafficking prosecutions, conservative estimates from the Inter-Ministerial Committee on Trafficking in Persons indicate that authorities investigated 93 cases of trafficking in persons; these estimates did not disaggregate the number of individuals involved in each case or the number of children subject to trafficking in persons. (41) During the reporting period, despite credible evidence that children were involved in the worst forms of child labor, there were no reported investigations of forced child labor or commercial sexual exploitation of children. (2)

During the reporting period, Cameroonian Police in the capital city of Yaoundé arrested members of a human trafficking network that bought and sold newborn babies. The trafficking network operations are believed to expand beyond Cameroon and include Gabon, Equatorial Guinea, and Chad. (49) In addition, in February, the gendarmerie in Limbé region, in the Southwest, arrested 7 suspects who were accused of subjecting 29 children between the ages of 7 and 14 to domestic servitude. The suspects were charged under Cameroon's child trafficking laws. (1) Due to concerns about child trafficking, border police work to ensure that children have parental authorization when crossing a border without a parent. (15) 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. (2,44,50,51)

#### 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 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	Coordinates government efforts to address child labor. Led by MINLSS, and includes representatives from other ministries and government bodies as well as representatives from civil society. (52) In 2021, CNLCTE undertook activities to operationalize the National Action Plan for the Elimination of the Worst Forms of Child Labor in Cameroon, 2018–2025. (22)
Inter-Ministerial Committee on Trafficking in Persons	Coordinates government efforts to address human trafficking. Chaired by the Secretary General of the Office of the Prime Minister, and includes members of government ministries, law enforcement personnel, civil society organizations, and NGOs. (1,8,53) In 2021, the Government of Cameroon created the technical secretariat for the Inter-Ministerial Committee on Trafficking in Persons. The committee held two formal sessions to discuss anti-trafficking efforts, and it established four new committees in the East Region to address trafficking in persons. (2,15) In addition, members of the committee took a virtual training course on trafficking in persons and child exploitation. (22)
Ministry of Social Affairs (MINAS)	Coordinates efforts to address human trafficking. Coordinates the National Referral System and Standard Operating Procedures, a set of formal written procedures meant to guide officials across the government in the proactive identification of victims of human trafficking, including trafficked children. (8) Admits children subject to abuse, including child trafficking survivors, into government-run institutions that provide shelter, food, medical care, education, vocational training, and family tracing. Conducts public awareness campaigns on human trafficking. (1,15) In 2021, MINAS earmarked \$82,000 (49 million CFA) to improve child protection. Its Child Protection Focal Team held a 3-day workshop for officials on child protection issues. (22) In collaboration with the Ministries of Basic Education and Secondary Education, it also launched a campaign, "We Ring the Bell," aimed to promote educational access for children with disabilities. (2) In addition, MINAS launched a new shelter for returning migrants, including human trafficking survivors, which includes dormitory space for up to 21 women and children. (15) Finally, it provided support, including school placement assistance and food, to 39,518 children from internally displaced families. (15)

A lack of resources, the impact of the COVID-19 pandemic, and socio-political unrest and insecurity in the Far North, Northwest, and Southwest regions continued to hamper coordination efforts to address trafficking in persons and the worst forms of child labor. (2,15) Research indicates that the National Committee to Combat Child Labor has not made significant progress because of a lack of dedicated 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. (13) Various agencies and branch offices responsible for investigating and prosecuting cases of trafficking in persons did not provide full reports to the Inter-Ministerial Committee on Trafficking in Persons. (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 the lack of a policy specifically dedicated to addressing child labor.

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

Policy	Description
NDS30 National Development Strategy (2020–2030)	Incorporates the reduction of poverty, improved access to basic services, and the elimination of child labor into the national development strategy. The strategy specifically calls for improved legal frameworks to address the worst forms of child labor; universal primary education enrollment and completion, and eventually, free education through 10 years of schooling. (54) Research was unable to determine whether activities were undertaken to implement NDS30 National Development Strategy (2020–2030) during the reporting period.
Operational Action Plan to Combat Trafficking in Persons and Smuggling of Migrants (2021–2023)†	Focuses on addressing trafficking in persons, including child trafficking. Objectives include raising awareness, improving the provision of services to human trafficking survivors, increasing prosecution of traffickers, enhancing data collection, and coordinating execution of anti-trafficking efforts. (55) Includes the goals of identifying and suppressing forced child labor and the commercial sexual exploitation of children. (55) During the reporting period, the plan was extended by two more years, through to the end of 2023. (15) The government also conducted several awareness-raising campaigns and provided funding to several agencies to carry out anti-trafficking activities. In addition, the government began work, in cooperation with the UNODC and the IOM, to revise its 2011 anti-trafficking law. (15)

† Policy was approved during the reporting period.



# Cameroon

## MODERATE ADVANCEMENT

In 2018, the Government of Cameroon drafted a National Action Plan for the Elimination of the Worst Forms of Child Labor in Cameroon, 2018–2025. Although the government has yet to formally adopt this plan, in 2021, various government ministries began to deliberate and allocate funding to implement the plan's activities. (22,48,56) Cameroon is a member of 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. (13,57)

## VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2021, 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 inadequacy 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 at the Betamba Childhood Institute. (2,5,43,58) In the reporting year, at least 51 street children received services through this program. (2)
Support Project in Quality Management for Cocoa and Coffee Production/Forever Chocolate (2019–2025)†	Promotes labor standards in the cocoa industry, including the elimination of child labor. (7) Implemented by NGO association <i>Enfant Jeunesse Avenir</i> , in partnership with Cameroon's largest cocoa processor, Cameroon Cacao Industrial Corporation. Key stakeholders of the project include government ministries such as the Ministry of Health, MINAS, the Ministry of Women Empowerment and the Family, MINLSS, and the Ministry of Basic Education. (7) 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 that is free of child labor and utilizes environmentally friendly techniques. (7) The project provides services to children at risk of child labor, including school fee exemptions, school kits, and health services. The project also seeks to empower women and provide families with alternative sources of income to limit the involvement of children in child labor. (2) In addition, the project includes monitoring and remediation systems aimed at ensuring the traceability of cocoa supply chains and eliminating child labor. (2) The project continued in 2021. (2)
Support Program for the Reform of Education in Cameroon (2018–2026)†	\$130 million project implemented by the Ministry of Basic Education with lending from the World Bank. Promotes access to basic education, especially in disadvantaged areas. (59) At the beginning of the 2021–2022 school year, the government began providing \$1,600 (800,000 CFA) donations to 1,000 schools in the East Region, Adamawa Region, North Region, and Far North Region. (2) In addition, the project provided 2.5 million school textbooks to 13,000 primary schools, reducing schooling costs for parents with the aim of decreasing school dropout rates. (2)
Zero Children in Gold Mines† *	Project implemented by the state-owned National Mining Corporation, SONAMINES, to eliminate child labor in gold mining in the East Region, where there are more than 300 gold mining sites. During the reporting period, the project distributed money and educational materials to children, and promised to financially support the education of former child laborers who left the mines and returned to school. (2,15)
United States Government Programs (non-DOL)	\$27 million U.S. Department of Agriculture-funded McGovern-Dole International Food for Education and Child Nutrition Program, implemented by Nascent Solutions in cooperation with the Ministry of Basic Education, which improves literacy and nutrition in primary schools. During the reporting period, in collaboration with the Ministry of Basic Education, the program equipped 148 school libraries, distributed 100,000 books in the Adamawa, East, and North Regions, and provided 48,000 books to 58 schools in the Northwest Region through mobile libraries. (2,5) To encourage school attendance, the program also provided 2,209 metric tons of food for more than 170,000 students, and distributed "take home rations" to students in their final 2 years of primary school who attended school regularly. (2)

\* Program was launched during the reporting period.

† Program is funded by the Government of Cameroon.

‡ The government had other social programs that may have included the goal of eliminating or preventing child labor. (2)

Although the government has implemented programs to improve education access and address child labor in mining, street work, and cocoa production, research suggests that the scope of current programs is insufficient to address the extent of the problem due to limited resources and insufficient geographic coverage. (2)

Government-run centers can temporarily house survivors of human trafficking and the worst forms of child labor, but space is limited. (53,61) NGOs also provide shelter and assistance to survivors of child trafficking and labor exploitation. (13) These include the Network for Human Rights Defenders in Central Africa, which

provides housing and temporary assistance; the Kumba-based Survival Network, which provides shelter and scholarships to two survivors; and the Justice and Peace Commission of the Bamenda Catholic archdiocese in the Northwest Region, which assists IDPs. However, these organizations did not share an exact number of participants. (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 Cameroon (Table 11).

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

Area	Suggested Action	Year(s) Suggested
Legal Framework	Establish a minimum age for compulsory education that is consistent with the minimum age for admission to work.	2009 – 2021
	Criminally prohibit the use of children for illicit activities, including in the production and trafficking of drugs.	2014 – 2021
	Establish, by law, free basic public education.	2019 – 2021
	Ensure that the law criminally prohibits the recruitment of children under age 18 by non-state armed groups.	2016 – 2021
	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 – 2021
	Ensure that the hazardous occupations and activities prohibited for children are comprehensive and include work at dangerous heights and underwater.	2014 – 2021
Enforcement	Establish a mechanism for the Ministry of Labor and Social Security to receive child labor complaints.	2021
	Collect and publish statistics on the number of labor inspections conducted at worksites.	2021
	Increase the number of labor inspectors to meet the ILO's technical advice.	2009 – 2021
	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 – 2021
	Strengthen the labor inspectorate by conducting inspections in all sectors, including the mining sector and the informal sector.	2013 – 2021
	Collect and publish comprehensive statistics on enforcement efforts, including the number of criminal labor law violations found, the number of investigations, the number of prosecutions, and the number of convictions.	2009 – 2021
	Ensure that the National Referral System and Standard Operating Procedures work effectively to coordinate the identification and assistance of human trafficking victims.	2021
	Ensure that criminal offenses related to the worst forms of child labor are investigated and prosecuted.	2021
Coordination	Ensure that existing coordinating bodies are active and receive sufficient resources to carry out their stated mandates.	2014 – 2021
	Ensure that relevant agencies share criminal law enforcement data with the Inter-Ministerial Committee on Trafficking in Persons.	2021
Government Policies	Adopt a policy that addresses all relevant worst forms of child labor.	2021
	Ensure that activities are undertaken to implement NDS30 National Development Strategy (2020–2030) and publish results from activities implemented during the reporting period.	2020 – 2021
Social Programs	Ensure that internally displaced and refugee children have access to education, and ensure that schools remain free from violence and are not re-appropriated for other purposes.	2018 – 2021
	Make additional efforts to provide all children with birth documentation.	2020 – 2021
	Ensure that children are able to access education by eliminating or defraying the cost of school fees, books, and uniforms.	2009 – 2021
	Ensure that the number of schools, teachers, potable water sources, and sanitation facilities are adequate throughout the country.	2009 – 2021
	Expand existing programs to address the scope of the child labor problem in Cameroon.	2009 – 2021
	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 – 2021

### REFERENCES

- 1 U.S. Department of State. Trafficking in Persons Report- 2021: Cameroon. Washington, D.C., July 1, 2021. <https://www.state.gov/reports/2021-trafficking-in-persons-report/cameroon/>
- 2 U.S. Embassy- Yaoundé. Reporting. January 31, 2022.
- 3 UNESCO Institute for Statistics. Gross intake ratio to the last grade of primary education, both sexes (%). Accessed March 3, 2022. For more information, please see "Children's Work and Education Statistics: Sources and Definitions" in the Reference Materials section of this report. <http://data.uis.unesco.org/>.
- 4 ILO. Analysis of Child Economic Activity and School Attendance Statistics from National Household or Child Labor Surveys. Original data from Multiple Indicator Cluster Survey 5 (MICS 5), 2014. Analysis received March 2022. Please see "Children's Work and Education Statistics: Sources and Definitions" in the Reference Materials section of this report.
- 5 U.S. Embassy- Yaoundé. Reporting. January 10, 2019.
- 6 U.S. Embassy- Yaoundé. Reporting. March 13, 2019.
- 7 U.S. Embassy- Yaoundé. Reporting. January 15, 2020.
- 8 U.S. Embassy- Yaoundé. Reporting. February 12, 2021.
- 9 France24. In Cameroon, child gold miners sacrifice education for survival. Washington, D.C., December 7, 2020. <https://www.france24.com/en/tv-shows/focus/20201207-in-cameroon-child-gold-miners-sacrifice-education-for-survival>
- 10 France24. In pictures: Children working in Cameroon gold mines despite ban. October 13, 2021. <https://observers.france24.com/en/africa/20211013-child-labour-cameroon-gold-mines>
- 11 INTERPOL. Project ENACT Strategic Assessment: Illegal Gold Mining in Central Africa. May 2021. [https://www.interpol.int/content/download/16493/file/2021\\_07\\_27\\_ENGLISH\\_PUBLIC\\_VERSION\\_FINAL\\_Illegal gold mining in Central Africa.pdf](https://www.interpol.int/content/download/16493/file/2021_07_27_ENGLISH_PUBLIC_VERSION_FINAL_Illegal%20gold%20mining%20in%20Central%20Africa.pdf)
- 12 ILO Committee of Experts. Direct Request concerning Worst Forms of Child Labour Convention, 1999 (No 182) Cameroon (ratification: 2002). Published: 2022. [https://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100\\_COMMENT\\_ID:4117307:YES](https://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:4117307:YES)
- 13 U.S. Embassy- Yaoundé. Reporting. January 15, 2021.
- 14 UN Security Council. Report of the Secretary-General on Children and armed conflict. May 6, 2021. <https://reliefweb.int/sites/reliefweb.int/files/resources/N2111309.pdf>
- 15 U.S. Embassy- Yaoundé. Reporting. February 11, 2022.
- 16 Human Rights Watch. "They are Destroying our Future": Armed Separatist Attacks on Students, Teachers, and Schools in Cameroon's Anglophone Regions. Washington, D.C. December 16, 2021. <https://www.hrw.org/report/2021/12/16/they-are-destroying-our-future/armed-separatist-attacks-students-teachers-and>
- 17 UN Committee on the Rights of the Child. Concluding observations on the combined third to fifth periodic reports of Cameroon. July 6, 2017: CRC/C/CMR/CO/3-5. <http://docstore.ohchr.org/SelfServices/FilesHandler.ashx?enc=6QkGIdPPRICAqhKb7yhsGv0eNCYtyyNQsBlq2fFI+BLDR+tER74itJ0ekjDjz4wbl4fgfYv642MhmsNay7kgdHmU0BVfjhTNRQG79Bfnc8Lx9UXstSXlc94LO60XZTy>
- 18 Cornet, Wassim et al. In Cameroon, child gold miners sacrifice education for survival. Paris: France 24. July 12, 2020. <https://www.france24.com/en/tv-shows/focus/20201207-in-cameroon-child-gold-miners-sacrifice-education-for-survival>
- 19 Matock, Junior. Exploitations minières : accès interdit aux enfants!. Cameroon Tribune. September 6, 2021. [https://www.cameroon-tribune.cm/article.html/42178/fr.html/exploitations-minières-acces-interdit-aux-enfants-#:~:text=Le ministre des Mines, de mineurs dans les sites miniers.&text=A la suite du Minmid, ce département ministériel, le Dr.](https://www.cameroon-tribune.cm/article.html/42178/fr.html/exploitations-mini%C3%A8res-%C3%A9cc%C3%A8s-interdit-aux-enfants-#:~:text=Le%20minist%C3%A8re%20des%20Mines%2C%20de%20mineurs%20dans%20les%20sites%20miniers.&text=A%20la%20suite%20du%20Minist%C3%A8re%20de%20l'Int%C3%A9rieur%2C%20le%20Dr%20)
- 20 UN Office for the Coordination of Humanitarian Affairs. Cameroon Humanitarian Dashboard, January to June 2021. August 9, 2021. [https://reliefweb.int/sites/reliefweb.int/files/resources/cmr\\_humanitarian\\_dashboard\\_q2\\_jan\\_june\\_2021.pdf](https://reliefweb.int/sites/reliefweb.int/files/resources/cmr_humanitarian_dashboard_q2_jan_june_2021.pdf)
- 21 Alphonse, Tebeck. Cameroon faces rise in kidnapping cases. RFI, October 1, 2019. <https://www.rfi.fr/en/20190917-international-report-cameroon-kidnapping>
- 22 U.S. Embassy- Yaoundé. E-mail communication with USDOL official. May 2, 2022.
- 23 Human Rights Watch. Cameroon: Boko Haram Attacks Escalate in Far North. Nairobi. April 5, 2021. <https://www.hrw.org/news/2021/04/05/cameroon-boko-haram-attacks-escalate-far-north>
- 24 Kindzeka, Moki. UN Agency Says Cameroon Home to Half a Million Refugees. Voice of America, June 20, 2021. [https://www.voanews.com/a/africa\\_un-agency-says-cameroon-home-half-million-refugees/6207252.html](https://www.voanews.com/a/africa_un-agency-says-cameroon-home-half-million-refugees/6207252.html)
- 25 Kindzeka, Moki. Cameroon Separatists Allow Schools to Reopen After 3 to 5 Years. Voice of America, September 6, 2021. [https://www.voanews.com/a/africa\\_cameroon-separatists-allow-schools-reopen-after-3-5-years/6219294.html#:~:text=Cameroon Separatists Allow Schools to Reopen After 3 to 5 Years,-September 06, 2021&text=The school year in Cameroon,in three to five years.](https://www.voanews.com/a/africa_cameroon-separatists-allow-schools-reopen-after-3-5-years/6219294.html#:~:text=Cameroon%20Separatists%20Allow%20Schools%20to%20Reopen%20After%203%20to%205%20Years%2C%20September%2006%2C%202021&text=The%20school%20year%20in%20Cameroon%2C%20in%20three%20to%20five%20years.)
- 26 ILO Committee of Experts. Direct Request concerning Worst Forms of Child Labour Convention, 1999 (No 182) Cameroon (ratification: 2002). Published: 2018. [https://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100\\_COMMENT\\_ID:3335475:YES](https://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:3335475:YES)
- 27 U.S. Department of State. Country Reports on Human Rights Practices- 2020: Cameroon. Washington, DC, March 30, 2021. <https://www.state.gov/reports/2020-country-reports-on-human-rights-practices/cameroon/>
- 28 Kindzeka, Moki. Cameroon Activists March for Toilets, Improved Sanitation. VOA, November 20, 2020. [https://www.voanews.com/a/africa\\_cameroon-activists-march-toilets-improved-sanitation/6198606.html](https://www.voanews.com/a/africa_cameroon-activists-march-toilets-improved-sanitation/6198606.html)
- 29 Government of Cameroon. Labour Code Law N° 92/007 of 14 August 1992. Enacted: August 14, 1992. <http://www.ilo.org/dyn/natlex/docs/WBTEXT/31629/64867/E92CMR01.htm>
- 30 Government of Cameroon. Arrêté N° 17 du 27 mai 1969 relatif au travail des enfants. Enacted: May 27, 1969. <http://www.ilo.org/dyn/natlex/docs/SERIAL/17964/15795/F1498839332/CMR-17964.pdf>
- 31 Government of Cameroon. Law N° 2016/007 of 12 July 2016 Relating to the Penal Code. Enacted: July 12, 2016. <http://www.wipo.int/edocs/lexdocs/laws/en/cm/cm014en.pdf>
- 32 Government of Cameroon. Law N° 2011/024 of 14 December 2011 Relating to the Fight Against Trafficking in Persons and Slavery. Enacted: December 14, 2011. <http://www.justiceandpeacebamenda.org/attachments/article/24/THE+LAW+AGAINST+TRAFFICKING+IN+PERSONS+AND+SLAVERY.pdf>
- 33 Government of Cameroon. LOI N°2010/012 DU 21 DECEMBRE 2010 RELATIVE A LA CYBERSECURITE ET LA CYBERCRIMINALITE AU CAMEROUN. Enacted: December 21, 2010. Source on File.
- 34 Government of Cameroon. Décret N° 2001/190 du 25 juillet 2001 portant Statut particulier des personnels militaires non Officiers des Forces de Défense. Enacted: July 25, 2001. Source on file.

- 35 Government of Cameroon. Décret N° 2001/187 du 25 Juillet 2001 fixant les conditions de recrutement et d'admission dans les Ecoles Militaires de Formation des Officiers. Enacted: July 25, 2001. Source on file.
- 36 Government of Cameroon. Law N° 96-06 of 18 January 1996 to amend the Constitution of 2 June 1972. Enacted: January 18, 1996. [http://www.icla.up.ac.za/images/constitutions/cameroon\\_constitution.pdf](http://www.icla.up.ac.za/images/constitutions/cameroon_constitution.pdf)
- 37 Government of Cameroon. LOI N°98/004 DU 4 AVRIL 1998 D'ORIENTATION DE L'EDUCATION AU CAMEROUN. Enacted: April 14, 1998. <http://www.unesco.org/education/edurights/media/docs/3fbc027088867a9096e8c86f0169d457b2ca7779.pdf>
- 38 Government of Cameroon. Décret N° 2001/041 portant organisation des établissements scolaires publics et attributions des responsables de l'administration scolaire. Enacted: 2001. Source on file.
- 39 Government of Cameroon. Ratification with Declaration on the Optional Protocol to the Convention on the Rights of the Child on the Involvement of Children in Armed Conflict on March 4, 2013. Enacted: 2013. [https://treaties.un.org/pages/ViewDetails.aspx?src=TREATY&mtmsg\\_no=IV-11-b&chapter=4&clang=\\_en](https://treaties.un.org/pages/ViewDetails.aspx?src=TREATY&mtmsg_no=IV-11-b&chapter=4&clang=_en)
- 40 ILO Committee of Experts. Individual Observation concerning Worst Forms of Child Labour Convention, 1999 (No. 182) Cameroon (ratification: 2002). Published: 2018. [https://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100\\_COMMENT\\_ID:3335471:YES](https://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:3335471:YES)
- 41 U.S. Embassy- Yaoundé official. E-mail Communication with USDOL official. February 24, 2022.
- 42 U.S. Embassy- Yaoundé. Reporting. March 20, 2020
- 43 U.S. Embassy- Yaoundé. Reporting. January 4, 2018.
- 44 U.S. Embassy- Yaoundé official. E-mail communication to USDOL official. January 11, 2018.
- 45 ILO. Strategies and practice for labour inspection. November 2006. Please see "Labor Law Enforcement: Sources and Definitions" in the Reference Materials section of this report. <http://www.ilo.org/public/english/standards/relm/gb/docs/gb297/pdf/esp-3.pdf>
- 46 UN. World Economic Situation and Prospects 2021 Statistical Annex. 2021. Please see "Labor Law Enforcement Sources and Definitions" in the Reference Materials section of this report. [https://www.un.org/development/desa/dpad/wp-content/uploads/sites/45/WESP2021\\_ANNEX.pdf](https://www.un.org/development/desa/dpad/wp-content/uploads/sites/45/WESP2021_ANNEX.pdf)
- 47 ILOSTAT. ILO modelled estimates and projections (ILOEST) – Population and labour force. Accessed (January 25, 2022). <https://ilostat.ilo.org/data/>
- 48 ILO Committee of Experts. Individual Observation Concerning Minimum Age Convention, 1973 (No. 138) Cameroon (ratification: 2001) Published: 2022. [https://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100\\_COMMENT\\_ID:4116054:YES](https://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:4116054:YES)
- 49 Kindzeka, Moki Edwin. Cameroon Man Arrested for Baby Trafficking Gives Stunning Details of Operation. Voice of America, January 18, 2021. <https://www.voanews.com/africa/cameroon-man-arrested-baby-trafficking-gives-stunning-details-operation>
- 50 Sixtus, Mbom. Boko Haram still a threat to refugees in Cameroon. The New Humanitarian, January 11, 2017. <http://www.irinnews.org/feature/2017/01/11/boko-haram-still-threat-refugees-cameroon>
- 51 UNICEF Cameroon Humanitarian Situation Report. October 2018. [https://reliefweb.int/sites/reliefweb.int/files/resources/UNICEF Cameroon Humanitarian Situation Report - October 2018.pdf](https://reliefweb.int/sites/reliefweb.int/files/resources/UNICEF%20Cameroon%20Humanitarian%20Situation%20Report%20-%20October%202018.pdf)
- 52 Government of Cameroon. Arrêté n° 062/CAB/PM du 23 juin 2020 portant création du Comité national de lutte contre le travail des enfants. June 23, 2020. [https://www.ilo.org/dyn/natlex/natlex4.detail?p\\_lang=fr&p\\_isn=110696&p\\_count=2&p\\_classification=04](https://www.ilo.org/dyn/natlex/natlex4.detail?p_lang=fr&p_isn=110696&p_count=2&p_classification=04)
- 53 U.S. Embassy- Yaoundé. Reporting. February 13, 2018.
- 54 Government of Cameroon. NDS30 National Development Strategy 2020-2030: For Structural Transformation and Inclusive Development. 2020. <http://onsp.minsante.cm/fr/publication/262/national-development-strategy-2020-2030>
- 55 Government of Cameroon. Operational Action Plan to Combat Trafficking in Persons and Smuggling of Migrants (2021-2023) 2021. Source on file.
- 56 Government of Cameroon. Plan d'Action National Pour l'Elimination Des Pires Formes de Travail Des Enfants Au Cameroun 2018-2025. 2018. Source on file.
- 57 Alliance 8.7. 8th Meeting Report of the Global Coordinating Group. July 22, 2020. Source on File.
- 58 UN Committee on the Rights of the Child. Summary record of the 2215th meeting. June 6, 2017: CRC/C/SR.2215. <http://docstore.ohchr.org/SelfServices/FilesHandler.ashx?enc=6QkGId/PPRiCAqhKb7yhsialUb+ZGftp59yZHGEX78+mK4fCPd4WsGJAm8Om8X+kjzUuzZh+jYtuHUKqFfoxnr/PaVvDNVRr4inNKVg+jNQ8Y9qbGgtWeSYf1hTZNdOkE>
- 59 World Bank. Cameroon Education Reform Support Project. December 22, 2021. <https://projects.worldbank.org/en/projects-operations/project-detail/PI60926>
- 60 U.S. Embassy- Yaoundé. Reporting. June 14, 2021.
- 61 U.S. Embassy- Yaoundé. Reporting. October 25, 2017.



# Central African Republic

## MINIMAL ADVANCEMENT – EFFORTS MADE BUT REGRESSION IN PRACTICE THAT DELAYED ADVANCEMENT

In 2021, the Central African Republic made minimal advancement in efforts to eliminate the worst forms of child labor. Parliament passed legislation authorizing the ratification of the International Labor Organization Convention 190 on Violence and Harassment, which reaffirms the fundamental principles and rights at work, including the effective abolition of child labor. The government also created an alert system for reporting child labor violations. However, despite new initiatives to address child labor, the Central African Republic is assessed as having made only minimal advancement because it implemented a practice that delays advancement to eliminate child labor. Government security forces recruited children for support roles and coordinated with an armed group that recruited and used children in armed conflict. Children in the Central African Republic are subjected to the worst forms of child labor, including recruitment and use in armed conflict and forced labor in diamond mining, sometimes as a result of human trafficking. Children also engage in child labor in agriculture and domestic work. Other gaps remain, as the Central African Republic does not meet the international standard for minimum age protections since the law does not cover children working in the informal sector.



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

Children in the Central African Republic are subjected to the worst forms of child labor, including in recruitment and use in armed conflict and forced labor in diamond mining, sometimes as a result of human trafficking. Children also engage in child labor in agriculture and domestic work. (1-3) 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	30.8 (Unavailable)
Attending School (%)	5 to 14	68.1
Combining Work and School (%)	7 to 14	39.7
Primary Completion Rate (%)		54.7

Source for primary completion rate: Data from 2017, published by UNESCO Institute for Statistics, 2022. (4)

Source for all other data: International Labor Organization's analysis of statistics from Multiple Indicator Cluster Survey 6 (MICS 6), 2018–2019. (5)

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

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

Sector/Industry	Activity
Agriculture	Working in agriculture, including handling fertilizers and pesticide (1)
	Working in forestry, including carrying tools (6,7,8)
	Fishing (1)
Industry	Diamond and gold mining, quarrying† (1-5)
	Working in sawmills, forges, and foundries, including sharpening sawblades and maintaining fires (6,7)
	Construction (7)
Services	Domestic work (1,9)
	Street work, including vending and portage (1,2,10)

# Central African Republic

## MINIMAL ADVANCEMENT – EFFORTS MADE BUT REGRESSION IN 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†	Recruitment of children by state security forces for support roles and intelligence gathering and by non-state armed groups for use in armed conflict, including as combatants, cooks, porters, informants, domestic workers, guards, and for sexual exploitation (1-3)
	Forced labor in domestic work, agriculture, vending, and mining, including in diamond mines (1,2,11,12)
	Forced labor of indigenous <i>Ba’aka</i> children in farming (13)
	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.

Children in the Central African Republic are subjected to recruitment and use by non-state armed groups. (1,2) The government and 14 armed groups signed the Political Agreement for Peace and Reconciliation in the Central African Republic (APPR) in 2019. (14,15) The APPR called for the immediate cessation of recruitment of child soldiers by all parties involved in the conflict. (15) However, the armed groups’ attempted overthrow of the government following the December 2020 elections stalled implementation of the APPR. (1,10,9) In December 2020, major rebel groups formed the *Coalition des Patriotes pour le Changement* in response to the country’s constitutional court finding ex-president Francois Bozizé ineligible to be a presidential candidate in the December 2020 election due to his documented history of human rights abuses. Anti-Balaka-affiliated armed groups and ex-Séléka factions—including the *Front Populaire pour la Renaissance de la Centrafrique*; *Mouvement des Libérateurs Centrafricains pour la Justice*; *Mouvement Patriotique pour la Centrafrique*; *Unité pour la Paix en Centrafrique*; and unaffiliated elements—continued to recruit children in greater numbers as combatants, informants, cooks, and sex slaves. (1,2) In 2021, the UN Multidimensional Integrated Stabilization Mission in CAR (MINUSCA) child rights division verified and documented the recruitment and use of 316 children (254 boys and 62 girls) by all parties to the conflict, including the Russian-supported Wagner Group forces, the Central African Armed Forces (FACA), and a variety of non-state armed groups. (1) Eight children were identified as being used by government and pro-government forces to support checkpoints and run errands, including by FACA, FACA/*Forces de Sécurité Intérieure* (FSI), and by Wagner Group personnel working in cooperation with the government. (16,17) Wagner forces also reportedly forced a child to gather intelligence against an armed group. (18,17) In addition, media reports indicated that in December 2021, Wagner Group and FACA forces used forced child labor to do construction and improvements on a Wagner military base. (19,20)

Armed groups and criminal elements, including in some pastoralist groups, subjected children to forced domestic servitude and commercial sexual exploitation. (2,10,21) In some instances, relatives or family friends exploited children to generate additional income. (1,10) 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 subjected to commercial sexual exploitation. (1,2) *Maisons de joie* are typically private residences at which alcohol and food are served to middle and upper-class customers. (1,2) Children in rural areas are forced to work in artisanal diamond and gold mines, often for long hours and without protective equipment. They are exposed to hazardous chemicals, including silver nitrate, and suffer from injuries and waterborne diseases. (1,9)

In 2021, ongoing civil conflict in the Central African Republic increased child vulnerability to labor exploitation. An estimated 2.8 million people, including 1.3 million children, required humanitarian assistance during the reporting period. (22) 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. (14,22-25) Displacement and chronic food insecurity are aggravating risk factors for child labor and commercial sexual exploitation of children. (1,2,22)

Fewer than 60 percent of children in the Central African Republic complete their primary school education, and only 6 percent graduate from secondary school. (10,26) The combined effects of resurgent violence throughout the country, structural fragility, and the pandemic have exacerbated this trend. The loss of income has compelled

# Central African Republic

## MINIMAL ADVANCEMENT – EFFORTS MADE BUT REGRESSION IN PRACTICE THAT DELAYED ADVANCEMENT

children to seek employment or remain at home. (1,22,27-30) The pandemic has also disrupted reintegration and rehabilitation services for survivors of armed group recruitment. (30)




During the reporting year, most of the country's schools were closed for several months as a result of military operations. (22) Although state security forces have extended their presence through most of the national territory since February 2021, government and rebel forces frequently trade control of territory in many parts of the country. (1) As a result, most schools remained closed. Other barriers to education include displacement due to conflict and the occupation of some school buildings by armed groups, including Wagner forces. (1) Children also 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. (9,12,29,31,32)

The Central African Republic's 2020 Child Protection Code (CPE) provided free birth registration for all children. (33) However, the country's birth registration rate, stymied by endemic poverty and administrative collapse, remains one of the lowest in Africa. (34) The government also failed to fully implement this provision of the law, and many municipal governments continue to levy fees on birth registration and other vital records. (1) Despite this 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. (1,10) Moreover, in 2021, members of a minority Muslim population who lost identification documents while fleeing intra-communal violence or internal conflict faced discrimination when trying to obtain new identification documents. As a result, many were left undocumented and unable to register for school. (1) 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. (9,11,35)

## 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.

# Central African Republic

## MINIMAL ADVANCEMENT – EFFORTS MADE BUT REGRESSION IN PRACTICE THAT DELAYED ADVANCEMENT

**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 (33,36)
Minimum Age for Hazardous Work	Yes	18	Article 263 of the Labor Code; Articles 65–68 of the Child Protection Code (33,36)
Identification of Hazardous Occupations or Activities Prohibited for Children	No		Article 261 of the Labor Code; Article 190 of the Mining Code (36,37)
Prohibition of Forced Labor	Yes		Articles 7 and 393 of the Labor Code; Articles 65 and 175 of the Child Protection Code (33,36)
Prohibition of Child Trafficking	Yes		Article 151 of the Penal Code (38)
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 (33,36,38)
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 (33,36)
Minimum Age for Voluntary State Military Recruitment	Yes	18	Decree N° 85.432, Declaration to the UN CRC Optional Protocol on Armed Conflict (39)
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 (33,36,40)
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 (33,36)
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 (33,40–42)
Free Public Education	Yes		Ordinance N° 84/031 Orienting the Teaching System; Articles 52 and 57 of the Child Protection Code (33,41,42)

\* Country has no conscription (40,43)

The Presidential Minister Counselor for Child Protection worked with the United Nations Office on Drugs and Crime to draft a Trafficking in Persons law. The bill, which was submitted to the National Assembly for a vote in 2022, will add an additional element to the legal framework prohibiting commercial sexual exploitation of children. (1,19) Separately, in September, Law 21.003 was adopted. This legislation authorized the government to ratify ILO Convention 190, which includes protections for domestic workers. (1)

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. (36,44) A draft revision of the Labor Code is pending before the National Assembly. This revised code would raise the minimum age of employment, although it does not address the minimum age for hazardous work. (1) However, under Article 260 of the Labor Code, labor inspectors may require a physician to examine a child to verify whether the work for which they are charged exceeds his or her strength. (1)

The Central African Republic has not determined by national law or regulation the types of hazardous work prohibited for children. (1,9,36,45) 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. (33,36) Research was unable to locate original copies of laws establishing the compulsory education age at 15. (33,42)

### 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.



# Central African Republic

## MINIMAL ADVANCEMENT – EFFORTS MADE BUT REGRESSION IN PRACTICE THAT DELAYED ADVANCEMENT

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

Organization/Agency	Role
Ministry of Labor (MOL)	Monitors and enforces laws related to child labor through its General Directorate of Labor and Social Welfare and seven regional labor directorates. (1,7,36)
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. (33) 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. (33,40) This unit is also responsible for identifying criminal offenses against children. The judges are responsible for working with the police, the child protection brigade, the Children's Prosecutor, and social workers to refer child victims and monitor compliance with diversion measures. (33,36)
Internal Security Forces Police and Gendarmes	Enforce all laws, including those related to the worst forms of child labor. Child Protection Units, under the expanded jurisdiction of the juvenile court system, are responsible for identifying criminal offenses against children. (33,44)
Ministry of Justice	Protects children through its Rapid Response for Child Protection team and prosecutes cases involving the worst forms of child labor through its courts and tribunals. (35,46)
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. (47,48)
Mixed Unit for Rapid Intervention and Repression of Sexual Violence (UMIRR)	Aims to suppress sexual violence against women and children, including child trafficking. Includes representatives from the Ministry of Social Affairs (MSA); the Ministry of Justice; and law enforcement (gendarmerie and police). (1,19,21,35) Operates a 24-hour hotline to report cases and provides social services to survivors of human trafficking. (1,19) Operates in Bangui, the capital city, and Bouar, a town in the northwestern part of the country. (19) 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. Refers cases to the ordinary court system or to the Special Criminal Court. (21,49)

Due to ongoing violence and the operation of non-state armed rebel groups, the government did not control a significant amount of its territory during the reporting period. This restricted the geographic reach of the enforcement agencies' operations. (19)

### Labor Law Enforcement

In 2021, the exceptionally low number of worksite inspections conducted at the national level in the Central African 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	2020	2021
Labor Inspectorate Funding	\$254,545 (10)	\$1,727 (1)
Number of Labor Inspectors	145 (10)	167 (1)
Mechanism to Assess Civil Penalties	Yes (36)	Yes (36)
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	130 (10)	28 (1)
Number Conducted at Worksite	90 (10)	10 (1)
Number of Child Labor Violations Found	15 (10)	Unknown (1)
Number of Child Labor Violations for Which Penalties Were Imposed	0 (10)	Unknown (1)
Number of Child Labor Penalties Imposed that Were Collected	N/A (10)	Unknown (1)
Routine Inspections Conducted	Yes (10)	Yes (1)
Routine Inspections Targeted	No (10)	Yes (1)
Unannounced Inspections Permitted	Yes (36)	Yes (1,36)
Unannounced Inspections Conducted	Yes (10)	Yes (1)
Complaint Mechanism Exists	Yes (10)	Yes (1)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (10)	Yes (1)

# Central African Republic

## MINIMAL ADVANCEMENT – EFFORTS MADE BUT REGRESSION IN PRACTICE THAT DELAYED ADVANCEMENT

Labor inspectors received training on a new law authorizing implementation of ILO Convention 190, and on the CPE. An additional 40 inspectors, including 7 regional labor directors, underwent additional training under the auspices of the African Regional Training Center for Labor Administration. (1) During the reporting period, the government created an "alert" system for reporting child labor violations. This mechanism is linked to the Ministry of Labor (MOL), the Mixed Unit for Rapid Intervention and Repression of Sexual Violence (UMIRR), the Ministry for the Protection of Women, Gender, and Protection of the Child, and the Ministry of Social Affairs (MSA). (1) In addition, UNICEF worked with the Ministry of Social Welfare to establish a child welfare case management standard operating procedure. (1)

Nevertheless, the budget allocated to labor inspectorates decreased significantly during the reporting period. (1) Inadequate financial and material resources, including transportation, office facilities and supplies, and computers, hindered the government's efforts to address child labor. (1,35,50) 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. (51) Moreover, civil unrest prevented labor inspectors outside Bangui from visiting artisanal mining sites. (1) In 2021, the labor inspectorate conducted 28 inspections. The exceptionally low number of worksite inspections conducted in the Central African Republic may have impeded the enforcement of child labor laws. (1) Labor inspectors often do not issue formal penalties or sanctions, with community reconciliation remaining the principle avenue for mediation. (10,36)

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 survivors. (12,52-54)

### Criminal Law Enforcement

In 2021, criminal law enforcement agencies in the Central African Republic took actions to address child labor (Table 7). However, gaps exist within the operations of the criminal enforcement agencies that may hinder adequate criminal law enforcement, including insufficient allocation of human resources.

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

Overview of Criminal Law Enforcement	2020	2021
Initial Training for New Criminal Investigators	No (10)	No (1)
Training on New Laws Related to the Worst Forms of Child Labor	Yes (10)	N/A (1)
Refresher Courses Provided	Yes (10)	Yes (1)
Number of Investigations	Unknown (10)	Unknown (1)
Number of Violations Found	Unknown (10)	329 (17)
Number of Prosecutions Initiated	Unknown (10)	1 (1)
Number of Convictions	Unknown (10)	1 (1)
Imposed Penalties for Violations Related to the Worst Forms of Child Labor	Unknown (10)	No (1)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (10)	Yes (1)

In 2021, UMIRR brought charges against an alleged human trafficker in the Bimbo Criminal Court in Bangui. The alleged trafficker was tried and found guilty of child trafficking. (19) This was the Central African Republic's first completed prosecution and conviction of a human trafficking crime. While the law provides a prison sentence of five-to-ten years for trafficking in persons, the convicted trafficker received a suspended sentence of one year in prison. (19) UMIRR is also currently investigating the case of a customs official accused of trafficking in persons, including the trafficking of 11 girls for commercial sexual exploitation. (19) The government did not provide information on its criminal law enforcement efforts for inclusion in this report. (1)

The CPE created specialized children's police units to monitor industrial or mining areas for hazardous conditions. (10,33,55) The CPE also broadens social protections and creates new enforcement mechanisms for cases of sexual exploitation, forced labor, or human trafficking; and includes provisions for at-risk groups such

# Central African Republic

## MINIMAL ADVANCEMENT – EFFORTS MADE BUT REGRESSION IN PRACTICE THAT DELAYED ADVANCEMENT

as demobilized child soldiers, children of religious and ethnic minorities, and non-residents. (9,21,33) Under the law, children associated with armed groups were entitled to state social protection services and immunity from prosecution. (9,33,56) The country's criminal court partnered with international organizations to establish a mechanism to refer victims of child soldiering to welfare services instead of prison. (1) As of October 2021, however, five former child soldiers were detained in the Ngaragba prison, as the government was unable to find alternative holding and rehabilitation centers. Two were detained in 2019, one in 2020, and two in July and August 2021. (1)

During the reporting period, the government took steps to implement the CPE by developing cross-sectoral plans to incorporate elements of the code om various sectors including justice, social welfare, birth registration, and education. As part of this effort, the Ministries of Education and Social Welfare are developing a child protection code of conduct for teachers and other personnel. (1) However, limited resources and technical capacity, coupled with ongoing violence, slowed implementation of the law. (1) The 2020 Trafficking in Persons National Action Plan extends UMIRR's authority to include human trafficking, and UMIRR has investigated and referred cases to the High Court of Bangui. (21) Despite limited funding, UMIRR continuously investigated and referred the victims of gender-based violence to psychosocial assistance, though no convictions were reported. (56) During the reporting period, the MOL and World Vision hosted a workshop and training on identifying and protecting children from the worst forms of child labor. Participants included Ministry of Defense personnel from the Central African Armed Forces and UMIRR, and Ministry of the Interior personnel, including 16 police and gendarmerie units. (1) In addition, the government worked with NGOs to provide 12 trainings on trafficking in persons for officials from UMIRR and the Ministries of Disarmament and Demobilization; Defense; Foreign Affairs; Mining and Geology; Small and Medium-Sized Enterprises; Labor; Youth; Gender; and Communications. (19) UMIRR operated a reporting hotline for victims of human trafficking. (13,57)

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. (10,56) Moreover, judicial authorities lack the staff and resources to conduct investigations outside Bangui. (13,58) The non-enforcement of the law remains a problem. Instead, judges used mediation as a recourse to alternative dispute resolution. (10) Cases were widely resolved outside of formal legal proceedings due to a lack of public trust, access, or knowledge about the justice system. (58)

## 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 coordinating mechanisms that include all worst forms of child labor.

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

Coordinating Body	Role & Description
Presidency: Disarmament, Demobilization, Reintegration, and Rehabilitation (DDRR) Coordinating body (UNPDDRR)	With the assistance of UNICEF and other partner organizations, includes activities under the Office of the Presidency to disarm, demobilize, and reintegrate children used in armed conflict back into community life. (19,21) Coordinates child protection components of DDRR through the government's Presidential Minister Counselor for Child Protection. (19) During the reporting period, UNPDDRR's child protection unit identified child soldiers and oversaw UN-funded community-based integration programs. (19)
National Interministerial Committee to Combat Human Trafficking	Coordinates drafting and implementation of the Central African Republic's National Trafficking in Persons Strategy and the National Action Plan to Address Trafficking. (10,21) Includes a "Coordination Office" led by the president and including representatives from key ministries, including MOL. (19) National Inter-Ministerial Committee met twice per month, and the members of the Coordination Office met twice per week. The National Interministerial Committee also drafted an 18-month National Action Plan Against Trafficking in Persons that is scheduled to be adopted and commenced in 2022. (19)

# Central African Republic

## MINIMAL ADVANCEMENT – EFFORTS MADE BUT REGRESSION IN PRACTICE THAT DELAYED ADVANCEMENT

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

Coordinating Body	Role & Description
Ministry of Social Affairs (MSA)	Refers victims of child trafficking to NGOs and maintains an orphanage for children at risk of child trafficking. (10,46) Oversees child soldier reintegration and leads the government's anti-trafficking policy efforts through the National Council on Child Protection. In 2021, removed 33 children from a prostitution ring in Bangui, and provided them with counseling, life-skills training, and vocational training. (1)
Country Task Force for Monitoring Grave Violations of Children's Rights	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) Research was unable to determine whether this coordinating body was active during the reporting period.
Provincial Child Protection Working Groups	Regional government bodies that work to protect children from all violations, including the worst forms of child labor. (10,57) Research was unable to determine whether these working groups were active during the reporting period.

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. (1,12,56)

## V. GOVERNMENT POLICIES ON CHILD LABOR

The government has established policies related to child labor (Table 9). However, policy gaps exist that hinder efforts to address child labor, including a lack of 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 (APPR)	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. (15,52,54) Armed groups listed by the UN for grave violations against children have signed Action Plans to implement these commitments. (59-61) The Action Plans cover the four areas for which the groups are listed, including (1) recruitment and use of children, (2) killing and maiming, (3) rape and other forms of sexual violence, and (4) attacks on schools and hospitals. (59-61) The <i>Mouvement Patriotique pour la Centrafrique</i> has appointed four commanders to serve as child protection focal points in areas under its control. (52,59) However, the UN Multidimensional Integrated Stabilization Mission in CAR (MINUSCA) reported that armed groups continued to recruit child soldiers during the reporting period despite their pledges. (1) Political violence and resource constraints hindered the APPR's progress during the reporting year. (1)
Child Disarmament, Demobilization, and Reintegration Policy	Based on the 2015 Bangui Forum, aims to facilitate initiatives to disarm, demobilize, and reintegrate child soldiers, in cooperation with UN agencies, other ministries, and armed groups. (7,10,43) 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. (10,62) During the reporting period, UNICEF and partners helped the government demobilize and reintegrate 1,468 child soldiers who were liberated from armed groups. (1) In addition, some armed groups who previously signed action plans to end gross child rights violations continued to work with the UN to facilitate the release of children. (1)
National Strategy to Fight Gender-Based Violence in CAR (2018–2021)	Aimed to achieve "zero tolerance" for gender-based violence, including commercial sexual exploitation. (10,62) Written by MSA, in partnership with the UN Population Fund, UNHCR, UNICEF, and UN Women. (10,63) As part of the policy, the government operated a shelter for survivors of gender-based violence, the House of Hope ( <i>Maison de l'Espoir</i> ), in 2020. (56) Research was unable to determine what activities were undertaken as part of this policy during the reporting year.
National Recovery and Peacebuilding Plan (2017–2021)	Aimed to re-establish peace and security. Supported reconciliation by disarming and reintegrating children associated with armed groups, promoting legal reform, seeking justice for victims, and improving access to education. (10,11,43,62) During the reporting period, the government and its partners continued to implement this policy, holding multiple coordination meetings with partners. (1)

‡ The government had other policies that may have addressed child labor issues or had an impact on child labor. (62)

During the reporting period, the resurgence of violence hindered the ability of the government to implement existing policies throughout its territory. (1) Research found no evidence of a policy on other forms of child labor, such as in mining or domestic work. In addition, a draft of a national policy addressing the elimination of child labor has yet to be adopted. (45,46)



### VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2021, 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 inadequacy of programs to address the problem in all sectors.

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

Program	Description
UNICEF Programs	Coordinate the removal of children from forced labor situations and provide necessary social services for their rehabilitation, enrollment in schools or vocational training programs, and placement in stable homes. Provide basic education and vocational skills training to children who were most at risk for child labor exploitation and armed group recruitment. (10,24) Support shelters that provide immediate care, food, and psychosocial support to vulnerable children and former child soldiers. (18) In 2021, 114,118 children and their caregivers accessed psychosocial support through UNICEF-supported Child Friendly Spaces (CFS) and other community-level outreach activities. CFS were placed in areas where children were most affected by crises, such as IDP camps. (1) Moreover, 1,289 community volunteers working in CFS were trained in 2021 on the minimum standards on mental health and psychosocial assistance to children in humanitarian settings. (1)
Shelters for Unaccompanied Children†	MSA and UNICEF-supported centers that provide immediate care, food, and psychosocial support to vulnerable children and former child soldiers. (64) In 2021, UNICEF supported a host family program supporting vulnerable children and former child soldiers. (1)
Birth Registration Campaign†	Aims to provide birth registration to children in the Central African Republic in accordance with the CPE. During the reporting year, the Civil Registration Directorate organized a workshop with 25 mayors on birth registration provisions of the CPE. (1) UNICEF printed and distributed birth certificates in support of the civil registration office. Due to these efforts, the civil registration office documented 25,126 children in 2021, a 10 percent increase from the previous year. (1)

† Program is partially funded by the Government of the Central African Republic.

The absence of resources and government authority throughout much of the country significantly hindered the government's ability to address child labor. (1) Coordination with non-government actors to support children used in armed conflict and the scope of programs is insufficient to fully address the extent of the problem. (35,68) Due to a lack of funding and persistent insecurity, as much as 25 percent of children released since 2014 have not received reintegration support. (23,69) Research found no evidence that the government has programs to assist children engaged in other worst forms of child labor, such as in mining or commercial sexual exploitation. (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 the Central African Republic (Table 11).

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

Area	Suggested Action	Year(s) Suggested
Legal Framework	Publish the laws establishing the compulsory education age.	2019 – 2021
	Ensure that all children are protected by law, including children working outside of formal employment relationships.	2017 – 2021
	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 – 2021
	Raise the minimum age for work to the age up to which education is compulsory.	2018 – 2021
Enforcement	Ensure that the labor inspectorate has sufficient financial resources to enforce child labor laws.	2009 – 2021
	Publish complete labor enforcement data, including the number of child labor violations found, penalties imposed, and penalties collected.	2021
	Publish complete criminal law enforcement data, including the number of investigations conducted, violations found, penalties imposed and collected, prosecutions initiated, and convictions obtained.	2014 – 2021
	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 – 2021

# Central African Republic

## MINIMAL ADVANCEMENT – EFFORTS MADE BUT REGRESSION IN PRACTICE THAT DELAYED ADVANCEMENT

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

Area	Suggested Action	Year(s) Suggested
Enforcement	Ensure that the government conducts an adequate number of labor inspections.	2021
	Ensure that civil penalties are imposed for child labor law violations.	2018 – 2021
	Ensure that referral mechanisms for children found in child labor situations are well-funded and fully operational.	2019 – 2021
	Ensure that children used in armed conflict are not imprisoned and are granted access to social services providers and humanitarian assistance.	2016 – 2021
	Ensure that judicial and criminal law enforcement officials receive sufficient funding and training and ensure that citizens can report violations and access formal judicial processes throughout the country.	2016 – 2021
Coordination	Establish coordinating mechanisms to address all forms of child labor, including in mining.	2019 – 2021
	Ensure that all coordinating bodies are active and able to carry out their intended mandates.	2020 – 2021
Government Policies	Adopt a policy that addresses all relevant worst forms of child labor.	2014 – 2021
	Ensure that activities are undertaken to implement the Political Agreement for Peace and Reconciliation and publish results from activities implemented during the reporting period.	2021
	Ensure activities are undertaken to implement the National Strategy to Fight Gender-Based Violence and publish results from activities implemented during the reporting period.	2021
	Ensure that signatories to the Political Agreement for Peace and Reconciliation uphold their commitments to these plans, including ceasing the recruitment and use of children.	2020 – 2021
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 – 2021
	Ensure that social programs to address the worst forms of child labor are funded and implemented in accordance with their mandates.	2018 – 2021
	Expand programs to assist former child soldiers and children associated with armed groups, support their reintegration into society, and improve coordination among relevant actors.	2013 – 2021
	Allocate sufficient resources and implement programs to address the worst forms of child labor, including commercial sexual exploitation and child labor in mining, throughout the country.	2009 – 2021

### REFERENCES

- U.S. Embassy- Bangui. Reporting. January 28, 2022.
- U.S. Department of State. Trafficking in Persons Report - 2021: Central African Republic. Washington, D.C., July 1, 2021. <https://www.state.gov/reports/2021-trafficking-in-persons-report/central-african-republic/>
- UN Reporting. September 2021. Source on file.
- UNESCO Institute for Statistics. Gross intake ratio to the last grade of primary education, both sexes (%). Accessed March 3, 2022. For more information, please see "Children's Work and Education Statistics: Sources and Definitions" in the Reference Materials section of this report. <http://data.uis.unesco.org/>
- ILO. Analysis of Child Economic Activity and School Attendance Statistics from National Household or Child Labor Surveys. Original data from Multiple Indicator Cluster Survey 6 (MICS 6), 2018–2019. Analysis received March 2022. Please see "Children's Work and Education Statistics: Sources and Definitions" in the Reference Materials section of this report.
- U.S. Embassy- Bangui official. E-mail communication to USDOL official. February 9, 2017.
- U.S. Embassy- Bangui. Reporting. January 27, 2017.
- U.S. Department of State. Country Reports on Human Rights Practices- 2021: Central African Republic. Washington, D.C. April 12, 2022. [https://www.state.gov/wp-content/uploads/2022/02/313615\\_CENTRAL-AFRICAN-REPUBLIC-2021-HUMAN-RIGHTS-REPORT.pdf](https://www.state.gov/wp-content/uploads/2022/02/313615_CENTRAL-AFRICAN-REPUBLIC-2021-HUMAN-RIGHTS-REPORT.pdf)
- U.S. Embassy- Bangui. Reporting. January 14, 2020.
- U.S. Embassy- Bangui. Reporting. January 29, 2021.
- UN Committee on the Rights of the Child. Committee on the Rights of the Child Examines the Report of the Central African Republic. Geneva. January 20, 2017: Report No. CRC/C/SR.2171. [http://www.unog.ch/unog/website/news\\_media.nsf/\(httpNewsByYear\\_en\)/C077C21F39478306C12580AE004957F0?OpenDocument](http://www.unog.ch/unog/website/news_media.nsf/(httpNewsByYear_en)/C077C21F39478306C12580AE004957F0?OpenDocument)
- UN Committee on the Rights of the Child. Concluding observations on the second periodic report of the Central African Republic. Geneva, March 8, 2017: Report No. CRC/C/CAF/CO/2. [http://tbinternet.ohchr.org/\\_layouts/treatybodyexternal/Download.aspx?symbolno=CRC/C/CAF/CO/2&Lang=en](http://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=CRC/C/CAF/CO/2&Lang=en)
- U.S. Department of State. Trafficking in Persons Report- 2019: Central African Republic. Washington, D.C., June 20, 2019. <https://www.state.gov/reports/2019-trafficking-in-persons-report-2/central-african-republic/>
- Associated Press, via The New York Times. Central African Republic Armed Groups Reach Peace Deal. February 2, 2019. <https://www.nytimes.com/2019/02/02/world/africa/central-african-republic-peace-deal.html>
- UN Security Council. Political Agreement for Peace and Reconciliation in the Central African Republic (S/2019/145). February 15, 2019. [https://reliefweb.int/sites/reliefweb.int/files/resources/S\\_2019\\_145\\_E.pdf](https://reliefweb.int/sites/reliefweb.int/files/resources/S_2019_145_E.pdf)
- UN Reporting. September 2021. Source on file.
- UN. Secretary-General Annual Report on Children and Armed Conflict. June 23, 2022. <https://documents-dds-ny.un.org/doc/UNDOC/GEN/N22/344/71/PDF/N2234471.pdf?OpenElement>
- U.S. Embassy- Bangui official. E-mail communication with USDOL official. June 3, 2022.
- U.S. Embassy- Bangui. Reporting. February 18, 2022.

## MINIMAL ADVANCEMENT – EFFORTS MADE BUT REGRESSION IN PRACTICE THAT DELAYED ADVANCEMENT

- 20 Corbeau News. Retour du temps de colonisation à Bria : des jeunes recrutés en masse pour des travaux forcés. January 4, 2022. <https://corbeaunews-centrafrique.org/retour-du-temps-de-colonisation-a-bria-des-jeunes-recrutes-en-masse-pour-des-travaux-forces/>
- 21 U.S. Embassy- Bangui. Reporting. February 20, 2020.
- 22 UNICEF. Central African Republic Humanitarian Situation Report: 01 January to 31 December 2021. 2021. <https://www.unicef.org/media/115101/file/CAR-Humanitarian-SitRep-December-2021.pdf>
- 23 UN Office of the Special Rep of the Sec. Gen. for Children and Armed Conflict. CAR: Increased Commitments for Children Amid High Level of Grave Violations. November 29, 2019. <https://childrenandarmedconflict.un.org/car-increased-commitments-for-children-amid-high-level-of-grave-violations/>
- 24 UNICEF. Central African Republic Humanitarian Situation Report: November–December 2020. <https://www.unicef.org/media/93251/file/Central African Republic Humanitarian Situation Report Nov - Dec 2020.pdf>
- 25 UNHCR. Situational Emergency Update: Central African Republic. February 16, 2021. <https://data2.unhcr.org/en/documents/details/84956>
- 26 UNICEF. Crisis in the Central African Republic. November 2018. [https://www.unicef.org/media/47466/file/UNICEF\\_Child\\_Alert\\_CAR\\_2018\\_EN.pdf](https://www.unicef.org/media/47466/file/UNICEF_Child_Alert_CAR_2018_EN.pdf)
- 27 UNICEF. Humanitarian Action for Children: Central African Republic. December 2020. <https://www.unicef.org/media/86911/file/2021-HAC-Central-African-Republic.pdf>
- 28 UNICEF. Central African Republic Humanitarian Situation Report, September–October 2020. November 2020. <https://www.unicef.org/media/88756/file/CentralAfricanRepublicHumanitarianSitRepSept-Oct2020.pdf>
- 29 UNICEF. CAR Humanitarian Action For Children Appeal: 2020. February 26, 2020. <https://www.unicef.org/reports/crisis-central-african-republic>
- 30 UNICEF. Central African Republic: Surge in violence and displacement threatens thousands of children already affected by humanitarian crisis and COVID-19. January 22, 2021. <https://www.unicef.org/press-releases/central-african-republic-surge-violence-and-displacement-threatens-thousands>
- 31 UNICEF. One year on from peace agreement, millions of children in the Central African Republic remain at risk. February 5, 2020. [https://www.unicef.org/press-releases/one-year-peace-agreement-millions-children-central-african-republic-remain-risk#\\_ftn1](https://www.unicef.org/press-releases/one-year-peace-agreement-millions-children-central-african-republic-remain-risk#_ftn1)
- 32 U.S. Department of State. Country Reports on Human Rights Practices-2018: Central African Republic. Washington, D.C., March 13, 2019. <https://www.state.gov/reports/2018-country-reports-on-human-rights-practices/central-african-republic/>
- 33 Government of the Central African Republic. Loi Portant Code de Protection de l'Enfant en République Centrafricaine. 2020. Source on file.
- 34 Avocats Sans Frontières. Birth certificates in CAR: the exception rather than the rule. October 2, 2017. <https://www.asf.be/blog/2017/10/02/birth-certificates-in-car-the-exception-rather-than-the-rule/>
- 35 U.S. Embassy- Bangui. Reporting. February 20, 2018.
- 36 Government of the Central African Republic. Code du Travail de la République Centrafricaine, Loi N° 09-004. Enacted: 2009. [http://www.ilo.org/dyn/natlex/docs/SERIAL/81226/100656/F718299053/Code travail.pdf](http://www.ilo.org/dyn/natlex/docs/SERIAL/81226/100656/F718299053/Code%20travail.pdf)
- 37 Government of the Central African Republic. Loi N° 9-005 Portant Code Minier de la République Centrafricaine. Enacted: April 29, 2009. [https://www.ilo.org/dyn/natlex/natlex4.detail?p\\_lang=fr&p\\_isn=83176&p\\_classification=22.02](https://www.ilo.org/dyn/natlex/natlex4.detail?p_lang=fr&p_isn=83176&p_classification=22.02)
- 38 Government of the Central African Republic. Code Penal de la République Centrafricaine, Loi N° 10.001. Enacted: 2010. <http://www.wipo.int/edocs/lexdocs/laws/fr/cf/cf003fr.pdf>
- 39 International Committee of the Red Cross. Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict: Chad. May 25, 2000. <https://ihl-databases.icrc.org/applic/ihl/ihl.nsf/Notification.xsp?action=openDocument&documentId=FFCBAD5457FC230DC12577AD003E9C8B>
- 40 Government of the Central African Republic. Constitution de la République Centrafricaine. Enacted: March 30, 2016. <https://www.sangonet.com/afriqg/PAFF/Dic/actuC/ActuC24/constitution-de-la-RCA-30mars2016-JO-ed-speciale.pdf>
- 41 International Labor Organization. Observation (CEACR) - adopted 2010, published 100th ILC session (2011): Minimum Age Convention, 1973 (No. 138) Central African Republic (ratification: 2000). 2011. [https://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:13100:0::NO::P13100\\_COMMENT\\_ID:2334715](https://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:13100:0::NO::P13100_COMMENT_ID:2334715)
- 42 Benam, Edgar. Données de Base sur le Systeme Educatif Centrafricain: Produites a la Demande du Bureau International d'Education. Ministère de l'Education Nationale Bangui, 1997. <https://web.archive.org/web/20170110074305/http://www.ibe.unesco.org/International/ICE/natrap/CenAfrica.pdf>
- 43 Government of the Central African Republic. Central African Republic: National Recovery and Peacebuilding Plan (2017–21). Bangui, November 17, 2016. [https://eeas.europa.eu/sites/eeas/files/car\\_main\\_report-a4-english-web.pdf](https://eeas.europa.eu/sites/eeas/files/car_main_report-a4-english-web.pdf)
- 44 U.S. Embassy- Bangui. Reporting. March 2, 2018.
- 45 ILO Committee of Experts. Individual Observation concerning Minimum Age Convention, 1973 (No. 138) Central African Republic (ratification: 2000). Published: 2018. Accessed July 18, 2018. [http://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:13100:0::NO::P13100\\_COMMENT\\_ID,P11110\\_COUNTRY\\_ID,P11110\\_COUNTRY\\_NAME,P11110\\_COMMENT\\_YEAR:3336317,103381,Central African Republic,2017](http://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:13100:0::NO::P13100_COMMENT_ID,P11110_COUNTRY_ID,P11110_COUNTRY_NAME,P11110_COMMENT_YEAR:3336317,103381,Central African Republic,2017)
- 46 U.S. Embassy- Bangui official. E-mail communication to USDOL official. June 13, 2018.
- 47 Human Rights Watch. World Report: Central African Republic. January 2018. <https://www.hrw.org/world-report/2018/country-chapters/central-african-republic>
- 48 UN Peacekeeping. CAR Special Criminal Court (SCC) now fully operational. June 9, 2021. <https://peacekeeping.un.org/en/car-special-criminal-court-scc-now-fully-operational>
- 49 Human Rights Watch. “They Said We Are Their Slaves”: Sexual Violence by Armed Groups in the Central African Republic. October 2017. [https://www.hrw.org/sites/default/files/report\\_pdf/car1017\\_web\\_1.pdf](https://www.hrw.org/sites/default/files/report_pdf/car1017_web_1.pdf)
- 50 ILO Committee of Experts. Individual Observation concerning Labor Inspection Convention, 1947 (No. 81) Central African Republic (ratification: 1964). Published 2019. Accessed April 18, 2019. [https://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100\\_COMMENT\\_ID:3951491](https://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:3951491)
- 51 ILO Committee of Experts. Individual Direct Request concerning Labor Inspection Convention, 1947 (No. 81) Central African Republic (ratification: 1964). Published 2019. Accessed April 18, 2019. [https://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100\\_COMMENT\\_ID:3951499](https://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:3951499)
- 52 UN Security Council. Protecting Boys and Girls in Shrinking Humanitarian Space—UN Security Council Open Arria Meeting. February 21, 2019. <https://childrenandarmedconflict.un.org/protecting-boys-and-girls-in-shrinking-humanitarian-space-un-security-council-open-arria-meeting/>
- 53 UN Reporting. April 7, 2020. Source on file.
- 54 UN Security Council SC/13854. Success of Central African Republic Peace Agreement Dependent on Parties Ending Violence, Engaging in Dialogue, Special Representative Tells Security Council. 2019. <https://www.un.org/press/en/2019/sc13854.doc.htm>

# Central African Republic

## MINIMAL ADVANCEMENT – EFFORTS MADE BUT REGRESSION IN PRACTICE THAT DELAYED ADVANCEMENT

- 55 Government of the Central African Republic. Fin de la première session extraordinaire 2020 de l'Assemblée nationale. February 28, 2020. <http://web.archive.org/web/20200605183902/http://www.assembleenationale-rca.cf/fin-de-la-premiere-session-extraordinaire-2020-de-lassemblee-nationale/>
- 56 U.S. Embassy- Bangui. Reporting. March 15, 2021.
- 57 U.S. Embassy- Bangui official. E-mail communication to USDOL official. May 9, 2021.
- 58 UN Office for the Coordination of Humanitarian Affairs. 2018: Aperçu des Besoins Humanitaires. November 2017. <https://reliefweb.int/report/central-african-republic/r-publique-centrafricaine-aper-u-des-besoins-humanitaires-2018>
- 59 UN Security Council. Action Plan to Protect Children Signed in the Central African Republic. New York, June 14, 2018. <https://childrenandarmedconflict.un.org/action-plan-to-protect-children-signed-in-the-central-african-republic/>
- 60 UN Office of the Special Representative for Children and Armed Conflict. New Action Plan to Protect Children Signed in the Central African Republic. September 23, 2019. <https://childrenandarmedconflict.un.org/new-action-plan-to-protect-children-signed-in-the-central-african-republic/>
- 61 UN Office of the Special Representative for Children and Armed Conflict. Central African Republic: Signature of a New Action Plan to Protect Children. July 5, 2019. <https://childrenandarmedconflict.un.org/central-african-republic-signature-of-a-new-action-plan-to-protect-children/>
- 62 U.S. Embassy- Bangui official. E-mail communication to USDOL official. March 5, 2020.
- 63 U.S. Embassy- Bangui official. E-mail communication to USDOL official. July 17, 2019.
- 64 U.S. Department of State. Trafficking in Person Report- 2017: Central African Republic. Washington, D.C., June 27, 2017. <https://www.state.gov/reports/2017-trafficking-in-persons-report/central-african-republic/>
- 65 Government of the Central African Republic. Plan de Transition 2014–2017: Ministre de l'Education Nationale et de L'Enseignement Technique. September 5, 2014. Source on file.
- 66 UNICEF. Central African Republic Humanitarian Situation Report. New York, December 2017. [https://www.unicef.org/appeals/files/UNICEF\\_CAR\\_Humanitarian\\_SitRep\\_Dec\\_2017.pdf](https://www.unicef.org/appeals/files/UNICEF_CAR_Humanitarian_SitRep_Dec_2017.pdf)
- 67 UN Office for the Coordination of Humanitarian Affairs. 2018 Plan de Réponse Humanitaire: Janvier–Décembre 2018. December 2017. <https://reliefweb.int/report/central-african-republic/r-publique-centrafricaine-plan-de-r-ponse-humanitaire-2018-janvier-d>
- 68 U.S. Embassy- Bangui. Reporting. February 20, 2019.
- 69 Olsson, Sandra. As CAR peace deal unravels, uncertainty looms for thousands of child soldiers. African Arguments, July 13, 2017. <http://africanarguments.org/2017/07/13/as-car-peace-deal-unravels-uncertainty-looms-for-thousands-of-child-soldiers/>



In 2021, Chad made moderate advancement in efforts to eliminate the worst forms of child labor. The government created a National Referral Mechanism that outlines standard operating procedures for suspected cases of trafficking in persons, including those involving children. In addition, the government created a Multi-sectoral Technical Committee Against Migrant Smuggling and Human Trafficking and with the assistance of the International Organization for Migration, provided training on trafficking in persons to judicial officials. However, children in Chad are subjected to the worst forms of child labor, including forced labor in cattle herding and domestic work. In addition, the government did not provide sufficient 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. (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	45.8 (Unavailable)
Attending School (%)	5 to 14	39.1
Primary Completion Rate (%)		40.6
Combining Work and School (%)	7 to 14	27.0

Source for primary completion rate: Data from 2018, published by UNESCO Institute for Statistics, 2022. (4)

Source for all other data: International Labor Organization's analysis of statistics from Multiple Indicators Cluster Survey (MICS 6), 2019. (5)

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

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

Sector/Industry	Activity
Agriculture	Farming, activities unknown (1)
	Production of charcoal (1)
	Herding livestock, including camels and cattle (1,3,6)
	Fishing, including catching, smoking, and selling fish (1)
Industry	Brickmaking (7)
	Carpentry (1)
	Gold mining† (1,2)
Services	Domestic work (1,3)
	Working in restaurants as barmaids and servers (1,8,9)
	Street work, including vending, garbage scavenging, and carrying heavy loads‡ (1,7)
	Begging† (1,3)
	Working as tailors and seamstresses (7)
Categorical Worst Forms of Child Labor‡	Working in auto repair shops (1)
	Commercial sexual exploitation, sometimes as a result of human trafficking (2,10)
	Forced labor in agriculture, begging, cattle and camel herding, domestic work, fishing, gold mining, charcoal production, and street vending (2,3,10)
	Recruitment of children by non-state armed groups for use in armed conflict (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.

# Chad

## MODERATE ADVANCEMENT

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. (1,2,10) 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. (2,10) 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. (2,10) Domestically, boys sent to Koranic schools, or *mouhadjirin*, may be forced to beg and surrender the money they receive to their teachers. (1-3,10) 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. (2)

As of the end of 2021, Chad hosted more than 550,000 refugees and asylum seekers, the second largest per capita population in Africa. More than half of all refugees were children. (1,2,10-15) The Boko Haram insurgency, flooding, and multiple epidemics have internally displaced 406,573 Chadians. (15-18) From August to December 2021, an estimated 105,088 Cameroonian refugees entered Chad after the outbreak of intercommunal conflict in Cameroon's Far North region. An estimated 88 percent of these refugees are women and children. (15) 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. (2,10,16,17)




Both the Constitution and the Law Orienting the Education System mandate free and compulsory education in Chad. (19,20) 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. (21) While basic education is free by law, some schools require additional payment for textbooks and for supplemental fees. (1,22) Other barriers to education include shortages of schools, classrooms, and teachers. In addition, some schools do not offer all grade levels. (1)

Girls experience significantly higher dropout rates than boys, and children with disabilities may be unable to attend school altogether. (23,24) Moreover, birth certificates may be required for enrollment in school; although this rule is not consistently enforced, especially in rural areas. (1) Only 12 percent of children nationwide are registered at birth, with some areas experiencing birth registration rates as low as 5 percent. (25)

## 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 lack of prohibition against 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 (26,27)
Minimum Age for Hazardous Work	Yes	18	Articles 6 and 7 of the Decree Relating to Child Labor (26)
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 (26,28)
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 (20,27-29)
Prohibition of Child Trafficking	Yes		Articles 3, 5, 6.2, and 7.1 of the President's Ordinance on Trafficking in Persons; Articles 10, 330, and 331 of the Penal Code (28,29)
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 (28-30)
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 (28,29,31-33)
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; 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 (28,29,31,34)
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 (28,29,32)
Compulsory Education Age	Yes	16‡	Articles 21, 23, 25, and 28 of the Law Orienting the Education System; Article 35 of the Constitution (19,20)
Free Public Education	Yes		Article 9 of the Law Orienting the Education System; Article 35 of the Constitution (19,20)

‡ Age calculated based on available information (19)

As the minimum age for work is lower than the compulsory education age, children may be encouraged to leave school before completion of compulsory education. (19,20,26,27)

### 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.

**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. (8) Administers a directorate charged with addressing the worst forms of child labor, and maintains a specific point of contact to assist in coordinating child protection and human trafficking issues. (8)
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 laws related to child labor and child trafficking. (8,10)

## MODERATE ADVANCEMENT

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

Organization/Agency	Role
National Police's Child Protection Brigade (CPB)	Enforces and investigates allegations of child exploitation, including human trafficking and the worst forms of child labor. (1,2,10) Evacuates children to its headquarters in N'Djamena, from where they may be moved to Ministry of Women and Childhood Protection (MWCP) temporary shelters in Koundoul. (8) Includes 100 "focal points" spread throughout all 23 provinces. These focal points are not trained investigators, but they are responsible for coordinating investigations with hub offices and referring allegations to investigators. (1,10) 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. (10) Allegations may be submitted directly by the public or by MWCP, MOPS, or MOJ. The government's regional child protection technical committees also identify and refer child trafficking victims to CPB. (1) CPB is active in Chad's largest cities (N'Djamena, Moundou, Sarh, Mongo, Mao, and Abéché). (10) However, research indicates that CPB is not well known by the public, thus limiting its impact. (1)

### Labor Law Enforcement

Research did not find information on whether labor law enforcement agencies in Chad took actions to address child labor.

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

Overview of Labor Law Enforcement	2020	2021
Labor Inspectorate Funding	Unknown (9)	Unknown (1)
Number of Labor Inspectors	36 (9)	36 (1)
Mechanism to Assess Civil Penalties	Yes (27)	Yes (27)
Initial Training for New Labor Inspectors	No (9)	No (1)
Training on New Laws Related to Child Labor	No (9)	Yes (1)
Refresher Courses Provided	Yes (9)	Unknown (1)
Number of Labor Inspections Conducted	Unknown (9)	Unknown (1)
Number Conducted at Worksite	Unknown (9)	Unknown (1)
Number of Child Labor Violations Found	Unknown (9)	Unknown (1)
Number of Child Labor Violations for Which Penalties Were Imposed	Unknown (9)	Unknown (1)
Number of Child Labor Penalties Imposed that Were Collected	Unknown (9)	Unknown (1)
Routine Inspections Conducted	Unknown (9)	Unknown (1)
Routine Inspections Targeted	Unknown (9)	Unknown (1)
Unannounced Inspections Permitted	Yes (27)	Yes (27)
Unannounced Inspections Conducted	Unknown (9)	Unknown (1)
Complaint Mechanism Exists	Yes (9)	No (1)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (9)	Yes (1)

In addition to 36 full-time inspectors, the Ministry of Public Service, Employment, and Social Dialogue (MOPS) employs 50 labor controllers who act in an advisory role (but are unable to conduct inspections themselves). (1,9) However, the number of labor inspectors is likely insufficient for the size of Chad's workforce, which includes approximately 5.3 million workers. According to the ILO's technical advice of a ratio approaching 1 inspector for every 40,000 workers in less developed countries, Chad would need to employ about 133 labor inspectors. (1,35,36) 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. (1) In Chad, child labor complaints are supposed to be received by the police, who are then supposed to refer the complaints to the Child Protection Brigade. This referral mechanism does not route cases to the labor inspectorate, nor is there another mechanism through which MOPS may receive child labor complaints directly. (1)

Ongoing austerity measures, exacerbated by the COVID-19 pandemic, along with regular changes of Ministers hindered the government's ability to conduct labor inspections. (1) Labor inspectors lacked sufficient resources, including transportation, to conduct investigations outside the city in which they are based. (1) Research indicates that the informal sector, in which many children work, is also largely unmonitored. (1,3)



**Criminal Law Enforcement**

Research did not find information on whether criminal law enforcement agencies in Chad took actions to address child labor.

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

Overview of Criminal Law Enforcement	2020	2021
Initial Training for New Criminal Investigators	Unknown (9)	No (1)
Training on New Laws Related to the Worst Forms of Child Labor	Unknown (9)	N/A (1)
Refresher Courses Provided	No (9)	No (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	Yes (9)	Unknown (1)

In the reporting period, the Government of Chad released a National Referral Mechanism (NRM) that outlines standard operating procedures for suspected cases of trafficking in persons, including those involving children. The NRM is designed to improve identification of trafficking in persons by law enforcement; coordinate relevant entities; and ensure effective victim protection and assistance, including the provision of social services. (1,10) The NRM manual also outlines victims' rights, including safe accommodation and medical, psychological, and legal assistance. (10)

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. (1) The government did not provide clear information on its criminal law enforcement efforts for inclusion in this report. (1) No trainings were held for police or gendarmes officials in 2021, reportedly due to the impact of the pandemic. (1) The Ministry of Justice, with IOM assistance, did begin some training on trafficking in persons for judicial officials during the reporting period. (10) Despite this, many judicial officials remain unaware of Chad's laws on trafficking in persons, including the 2018 President's Ordinance on Trafficking in Persons. (10)

Civil society organizations typically assist with providing temporary shelter, legal assistance, and family reintegration services; they also track prosecutions and convictions. (2) Due to the economic impact of the pandemic, the Government of Chad reduced criminal law enforcement budgets during the reporting period. (1) Resource constraints, including lack of electricity and Internet at judicial facilities and erratic and insufficient funding allocations pose barriers to criminal investigation and prosecution. (1,2,10) In addition, cases of the worst forms of child labor are often not prosecuted under criminal law. For example, in trafficking 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 survivors' families. (9) Furthermore, child victims may be housed with their traffickers due to a lack of available service providers. (37)

**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 funding to carry out mandates.

## MODERATE ADVANCEMENT

**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 MWCP Child Protection Directorate and includes representatives from four other ministries, including MOPS. (1) Research was unable to determine whether the committee was active during the reporting period. (1)
Interministerial 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. (1) Conducts awareness-raising activities and training in the military. (1) A child soldiers task force comprising UNICEF; the Ministry of Defense; MOJ; and MWCP, periodically screen recruitment pools for minimum age requirement violations. (1) Research was unable to determine whether the committee was active during the reporting period. (1)
Ministry of Women and Childhood Protection (MWCP)	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. (1,10) With UNICEF and local NGO support, MWCP-run shelters provide temporary assistance to victims of child trafficking, including food; education; medical and psychological care; and reintegration services. Child Protection Directorates at various ministries and the National Police's CPB work together to provide support and reintegration services to victims of exploitation. (8,10) Shelters continued to provide victim services during the reporting period. (8)
MWCP's Regional Child Protection Committees	Coordinates regional government efforts to address the worst forms of child labor. Includes representatives from MWCP, MOPS, MOJ, and the police. (1) Research was unable to determine whether the committee was active during the reporting period. (1)
Multi-sectoral Technical Committee Against Migrant Smuggling and Human Trafficking*	Implements national referral mechanism and new standard operating procedures governing the prevention, identification, and care provided to victims of human trafficking. Coordinates human trafficking-related trainings for judges and prosecutors countrywide. (1,10) Responsible for collecting data related to trafficking in persons. (10) Includes members from governmental and non-governmental bodies, including the Ministries of Justice, Foreign Affairs, Social Action, Public Health, and Communication; the Judiciary Police; the National Gendarmerie; the National Commission of Human Rights; INTERPOL; and various civil society organizations. (10) The committee was launched in July 2021 by MOJ in conjunction with IOM. (1,10)

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

The operations of the Ministry of Women and Childhood Protection's (MWCP) Regional Child Protection Committees were limited by the impact of the pandemic, lack of funding, and limited personnel. In addition, the Multi-sectoral Technical Committee Against Migrant Smuggling and Human Trafficking was launched in July 2021. However as of October 2021, when donor funding from the Italian government expired, it has not received funding from the Government of Chad. (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 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. Coordinates interagency enforcement of the 2018 President's Ordinance on Trafficking in Persons. (1) Includes provisions for training members of the courts, local authorities, traditional and religious leaders, members of civil society, and members of enforcement agencies. (1) The National Action Plan was not yet created during the reporting period. (1) However, the Multisectoral Technical Committee on Migrant Smuggling and Trafficking in Persons, after its July 2021 launch, released a Semester Section Plan covering July-December 2021. (10)
Ministry of Economy and Development Planning (MEDP) Policies	Includes the 5-Year Plan for Development (2017–2021), which aimed 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 addressing the worst forms of child labor. (1,38) Vision 2030, another MEDP policy, aims to increase educational opportunities, establish social protection policies, and implement a national employment policy with a youth focus. (1) Research was unable to determine whether components relating to child labor in either policy were active during the reporting period. (1)
Interim Education Plan (2018–2021)	Included 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. (9,39,40) Research was unable to determine whether funds were dispersed to implement this initiative during the reporting period. (1)

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

Policy	Description
National Biometric Population Registry	Adopted in 2020 under Ordinance No. 002-PR-2020, which created a national biometric population registry and permitted the organization of civil registry in the Republic of Chad, including for births, marriages, and divorces. Includes a dedicated database to facilitate identification of victims and perpetrators of child labor. (1,41) Activities under this policy were not implemented during the reporting period. (1,42)
Comprehensive Refugee Response Framework	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. (43,44) Integrates schools in refugee camps into Chad's national education system, per the UNHCR's Global Compact on Refugees Framework. (43) 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, Cellule Filets Sociaux, and local authorities at the provincial and prefecture levels. (43) The framework is 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. (43,45) Research was unable to determine whether this policy was active during the reporting period. (1)

‡ The government had other policies that may have addressed child labor issues or had an impact on child labor. (46,47)

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. (1) While the Semester Action Plan on Trafficking in Persons for July to December 2021 contained strategic objectives and costs tied to specific activities, there were no dedicated funds to cover these costs after 2021, when Italian government funding for the Multisectoral Technical Committee ended. (10) Research was unable to determine whether any activities for the Semester Action Plan were carried out after September 2021. (10)

## VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2021, 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 inadequacy of programs to address the full scope of the problem.

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

Program	Description
Refugees and Host Communities Support (2018–2023)	\$60 million World Bank-funded project to improve access to health and education services for refugees and host communities by rehabilitating and constructing primary schools. (1,48,49) As of the end of the reporting period, cash transfers reached approximately 100,000 participants, 80 percent of whom were women. (48)
UNICEF Programs	Multifaceted humanitarian action targeting children, including refugees and internally displaced children in Chad. Includes interventions in education, healthcare, nutrition, and other areas of basic need. (15) Through its \$21 million Education Cannot Wait (2020–2022) program, supports education for 230,000 at-risk children. (50) 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. (39,50) Interventions include early childhood education, in addition to non-formal education and literacy programs for out-of-school adolescent children (ages 9 to 14). (39,50) In 2021, UNICEF continued distance learning programs through radio and television, reaching 607,675 children, including 136,426 girls. (15) UNICEF also provided school supplies to 245,940 children, including 115,251 girls, affected by the crisis in the Central African Republic and the Lake Chad Basin. (15)
UNDAF (2017–2021)	Aimed to provide access to quality education for children who are school aged, refugees, and vulnerable; improve social protection; and promote good governance. (1,53) Research was unable to determine whether the program was implemented during the reporting period. (1)
WFP Strategic Plan (2019–2023)	Aims to address hunger and malnutrition in Chad among crisis-affected and vulnerable populations. (54,55) Seeks to promote resilient livelihoods and sustainable food systems. Prioritizes strengthening national institutions to manage food security and coordinating cooperation with humanitarian and development partners in Chad. (54) Through joint initiatives Breaking Barriers to Girls' Education and Education Cannot Wait, provides meals to school children. (55) During the reporting period, WFP assisted 1.1 million crisis-affected people with unconditional food assistance, supported 218,600 children and school staff through the WFP school feeding program, and reached 173,500 people through resilience building activities such as environmental conservation and home and community asset creation. (55)

† Program is funded by the Government of Chad.

## MODERATE ADVANCEMENT

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. (1) Although Chad has programs that target child labor, their scope is insufficient to adequately address the extent of the problem, particularly in regards to the use of child labor in herding cattle, forced child labor in domestic work, and commercial sexual exploitation. (1,56)

## VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE CHILD LABOR

Based on the reporting above, suggested actions are identified that would advance the elimination of child labor in 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 – 2021
	Raise the minimum age for work to the age up to which education is compulsory.	2018 – 2021
Enforcement	Ensure that the roles of enforcement agencies are well-known and understood by the public.	2016 – 2021
	Strengthen the labor inspectorate by providing inspectors with sufficient resources—including training, transportation, and budget allocations—to conduct inspections in both the formal and informal sectors.	2014 – 2021
	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, convictions obtained, and penalties imposed.	2014 – 2021
	Establish a mechanism for the Ministry of Public Service, Employment, and Social Dialogue to receive child labor complaints.	2021
	Significantly increase the number of labor inspectors to meet the ILO's technical advice.	2012 – 2021
	Ensure that criminal law enforcement agencies are sufficiently funded, law enforcement officers are trained, and existing penalties are enforced according to the law.	2015 – 2021
	Ensure that the judicial system receives sufficient resources, including training and funding for infrastructure, to effectively prosecute cases and manage data on the worst forms of child labor.	2021
	Ensure a sufficient number of service providers are available for child survivors of trafficking so victims are not housed with their traffickers.	2020 – 2021
Coordination	Ensure that coordinating committees are active and receive adequate resources to carry out their mandates.	2014 – 2021
Government Policies	Adopt a policy to address all relevant worst forms of child labor in Chad and ensure that existing policies are fully funded and implemented.	2009 – 2021
	Ensure that activities are undertaken to implement key policies related to child labor during the reporting period and that data on these activities are published.	2020 – 2021
Social Programs	Ensure access to education for all children by eliminating school-related fees; increasing the number of schools, grade levels, classrooms, and teachers available throughout the country, including for children in refugee camps; implementing programs to increase enrollment of girls; and providing accommodations for students with disabilities.	2014 – 2021
	Ensure that all children are issued birth certificates, which may be required for school enrollment.	2014 – 2021
	Ensure that existing programs receive adequate funding to support victims of child labor throughout the country, and that programs are implemented as intended.	2016 – 2021
	Establish or expand programs to provide services to children engaged in the worst forms of child labor, such as forced child labor in herding cattle, domestic work, and commercial sexual exploitation.	2009 – 2021

## REFERENCES

- 1 U.S. Embassy- N'Djamena. Reporting. February 23, 2022.
- 2 U.S. Department of State. Trafficking in Persons Report- 2021: Chad. Washington, D.C., July 1, 2021. <https://www.state.gov/reports/2021-trafficking-in-persons-report/chad/>
- 3 ILO Committee of Experts. Direct Request concerning Worst Forms of Child Labour Convention, 1999 (No. 182) Chad (ratification: 2000). Published: 2021. [https://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100::PI3100\\_COMMENT\\_ID:4124176](https://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100::PI3100_COMMENT_ID:4124176)
- 4 UNESCO Institute for Statistics. Gross intake ratio to the last grade of primary education, both sexes (%). Accessed March 3, 2022. For more information, please see "Children's Work and Education Statistics: Sources and Definitions" in the Reference Materials section of this report. <http://data.uis.unesco.org/>
- 5 ILO. Analysis of Child Economic Activity and School Attendance Statistics from National Household or Child Labor Surveys. Original data from Multiple Indicators Cluster Survey (MICS 6), 2019. Analysis received March 2022. Please see "Children's Work and Education Statistics: Sources and Definitions" in the Reference Materials section of this report.



- 6 ILO Committee of Experts. Direct Request concerning Minimum Age Convention, 1973 (No. 138) Chad (ratification: 2005). Published: 2018. [https://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100\\_COMMENT\\_ID:3338745:NO](https://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:3338745:NO)
- 7 O'Kane, Claire; Barros, Ornella; Meslaoui, Nicolas. Il est temps de parler: Points de Vue des Enfants sur le Travail des Enfants. Allemagne: Terre des Hommes International Federation et Kindernothilfe. May 2018. [https://www.time-to-talk.info/wp-content/uploads/2018/06/T2T\\_Report\\_French.pdf](https://www.time-to-talk.info/wp-content/uploads/2018/06/T2T_Report_French.pdf)
- 8 U.S. Embassy- N'Djamena. Reporting. January 17, 2020.
- 9 U.S. Embassy- N'Djamena. Reporting. January 15, 2021.
- 10 U.S. Embassy- N'Djamena. Reporting. April 1, 2022.
- 11 UNHCR. Chad 2020 Child Protection Plan: Problem Assessment, Comprehensive and Prioritised Response (Central African Republic). 2019. Source on file.
- 12 UNHCR. Chad 2020 Child Protection Plan: Problem Assessment, Comprehensive and Prioritised Response (Sudanese Refugees in the East). 2019. Source on file.
- 13 UNHCR. Chad 2020 Child Protection Plan - Education: Problem Assessment, Comprehensive and Prioritised Response (Central African Refugees). November 27, 2019. <http://reporting.unhcr.org/sites/default/files/pdfsummaries/GA2020-Chad-eng.pdf>
- 14 UNHCR. Operational Data Portal: Refugee Situation, Chad. Date accessed: February 2022. <https://data2.unhcr.org/en/country/tcd>
- 15 UNICEF. Chad Humanitarian Situation Report: 2021. December 31, 2021. <https://www.unicef.org/documents/chad-annual-humanitarian-situation-report-31-december-2022>
- 16 UNICEF. Humanitarian Action for Children: 2020 Appeals (Chad). 2019. <https://www.unicef.org/chad/media/361/file/HAC-2020.pdf>
- 17 Ahmed, Kaamil. Fears for civilians in Chad after army suffers devastating Boko Haram attack. The Guardian, April 1, 2020. <https://www.theguardian.com/global-development/2020/apr/01/fears-for-civilians-in-chad-after-army-suffers-devastating-boko-haram-attack>
- 18 Amnesty International. Amnesty International Report 2017/18: The State of the World's Human Rights. Chad. London, 2018. <https://www.amnesty.org/download/Documents/POL1067002018ENGLISH.PDF>
- 19 Government of the Republic of Chad. Orientation du système éducatif Tchadien, Loi N° 016/PR/06. Enacted: March 13, 2006. <http://www.ilo.org/dyn/natlex/docs/ELECTRONIC/79409/85373/F-30051095/TCD-79409.pdf>
- 20 Government of the Republic of Chad. Constitution, Loi N° 05-008 2005-07-15 PR. Enacted: March 31, 1996. <http://www.wipo.int/edocs/lexdocs/laws/fr/td/td001fr.pdf>
- 21 Peyton, Nellie. More refugee girls in Chad see a path to a university education – here's how. World Economic Forum, December 11, 2019. <https://www.weforum.org/agenda/2019/12/refugee-girls-in-chad-embrace-school-as-path-to-university-opens-up/>
- 22 U.S. Department of State. Country Reports on Human Rights Practices- 2020: Chad. Washington, D.C., March 30, 2021. <https://www.state.gov/reports/2020-country-reports-on-human-rights-practices/chad/>
- 23 World Bank. Chad - COVID-19 Education Response Project (English). February 12, 2021. <https://documents.worldbank.org/en/publication/documents-reports/documentdetail/589881617295022807/chad-covid-19-education-response-project>
- 24 Jesuit Refugee Service. Chad: Drawing a better future for refugee girls. March 5, 2021. <https://jrs.net/en/story/chad-drawing-a-better-future-for-refugee-girls/>
- 25 Tchadinfos. Tchad: faible déclaration de naissances 12% seulement. February 13, 2017. <http://tchadinfos.com/tchad/tchad-faible-declaration-de-naissances-12-seulement/>
- 26 Government of the Republic of Chad. PR-MT JS-DTMOPS du février 1969 relatif au travail des enfants, Décret N° 55. Enacted: 1969. Source on file.
- 27 Government of the Republic of Chad. Code du Travail, Loi N° 038/PR/96. Enacted: December 11, 1996. <https://www.ilo.org/dyn/natlex/docs/ELECTRONIC/47297/77458/F10428800/TCD-47297.pdf>
- 28 Government of the Republic of Chad. Ordonnance N° 006/PR/2018 Portant Lutte Contre la Traite des Personnes en République du Tchad. Enacted: March 30, 2018. Source on file.
- 29 Government of the Republic of Chad. Loi N° 001/PR/2017 Portant Code Pénal. Enacted: May 8, 2017. Source on file.
- 30 Government of the Republic of Chad. Loi N° 009/PR/2015 portant sur la cybersécurité et la lutte contre la cybercriminalité. Enacted: February 10, 2015. Source on file.
- 31 Government of the Republic of Chad. Loi N° 06-012 2006-03-10 PR portant réorganisation des Forces Armées et de Sécurité. Enacted: March 10, 2006. Source on file.
- 32 Government of the Republic of Chad. Ordonnance N° 001/PR/2014 Portant Interdiction et Répression de l'Enrôlement et de l'utilisation des enfants dans les conflits armés. Enacted: January 27, 2014. Source on file.
- 33 Government of the Republic of Chad. Statut général des militaires, Loi N° 006/PR/92. Enacted: April 28, 1992. Source on file.
- 34 Government of the Republic of Chad. African Charter on the Rights and Welfare of the Child. Enacted: March 20, 2000. [http://web.archive.org/web/20120719224924/http://www.achpr.org/files/instruments/child/achpr\\_instr\\_charterchild\\_eng.pdf](http://web.archive.org/web/20120719224924/http://www.achpr.org/files/instruments/child/achpr_instr_charterchild_eng.pdf)
- 35 ILOSTAT. ILO modelled estimates and projections (ILOEST) – Population and labour force. Accessed (January 25, 2022). <https://ilostat.ilo.org/data/>
- 36 UN. World Economic Situation and Prospects. 2021 Statistical Annex. Please see "Labor Law Enforcement: Sources and Definitions" in the Reference Materials section of this report. [https://www.un.org/development/desa/dpad/wp-content/uploads/sites/45/WESP2021\\_ANNEX.pdf](https://www.un.org/development/desa/dpad/wp-content/uploads/sites/45/WESP2021_ANNEX.pdf)
- 37 U.S. Embassy- N'Djamena official. E-mail communication with USDOL Official. May 22, 2019.
- 38 Government of the Republic of Chad. Plan Quinquennal (PQ) 2016–2020. N'Djamena: November 2016. Source on file.
- 39 UNICEF. Education Cannot Wait announces multi-year investment to support quality education for crisis-affected children and youth in Chad. December 24, 2019. <https://www.unicef.org/chad/press-releases/education-cannot-wait-announces-multi-year-investment-support-quality-education>
- 40 Government of the Republic of Chad. Interim Education Plan (2018–2020). July 2017. <https://www.globalpartnership.org/fr/content/plan-interiminaire-de-leducation-2018-2020-tchad>
- 41 Government of the Republic of Chad. Loi Portant Organisation de l'Etat Civil en République du Tchad (002/PR 2020). February 14, 2020. Source on file.
- 42 U.S. Embassy- N'Djamena official. E-mail communication to USDOL official. May 25, 2022.
- 43 UNHCR. An overview of how Chad is addressing the objectives of the Global Compact on Refugees. March 11, 2021. <https://globalcompactrefugees.org/article/chad>
- 44 UN News. Chad: New law safeguards 480,000 refugees. December 24, 2020. <https://news.un.org/en/story/2020/12/1080862>
- 45 UNHCR. Refugee teacher mentorship to improve learning outcomes. February 27, 2020. <https://globalcompactrefugees.org/article/refugee-teacher-mentorship-improve-learning-outcomes>
- 46 U.S. Embassy- N'Djamena. Reporting. January 7, 2019.

## MODERATE ADVANCEMENT

- 47 Government of Cameroon, Government of Central African Republic, Government of the Republic of Chad, Government of Nigeria, Government of Niger, and Government of Sudan. Ending Recruitment and Use of Children by Armed Forces and Groups: Contributing to Peace, Justice and Development: N'Djamena. June 7–9, 2010.  
<https://www.derechos.org/intlaw/doc/ndjamena.html>
- 48 World Bank. Disclosable Version of the ISR - Chad - Refugees and Host Communities Support Project - PI64748 - Sequence No: 05 (English). Washington, D.C., December 12, 2021.  
<http://documents.worldbank.org/curated/en/099340012212147011/Disclosable0Ve0748000Sequence0No005>
- 49 World Bank. Project Appraisal Document on a Proposed Grant of US\$60 Million to the Republic of Chad for a Refugees and Host Communities Support Project. August 21, 2018.  
<http://documents.worldbank.org/curated/en/658761536982256019/pdf/PAD2809-PAD-PUBLIC-disclosed-9-12-2018-IDA-R2018-0286-1.pdf>
- 50 Education Cannot Wait. Education Cannot Wait Invests \$48 Million in Chad And Ethiopia. February 15, 2020.  
<https://www.educationcannotwait.org/chad-ethiopia-myrp-launches/#:~:text=15 February 2020, New York,years to roll out crucial>
- 51 U.S. Department of State. Trafficking in Persons Report- 2019: Chad. Washington, D.C., June 24, 2019.  
<https://www.state.gov/reports/2019-trafficking-in-persons-report/chad/>
- 52 U.S. Embassy- N'Djamena. Reporting. February 14, 2018.
- 53 UN. Plan cadre des Nations Unies d'Assistance au Développement (UNDAF) 2017–2021. 2017.  
[https://chad.un.org/sites/default/files/2020-02/Tchad\\_UNDAF\\_2017-2021\\_Version\\_Signée.pdf](https://chad.un.org/sites/default/files/2020-02/Tchad_UNDAF_2017-2021_Version_Signée.pdf)
- 54 World Food Program. Chad Country Strategic Plan (2019–2023). October 31, 2018.  
<https://www.wfp.org/operations/td01-chad-country-strategic-plan-2019-2023#:~:text=The country strategic plan articulates,to deliver sustainable hunger solutions.>
- 55 World Food Program. Chad Country Annual Report 2021. 2021.  
[https://www.wfp.org/operations/annual-country-report?operation\\_id=TD01&year=2021#/23240](https://www.wfp.org/operations/annual-country-report?operation_id=TD01&year=2021#/23240)
- 56 ILO Committee of Experts. Individual Observation concerning Worst Forms of Child Labor Convention, 1999 (No. 182) Chad (ratification: 2000). Published: 2021.  
[https://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100\\_COMMENT\\_ID:4061180](https://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:4061180)

In 2021, Chile made moderate advancement in efforts to eliminate the worst forms of child labor. Following Chile's ratification of the International Labor Organization's Protocol on Forced Labor, the Ministry of Labor and Social Welfare created the Ministerial Advisory Commission to strengthen Chile's efforts to address forced labor among adults and children. Civil servants, police officers, and detectives were also trained on human trafficking victim assistance, including videotaped investigative interviewing. In addition, the National Tourism Service established an interagency alliance with the Undersecretary of Labor's Department of Child Labor Eradication and Inter-Agency Task Force on Trafficking in Persons to organize workshops with business owners on awareness and prevention of child labor, commercial sexual exploitation, forced labor, and trafficking in persons in the tourism sector. 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 are also subjected to involvement in the production and trafficking of drugs. 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 1 provides key indicators on children's work and education in Chile.

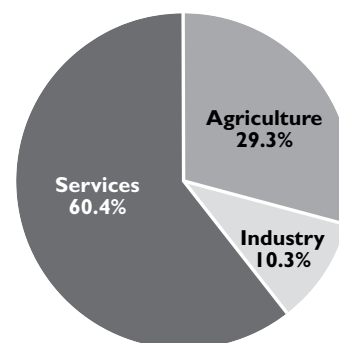
**Table 1. Statistics on Children's Work and Education**

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 (%)		98.2

Source for primary completion rate: Data from 2019, published by UNESCO Institute for Statistics, 2022. (3)

Source for all other data: International Labor Organization's analysis of statistics from Encuesta de Actividades de Niños, Niñas y Adolescentes (Simpoc), 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	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)
Services	Domestic work (1,5,8)
	Working in retail, hospitality, corner stores, offices, restaurants, and bars† (5-12)
	Garbage collection,† and street cleaning (7)
	Street work,† including street vending, and juggling (6,9)

## MODERATE ADVANCEMENT

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

Sector/Industry	Activity
Categorical Worst Forms of Child Labor†	Use in illicit activities, including in the production, selling, and distribution of drugs, sometimes as a result of human trafficking (5,8,9,13,14)
	Forced labor in agriculture, mining, construction, street vending, domestic work, and garment and hospitality sectors (13,15)
	Commercial sexual exploitation, including in the production of pornography, sometimes as a result of human trafficking (5,13-15)

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

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







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 Chile, children, some of whom may be human trafficking victims, are used to steal or produce, sell, and transport drugs. (9,13)

Indigenous children and adolescents from Otavalo, Ecuador, are especially vulnerable to human trafficking for labor exploitation in Chile. (10) In Coquimbo, children sell products in street markets and work as jugglers. (6) Children are also involved in street work, including selling handicrafts, clothes, or other goods. (9) While education is compulsory through secondary school, 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. (5,8,16,17)

## 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 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 13 of the Labor Code (18)
Minimum Age for Hazardous Work	Yes	18	Articles 13–14 and 18 of the Labor Code (18)
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; Decree 1 (18-21)



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

Standard	Meets International Standards	Age	Legislation
Prohibition of Forced Labor	Yes		Article 19, No. 2 of the Constitution; Article 2 of the Labor Code; Article 411 of the Penal Code; Law 20.507 (18,22-24)
Prohibition of Child Trafficking	Yes		Article 411 of the Penal Code (23)
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 (23,25,26)
Prohibition of Using Children in Illicit Activities	No		
Minimum Age for Voluntary State Military Recruitment	Yes	18	Chapter 1, Article 13 of the Armed Forces Recruitment and Mobilization Law No. 2.306 (27)
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 (27)
Prohibition of Military Recruitment by Non-state Armed Groups	Yes		Article 26 of Law No. 20.357 (28)
Compulsory Education Age	Yes	18‡	Articles 4, 25, and 27 of the General Education Law No. 20.370 (17)
Free Public Education	Yes		Article 4 of the General Education Law No. 20.370 (17)

‡ Age calculated based on available information (17)

Following Chile's January 2021 ratification of ILO Protocol on Forced Labor, in October, the Ministry of Labor and Social Welfare created through formal decree the Ministerial Advisory Commission for the Implementation of the Protocol. This public-private coordinating body is intended to strengthen Chile's efforts to address forced labor among both adults and children. (12,29) The Commission's first meeting was held in July 2021. (12) Also following the October 2020 preliminary publication of Law 21.271, the Ministry of Labor and Social Security published an official decree in May 2021 that formally amends Article 15 of the Labor Code, which determines dangerous work activities for children and adolescents. (12,21)

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. (30,31) In addition, Chile's minimum age for work is lower than the age for compulsory education, which may encourage children to leave school before the completion of compulsory education. (18,17)

### III. ENFORCEMENT OF LAWS ON CHILD LABOR

The government has established institutional mechanisms for the enforcement of laws and regulations on child labor (Table 5). However, gaps exist within the operations of 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. (8) Enforces child labor laws, coordinating with the Better Childhood Service and the Department of Child Labor Eradication. (2) As of 2021, the Undersecretary of Labor within MINTRAB chairs the Ministerial Advisory Commission for the Implementation of the Protocol (ILO C029) on forced labor. The Commission is made up of actors whose knowledge and experience are used to advise the Undersecretary of Labor on the limitations that may hinder implementation of the protocol. (12,29)
Better Childhood Service (Mejor Niñez)	Operates under the Ministry of Social Development and Family, guaranteeing the protection of vulnerable children and adolescents, particularly those living on the streets, and victims of commercial sexual exploitation, in coordination with the Department of Child Labor Eradication. (32,33) Officially replaced the National Minor's Service (SENAME) in October 2021 as the new National Service for the Specialized Protection of Children and Adolescents ("Better Childhood Service"). (15) Also coordinates with Local Offices of Childhood ( <i>Oficinas Locales de la Niñez</i> ), referring 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 Better Childhood Service. (32,34)

## MODERATE ADVANCEMENT

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

Organization/Agency	Role
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 Brigade to Investigate Trafficking in Persons 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. (37) Operate under the Ministry of the Interior. (10) Receive referrals on the worst forms of child labor from the National Labor Directorate, which houses the Undersecretary of Labor. (5)
National Prosecutor's Office ( <i>Fiscalía Nacional</i> )	Conducts criminal investigations and prosecutes crimes related to the worst forms of child labor. Trains and coordinates with interagency partners, including PDI, <i>Carabineros</i> , and regional and local prosecutor's offices. (5,33,38,39)

### Labor Law Enforcement

In 2021, labor law enforcement agencies in Chile took actions to address 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 insufficient human resource allocation.

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

Overview of Labor Law Enforcement	2020	2021
Labor Inspectorate Funding	\$108,695 (8)	\$74,000,000 (33)
Number of Labor Inspectors	467 (8)	467 (33)
Mechanism to Assess Civil Penalties	Yes (18)	Yes (18)
Initial Training for New Labor Inspectors	N/A (8)	Yes (12)
Training on New Laws Related to Child Labor	N/A (8)	N/A (12)
Refresher Courses Provided	Yes (8)	Yes (12)
Number of Labor Inspections Conducted	66,989 (8)	78,050† (33)
Number Conducted at Worksites	Unknown (8)	Unknown
Number of Child Labor Violations Found	66 (8)	218 (33)
Number of Child Labor Violations for Which Penalties Were Imposed	66 (8)	218 (33)
Number of Child Labor Penalties Imposed that Were Collected	66 (8)	218 (33)
Routine Inspections Conducted	Yes (8)	Yes (12)
Routine Inspections Targeted	Yes (8)	Yes (12)
Unannounced Inspections Permitted	Yes (8)	Yes (12)
Unannounced Inspections Conducted	Yes (8)	Yes (12)
Complaint Mechanism Exists	Yes (8)	Yes (12)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (8)	Yes (12)

† January 1, 2021 - January 31, 2022

In 2021, labor inspectors received training on child labor and adolescent work, including modifications made to the Labor Code. Facilitators of this training included the ILO and the Department of Child Labor Eradication of the Undersecretary of Labor. (33)

However, the number of vehicles available to labor inspectors is insufficient, especially in areas where there is a great distance between regional offices and employers. (7) Although the number of labor inspectors is unknown, it is likely insufficient for the size of Chile's workforce, which includes approximately 8.6 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 need about 579 inspectors. (40,41)

### Criminal Law Enforcement

In 2021, criminal law enforcement agencies in Chile took actions to address child labor (Table 7). However, gaps exist within the operations of the criminal enforcement agencies that may hinder adequate criminal law enforcement, including insufficient 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	2020	2021
Initial Training for New Criminal Investigators	Yes (8)	Yes (12)
Training on New Laws Related to the Worst Forms of Child Labor	N/A (8)	N/A (12)
Refresher Courses Provided	Yes (8)	Yes (12)
Number of Investigations	Unknown	Unknown
Number of Violations Found	Unknown	Unknown
Number of Prosecutions Initiated	18* (42)	Unknown
Number of Convictions	10 (42)	Unknown
Imposed Penalties for Violations Related to the Worst Forms of Child Labor	Yes (42)	Unknown
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (8)	Yes (12)

\*The National Prosecutor's database does not differentiate between investigations and prosecutions. (42)

In November 2021, 200 civil servants from the departments of health, education, labor, women's assistance, child protective services, and the police attended a webinar training entitled "Chile-Ecuador on Prevention, Investigation, and Best Victims' Assistance Practices on Trafficking in Persons" organized by the Interagency Task Force on Trafficking in Persons (MITP). (15) The MITP also organized a refresher training on human trafficking and migrant smuggling for 40 police officers of the organized crime division of the National Uniformed Police (*Carabineros*) in December. In that same month, 26 detectives of the National Investigations Police completed a month-long specialized training program on videotaped investigative interviewing. (15)

Despite these efforts, judges frequently suspend or commute sentences of individuals convicted of commercial sexual exploitation of children. (5, 13) 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. (42) Moreover, there is a lack of adequate shelters for child victims of trafficking in persons. (15) In addition, the government did not provide information on criminal law enforcement efforts, including the number of investigations, violations, prosecutions, convictions, and penalties imposed for violations related to the worst forms of child labor.

## IV. COORDINATION OF GOVERNMENT EFFORTS ON CHILD LABOR

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

**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 Better Childhood Service. Housed within the Undersecretary of Labor. (43,44) 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 to Eradicate Child Labor. (5,45) The Department led a variety of activities in 2021, including a tripartite meeting in January to present finalized regulations on the hazardous list of activities for adolescent workers with guidelines for employers to use. (12)
National Advisory Committee to Eradicate Child Labor	Led by MINTRAB and includes representatives from the ministries of Agriculture, Education, and Justice; the National Statistics Institute; the National Tourism Service; PDI; and the <i>Carabineros</i> . (46) 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) The National Advisory Committee met in May 2021, and the executive secretariat met in both March and April of 2021. Regional Committees held 27 sessions during the year in various regions of the country. (12)

## MODERATE ADVANCEMENT

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

Coordinating Body	Role & Description
Undersecretary 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, "Chile Crece Contigo" program. Located under the Ministry of Social Development and Family. (2,8,47,48) Responsible for implementing the National Childhood Policy and its respective Action Plan through coordination mechanisms for intersectoral work. (2,8,47,48) 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. (8) In 2021, the Undersecretariat convened the Intersectoral Technical Committee, which includes 35 ministries and agencies across the Government of Chile. (12) The committee's meeting featured a discussion on the link between child labor, migration, and the effects of the COVID-19 pandemic. (49)
Interagency 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, Better Childhood Service, and others. (5,50) Created regional task forces throughout the country. (5,36) The task force met nine times in 2021, including special case analysis meetings for the Victims Sub-Commission to coordinate across all institutions and NGOs that participate on the task force. (15) In January 2021, the Valparaíso Regional MITP, the Undersecretariat of Labor, and the National Tourism Service (SERNATUR) organized a webinar on "Child Labor, Trafficking in Persons and Commercial Sexual Exploitation of Children (CSEC)" for 100 government workers from the health, labor, education, women's rights, children's service sectors, and the police. (15)
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. (8) 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. (8) 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. (8) Although this coordinating body still exists, it did not take any actions during the reporting period due to difficulties coordinating between the two regions given pandemic-related border restrictions. (12)

During the reporting period, the National Tourism Service (SERNATUR) established an interagency alliance with the Labor Undersecretary's Department of Child Labor Eradication and the MITP to organize workshops with business owners on awareness and prevention of child labor, commercial sexual exploitation, forced labor, and trafficking in persons in the tourism sector. (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 insufficient implementation.

**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. (46) MINTRAB oversees the implementation of regional strategies, including the design and implementation of regional operating plans. (37) During the reporting period, the government carried out a total of 247 activities under this policy, both at the central level and regional level, including conferences, virtual seminars, trainings, and collaboration agreements with universities to promote regional research on child labor. (12) In support of Chile's designation as a member of ILO's "Alliance 8.7" to eradicate child labor, MINTRAB, MITP, and ILO organized a webinar, "The Role of Companies in Eradicating Child Labor and TIP," which was attended by 120 public officials and private sector representatives. (15)
National Plan of Action for Children and Adolescents (2018–2025)	Works to consolidate, monitor, and improve all public initiatives that protect the rights of children and adolescents. Created by the Undersecretary for Children. (5,51,52) 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. (51-53) 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.



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

Policy	Description
Third Action Plan against the Commercial Sexual Exploitation of Children and Adolescents	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) Under this plan, MITP held two virtual discussions on the commercial sexual exploitation of children and adolescents, child labor, and human trafficking in the context of travel and tourism in May 2021 with 300 participants. (15)
National Action Plan Against Human Trafficking (2019–2022)	Seeks to prevent and address 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. (36,58,59) During the reporting period and under direction from this plan, the government held trainings on child labor and human trafficking for public officials from the National Tourism Service (SERNATUR) and regional directors of the National Immigration Service. (12)

‡ 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 2021, 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 inadequate funding.

**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. Include programs implemented by municipal governments and local branches of the Offices for the Protection of Children's Rights. (62) SENAME also administers 17 programs to serve child victims of commercial sexual exploitation. (62) Due to the budget reduction suffered by government institutions as a result of the pandemic, the Ministry of Labor and Social Welfare did not finance any of these projects during the reporting period. (12) SENAME was replaced by Better Childhood Services during the reporting period and continued to evaluate which of these programs to continue and end during 2022. (63)
USDOL-Funded Projects	Measurement, Awareness-Raising, and Policy Engagement (MAP 16) Project on Child Labor and Forced Labor, 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 website.

† Program is funded by the Government of Chile.

## 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 the use of children in illicit activities.	2019 – 2021
	Raise the minimum age for work to the age up to which education is compulsory.	2018 – 2021
Enforcement	Ensure that inspectors have sufficient transportation resources, such as vehicles, to carry out their duties.	2016 – 2021
	Increase the number of labor inspectors to meet the ILO's technical advice.	2018 – 2021
	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 – 2021
	Publish information on the number of investigations, criminal violations, prosecutions, convictions, and penalties imposed related to the worst forms of child labor.	2019 – 2021
	Ensure that there are adequate shelters available for child victims of trafficking in persons.	2019 – 2021

## MODERATE ADVANCEMENT

**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 Plan of Action for Children and Adolescents and that information on these activities are published during the reporting period.	2020 – 2021
	Ensure that the National Action Plan Against Human Trafficking is approved at the ministerial level.	2021
Social Programs	Conduct research to determine the activities carried out by children working in forestry, hunting, and fishing to inform policies and programs.	2020 – 2021
	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 – 2021
	Ensure that programs established to address child labor are properly funded and active, and that activities are published.	2020 – 2021

## REFERENCES

- Organización Internacional del Trabajo. Chile: Encuesta de Actividades de Niños y Adolescentes de 2012: "Magnitud y características del trabajo infantil en Chile - Informe 2013". 2013. [http://www.ilo.org/ipec/Informationresources/WCMS\\_IPEC\\_PUB\\_23635/lang-es/index.htm](http://www.ilo.org/ipec/Informationresources/WCMS_IPEC_PUB_23635/lang-es/index.htm)
- U.S. Embassy- Santiago. Reporting. February 15, 2019.
- UNESCO Institute for Statistics. Gross intake ratio to the last grade of primary education, both sexes (%). Accessed March 3, 2022. For more information, please see "Children's Work and Education Statistics: Sources and Definitions" in the Reference Materials section of this report. <http://data.uis.unesco.org/>
- ILO. Analysis of Child Economic Activity and School Attendance Statistics from National or Child Labor Surveys. Original data from Encuesta de Actividades de Niños, Niñas y Adolescentes (Simpoc). 2012. Analysis received March 2022. Please see "Children's Work and Education Statistics: Sources and Definitions" in the Reference Materials section of this report.
- U.S. Embassy- Santiago. Reporting. February 14, 2020.
- Luengo, Rebeca. Agricultura y pesca son las principales actividades en que se concentra el trabajo infantil. Diario el Día, June 14, 2017. <https://www.diarioeldia.cl/region/2017/6/14/agricultura-pesca-son-las-principales-actividades-en-que-se-concentra-el-trabajo-infantil-41429.html>
- U.S. Embassy- Santiago. Reporting. January 24, 2018.
- U.S. Embassy- Santiago. Reporting. February 4, 2021.
- U.S. Embassy- Santiago. Reporting. March 5, 2019.
- U.S. Embassy- Santiago. Reporting. January 31, 2017.
- U.S. Embassy- Santiago official. E-mail communication to USDOL official. February 7, 2017.
- U.S. Embassy- Santiago. Reporting. February 3, 2022. (A)
- U.S. Department of State. Trafficking in Persons Report- 2021: Chile. Washington, D.C., July 2021. <https://www.state.gov/reports/2021-trafficking-in-persons-report/chile/>
- U.S. Embassy- Santiago. Reporting. February 12, 2021.
- U.S. Embassy- Santiago. Reporting. February 3, 2022. (B)
- U.S. Department of State. Country Reports on Human Rights Practices- 2020: Chile. Washington, D.C., March 30, 2021. <https://www.state.gov/reports/2020-country-reports-on-human-rights-practices/chile/>
- Government of Chile. Ley General de Educación, Ley Núm. 20.370. Enacted: 2009. Source on file.
- Government of Chile. Código del Trabajo de Chile. Enacted: 2002. Updated April 2019. [https://www.dt.gob.cl/legislacion/1624/articles-95516\\_recurso\\_1.pdf](https://www.dt.gob.cl/legislacion/1624/articles-95516_recurso_1.pdf)
- Government of Chile. Ley Núm. 20.539. Enacted: 2011. Source on file.
- Government of Chile. Actualiza Reglamento para la Aplicación del Artículo 13 del Código de Trabajo, Decreto Supremo No. 2. Enacted: 2017. <https://www.leychile.cl/Navegar?idNorma=1103381>
- Government of Chile. Decreto 1: Aprueba Reglamento Conforme a lo Dispuesto en el Inciso Final del Artículo 15 del Código de Trabajo. May 22, 2021. [http://www.noaltrabajoinfantil.cl/wp-content/uploads/2021/06/Decreto-1\\_22-MAY-2021.pdf](http://www.noaltrabajoinfantil.cl/wp-content/uploads/2021/06/Decreto-1_22-MAY-2021.pdf)
- Government of Chile. Constitución Política de 1980 incluidas las Reformas hasta el 2005. Enacted: 2005. <http://pdba.georgetown.edu/Constitutions/Chile/chile05.html>
- Government of Chile. Código Penal de la República de Chile. Enacted: 1875. <http://www.leychile.cl/Navegar?idNorma=1984>
- Government of Chile. Delitos de Tráfico Ilícito de Inmigrantes y Trata de Personas, Ley 20.507. Enacted: 2011. Source on file.
- Government of Chile. Sanciona el acoso sexual de menores, la pornografía infantil virtual y la posesión de material pornográfico infantil, Ley Núm. 20.526. Enacted: 2011. <http://bit.ly/wDxXeE>
- Government of Chile. Crea Inhabilitaciones para Condenado por Delitos Sexuales contra Menores y Establece Registro de Dichas Inhabilitaciones Ley Núm. 20.594. Enacted: 2012. <http://www.leychile.cl/Navegar?idNorma=1041136>
- Government of Chile. Dicta Normas Sobre Reclutamiento y Movilización de las Fuerzas Armadas, Decreto Ley Núm. 2.306. Enacted: 1978. [http://www.dgmn.cl/transparencia/leyes\\_dgmn/nuevas/D.Ley.2.306\\_Dicta\\_normas\\_sobre\\_reclutamiento.pdf](http://www.dgmn.cl/transparencia/leyes_dgmn/nuevas/D.Ley.2.306_Dicta_normas_sobre_reclutamiento.pdf)
- Government of Chile. Law 20.357. Enacted: June 26, 2009. Source on file.
- Government of Chile. Decreto 31\_Crea Comisión Asesora Ministerial para la Implementación del Protocolo de 2014 Relativo al Convenio Sobre el Trabajo Forzoso. October 30, 2021. <https://www.bcn.cl/leychile/navegar?idNorma=1167307>
- Government of Chile. Sustituye la Ley Núm. 19.366 que sanciona el tráfico ilícito de estupefacientes y sustancias sicotrópicas, Ley Núm. 20.000. Enacted: 2005. <https://www.bcn.cl/leychile/navegar?idNorma=235507>
- Government of Chile. Establece un Sistema de Responsabilidad de los Adolescentes por Infracciones a la Ley Penal, Ley Núm. 20.084. Enacted: 2005. <http://bcn.cl/4tx0>
- Government of Chile. Ley 21302\_Crea el servicio nacional de protección especializada a la niñez y adolescencia y modifica normas legales que indica. January 5, 2021. <https://www.bcn.cl/leychile/navegar?idNorma=1154203>
- U.S. Embassy- Santiago. Reporting. April 11, 2022.
- U.S. Embassy- Santiago official. E-mail communication with USDOL official. April 5, 2022.
- Government of Chile official. E-mail communication to USDOL official. January 31, 2020.
- U.S. Embassy- Santiago. Reporting. February 13, 2020.
- U.S. Embassy- Santiago official. E-mail communication to USDOL official. April 20, 2017.

- 38 Fiscalía Nacional. Quienes Somos, La Fiscalía de Chile. April 27, 2016. <http://www.fiscaliadechile.cl/Fiscalia/quienes/index.jsp>
- 39 Fiscalía Nacional. Unidad Especializada de Delitos Sexuales y Violencia Intrafamiliar, La Fiscalía de Chile. April 27, 2016. <http://www.fiscaliadechile.cl/Fiscalia/areas/sex-unidad.jsp>
- 40 ILOSTAT. ILO Labor Force Statistics (LFS) - Population and Labour Force. Accessed January 25, 2022. Labor force data is government-reported data collected by the ILO. Please see "Labor Law Enforcement: Sources and Definitions" in the Reference Materials section of this report. <http://ilostat.ilo.org/data/>
- 41 UN. World Economic Situation and Prospects 2019 Statistical Annex. New York. 2019 Please see "Labor Law Enforcement Sources and Definitions" in the Reference Materials section of this report. [https://www.un.org/development/desa/dpad/wp-content/uploads/sites/45/WESP2019\\_BOOK-web.pdf](https://www.un.org/development/desa/dpad/wp-content/uploads/sites/45/WESP2019_BOOK-web.pdf)
- 42 U.S. Embassy- Santiago official. E-mail Communication to USDOL official. June 9, 2021.
- 43 Government of Chile official. E-mail communication to USDOL official. April 7, 2021.
- 44 Government of Chile. Resolución No. 612\_Aprueba Organigrama Funcional y Descripción de Reparticiones de la Subsecretaría del Trabajo. September 17, 2020. [https://www.subtrab.gob.cl/wp-content/uploads/2020/10/Res\\_N612\\_Aprueba\\_Organigrama\\_Subtrab\\_v2.pdf](https://www.subtrab.gob.cl/wp-content/uploads/2020/10/Res_N612_Aprueba_Organigrama_Subtrab_v2.pdf)
- 45 Government of Chile. Declaración Hoja de Ruta 2019–2021. 2019. Source on file.
- 46 OIT y Ministerio del Trabajo y Previsión Social. Crear Felices. Estrategia nacional para la erradicación del trabajo infantil y protección del adolescente trabajador, 2015–2025. May 5, 2015. [http://www.ilo.org/santiago/publicaciones/WCMS\\_380838/lang-es/index.htm](http://www.ilo.org/santiago/publicaciones/WCMS_380838/lang-es/index.htm)
- 47 Government of Chile. Ley 21.090: Crea la subsecretaría de la niñez, modifica la ley 20.530. Enacted: April 4, 2018. <https://www.leychile.cl/Navegar?idNorma=1117540>
- 48 Microjuris. Ley No. 21.090 crea la Subsecretaría de la Niñez. April 18, 2018. <https://aldiachile.microjuris.com/2018/04/18/ley-no-21-090-crea-la-subsecretaria-de-la-ninez/>
- 49 Organización Internacional del Trabajo. Chile: Organizaciones establecen alianza intersectorial a favor de la erradicación del trabajo infantil. April 30, 2021. [https://www.ilo.org/santiago/sala-de-prensa/WCMS\\_789692/lang-es/index.htm](https://www.ilo.org/santiago/sala-de-prensa/WCMS_789692/lang-es/index.htm)
- 50 Government of Chile. Mesa Intersectorial sobre Trata de Personas. 2008. <http://tratadepersonas.subinterior.gov.cl/mesa-intersectorial/>
- 51 Ministry of Labor official. Interview with USDOL official. March 13, 2019.
- 52 Government of Chile. Plan de Acción Nacional de Niñez y Adolescencia 2018–2025. March 2018. [http://www.creciendoconderechos.gob.cl/docs/Plan\\_Accion\\_NNA\\_2018-2025.pdf](http://www.creciendoconderechos.gob.cl/docs/Plan_Accion_NNA_2018-2025.pdf)
- 53 Government of Chile. Se promulga Ley que crea Defensoría de los Derechos de la Niñez. January 22, 2018. <https://www.desarrollosocialyfamilia.gob.cl/noticias/se-promulga-ley-que-crea-defensoria-de-los-derechos-de-la-ninez>
- 54 Government of Chile, Consejo Nacional de la Infancia. Política Nacional de Niñez y Adolescencia: Sistema Integral de Garantías de Derechos de la Niñez y Adolescencia. 2015–2025. 2016. [https://biblioteca.digital.gob.cl/handle/123456789/167#:~:text=2015-2025,-Visualizar Descargar Política&text=El documento fija cursos de,el año 2015 y 2025.](https://biblioteca.digital.gob.cl/handle/123456789/167#:~:text=2015-2025,-Visualizar%20Descargar%20Pol%C3%ADtica&text=El%20documento%20fija%20cursos%20de%20a%C3%B1o%202015%20y%202025)
- 55 Government of Chile. Tercer Marco para la Acción contra la Explotación Sexual Comercial de Niños, Niñas, y Adolescentes. December 2017. <http://www.cajmetro.cl/noticias/tercer-marco-para-la-accion-contra-la-explotacion-sexual-comercial-de-ninos-ninas-y-adolescentes-201/>
- 56 Government of Chile. Caracterización de las formas de explotación sexual comercial de niños, niñas y adolescentes. December 2017. [http://www.ongraices.org/admin/doctos/doc\\_49.pdf](http://www.ongraices.org/admin/doctos/doc_49.pdf)
- 57 Mesa Intersectorial sobre Trata de Personas. Plan de Acción Nacional contra la Trata de Personas 2015–2018. <http://tratadepersonas.subinterior.gov.cl/media/2015/12/Plan-de-Accion-contra-la-Trata-de-Personas-2015-2018.pdf>
- 58 U.S. Embassy- Santiago official. E-mail communication to USDOL official. July 1, 2019.
- 59 Government of Chile. Chile país pionero de la alianza 8.7: Compromiso contra la trata de personas y el trabajo infantil. April 1, 2019. <http://tratadepersonas.subinterior.gov.cl/noticias/chile-pais-pionero-de-la-alianza-8-7-compromiso-contra-la-trata-de-personas-y-el-trabajo-infantil/>
- 60 Government of Chile. National Action Plan on Business and Human Rights. August 21, 2017. [https://business-humanrights.org/sites/default/files/documents/NATIONAL ACTION PLAN ON BUSINESS AND HUMAN RIGHTS\\_.pdf](https://business-humanrights.org/sites/default/files/documents/NATIONAL_ACTION_PLAN_ON_BUSINESS_AND_HUMAN_RIGHTS_.pdf)
- 61 Government of Chile. Primer Plan Nacional de Derechos Humanos. 2018. <https://planderechoshumanos.gob.cl/files/plan.pdf>
- 62 U.S. Embassy- Santiago. Reporting. February 24, 2017.
- 63 U.S. Embassy- Santiago official. E-mail communication to USDOL official. May 17, 2022.
- 64 U.S. Department of Labor. Technical Progress Report: MAPI6 Project on Child Labor and Forced Labor. October 2019. Source on file.

*For the 2021 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.*







### 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 have 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. The government's laws and regulations 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	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 and 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 and 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 270.1-4, 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 270–271 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)
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)



# Christmas Island

## NO ASSESSMENT

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

Standard	Meets International Standards	Age	Legislation
Prohibition of Compulsory Recruitment of Children by (State) Military	N/A*		Canberra Act 2600 (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)

\* Country has no conscription (15)

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. (6,16) The lightwork framework is also insufficient because there is no limit on the number of hours children may work per week or the type of work children may engage in. (6,16) 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. (17)

### 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. (17)
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. (17)
Australian Federal Police	Enforce criminal laws related to the worst forms of child labor. (18) 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. (19,20)

#### 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 a mechanism to coordinate its efforts to address child labor (Table 4).

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

Coordinating Body	Role & Description
Inter-Departmental Committee 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. (17,19) Includes an Operational Working Group subcommittee that meets monthly and refers emerging policy issues for consideration by the Inter-Departmental Committee on Human Trafficking. (17)

During the reporting period, the Government of Australia issued its annual report detailing the previous year's activities related to implementation of the Modern Slavery Act. Efforts included conducting awareness-raising events and promoting best practices in public sector procurement. (21)

## 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 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: (1) prevention; (2) disruption, investigation, and prosecution; (3) support and protection for victims; (4) partnerships; and (5) research. (17,22) The policy was active during the reporting period. (17)

## 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. (17)

## 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.

### REFERENCES

- U.S. Embassy- Canberra. Reporting. January 15, 2020.
- Government of Australia. Christmas Island Act 1958. Enacted: 1958. <https://www.legislation.gov.au/Details/C2021C00068>
- Government of Australia. Acts Interpretation Act 1901. Enacted: July 12, 1901. <https://www.legislation.gov.au/Details/C2016C00531/Download>
- U.S. Embassy- Canberra. Reporting. January 11, 2021.
- Government of Australia. Legal Risk in International Transaction: Section 10: External Territories. Canberra. 2012. <http://www.alrc.gov.au/publications/alrc-80-legal-risk-international-transactions/10-external-territories>
- Government of Western Australia. Children and Community Services Act 2004. Enacted: October 20, 2004. [http://www.austlii.edu.au/au/legis/wa/consol\\_act/cacsa2004318/](http://www.austlii.edu.au/au/legis/wa/consol_act/cacsa2004318/)
- Government of Western Australia. School Education Act 1999. Enacted: 1999. [https://www.legislation.wa.gov.au/legislation/statutes.nsf/law\\_a1960.html](https://www.legislation.wa.gov.au/legislation/statutes.nsf/law_a1960.html)
- Government of Western Australia. Mines Safety and Inspection Regulations 1995. Enacted: 1995. [https://www.legislation.wa.gov.au/legislation/statutes.nsf/main\\_mrtitle\\_878\\_homepage.html](https://www.legislation.wa.gov.au/legislation/statutes.nsf/main_mrtitle_878_homepage.html)
- Government of Western Australia. Occupational Safety and Health Regulations 1996. As Amended: 2021. [https://www.legislation.wa.gov.au/legislation/statutes.nsf/law\\_s4665.html](https://www.legislation.wa.gov.au/legislation/statutes.nsf/law_s4665.html)
- Government of Western Australia, Department of Mines, Industry Regulation and Safety. High Risk Work - Classes of License. Accessed January 29, 2021. Source on file.
- Government of Australia. The Criminal Code Act 1995. Enacted: 1995. [http://www.austlii.edu.au/au/legis/cth/consol\\_act/cca1995115/sch1.html](http://www.austlii.edu.au/au/legis/cth/consol_act/cca1995115/sch1.html)
- Government of Australia. Crimes Legislation Amendment (Slavery, Slavery-like Conditions and People Trafficking) Act 2013. Enacted: March 8, 2013. <https://www.legislation.gov.au/Details/C2013A00006>
- Government of Western Australia. Prostitution Act 2000. Enacted: July 29, 2000. As Amended: 2018. [https://www.legislation.wa.gov.au/legislation/statutes.nsf/main\\_mrtitle\\_11564\\_homepage.html](https://www.legislation.wa.gov.au/legislation/statutes.nsf/main_mrtitle_11564_homepage.html)
- Government of Western Australia. Criminal Code Act Compilation Act 1913. Enacted: 1913. As Amended: 2020. [https://www.legislation.wa.gov.au/legislation/statutes.nsf/main\\_mrtitle\\_218\\_homepage.html](https://www.legislation.wa.gov.au/legislation/statutes.nsf/main_mrtitle_218_homepage.html)
- Government of Australia. Canberra Act 2600. Enacted: April 22, 2008. Source on file.
- International Labour Organization. ILO Conventions and Recommendations on child labour. <http://www.ilo.org/ipcc/facts/ILOconventionsonchildlabour/lang--en/index/htm>
- U.S. Embassy- Canberra. Reporting. January 28, 2022.
- Government of Australia. Australian Federal Police: Child Protection. Website, Accessed March 22, 2019. <https://www.afp.gov.au/what-we-do/crime-types/child-protection>

# Christmas Island

---

## NO ASSESSMENT

- 19 Government of Australia. Parliamentary Joint Committee on Law Enforcement: An inquiry into human trafficking, slavery, and slavery-like practices. July 2017.  
[https://www.aph.gov.au/Parliamentary\\_Business/Committees/Joint/Law\\_Enforcement/Humantrafficking45/~/\\_media/Committees/le\\_ctte/Humantrafficking45/report.pdf](https://www.aph.gov.au/Parliamentary_Business/Committees/Joint/Law_Enforcement/Humantrafficking45/~/_media/Committees/le_ctte/Humantrafficking45/report.pdf)
- 20 Australian Federal Police (AFP). AFP Child Protection Operations-Online Child Sex Exploitation. Website, Accessed March 22, 2019.  
<https://www.afp.gov.au/what-we-do/crime-types/child-protection>
- 21 Government of Australia. Implementing the Modern Slavery Act. November 23, 2021.  
<https://www.homeaffairs.gov.au/criminal-justice/files/implementing-the-modern-slavery-act-2018.pdf>
- 22 Government of Australia. National Action Plan to Combat Modern Slavery 2020–2025. 2020.  
<https://www.homeaffairs.gov.au/reports-and-publications/submissions-and-discussion-papers/combat-modern-slavery-2020-25>

# Cocos (Keeling) Islands

NO ASSESSMENT

*For the 2021 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.*




## 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. (1-3) 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. (2,4) The following Conventions have 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. The government's laws and regulations 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	17.5	Section 190 of the Children and Community Services Act 2004 (WA) (CKI); Section 29 of the School Education Act 1999 (WA) (CKI) (5,6)
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) (5,7,8)
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) (7-9)
Prohibition of Forced Labor	Yes		Sections 270.1-4, 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) (10,11)
Prohibition of Child Trafficking	Yes		Divisions 270 and 271 of the Criminal Code Act 1995 (Cth) (10)
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) (5,12,13)
Prohibition of Using Children in Illicit Activities	Yes		Divisions 309–310 of the Criminal Code Act 1995 (Cth) (10)
Minimum Age for Voluntary State Military Recruitment	Yes	18	Canberra Act 2600 (14)



# Cocos (Keeling) Islands

## NO ASSESSMENT

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

Standard	Meets International Standards	Age	Legislation
Prohibition of Compulsory Recruitment of Children by (State) Military	N/A*		Canberra Act 2600 (14)
Prohibition of Military Recruitment by Non-state Armed Groups	Yes		Sections 268.68 and 268.88 of the Criminal Code Act 1995 (Cth) (10)
Compulsory Education Age	Yes	17.5	Section 6 of the School Education Act (WA) (CKI) (6)
Free Public Education	Yes		Section 98 of the School Education Act (WA) (CKI) (6)

\* Country has no conscription. (14)

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. (5) The lightwork framework is also insufficient because there is no limit on the number of hours children may work per week or the type of work children may engage in. (5) 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. 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)
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)
Australian Federal Police	Enforce criminal laws related to the worst forms of child labor. (15) Oversee the Child Protection Operations Team, which coordinates and investigates online and multijurisdictional 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. (16,17)

#### **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 a mechanism to coordinate its efforts to address child labor (Table 4).

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

Coordinating Body	Role & Description
Interdepartmental Committee on Human Trafficking (IDC)	Deal 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. (1,17) Includes an Operational Working Group subcommittee that meets monthly and refers emerging policy issues for IDC consideration. (1) During the reporting period, the IDC published its tenth report on the government's efforts to prevent human trafficking, including private sector engagement and allocation of funds to promote justice for victims of human trafficking. (18,19)

During the reporting period, the Government of Australia issued its annual report detailing the previous year's activities related to implementation of the Modern Slavery Act. Efforts included conducting awareness-raising events and promoting best practices in public sector procurement. (20)

## 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 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: (1) prevention; (2) disruption, investigation, and prosecution; (3) support and protection for victims; (4) partnerships; and (5) research. (1,21) The policy was active during the reporting period. (1)

## 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. (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.

### REFERENCES

- 1 U.S. Embassy- Canberra. Reporting. January 28, 2022.
- 2 Government of Australia. Acts Interpretation Act 1901. Enacted: July 12, 1901.  
<https://www.legislation.gov.au/Details/C2016C00531/Download>
- 3 Government of Cocos (Keeling) Islands. Cocos Keeling Islands Act. Enacted: December 15, 2010.  
<https://www.comlaw.gov.au/Details/C2010C00815>
- 4 Government of Australia. Legal Risk in International Transaction: Section 10: External Territories. Canberra. July 15, 2010  
<http://www.alrc.gov.au/publications/alrc-80-legal-risk-international-transactions/10-external-territories>
- 5 Government of Western Australia. Children and Community Services Act 2004. Enacted: October 20, 2004.  
[http://www.austlii.edu.au/au/legis/wa/consol\\_act/cacsa2004318/](http://www.austlii.edu.au/au/legis/wa/consol_act/cacsa2004318/)
- 6 Government of Western Australia. School Education Act 1999. Enacted: November 2, 1999.  
[https://www.legislation.wa.gov.au/legislation/statutes.nsf/main\\_mrtitle\\_878\\_homepage.html](https://www.legislation.wa.gov.au/legislation/statutes.nsf/main_mrtitle_878_homepage.html)
- 7 Government of Western Australia. Mines Safety and Inspection Regulations 1995. Enacted: December 8, 1995.  
[https://www.legislation.wa.gov.au/legislation/statutes.nsf/main\\_mrtitle\\_1819\\_homepage.html](https://www.legislation.wa.gov.au/legislation/statutes.nsf/main_mrtitle_1819_homepage.html)
- 8 Government of Western Australia. Occupational Safety and Health Regulations 1996. Enacted: 1996. As Amended: 2021.  
[https://www.legislation.wa.gov.au/legislation/statutes.nsf/main\\_mrtitle\\_1853\\_homepage.html](https://www.legislation.wa.gov.au/legislation/statutes.nsf/main_mrtitle_1853_homepage.html)
- 9 Government of Western Australia, Department of Mines, Industry Regulation and Safety. High Risk Work – Classes of License. Accessed January 29, 2021. Source on file.

# Cocos (Keeling) Islands

## NO ASSESSMENT

- 10 Government of Australia. The Criminal Code Act 1995. Enacted: 1995. [http://www.austlii.edu.au/au/legis/cth/consol\\_act/ccal995l15/schl1.html](http://www.austlii.edu.au/au/legis/cth/consol_act/ccal995l15/schl1.html)
- 11 Government of Australia. Crimes Legislation Amendment (Slavery, Slavery-like Conditions and People Trafficking) Act 2013. Enacted: March 8, 2013. <https://www.legislation.gov.au/Details/C2013A00006>
- 12 Government of Western Australia. Prostitution Act 2000. Enacted: July 29, 2000. [https://www.legislation.wa.gov.au/legislation/statutes.nsf/main\\_mrtitle\\_11564\\_homepage.html](https://www.legislation.wa.gov.au/legislation/statutes.nsf/main_mrtitle_11564_homepage.html)
- 13 Government of Western Australia. Criminal Code Act Compilation Act 1913. Enacted: 1913. As Amended: 2020. [https://www.legislation.wa.gov.au/legislation/statutes.nsf/main\\_mrtitle\\_11564\\_homepage.html](https://www.legislation.wa.gov.au/legislation/statutes.nsf/main_mrtitle_11564_homepage.html)
- 14 Government of Australia. Canberra Act 2600. Enacted: April 22, 2008. Source on file.
- 15 Government of Australia. Australian Federal Police: Child Protection. Website, Accessed March 22, 2019. <https://www.afp.gov.au/what-we-do/crime-types/child-protection>
- 16 Australian Federal Police (AFP). AFP Child Protection Operations-Online Child Sex Exploitation. Website, Accessed March 22, 2019. . <https://www.afp.gov.au/what-we-do/crime-types/child-protection>
- 17 Government of Australia. Parliamentary Joint Committee on Law Enforcement: An inquiry into human trafficking, slavery, and slavery-like practices. July 2017. [https://www.aph.gov.au/Parliamentary\\_Business/Committees/Joint/Law\\_Enforcement/Humantrafficking45/~/\\_media/Committees/le\\_ctte/Humantrafficking45/report.pdf](https://www.aph.gov.au/Parliamentary_Business/Committees/Joint/Law_Enforcement/Humantrafficking45/~/_media/Committees/le_ctte/Humantrafficking45/report.pdf)
- 18 Government of Australia. Trafficking in Persons: The Australian Government Response. 2021. <https://www.homeaffairs.gov.au/criminal-justice/files/report-of-the-interdepartmental-committee-on-human-trafficking-and-slavery-2017-2020.pdf>
- 19 U.S. Embassy- Canberra. Reporting. February 4, 2022.
- 20 Government of Australia. Implementing the Modern Slavery Act. November 23, 2021. <https://www.homeaffairs.gov.au/criminal-justice/files/implementing-the-modern-slavery-act-2018.pdf>
- 21 Government of Australia. National Action Plan to Combat Modern Slavery 2020–2025. 2020. <https://www.homeaffairs.gov.au/reports-and-publications/submissions-and-discussion-papers/combating-modern-slavery-2020-25>

In 2021, Colombia made significant advancement in efforts to eliminate the worst forms of child labor. The government amended the Penal Code, increasing penalties for aggravating factors in crimes of human smuggling and trafficking involving children. The Ministry of Labor also adopted a "Guide for the Identification of Possible Cases of Trafficking in Persons for the Purpose of Forced Labor" to help labor inspectors identify forced labor crimes. The Intersectorial Commission for the Prevention of the Recruitment and Use of Children by Illegal Armed Groups published an extensive report analyzing the incidence and patterns of the recruitment, use, and sexual violence against children carried out by illegal armed and criminal groups for the 2016–2020 period. The Ministry of the Interior also developed and implemented the national trafficking in persons prevention plan "Zero Complicity," which focused on strengthening trafficking prevention efforts and includes a public awareness campaign. In addition, the government introduced the "Katunaa Modality" social program designed to protect the fundamental rights of children ages 6 to 13, including with regard to child labor, sexual violence, and intra-family violence. 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) 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. (2-4) Table 1 provides key indicators on children's work and education in Colombia.

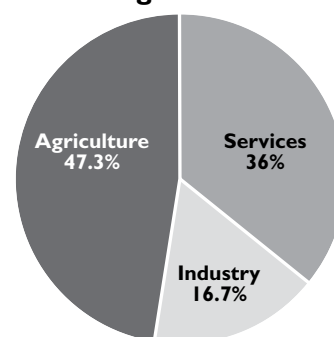
**Table 1. Statistics on Children's Work and Education**

Children	Age	Percent
Working (% and population)	5 to 14	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, 2022. (5)

Source for all other data: International Labor Organizations' analysis of statistics from Gran Encuesta Integrada de Hogares, Módulo de Trabajo Infantil (GEIH-MTI), 2019. (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.



# Colombia

## SIGNIFICANT ADVANCEMENT

**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) (3,7-11)
	Animal husbandry,† hunting,† and fishing,† including conch and crab harvesting (3,7-13)
Industry	Mining† coal, emeralds, gold, tungsten, and coltan (11,14)
	Producing bricks and wood charcoal (3,7,11,14)
	Construction,† particularly of large-scale projects (3,11)
	Cutting and transporting wood,† and creating artisanal woodwork such as handicrafts and decorative items (8,11,12,15)
	Processing shrimp and langoustines† (8)
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 (3,11,16-23)
	Recycling† (11,16)
	Domestic work,† including caring for children,† cooking, gardening, and shopping for the home (11)
	Working in retail establishments, hotels, and restaurants (2,11)
Categorical Worst Forms of Child Labor‡	Commercial sexual exploitation, sometimes as a result of human trafficking (1,11,24)
	Use in the production of pornography (11,24)
	Recruitment of children by non-state armed groups for use in armed conflict (1,11,25)
	Forced begging and use in illicit activities by illegal armed groups and criminal organizations, including committing homicides, extortions, trafficking drugs, and the production of marijuana and coca (stimulant plant), each sometimes as a result of human trafficking (1,3,11,25,26)

† 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.

Reports indicate that the forced recruitment and use of minors in Colombia by illegal armed groups, including *Fuerzas Armadas Revolucionarias de Colombia–Ejército del Pueblo* (FARC-EP), *Segunda Marquetalia*, the National Liberation Army, and the Gulf Clan continued in 2021. (11) Children are typically recruited by armed groups to commit crimes, including producing and trafficking drugs, committing extortion, and serving as combatants and informants. (1,11) Armed groups also continued to use children for commercial sexual exploitation. (11,24) Colombia's 2016 Peace Accord with the FARC integrated special provisions known as the "Ethnic Chapter" to address the disproportionate harm Afro-Colombian and indigenous communities suffered during the 50-year conflict. High levels of violence persist in these communities and ethnic community leaders report a recent increase in child recruitment by narcotraffickers. (27)







Commercial sexual exploitation of children occurs more often in private homes rented online than in commercial establishments. Children are particularly vulnerable to commercial sexual exploitation in areas with foreign tourism, in mining communities, and in areas with large construction projects. (11) Some child victims of commercial sexual exploitation are reportedly recruited in schools and, in some cases, prostitution ring members conduct surveillance around schools in search of vulnerable girls. (3,8,11,28) Venezuelan children are particularly vulnerable to the worst forms of child labor, including street work and commercial sexual exploitation. (11)

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 living long distances from school and lack of transportation, inadequate school infrastructure, and violence. (11) A need for remote learning in response to the COVID-19 pandemic continued to have a significant negative impact on school attendance in 2021. However, the Ministry of Education reported programmatic and financial measures to improve school attendance, including the strengthening of the Active Search (*Búsqueda Activa*) strategy to locate children who have left school and re-enroll them. (11,29) The government reported a 23 percent increase in the matriculation of Venezuelan children from October 2020 to January 2022. (11)

## 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 Child and Adolescence Code (30)
Minimum Age for Hazardous Work	Yes	18	Article 117 of the Child and Adolescence Code (30)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Article 3 of Resolution 1796 (31)
Prohibition of Forced Labor	Yes		Article 17 of the Constitution; Articles 141 and 188A of the Penal Code (32,33)
Prohibition of Child Trafficking	Yes		Article 17 of the Constitution; Articles 188A–188C of the Penal Code; Law No. 2168 (32-34)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Articles 213–219B of the Penal Code (33)
Prohibition of Using Children in Illicit Activities	Yes		Articles 162, 188D, and 384 of the Penal Code (33)
Minimum Age for Voluntary State Military Recruitment	Yes	18	Article 81 of Law 1861 (35)
Prohibition of Compulsory Recruitment of Children by (State) Military	Yes		Article 4 of Law 1861 (35)
Prohibition of Military Recruitment by Non-state Armed Groups	Yes		Article 162 of the Penal Code; Article 20 the Child and Adolescence Code; Article 14 of Law 418 (30,33,36)
Compulsory Education Age	Yes	18	Decree 4807 of 2011 (37)
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 Adolescence Code (30,37,38)

In December 2021, the Colombian government amended the Penal Code, increasing penalties for aggravating factors in crimes of human smuggling and trafficking of minors. The amendment also stipulates that parents or legal guardians who subject their children to begging or other forms of exploitation and are convicted of the crime, shall lose parental or guardian rights of the minor. (11,34) The government also modified the Child and Adolescence Code, rescinding the authority of the family commissioner to provide authorization for adolescent work. This tightens oversight of work permits, which are now authorized only by labor inspectors, or in their absence, the municipal mayor. (11,39) 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.

## SIGNIFICANT ADVANCEMENT

### III. ENFORCEMENT OF LAWS ON CHILD LABOR

The government has established institutional mechanisms for the enforcement of laws and regulations on child labor (Table 5). However, gaps exist within the operations of 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 (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. (8,40) Also operates the Comprehensive Child Labor Information System, a child labor monitoring system that identifies children engaged in or at risk of child labor. (8) Collects fines for labor violations assessed after January 1, 2020, and administers proceeds through a fund designated to strengthen the labor inspectorate. (3,4)
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 in Bogotá instead of waiting for victims to seek attention at the national level. Created in 2018 by the Bogotá Mayor's office. (41,42)
National Police	Investigate cases of commercial sexual exploitation and human trafficking and house the Child Protection Police Unit. (8,43) Judicial police and the Technical Investigation Corps support the Attorney General's Office (AGO) throughout the investigation process. (8)
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. (8,12,30) Also oversees the Articulation Group for Combating Trafficking in Persons, which includes prosecutors, analysts, and judicial police engaged in addressing organized crime and human trafficking. (44)

#### **Labor Law Enforcement**

In 2021, labor law enforcement agencies in Colombia took actions to address child labor (Table 6). However, gaps exist within the operations of the Ministry of Labor (MOL) 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	2020	2021
Labor Inspectorate Funding	\$875,000 (3)	\$1,400,000 (11)
Number of Labor Inspectors	845 (3)	885 (11)
Mechanism to Assess Civil Penalties	Yes (45)	Yes (45)
Initial Training for New Labor Inspectors	Yes (3)	Yes (11)
Training on New Laws Related to Child Labor	N/A	N/A
Refresher Courses Provided	Yes (3)	Yes (11)
Number of Labor Inspections Conducted	Unknown (3)	13,018 (11)
Number Conducted at Worksite	Unknown (3)	Unknown (11)
Number of Child Labor Violations Found	Unknown (3)	1 (11)
Number of Child Labor Violations for Which Penalties Were Imposed	Unknown (3)	0 (11)
Number of Child Labor Penalties Imposed that Were Collected	Unknown (3)	N/A
Routine Inspections Conducted	Unknown (3)	Yes (11)
Routine Inspections Targeted	Unknown (3)	Yes (11)
Unannounced Inspections Permitted	Yes (45)	Yes (45)
Unannounced Inspections Conducted	Unknown (3)	Yes (11)
Complaint Mechanism Exists	Yes (3)	Yes (11)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (3)	Yes (11)

The number of labor inspectors is likely insufficient for the size of Colombia's workforce, which includes more than 23 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 need to employ about 1,549 inspectors. (47,48) The MOL continued to train new and veteran inspectors in 2021, but noted that child labor-related trainings could be strengthened. (11) The government did not report how many inspections were conducted at worksites during the reporting period. (11)

### **Criminal Law Enforcement**

In 2021, criminal law enforcement agencies in Colombia took actions to address child labor (Table 7). However, gaps exist within the operations of enforcement agencies that may hinder adequate criminal law enforcement, including insufficient funding.

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

Overview of Criminal Law Enforcement	2020	2021
Initial Training for New Criminal Investigators	Unknown (3)	Unknown (11)
Training on New Laws Related to the Worst Forms of Child Labor	N/A	N/A
Refresher Courses Provided	Yes (3)	Yes (11)
Number of Investigations	2,568 (3)	2,457 (11)
Number of Violations Found	2,124 (3)	2,444 (11)
Number of Prosecutions Initiated	71 (3)	316 (11)
Number of Convictions	229 (49)	Unknown (11)
Imposed Penalties for Violations Related to the Worst Forms of Child Labor	Yes (49)	Yes (50-52)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (3)	Yes (11)

The AGO reported 2,457 criminal investigations related to the worst forms of child labor for the period of January 1–November 31, 2021, of which 47.7 percent involved child pornography and 28.8 percent involved commercial sexual exploitation and trafficking-related crimes. (11) Of these cases, 316 suspects were charged with crimes related to the worst forms of child labor. (11) While the government did not report annual statistics on the number of convictions for crimes related to the worst forms of child labor, the AGO convicted and sentenced perpetrators of commercial sexual exploitation of children during the reporting period. (50,52) The AGO reported that 316 suspects were charged in these cases. (11) However, the AGO reported that its case management system tracks criminal proceedings through conviction only, and does not include information on sentencing. (3,8)

During the reporting period, the AGO trained a total of 1,943 officials on trafficking-related crimes, including 111 prosecutors and judicial police who participated in a course on improving investigative techniques for crimes related to the recruitment and use of children by illegal armed groups. (11) In July 2021, the MOL with support from the UNODC, adopted a "Guide for the Identification of Possible Cases of Trafficking in Persons for the Purpose of Forced Labor." This guide helps labor inspectors identify possible cases of forced labor through their inspections and provides a protocol for the referral of cases to the Attorney General's Office (AGO). (11,53)

## **IV. COORDINATION OF GOVERNMENT EFFORTS ON CHILD LABOR**

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



## SIGNIFICANT ADVANCEMENT

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

Coordinating Body	Role & Description
Interagency Committee for the Elimination of the Worst Forms of Child Labor and Protection of the Adolescent Worker (CIETI)	Coordinates efforts to address the worst forms of child labor. (3) 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. (54,55) In 2021, the committee implemented a survey across 28 of Colombia's 32 departments to monitor municipal-level efforts to address child labor. (11)
National Interagency Committee for the Prevention and Eradication of Child Commercial Sexual Exploitation	Coordinates and implements efforts to combat the commercial sexual exploitation of children. Led by MOL and comprising various government agencies. (54,56) Met twice during the reporting period to strengthen interagency coordination and report on efforts in 2020 and 2021. The committee also convened a range of stakeholders, both government and non-government, in Cartagena in September to raise awareness of the commercial sexual exploitation of children. (11)
Colombian Institute for Family Well-Being (ICBF)	Operates Mobile Teams for Comprehensive Protection 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. (8,57) Serves as Administrator of the Fund Against Sexual Exploitation of Children and Adolescents. (58) 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. (8,12) Lead agency among those comprising the National System of Family Well-Being, which promotes interagency coordination to protect children's rights, including those related to child labor, and designs, implements, monitors, and evaluates policies related to childhood and adolescence. (4,54,59) In 2021, provided capacity-building assistance to 11 regional CIETI committees and participated in designing a "Strategy for the Comprehensive Protection of Children and Adolescents" with the Department of Education on fundamental rights-related risks facing school-age children. (11) Also held a virtual forum on the COVID-19 pandemic's impact on child labor in the domestic sphere moderated by government officials and academics with more than 500 participants. In addition, continued to coordinate efforts to prevent child labor and protect adolescent workers in sugarcane under the "Pact for Growth and Employment Generation in Agro-Industrial Sugarcane" public-private partnership. (11)
Interinstitutional Committee for the Fight Against Trafficking in Persons	Leads and coordinates efforts among government agencies to address human trafficking. Created by Law 985 and chaired by the Ministry of the Interior (MOI). (60) Comprising 19 government entities, including Ministry of Foreign Affairs, MOL, and the Ministry of Health and Social Protection, among others. (61) In 2021, the committee held four sessions covering the modification of internal regulations, investigations and prosecutions, compliance, and the creation and approval of the Protocol for the Identification of Victims of Human Trafficking. (50)
Intersectorial 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 the recruitment and use of, and sexual violence against, children by illegal armed groups and criminal gangs. (3,11,62) Led by the Presidency's Office for Human Rights and International Affairs, comprises 22 entities, including AGO and MOL as permanent members. (3,8,62-64) Met twice during the reporting period and published an extensive report analyzing the incidence and patterns of the recruitment, use, and sexual violence against children carried out by illegal armed groups and criminal gangs for the 2016–2020 period. (11,65) Also published a "Manual for the Establishment of Territorial Routes of Prevention," which provides step-by-step instruction to local-level agencies to build and use protocols to prevent and address the recruitment and use of children by armed groups. This publication is a key deliverable under the National Policy for the Prevention of Recruitment, Use, and Sexual Violence Against Children and Adolescents by Illegal Armed Groups or Organized Criminal Gangs. (11,66)

‡ The government has other coordinating mechanisms that may have addressed child labor issues or had an impact on child labor. (67-70)

In previous years, research indicated that there was inconsistent coordination in the areas of human trafficking victim identification and assistance. However, in 2021, the Ministry of Interior created the Operating Committee for the Fight Against Human Trafficking, which initiates and coordinates victim assistance among local trafficking committees and state entities, including the Judicial Police, NGOs, and the Colombian Institute for Family Well-Being (ICBF). (50)

## V. GOVERNMENT POLICIES ON CHILD LABOR

The government has established relevant 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. (71) 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. (72,73) Under these guidelines, in 2021, ICBF published an operational manual that further specifies the model and measures for assistance provision under its Administrative Program for the Re-establishment of Rights, including with regard to children and adolescents who have been engaged in child labor, commercial sexual exploitation, and armed conflict. ICBF also held 27 capacity-building workshops on child labor prevention and elimination for the National System of Family Well-Being agencies and department-level CIETIs. (11)
National Policy on Childhood and Adolescence (2018–2030)	Articulates multiple sub-policies on the worst forms of child labor, protection of adolescents, prevention and eradication of commercial sexual exploitation of children, and prevention of the recruitment and use of children by armed groups. Promotes the comprehensive welfare and development of children and adolescents, recognizing them as rights-bearing subjects and integral to national development. (12,74) ICBF continued to implement the Strategy for the Prevention of Specific Risks under this policy during the reporting period. It also conducted programs that aimed to prevent human trafficking, including 21 outreach events that reached 1,454 participants, and 37 events on the prevention of the commercial sexual exploitation of children that reached 3,616 participants. (11)
National Strategy for the Prevention and Eradication of the Commercial Sexual Exploitation of Children (2018–2028)	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. (75) As part of this strategy, the Colombian government maintains an "Eyes Everywhere" (" <i>Ojos en Todas Partes</i> ") 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. (12,41) MOL continued to promote the National Strategy in 2021 at the Departmental Sub-Commissions of the Tripartite Permanent Commission for the Agreement of Wage and Labor Policies in five departments throughout Colombia. (11) ICBF and MOL also held a National Best Practices Competition to recognize department-led efforts to combat the commercial sexual exploitation of children. On the International Day Against the Commercial Sexual Exploitation of Children, the Ministry of Commerce, Industry, and Tourism held public awareness outreach on child commercial sexual exploitation with hotel associations and the tourism industry, reaching 896 participants. (11,76) In addition, the government continued implementation of the "Protecting Them Begins with Me" campaign, with leading agencies MOL and ICBF conducting virtual events during the reporting period. (11) The AGO also joined the "Strategic Alliance with the Tourism Sector to Prevent Human Trafficking" which is led by MOI and the Presidency of the Republic to discourage the purchase of commercial sex. (50)
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 interagency coordination, international cooperation, and research and knowledge management. (75) Established by Decree 1818 in 2020 and led by the Interinstitutional Committee for the Fight Against Trafficking in Persons. The strategy also prioritizes migration and border-related risks and emphasizes prevention among migrant populations. (3) During the reporting period, MOI created the Operating Committee for the Fight Against Trafficking in Persons under this policy. The committee aims to centralize information on the investigation and prosecution of human trafficking and commercial sexual exploitation with a focus on children and adolescents in order to prioritize law enforcement efforts in cities with high prevalence of these crimes. (11,76) MOI also developed and implemented the national trafficking in persons prevention plan "Zero Complicity" in 2020 and 2021, which focused on strengthening trafficking prevention efforts and includes the public awareness campaign "#CeroComplicidadConLaTrata" (Zero Complicity with Trafficking). (11)
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 interagency coordination. (77) 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 interinstitutional mechanisms in various departments. (7) CIPRUNNA continued to implement the "Join for Me" ( <i>Súmate por Mi</i> ) and the "Future Generations" strategies under this policy in 2021. (11)

‡ The government had other policies that may have addressed child labor issues or had an impact on child labor. (12)

# Colombia

## SIGNIFICANT ADVANCEMENT

### VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2021, 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 inadequacy 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 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. (78) In 2021, ICBF continued to implement the 49 Mobile Teams for Comprehensive Protection (EMPI) units, with a total of 147 officers working across 33 Regional Directorates to protect children's rights. The EMPI units also conducted numerous child labor prevention efforts, including "active searches" for children engaged in child labor, assisting 1,815 children at risk of child labor through October 2021. (11)
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. (54) The Ministry of Foreign Affairs' campaign, "Do Not Ignore Trafficking" ( <i>#AnteLaTrataNoSeHaga</i> ), is directed at border populations with limited access to digital platforms. (79) The AGO also continued to implement the "Don't be Fooled" ( <i>#EsoEsCuento</i> ) campaign to prevent human trafficking in 2021, with showcases on social media of the prevention campaign offices located within Colombian consulates in Santo Domingo, Dominican Republic and Barcelona, Spain. (11)
Development for Social Prosperity Programs†	Families in Action ( <i>Familias en Acción</i> ) uses a conditional cash transfer program to address 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. (82,83) ICBF continued to implement the Healthy Generations program and under this umbrella, the sub-program <i>Generación Sacúdate</i> benefitted 46,594 children ages 14 to 18 across the country. (11)
USDOL-Funded Projects	During the reporting period, the <i>Colombia Avanza</i> project completed a youth story competition entitled "Inheriting a Coffee Culture Free of Child Labor" and four winning stories were selected out of 100. These stories were published and widely shared by the project implementers and the National Federation of Coffee Growers of Colombia in a special edition booklet raising awareness on child labor. (84) Cooperation on Fair, Free and Equitable Employment (COFFEE) developed a set of 15 open-source tools based on USDOL's Comply Chain tools which collectively form the recently launched Socially Sustainable Sourcing Toolkit. This toolkit helps businesses and other stakeholders to identify, address, and prevent labor abuses, including child labor, in coffee supply chains. (85,86) Also in 2021, Building the Capacity of Civil Society to Combat Child Labor and Improve Working Conditions in Colombia ( <i>Pilares</i> ) equipped 44 civil society organizations to collect community-level data and produce reports on child labor to inform government strategies, which led to 11 new alliances and 27 joint activities carried out that year. (87) The Preventing and Reducing Child Labor and Forced Labor in Palm Oil Supply Chains ( <i>Palma Futuro</i> ) project assessed the social compliance systems of its private sector partners and conducted trainings for their suppliers on child labor and forced labor risks. (88) The Measurement, Awareness-Raising, and Policy Engagement (MAP16) Project on Child Labor and Forced Labor global project supported the establishment of an online training system for labor inspectors. (89) In addition, during the reporting period, the Equal Access to Quality Jobs for Women and Girls in Agriculture (EQUAL) project produced a research-based factsheet identifying the working conditions of women and girls engaged in the cut flower and panela value chains, using it as a tool for engagement to foster cooperation and secure commitments with public and private sector stakeholders in preparation for field implementation in 2022. (90) Additional information is available on the USDOL website.

† 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. (7,12,91,92)

In addition to the social programs outlined above, the Colombian government introduced the "Katunaa Modality" program in 2021, designed to protect the fundamental rights of children ages 6 to 13, including their rights to a life free of child labor, sexual violence, and intra-family violence. (11) Despite these efforts, research indicates that existing social programs are insufficient to address the scope and magnitude of the worst forms of child labor problem in Colombia, particularly commercial sexual exploitation, forced begging, and recruitment for use in illicit activities. (11,93)

### 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 Colombia (Table 11).

Table 11. Suggested Government Actions to Eliminate Child Labor

Area	Suggested Action	Year(s) Suggested
Legal Framework	Raise the minimum age for work to the age up to which education is compulsory.	2018 – 2021
Enforcement	Increase the number of labor inspectors to meet the ILO's technical advice.	2009 – 2021
	Improve the case management system to track the entire criminal proceeding process through sentencing.	2021
	Publish information on the number of inspections conducted at worksites.	2009 – 2021
	Publish information on whether criminal investigators received initial training and the number of convictions for violations related to the worst forms of child labor.	2021
Social Programs	Expand efforts to improve access to education for all children, including by ensuring adequate transportation to school, improving school infrastructures, and addressing violence at school.	2013 – 2021
	Expand social programs to sufficiently address the scope of the worst forms of child labor, particularly commercial sexual exploitation, forced begging, and recruitment for use in illicit activities.	2020 – 2021

## REFERENCES

- U.S. Department of State. Trafficking in Persons Report- 2021: Colombia. Washington, D.C., July 2021. [https://www.state.gov/reports/2021-trafficking-in-persons-report/colombia\\_\\_trashed/](https://www.state.gov/reports/2021-trafficking-in-persons-report/colombia__trashed/)
- Government of Colombia. DANE, Boletín Técnico – Trabajo Infantil. April 8, 2020. <https://www.dane.gov.co/index.php/estadisticas-por-tema/mercado-laboral/trabajo-infantil>
- U.S. Embassy- Bogotá. Reporting. February 18, 2021.
- U.S. Embassy-Bogotá official. E-mail communication to USDOL official. May 20, 2021.
- UNESCO Institute for Statistics. Gross intake ratio to the last grade of primary education, both sexes (%). Accessed March 3, 2022. For more information, please see "Children's Work and Education Statistics: Sources and Definitions" in the Reference Materials section of this report. <http://data.uis.unesco.org/>
- ILO. Analysis of Child Economic Activity and School Attendance Statistics from National Household or Child Labor Surveys. Original data from Gran Encuesta Integrada de Hogares, Módulo de Trabajo Infantil (GEIH-MTI), 2019. Analysis received March 2022. Please see "Children's Work and Education Statistics: Sources and Definitions" in the Reference Materials section of this report.
- U.S. Embassy- Bogotá. Reporting. April 5, 2018.
- U.S. Embassy- Bogotá. Reporting. March 25, 2020.
- U.S. Embassy- Bogotá. Reporting. February 21, 2020.
- Departamento Administrativo Nacional de Estadística - DANE. Colombia Gran Encuesta Integrada de Hogares. 2018. [http://microdatos.dane.gov.co/index.php/catalog/547/get\\_microdata](http://microdatos.dane.gov.co/index.php/catalog/547/get_microdata)
- U.S. Embassy- Bogotá. Reporting. March 7, 2022.
- U.S. Embassy- Bogotá. Reporting. April 1, 2019.
- U.S. Embassy- Bogotá. TVPRA reporting. November 7, 2017.
- Radio Caracol. Trabajo Infantil en el municipio de Soacha es preocupante. December 6, 2017. [http://caracol.com.co/programa/2017/06/12/6am\\_hoy\\_por\\_hoy/1497273676\\_427667.html](http://caracol.com.co/programa/2017/06/12/6am_hoy_por_hoy/1497273676_427667.html)
- Organización Internacional del Trabajo. El Trabajo Forzoso en la Extracción de Madera. 2018. [https://www.ilo.org/wcmsp5/groups/public/---americas/---ro-lima/---sro-lima/documents/publication/wcms\\_662424.pdf](https://www.ilo.org/wcmsp5/groups/public/---americas/---ro-lima/---sro-lima/documents/publication/wcms_662424.pdf)
- El Espectador. En cinco localidades hay puntos críticos de trabajo infantil en Bogotá. June 12, 2017. <https://www.elespectador.com/bogota/en-cinco-localidades-hay-puntos-criticos-de-trabajo-infantil-en-bogota-article-698001/>
- El Colombiano. Medellín, a ocuparse en erradicar trabajo infantil. October 2, 2017. <http://www.elcolombiano.com/antioquia/medellin-a-ocuparse-en-erradicar-trabajo-infantil-IE7413486>
- Cabrera, Natalia. Esclavitud Infantil, un Flagelo que Entristece a Nariño. Radio Nacional, April 24, 2017. <https://www.radionacional.co/noticia/trabajo-infantil/esclavitud-infantil-flagelo-que-entristece-a-narino>
- El País. La escalofriante cifra de niños trabajando en Cali que asusta a las autoridades. June 12, 2018. <https://www.elpais.com.co/calila-escalofriante-cifra-de-ninos-trabajando-en-que-asusta-a-las-autoridades.html>
- U.S. Department of State official. E-mail communication to USDOL official. June 1, 2018.
- Bucaramanga. ICBF pilló y ubicó a niños y adolescentes en situación de trabajo infantil en Neiva. March 18, 2019. <https://www.icbf.gov.co/noticias/icbf-ubico-ninos-y-adolescentes-en-situacion-de-trabajo-infantil-en-neiva>
- Caracol Radio. Autoridades en Ibagué combaten el trabajo infantil. March 6, 2019. [https://caracol.com.co/emisora/2019/03/06/ibague/1551905070\\_548946.html](https://caracol.com.co/emisora/2019/03/06/ibague/1551905070_548946.html)
- El Universal. ICBF identifica casos de trabajo infantil en Sucre. September 30, 2019. <https://www.eluniversal.com.co/regional/sucre/icbf-identifica-casos-de-trabajo-infantil-en-sucre-MN1816295>
- U.S. Embassy- Bogotá. Reporting. January 28, 2022.
- U.S. Embassy- Bogotá. Reporting. February 11, 2021.
- Human Rights Watch. Abuses by Armed Groups Against Civilians Including Venezuelan Exiles in Northeastern Colombia. August 8, 2019. <https://www.hrw.org/report/2019/08/08/war-catatambo/abuses-armed-groups-against-civilians-including-venezuelan-exiles>
- U.S. Embassy- Bogotá. Reporting. February 14, 2022.
- InSight Crime. Prostitution Ring Highlights Vulnerability of Colombia Indigenous Communities. August 9, 2019. <https://www.insightcrime.org/news/brief/prostitution-ring-vulnerability-colombia-indigenous-communities/>
- Government of Colombia. Búsqueda Activa. February 4, 2022. [https://www.mineducacion.gov.co/1780/w3-article-403351.html?\\_noredirect=1](https://www.mineducacion.gov.co/1780/w3-article-403351.html?_noredirect=1)
- Government of Colombia. Código de la Infancia y la Adolescencia, Ley 1098 of 2006. Enacted: November 8, 2006. [https://www.oas.org/dil/esp/Codigo\\_de\\_la\\_Infancia\\_y\\_la\\_Adolescencia\\_Colombia.pdf](https://www.oas.org/dil/esp/Codigo_de_la_Infancia_y_la_Adolescencia_Colombia.pdf)
- Government of Colombia. Resolution 1796. Enacted: April 27, 2018. Source on file.



## SIGNIFICANT ADVANCEMENT

- 32 Government of Colombia. Constitución (with modifications until 2013). Enacted: July 6, 1991.  
<http://bit.ly/P9JBs0>
- 33 Government of Colombia. Ley 599 of 2000 – Código Penal (with modifications until 2014). Enacted: 2000.  
[https://www.funcionpublica.gov.co/eva/gestornormativo/norma\\_pdf.php?i=6388](https://www.funcionpublica.gov.co/eva/gestornormativo/norma_pdf.php?i=6388)
- 34 Government of Colombia. Ley 2168. December 22, 2021.  
[https://dapre.presidencia.gov.co/normativa/normativa/LEY\\_2168\\_DEL\\_22\\_DE\\_DICIEMBRE\\_DE\\_2021.pdf](https://dapre.presidencia.gov.co/normativa/normativa/LEY_2168_DEL_22_DE_DICIEMBRE_DE_2021.pdf)
- 35 Government of Colombia Law 1861. August 4, 2017.  
[http://www.secretariassenado.gov.co/senado/basedoc/ley\\_1861\\_2017\\_pr001.html#81](http://www.secretariassenado.gov.co/senado/basedoc/ley_1861_2017_pr001.html#81)
- 36 Government of Colombia Ley 418 of 1997. Enacted: December 26, 1997.  
[http://www.secretariassenado.gov.co/senado/basedoc/ley\\_0418\\_1997.html](http://www.secretariassenado.gov.co/senado/basedoc/ley_0418_1997.html)
- 37 Government of Colombia. Decreto 4807 of 2011. Enacted: December 20, 2011.  
[http://www.mineducacion.gov.co/1621/articles-293375\\_archivo\\_pdf\\_decreto4807.pdf](http://www.mineducacion.gov.co/1621/articles-293375_archivo_pdf_decreto4807.pdf)
- 38 Government of Colombia. Decreto 1075 de 2015. May 26, 2015.  
<http://www.suin-juriscol.gov.co/viewDocument.asp?ruta=Decretos/30019930>
- 39 Government of Colombia. Ley 2126. August 4, 2021.  
[https://dapre.presidencia.gov.co/normativa/normativa/LEY\\_2126\\_DEL\\_4\\_DE\\_AGOSTO\\_DE\\_2021.pdf](https://dapre.presidencia.gov.co/normativa/normativa/LEY_2126_DEL_4_DE_AGOSTO_DE_2021.pdf)
- 40 Government of Colombia. Resolución No. 1128.15. Integración Unidades Especiales IVC. Enacted: 2015. Source on file.
- 41 U.S. Embassy- Bogotá. Reporting. March 8, 2019.
- 42 U.S. Embassy- Bogotá official. E-mail communication to USDOL official. April 2, 2020.
- 43 Government of Colombia. Funciones de la Policía de Infancia y Adolescencia. Policía Nacional. March 29, 2022.  
<https://www.policia.gov.co/especializados/infancia-adolescencia/funciones>
- 44 Government of Colombia. Fiscalía fortalece equipo para combatir la trata transnacional de personas. National Attorney General. December 15, 2020.  
<https://www.fiscalia.gov.co/colombia/fiscal-general-de-la-nacion/fiscalia-fortalece-equipo-para-combatir-la-trata-transnacional-de-personas/>
- 45 Government of Colombia. Código Sustantivo del Trabajo. 2011  
<https://www.ilo.org/dyn/travail/docs/1539/CodigoSustantivodelTrabajoColombia.pdf>
- 46 Government of Colombia official. E-mail communication to USDOL official. June 9, 2020.
- 47 ILOSTAT. Labour Force Statistics (LFS) - Population and labour force. Accessed January 25, 2022. Labor force data is government-reported data collected by the ILO. Please see "Labor Law Enforcement: Sources and Definitions" in the Reference Materials section of this report.  
<https://ilostat.ilo.org/data/>
- 48 UN. World Economic Situation and Prospects 2019 Statistical Annex. New York. 2019. Please see "Labor Law Enforcement Sources and Definitions" in the Reference Materials section of this report.  
[https://www.un.org/development/desa/dpad/wp-content/uploads/sites/45/WESP2019\\_BOOK-web.pdf](https://www.un.org/development/desa/dpad/wp-content/uploads/sites/45/WESP2019_BOOK-web.pdf)
- 49 Government of Colombia. Sistema Penal Oral Ocusatorio\_Numero de Procesos con Registro de Sentencias por Fecha de Actuación Peri. April 15, 2021.  
<https://www.fiscalia.gov.co/colombia/la-entidad/sistema-penal-oral-acusatorio/>
- 50 U.S. Embassy- Bogotá. Reporting. February 5, 2022.
- 51 Fiscalía General de la Nación. Judicializados presuntos responsables de explotación sexual comercial de menores de edad y niñas indígenas. May 19, 2021.  
<https://www.fiscalia.gov.co/colombia/derechos-humanos/judicializados-presuntos-responsables-de-explotacion-sexual-comercial-de-menores-de-edad-y-ninas-indigenas/>
- 52 Fiscalía General de la Nación. A la cárcel ingeniero mecánico de origen cubano investigado por presunta explotación sexual de menores. September 3, 2021.  
<https://www.fiscalia.gov.co/colombia/noticias/a-la-carcel-ingeniero-mecanico-de-origen-cubano-investigado-por-presunta-explotacion-sexual-de-menores/>
- 53 Ministerio del Trabajo de Colombia. Es un hecho: ya existe el Mecanismo para identificar casos de trata de personas con fines de trabajo forzoso. July 30, 2021.  
<https://www.mintrabajo.gov.co/web/guest/prensa/comunicados/2021/julio/es-un-hecho-ya-existe-el-mecanismo-para-identificar-casos-de-trata-de-personas-con-fines-de-trabajo-forzoso>
- 54 U.S. Embassy- Bogotá. Reporting. March 17, 2017.
- 55 Government of Colombia. Decreto 859 por el cual se crea el Comité Interinstitucional para la erradicación del Trabajo Infantil y la Protección del Menor Trabajador. Ministerio de Trabajo y Seguridad Social. May 26, 1995. Source on file.
- 56 Government of Colombia. Ley 1336\_Comite ESCNNA. July 21, 2009. Source on file.
- 57 U.S. Department of State official. E-mail communication to USDOL official. June 2, 2017.
- 58 Government of Colombia. Decreto 87. Enacted: January 23, 2017.  
[http://es.presidencia.gov.co/normativa/normativa/DECRETO\\_87\\_DEL\\_23\\_ENERO\\_DE\\_2017.pdf](http://es.presidencia.gov.co/normativa/normativa/DECRETO_87_DEL_23_ENERO_DE_2017.pdf)
- 59 Fondo Accion. Somos Tesoro Technical Progress Report. October 2017. Source on file.
- 60 U.S. Embassy- Bogotá official. E-mail communication to USDOL official. April 1, 2022.
- 61 Ministerio del Interior. Comité Interinstitucional para la lucha contra la Trata de Personas. Accessed April 8, 2022.  
<https://www.mininterior.gov.co/comite-interinstitucional-para-la-lucha-contra-la-trata-de-personas/>
- 62 Government of Colombia. Secretaría Técnica de la Comisión Intersectorial de Prevención del Reclutamiento, Utilización y Violencia sexual contra Niños, Niñas y Adolescentes. Accessed March 22, 2021.  
<https://derechoshumanos.gov.co/Areas-Trabajo/ST-CIPRUNNA/Paginas/ST-CIPRUNNA.aspx>
- 63 Government of Colombia. CIPRUNNA LÍNEA DE POLÍTICA PÚBLICA DE PREVENCIÓN DEL RECLUTAMIENTO, UTILIZACIÓN, USO Y VIOLENCIA SEXUAL CONTRA NIÑOS. 2019.  
<http://www.derechoshumanos.gov.co/Prensa/2019/Documents/191119-Linea-politica-Prevención-RUUVS.pdf>
- 64 Government of Colombia. Decreto 2081. November 18, 2019.  
[https://dapre.presidencia.gov.co/normativa/normativa/DECRETO\\_2081\\_DEL\\_18\\_DE\\_NOVIEMBRE\\_DE\\_2019.pdf](https://dapre.presidencia.gov.co/normativa/normativa/DECRETO_2081_DEL_18_DE_NOVIEMBRE_DE_2019.pdf)
- 65 Government of Colombia. Informe sobre el reclutamiento, uso, y utilización de niños, niñas, y adolescentes 2016–2020. March 2021.  
<https://derechoshumanos.gov.co/Observatorio/Publicaciones/Documents/2021/210921-Informe-Reclutamiento-NNA.pdf>
- 66 Government of Colombia. Manual de instalación territorial de rutas de prevención. September 30, 2021.  
<http://www.derechoshumanos.gov.co/Prensa/2021/Documents/170921-Manual-Rutas-PRUUVS.pdf>
- 67 Government of Colombia. Decreto 552 of 2012. Enacted: March 15, 2012.  
<http://bit.ly/1eeMfSx>
- 68 Government of Colombia. Decreto 4690 of 2007. Enacted: December 3, 2007.  
<http://www.suin-juriscol.gov.co/viewDocument.asp?ruta=Decretos/1549273>
- 69 Government of Colombia. Observatorio del Delito Trata de Personas \_ Grupo de Lucha Contra Trata de Personas. 2018.  
<https://tratadepersonas.mininterior.gov.co/observatorio-del-delito-trata-de-personas>

- 70 UN Security Council. Report of the Secretary-General on the United Nations Verification Mission in Colombia. December 27, 2017. [https://colombia.unmissions.org/sites/default/files/90-day\\_report\\_of\\_the\\_sg\\_on\\_the\\_unvmc.pdf](https://colombia.unmissions.org/sites/default/files/90-day_report_of_the_sg_on_the_unvmc.pdf)
- 71 Government of Colombia. Linea de Politica Publica para la Prevencion y Erradicacion del Trabajo Infantil y la Proteccion Integral al Adolescente Trabajador. 2018. Source on file.
- 72 Government of Colombia. Convenio Interadministrativo GGC No. 1112 de 2017. February 24, 2017. Source on file.
- 73 Fondo Acción. Diagnóstico del Trabajo Infantil Minero en Carbón y Oro. Prevention and Elimination of Child Labor in Mining. May 2017. [https://www.icbf.gov.co/sites/default/files/diagnostico\\_trabajo\\_infantil.pdf](https://www.icbf.gov.co/sites/default/files/diagnostico_trabajo_infantil.pdf)
- 74 Government of Colombia. Política Nacional de Infancia y Adolescencia 2018–2030. June 2018. <https://www.icbf.gov.co/programas-y-estrategias/politica-nacional-de-infancia-y-adolescencia-20182030>
- 75 Government of Colombia. Decree 1818\_Estrategia Nacional para la Lucha Contra la trata de Personas 2020–2024. December 31, 2020. [https://dapre.presidencia.gov.co/normativa/normativa/DECRETO 1818 DEL 31 DE DICIEMBRE DE 2020.pdf](https://dapre.presidencia.gov.co/normativa/normativa/DECRETO%201818%20DEL%2031%20DE%20DICIEMBRE%20DE%202020.pdf)
- 76 Ministerio del Interior de Colombia. MinInterior anunció inversión por más de \$7.800 millones de pesos para fortalecer la Policía de turismo en Cartagena. November 25, 2021. <https://www.mininterior.gov.co/2021/11/25/mininterior-anuncio-inversion-por-mas-de-7-800-millones-de-pesos-para-fortalecer-la-policia-de-turismo-en-cartagena/>
- 77 Government of Colombia. Conpes 3673. Enacted: July 19, 2010. Source on file.
- 78 U.S. Embassy- Bogotá official. E-mail communication to USDOL official. April 26, 2018.
- 79 Government of Colombia. Cancilleria participo en la Segunda Feria Binacional Colombia-Ecuador Contra la Trata de Personas. September 29, 2017. <http://www.cancilleria.gov.co/newsroom/news/cancilleria-participo-segunda-feria-binacional-colombia-ecuador-trata-personas>
- 80 Iniciativa Regional América Latina y el Caribe libre de trabajo infantil. Implementación del Modelo de Identificación del Riesgo de Trabajo Infantil en países piloto de América Latina y el Caribe: resultados y perspectivas futuras. September 2017. <http://iniciativa2025alc.org/sites/default/files/memoria-reunion-modelo-riesgo-TI.pdf>
- 81 Organización Internacional del Trabajo. La Iniciativa Regional, una respuesta adelantada a la Agenda 2030 para el Desarrollo Sostenible. 2020. <http://www.iniciativa2025alc.org/ir/conocenos>
- 82 Government of Colombia\_ICBF. Programa Generaciones con Bienestar. March 28, 2019. [https://www.icbf.gov.co/sites/default/files/mp\\_cz\\_calarca\\_-\\_23\\_de\\_agosto\\_de\\_2017.pdf](https://www.icbf.gov.co/sites/default/files/mp_cz_calarca_-_23_de_agosto_de_2017.pdf)
- 83 Government of Colombia. Familias en Acción\_Proprosperidad Social. Accessed March 31, 2022. <https://prosperidadsocial.gov.co/Noticias/category/tmc/familiasenaccion/>
- 84 Partners of the Americas. Colombia Avanza Technical Progress Report. March 31, 2022. Source on file.
- 85 Verité official. E-mail communication to USDOL official. December 14, 2021. Source on file.
- 86 Verité. COFFEE Project\_Toolkit. Accessed May 16, 2022. <https://www.verite.org/coffee-project/toolkit/>
- 87 Pact. Pilares Technical Progress Report. September 30, 2021. Source on file.
- 88 Partners of the Americas official. E-mail communication to USDOL official. April 7, 2022.
- 89 International Labour Organization. MAPI 6 Technical Progress Report. April 30, 2021. Source on file.
- 90 Pact. EQUAL Technical Progress Report. September 30, 2021. Source on file.
- 91 Government of Colombia. Informe de Actividades Sector Trabajo al Congreso de la Republica. July 2017. Source on file.
- 92 ILO. Promoting Compliance with International Labor Standards in Colombia. March 2017: Technical Progress Report. Source on file.
- 93 U.S. Embassy- Bogotá official. E-mail communication to USDOL official. May 18, 2022.

In 2021, Comoros made moderate advancement in efforts to eliminate the worst forms of child labor. Comoros ratified the Forced Labor Protocol, which commits the country to taking effective measures to prevent forced labor, protect victims, and ensure victim access to judicial recourse. The government also modified its Penal Code to increase penalties for the use of children in drug trafficking and opened a new center in Grand Comore for vulnerable and abused children. 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. Comoros' Labor Code only applies to workers with a formal work agreement, leaving child laborers, particularly those in the informal sector, vulnerable to exploitation. In addition, the legal framework defines child trafficking as requiring the use of force, fraud, or coercion, which does not conform with international standards. Finally, Comoros lacks a national action plan to address the worst forms of child labor.



## 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. (1-4) 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, 2022. (5)

Source for all other data: International Labor Organization's analysis of statistics from Demographic and Health Survey (DHS), 2012. (6)

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

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

Sector/Industry	Activity
Agriculture	Production of manioc,† beans,† vanilla,† cloves,† and ylang-ylang† (3,7)
	Animal husbandry† (3)
	Fishing† (3)
Industry	Construction,† including in carpentry† (3)
	Extracting and selling marine sand (1,3,7)
Services	Domestic work† (3)
	Street vending (3,8)
	Repairing cars† and bicycles,† including tire vulcanization,† and battery charging† (7,8)
Categorical Worst Forms of Child Labor‡	Forced labor in domestic work, construction, street vending, baking, fishing, and agriculture (2,3,7,9,10)

† 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.

# Comoros

## MODERATE ADVANCEMENT

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. (1,4,10) Children from poor or rural families are at higher risk of being placed into forced labor. (2,3) 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. (1-4,11) 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 perform domestic or agricultural work, and some children are sexually and physically abused. (1,2,8,11) 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 human trafficking. (2,12) There are reports that drug traffickers use teenagers to transport drugs on boats to Mayotte. (3,9)




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. (3,9)

Although an approximately equal numbers of boys and girls attend public primary schools, fewer girls complete primary education. Due to a lack of facilities to accommodate female menstrual cycles, girls often miss school or leave altogether. (3,13,14) 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. (1,9)

## II. LEGAL FRAMEWORK FOR CHILD LABOR

Comoros 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 June 2021, Comoros ratified the Forced Labor Protocol, which commits the country to taking effective measures to prevent forced labor, protect victims, and ensure victim access to judicial recourse. The Protocol will enter into effect on July 15, 2022. (15,16)

The government has established laws and regulations related to child labor (Table 4). However, gaps exist in Comoros' legal framework to adequately protect children from the worst forms of child labor, including the 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 (17)
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 (17,18)
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 (17-19)
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 (17,18)
Prohibition of Child Trafficking	No		Article 131 of the Labor Code; Articles 13 and 14 of the Law to Combat Child Labor and Trafficking; Art. 266-11 of the Penal Code (17,18)
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 (17,18,20)
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 (17,18)
Minimum Age for Voluntary State Military Recruitment	Yes	18	Articles 41, 52, and 58 of Law No. 97-006/AF (21)
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 (18)
Compulsory Education Age	Yes	16	Article 2 of the Outline Act on the Education System; Article 4 on the Decree on Education Policy (22,23)
Free Public Education	No		Article 1 of the Outline Act on the Education System; Preamble of the Constitution (22,24)

\* Country has no conscription (25)

In February 2021, the government enacted changes to the Penal Code that criminalized sex and labor trafficking, including doubling penalties for the use of minors in drug trafficking. (2,3) Article 266-11 of the new criminal code prescribed penalties of 10 to 20 years' imprisonment and a fine of \$74,880 (30 million Comorian francs) for human trafficking crimes involving a child victim. (2,26)

Comoros' Law to Combat Child Labor and Trafficking defines child trafficking as requiring the use of force, fraud, or coercion, which does not conform with international standards. (18,27) 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. (13,17,18) The 2020 Penal Code also does not exclude the means of force, fraud, or coercion for child trafficking victims. (28) Thus, Comoros' 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. (13,17,22) 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. (13,17)

There is no free basic education for children in Comoros as established by law, increasing the risk of children's involvement in child labor. (1,22,29) Furthermore, as the minimum age for work is lower than the compulsory education age, children may be encouraged to leave school before the completion of compulsory education.

## MODERATE ADVANCEMENT

### III. ENFORCEMENT OF LAWS ON CHILD LABOR

The government has established institutional mechanisms for the enforcement of laws and regulations on child labor (Table 5). However, gaps exist within the operations of 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, investigates allegations of child labor, and refers cases of the worst forms of child labor for criminal investigation. (1,13)
Police Morals and Minors Brigade	Investigates allegations of child abuse, including child trafficking, and refers cases for prosecution. (8,30)
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. (1,8)
National Commission for Human Rights and Freedoms (CNDHL)	Investigates allegations of child labor and child trafficking, and refers cases to the Ministry of Justice for prosecution. (31)

#### **Labor Law Enforcement**

In 2021, labor law enforcement agencies in Comoros took actions to address child labor (Table 6). However, gaps exist within the operations of the Ministry of Labor (MOL) that may hinder adequate labor law enforcement, including insufficient financial resource allocation.

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

Overview of Labor Law Enforcement	2020	2021
Labor Inspectorate Funding	0 (1)	0 (3)
Number of Labor Inspectors	3 (1)	4 (3)
Mechanism to Assess Civil Penalties	Yes (17)	Yes (17)
Initial Training for New Labor Inspectors	N/A (1)	Yes (3)
Training on New Laws Related to Child Labor	N/A (1)	No (3)
Refresher Courses Provided	Yes (17)	No (3)
Number of Labor Inspections Conducted	80 (1)	25 (3)
Number Conducted at Worksite	80 (1)	25 (3)
Number of Child Labor Violations Found	0 (1)	0 (3)
Number of Child Labor Violations for Which Penalties Were Imposed	N/A (1)	N/A
Number of Child Labor Penalties Imposed that Were Collected	N/A (1)	N/A
Routine Inspections Conducted	Yes (1)	Yes (3)
Routine Inspections Targeted	Yes (1)	Yes (3)
Unannounced Inspections Permitted	Yes (17)	Yes (17)
Unannounced Inspections Conducted	No (1)	No (3)
Complaint Mechanism Exists	Yes (1)	Yes (3)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (1)	Yes (3)

During the reporting period, the inspectorate targeted inspections in Grand Comore and in the banking and hotel sectors. None of the inspections were child labor-specific, and no child labor violations were identified. (3)

The number of labor inspectors is likely insufficient for the size of Comoros' workforce, which includes approximately 236,00 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 need to employ roughly 6 inspectors. (32) Reports indicate that there is a lack of training, equipment, transportation, and funding available to conduct child labor inspections. (1,2,33,34) 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. (1-3,9)

Although the labor inspectorate is permitted to conduct unannounced inspections, in practice, inspectors usually respond only when the MOL receives complaints, and they conduct inspections primarily 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. While the *Services D'Ecoute* may provide assistance services to children, these services are in response to cases involving violence against children. (3)

### **Criminal Law Enforcement**

In 2021, research did not find information on whether criminal law enforcement agencies in Comoros took actions to address 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 insufficient financial resource allocation.

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

Overview of Criminal Law Enforcement	2020	2021
Initial Training for New Criminal Investigators	No (1)	No (3)
Training on New Laws Related to the Worst Forms of Child Labor	N/A	No (3)
Refresher Courses Provided	Yes (10)	No (3)
Number of Investigations	Unknown (1)	Unknown
Number of Violations Found	Unknown (1)	Unknown
Number of Prosecutions Initiated	Unknown (1)	Unknown
Number of Convictions	Unknown (1)	Unknown
Imposed Penalties for Violations Related to the Worst Forms of Child Labor	Unknown (1)	Unknown
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (1)	Yes (3)

Reports indicate that a lack of trained staff, equipment, transportation, and funding inhibit criminal law enforcement efforts on the worst forms of child labor. (1-4)

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 a lack of 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. (8,35) Research was unable to determine whether the committee was active during the reporting period.
Interagency Anti-Trafficking Task Force	Reconstituted in late December 2019 under the direction of the Foreign Ministry, comprises multiple government agencies, the <i>Services d'Ecoute</i> , NGOs, and international organizations. Leads government efforts in anti-trafficking policies. (1) Research was unable to determine whether the task force was active during the reporting period.
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. (9) In 2021, the Commission remained active, though research was unable to identify activities that were undertaken to address child labor. (36)

## **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.

## MODERATE ADVANCEMENT

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

Policy	Description
National Policy for the Protection of Children (2016–2021)	Aimed to improve child protection in Comoros; included components to combat the worst forms of child labor, with a focus on child trafficking. Led by the Ministry of Health, Solidarity, Social Protection, and Gender Promotion. (8,35,37) Research was unable to determine whether activities were undertaken to implement the National Policy for the Protection of Children during the reporting period.

‡ The government has other policies that may have addressed child labor issues. (39)

Although child labor is integrated into some government policies, Comoros has not adopted a new national action plan to address child labor and its action plan to combat trafficking in persons was only operative for 1 year. (1,4,9)

## VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2021, 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 inadequacy of efforts to address the problem in all sectors.

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

Program	Description
<i>Services d'Ecoute</i> (Listening Services)†	UNICEF-funded, government-backed centers that provide protective services and offer immediate assistance to vulnerable and abused children. (3,4,33,40,41) Investigates allegations of violence against children, including the worst forms of child labor, and refers perpetrators to criminal authorities for prosecution. (9,33,42) In 2021, the government recruited psychologists to staff the centers in Ngazidja, Anjouan, and Moheli, and opened a new center in Grand Comore. (4,43)
UNICEF Country Program (2015–2021)	UNICEF-funded program that supported the government's efforts to strengthen children's rights to survival, development, education, protection, and social inclusion. (42) During the reporting period, the program implemented efforts to improve education access, including projects to install toilets in schools and expand pre-school education enrollment. (44)

† Program is funded by the Government of Comoros.

An independent evaluation of *Services d'Ecoute* 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 evaluation and follow-up with child victims. (41,45)

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.

## 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 age 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 – 2021
	Establish by law the right to free basic education.	2020 – 2021
	Ensure that the law's minimum age for work provisions and protections apply to children in unpaid or non-contractual work.	2015 – 2021
	Align child sex trafficking laws with international standards by ensuring that force, fraud, or coercion are not required elements in child trafficking cases.	2019 – 2021
	Raise the minimum age for work to the age to which education is compulsory.	2021



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

Area	Suggested Action	Year(s) Suggested
Enforcement	Provide the labor inspectorate with an operating budget for resources, training, transportation, and equipment to provide adequate coverage of the workforce.	2009 – 2021
	Provide inspectors with appropriate training on new laws related to child labor and offer regular refresher trainings on the concepts of child labor law enforcement.	2021
	Increase the number of labor inspectors to meet the ILO's technical advice.	2018 – 2021
	Ensure that inspectors carry out inspections in the informal sector.	2020 – 2021
	Ensure that the labor inspectorate uses its authority to conduct unannounced inspections rather than relying solely on complaints received to initiate inspections.	2017 – 2021
	Ensure that the labor inspectorate fulfills its mandate to collect and publish data and statistics related to inspection efforts.	2019 – 2021
	Establish and use a functioning reciprocal mechanism between labor enforcement authorities and social services.	2019 – 2021
	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 – 2021
	Increase and improve trainings for criminal law enforcement personnel, 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 – 2021
Coordination	Ensure that all coordinating bodies are able to carry out their intended mandates.	2014 – 2021
Government Policies	Ensure that activities are undertaken to implement key policies related to child labor during the reporting period and that data on these activities are published.	2019 – 2021
	Adopt a new National Action Plan to Combat Child Labor and develop other relevant policies to address the worst forms of child labor.	2016 – 2021
Social Programs	Enhance efforts to eliminate barriers to education, including for girls, by increasing school capacity, infrastructure, and teacher availability, and by addressing school violence.	2014 – 2021
	Collect and publish data on the prevalence of child labor and the types of work children perform in Comoros.	2019 – 2021
	Ensure that social program personnel, such as those in the <i>Services d'Ecoute</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 – 2021
	Implement and expand existing programs to address the scope of the child labor problem, particularly in agriculture and domestic work.	2009 – 2021

## REFERENCES

- U.S. Embassy- Antananarivo. Reporting. January 26, 2021.
- U.S. Department of State. 2021 Trafficking in Persons Report-- Comoros. Washington, D.C., June 2021. <https://www.state.gov/reports/2021-trafficking-in-persons-report/comoros/>
- U.S. Embassy- Antananarivo. Reporting. February 16, 2022.
- U.S. Embassy- Antananarivo. Reporting. February 28, 2022.
- UNESCO Institute for Statistics. Gross intake ratio to the last grade of primary education, both sexes (%). Accessed March 3, 2022. For more information, please see "Children's Work and Education Statistics: Sources and Definitions" in the Reference Materials section of this report. <http://data.uis.unesco.org/>
- ILO. Analysis of Child Economic Activity and School Attendance Statistics from National Household or Child Labor Surveys. Original data from the Demographic and Health Survey (DHS), 2012. Analysis received March 2022. For more information, please see "Children's Work and Education Statistics: Sources and Definitions" in the Reference Materials section of this report.
- U.S. Embassy- Antananarivo official. E-mail communication to USDOL official. March 12, 2019.
- U.S. Embassy- Antananarivo. Reporting. January 20, 2018.
- U.S. Embassy- Antananarivo. Reporting. February 18, 2020.
- U.S. Embassy- Antananarivo. Reporting. February 26, 2021.
- Fernald, Briana. Examining Human Rights in Comoros. The Borgen Project, October 20, 2017. <https://borgenproject.org/human-rights-in-comoros/>
- France TV Info. À Mayotte, plus de 3 000 enfants sont livrés à eux-mêmes dans la rue. March 9, 2018. [https://www.francetvinfo.fr/sante/enfant-ado/a-mayotte-plus-de-3-000-enfants-sont-livres-a-eux-memes-dans-la-rue\\_2648552.html](https://www.francetvinfo.fr/sante/enfant-ado/a-mayotte-plus-de-3-000-enfants-sont-livres-a-eux-memes-dans-la-rue_2648552.html)
- U.S. Department of State. Country Reports on Human Rights Practices-- 2020: Comoros. Washington, D.C., March 30, 2021. <https://www.state.gov/wp-content/uploads/2021/03/COMOROS-2020-HUMAN-RIGHTS-REPORT.pdf>
- ILO Committee of Experts. Individual Observation concerning Minimum Age Convention, 1973 (No. 138) Comoros (ratification 2004). Published 2022. [https://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100::PI3100\\_COMMENT\\_ID,PI3100\\_COUNTRY\\_ID:4124018,103360](https://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100::PI3100_COMMENT_ID,PI3100_COUNTRY_ID:4124018,103360)
- 50 for Freedom. Comoros is determined to fight Forced Labour. August 3, 2021. [https://50forfreedom.org/blog/news/comoros-ratification/?noredirect=en\\_US](https://50forfreedom.org/blog/news/comoros-ratification/?noredirect=en_US)
- ILO. Ratifications of 029 - Protocol of 2014 to the Forced Labour Convention, 1930. Accessed April 15, 2022. [https://www.ilo.org/dyn/normlex/en/f?p=1000:11300:0::NO:11300::PI1300\\_INSTRUMENT\\_ID:3174672](https://www.ilo.org/dyn/normlex/en/f?p=1000:11300:0::NO:11300::PI1300_INSTRUMENT_ID:3174672)

## MODERATE ADVANCEMENT

- 17 Government of Comoros. Loi N°12- Abrogeant, modifiant et complétant certaines dispositions de la Loi N°84-108/PR Portant Code du Travail. Enacted: June 28, 2012.  
<http://www.ilo.org/dyn/natlex/docs/MONOGRAPH/91298/105824/F-496652550/COM-91298.pdf>
- 18 Government of Comoros. Loi N°14-034/AU portant lutte contre le travail et la traite des enfants. Enacted: December 22, 2014.  
<http://www.ilo.org/dyn/natlex/docs/MONOGRAPH/98176/116722/F962391713/COM-98176.pdf>
- 19 Government of Comoros. Liste des travaux dangereux aux Comores. Enacted: 2012. Source on file.
- 20 Government of Comoros. Loi n° 082 P/A.F - Loi 95-012/AF portant Code Pénal (Crimes et délits). Enacted: September 18, 1995.  
[http://www.wipo.int/wipolex/en/text.jsp?file\\_id=208475](http://www.wipo.int/wipolex/en/text.jsp?file_id=208475)
- 21 Government of Comoros. Loi N° 97-006/AF Portant Statut des personnels militaires de la République Fédérale Islamique des Comores. Enacted: July 21, 1997. Source on file.
- 22 Government of Comoros. Loi N° 94-035/AF Portant orientation sur l'éducation. Enacted: January 20, 1995. Source on file.
- 23 Government of Comoros. Decree N21-005 on Education Policy. January 30, 2021. Source on file.
- 24 Government of Comoros. Constitution de l'Union des Comores. Enacted: December 23, 2001.  
<http://www.ilo.org/dyn/natlex/docs/ELECTRONIC/72696/74026/F-92095240/COM-72696.pdf>
- 25 U.S. Embassy- Antananarivo. Reporting. February 13, 2017.
- 26 U.S. Embassy- Antananarivo. Official communication to USDOL official. June 23, 2022.
- 27 U.S. Department of State. Trafficking in Persons Report- 2020: Comoros. Washington, D.C., June 16, 2020.  
<https://www.state.gov/reports/2020-trafficking-in-persons-report/comoros/>
- 28 Government of Comoros. Loi n°20-038\_AU du 29 decembre 2020 portant Code Penal. Source on file.
- 29 Abouheir, Andjoua. La scolarisation obligatoire dès l'âge de 3 ans. La Gazette de Comoros. December 30, 2020.  
<http://lagazettedescomores.com/société/la-scolarisation-obligatoire-dès-l'âge-de-3-ans-.html>
- 30 U.S. Department of State. Trafficking in Persons Report- 2017: Comoros. Washington, D.C., June 27, 2017.  
<https://www.state.gov/reports/2017-trafficking-in-persons-report/comoros/>
- 31 U.S. Embassy- Antananarivo. Reporting. February 2, 2017.
- 32 ILO modelled estimates and projections (ILOEST) – Population and labour force. Accessed January 25, 2022. Labor force data is modelled on a combination of demographic and economic explanatory variables by the ILO. Please see "Labor Law Enforcement: Sources and Definitions" in the Reference Materials section of this report.  
<https://ilostat.ilo.org/data/>
- 33 U.S. Embassy- Antananarivo. Reporting. January 25, 2019.
- 34 ILO Committee of Experts. Individual Observation concerning Labour Inspection Convention, 1947 (No. 81) Comoros (ratification: 1978). Published: 2017. Accessed November 6, 2017.  
[http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:PI3100\\_COMMENT\\_ID:3300060](http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:PI3100_COMMENT_ID:3300060)
- 35 Government of Comoros. Politique Nationale de Protection de l'Enfant en Union des Comores. October 13, 2016. Source on file.
- 36 Hassani, Housni. Promotion du Genre, Une conférence pour participation effective de la femme. Alwatwan. December 13, 2021.  
<https://alwatwan.net/societe/promotion-du-genre-i-une-conference-pour-egalite-des-chances-et-la-participation-effective-de-la-femme-.html>
- 37 U.S. Department of State. Trafficking in Persons Report- 2018: Comoros. Washington, D.C., June 28, 2018.  
<https://www.state.gov/reports/2018-trafficking-in-persons-report/comoros/>
- 38 Government of Comoros. Plan d'Action 2020 de l'Union de Comores Portant sur la Lutte Contre la Traite des Personnes. April 2020. Source on file.
- 39 African Union. Ten Year Action Plan on Eradication of Child Labor, Forced Labor, Human Trafficking and Modern Slavery in Africa (2020-2030). Addis Ababa. April 6, 2021.  
[https://www.ilo.org/africa/technical-cooperation/accel-africa/WCMS\\_778563/lang--en/index.htm](https://www.ilo.org/africa/technical-cooperation/accel-africa/WCMS_778563/lang--en/index.htm)
- 40 U.S. Embassy- Antananarivo. Reporting. March 15, 2019.
- 41 Comores-droit. Les services d'écoute et de protection des enfants. November 16, 2018.  
<http://comoresdroit.centerblog.net/2381-des-services-d-ecoute-et-de-protection-des-enfants>
- 42 UNICEF. UNICEF Annual Report 2017 Comoros. February 19, 2019.  
[https://www.unicef.org/about/annualreport/files/Comoros\\_2017\\_COAR.pdf](https://www.unicef.org/about/annualreport/files/Comoros_2017_COAR.pdf)
- 43 UNFPA Comoros. Recrutement des psychologues pour les centres d'ecoute. May 9, 2021.  
<https://comoros.unfpa.org/fr/news/recrutement-des-psychologues-pour-les-centres-decoute-un-vide-comble>
- 44 UNICEF. Country Office Annual Report, Comoros. 2021.  
<https://www.unicef.org/reports/country-regional-divisional-annual-reports-2021/Comoros>
- 45 Chantry, Nadine. Rapport d'évaluation du service d'écoute et de protection des enfants et des femmes victimes de violence de Ngazidja, Comores UNICEF. August 31, 2019. Source on file.

# Congo, Democratic Republic of the

MODERATE ADVANCEMENT

In 2021, the Democratic Republic of the Congo made moderate advancement in efforts to eliminate the worst forms of child labor. During the reporting period, the government allocated 40 percent of the national budget to primary education. The National Action Plan to Combat the Worst Forms of Child Labor was extended to 2025. In addition, First Lady Denise Nyakeru Tshisekedi, in collaboration with the National Committee to Combat the Worst Forms of Child Labor and World Vision, hosted an advocacy workshop on combating child labor. 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. Children also mine cobalt ore (heterogenite) in the Copperbelt region. The government did not publish labor or criminal law enforcement data. It 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 survivor of the worst forms of child labor. Other gaps remain, including a lack of enforcement personnel, insufficient training for enforcement personnel, limited financial resources, and poor coordination of government efforts to address 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) Table 1 provides key indicators on children's work and education in the DRC. Data on some of these indicators are not available from the sources used in this report.

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

Children	Age	Percent
Working (% and population)	5 to 14	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, 2022. (2)

Source for all other data: International Labor Organization's analysis of statistics from Multiple Indicator Cluster Survey 6 (MICS 6), 2017–2018. (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, 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 (4-9)
	Fishing, including maintaining fishing tools, baiting hooks, transporting heavy loads, using explosives, and salting, smoking, and packaging fish (4,6-9)
	Herding and raising livestock such as chickens, goats, and pigs, including feeding, cleaning cages or stalls, and disposing of waste (7,10)
	Hunting (4)

# Congo, Democratic Republic of the

## MODERATE ADVANCEMENT

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

Sector/Industry	Activity
Industry	Mining, including carrying heavy loads, <sup>†</sup> digging, sifting, sorting, transporting, using explosives, washing, and working underground <sup>‡</sup> in the production of diamonds, copper, cobalt ore (heterogenite), gold, tin ore (cassiterite), tantalum ore (coltan), and tungsten ore (wolframite) (5-9, 11-13)
	Working as auto mechanics, in carpentry, and in craft workshops (4)
	Working on construction sites and building roads (4)
Services	Domestic work (4-9)
	Driving motorcycle taxis (6)
	Street work, including vending, garbage scavenging, and carrying heavy loads (4,6-9)
Categorical Worst Forms of Child Labor <sup>‡</sup>	Forced mining of gold, tantalum (coltan), tin (cassiterite), and tungsten (wolframite), each sometimes as a result of debt bondage (1,7-9, 11, 12, 14, 15)
	Forced domestic work and commercial sexual exploitation (1,4,9, 11, 14, 16)
	Use in illicit activities for non-state armed groups, including carrying stolen goods, and smuggling minerals (9, 15, 17)
	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 (1,8,9)

<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 the DRC's eastern provinces were particularly vulnerable to recruitment by non-state armed groups, forced labor in artisanal mining, and prostitution. (1,9,18,19) 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. (1,9,20) 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. (1,9,21) Non-state armed groups in Ituri also reportedly seized young children from their homes, forcing them to transport heavy loads or perform domestic work. (7) There were also reports of non-state armed groups connected to ISIS-DRC, also known as the Allied Democratic Forces (ADF), recruiting children in North Kivu, South Kivu, and Ituri provinces in eastern DRC. (9,21) In the absence of a coherent national disarmament, demobilization, and reintegration (DDR) strategy, some factions continued to recruit children. (8,22)

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 southern Copperbelt region. (23-24) Prevalence of child labor 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 sites, with informal or illegal ASM operations leaving children uniquely exposed to hazardous working conditions and, in some instances, to forced labor. (18,25,26) While the exact number of children working in cobalt is unknown, estimates indicate between 5,000 and 35,000 children work as artisanal cobalt miners. (27,28) In addition, non-state armed groups subjected children to forced labor in artisanal mines in Ituri, North Kivu, South Kivu, and Maniema, where forced labor, armed conflict, and mining are often intertwined. (8,29)

Children in the Kasai region were taken to Kinshasa and used in forced begging schemes. (8,29,30) Tens of thousands of civilians have been displaced in eastern Congo's Ituri Province because of the conflict, making thousands of children vulnerable to sex trafficking, forced labor, or commercial sexual exploitation. (31,29,32) 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 remain unclear because a comprehensive, stand-alone child labor survey has never been conducted in the DRC. (8)

UNICEF estimates that only 25 percent of children under age 5 have birth certificates. (33) Low rates of birth registration leave many children vulnerable to child labor because it makes age verification difficult during armed forces (FARDC) recruitment campaigns and hinders efforts to identify and separate children associated with armed groups. (11,34) 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



# Congo, Democratic Republic of the




## MODERATE ADVANCEMENT

government funding, parents were asked to pay school fees, which were often prohibitively high, to support teacher salaries. (35,36) In 2021, the government focused on enforcing the implementation of President Tshisekedi's 2019 initiative to provide free primary education in public schools and committed to allocating 40 percent of the national budget to primary education. During the initiative's first year, the Covid-19 pandemic impacted government budgets and forced schools to close intermittently, affecting both program implementation and impact. (7,9,37-38) Nevertheless, significant obstacles remain. (39) Non-state armed groups attacked 7 schools and 5 hospitals between January and July 2021. (31,32,40) 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. (9,16,17,34,41,42)

## II. LEGAL FRAMEWORK FOR CHILD LABOR

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

**Table 3. Ratification of International Conventions on Child Labor**

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

The government has established laws and regulations related to child labor (Table 4). However, gaps exist in the DRC's legal framework to adequately protect children from the worst forms of child labor, including a compulsory education age that is lower than the minimum age of work.

**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 (43,44)
Minimum Age for Hazardous Work	Yes	18	Article 10 of the Decree Establishing the Conditions for Children's Work (45)
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 (43,45-48)
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 (43-45,49)
Prohibition of Child Trafficking	No		Articles 3, 321, 326, and 328 of the Labor Code; Articles 53, 162, and 187 of the Child Protection Code; Article 174j of the Penal Code; Articles 8 and 20 of the Decree Establishing the Conditions for Children's Work (44-50)
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 (50-45)
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 (43-45)
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 (43,51)

# Congo, Democratic Republic of the

## MODERATE 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 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 (43,51,52)
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 (43,49)
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 (43,49,53)
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 (43,49,54)

\* Country has no conscription (55)

‡ Age calculated based on available information (43,54)

The trafficking in persons law does not meet international standards because it does not explicitly list all acts of trafficking and does not prohibit forced labor. The law also requires a threat, use of force, coercion, fraud, deception, or abuse of power for a child to have been considered trafficked. (44-50) However in June 2022, the Agency for Prevention and the Fight Against Trafficking in Persons' (APLTP) issued a draft national anti-trafficking law. The legislation is expected to move to the next step, a committee review, during the legislative session, which begins in September 2022. (7,37,56)

Children may be encouraged to leave school before the completion of compulsory education. (43,49,53) Moreover, some implementing decrees for the Child Protection Code have not been adopted. Without these decrees, multiple provisions, including the provision on light work, cannot be enforced. (43,57)

### 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 child labor laws.

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

Organization/Agency	Role
Ministry of Employment, Labor, and Social Welfare (MELSS)	Investigates cases related to child labor, including its worst forms. (58,59) Refers cases of child labor to the Ministry of Justice (MOJ) for prosecution. (6) In June 2021, MELSS organized a day against child labor to demonstrate the government's commitment to its elimination by 2030. (9)
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. (60-62)
Ministry of Justice (MOJ)	Enforces criminal laws related to child labor. (6,7) Oversees five juvenile courts in Kinshasa and 19 UNICEF-funded child protection courts throughout the country. (7) Assists the International Criminal Court in conducting investigations and prosecuting individuals charged with using children in armed conflict. (6,7,63)
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. (6,63) Includes the Special Police Unit for Women and Children, which addresses conflict-related sexual and gender-based violence against women and children, protects women and children who are survivors of physical abuse, and ensures the demobilization of children. (6,7) 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 survivors among vulnerable groups. (30) The Mining and Hydrocarbon Police are also charged with enforcing the mining code, including prohibitions against child labor, at artisanal and large scale mining sites. (62)

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

Organization/Agency	Role
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 address sexual violence and the use of children in armed conflict. (58,59) Compiles data on prosecutions in military and civil courts involving sexual violence against girls and maintains a hotline for reporting cases. (63)
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. (6) Through its Children Associated with Armed Forces and Armed Groups Unit, coordinates demobilization, disarmament, and reintegration activities. (63,64)
Ministry of Gender and Family (MOGF)	Oversees and investigates cases related to the commercial sexual exploitation of children. (6)

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 survivors, and child soldiers. (55)

### Labor Law Enforcement

In 2021, labor law enforcement agencies in the DRC took actions to address child labor (Table 6). However, gaps exist within the operations of the Ministry of Employment, Labor, and Social Welfare (MELSS) that may hinder adequate labor law enforcement, including insufficient financial resource allocation.

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

Overview of Labor Law Enforcement	2020	2021
Labor Inspectorate Funding	Unknown (8)	Unknown (9)
Number of Labor Inspectors	172 (8)	212 (9)
Mechanism to Assess Civil Penalties	Yes (44)	Yes (9)
Initial Training for New Labor Inspectors	Unknown (8)	Unknown (9)
Training on New Laws Related to Child Labor	Unknown (8)	Unknown (9)
Refresher Courses Provided	No (8)	No (9)
Number of Labor Inspections Conducted	175 (8)	Unknown (9)
Number Conducted at Worksite	175 (8)	Unknown (9)
Number of Child Labor Violations Found	Unknown (8)	565 (9,21)
Number of Child Labor Violations for Which Penalties Were Imposed	Unknown (8)	Unknown (9)
Number of Child Labor Penalties Imposed that Were Collected	Unknown (8)	Unknown (9)
Routine Inspections Conducted	Yes (8)	Yes (9)
Routine Inspections Targeted	Yes (8)	Yes (9)
Unannounced Inspections Permitted	Yes (44)	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)

The number of labor inspectors is 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 one inspector for every 40,000 workers in less developed economies, the DRC would need to employ roughly 784 labor inspectors. (65,66) According to the Ministry of Employment, Labor, and Social Welfare (MELSS), the government provided insufficient funding to the labor inspectorate in 2021. Reports suggests that the labor inspectorate suffers from poorly equipped offices, irregular electrical power, lack government-issued computers and mobile phones, and do not have access to vehicles for inspections. (9) Regional labor inspectorates also rely on fees collected from violators to sustain their operations. (8) In addition, labor inspectors did not receive child labor law enforcement training in 2021. (9) In 2021, MELSS primarily relied on provincial labor inspectorates, the mining police, industrial mining companies, and NGOs to conduct labor inspections. (8,9)

# Congo, Democratic Republic of the

## MODERATE ADVANCEMENT

Despite these challenges, provincial authorities conducted inspections in the formal mining sector in Haut Katanga, Tanganyika, and Lualaba, where child labor is known to occur. (8) According to the Labor Inspector General, only three inspections took place of mine sites in the copper-cobalt producing region (Lubumbashi, Kalemie, and Kolwezi), given restrictions related to the pandemic. (9)

DRC's labor force is primarily engaged in the informal sector, including subsistence agriculture, which is also the DRC's largest rural sector. (67) To support labor inspections in agricultural sector, the government task force on the African Growth and Opportunity Act, in conjunction with MELSS, published a roadmap to address child labor in agriculture. The government also made a commitment to survey child labor prevalence in the rice sector in Kongo-Central Province in 2021; it is unknown whether this research has begun. (8,68)

### **Criminal Law Enforcement**

In 2021, criminal law enforcement agencies in the DRC took actions to address 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	2020	2021
Initial Training for New Criminal Investigators	No (8)	No (9)
Training on New Laws Related to the Worst Forms of Child Labor	No (8)	No (9)
Refresher Courses Provided	No (8)	No (9)
Number of Investigations	Unknown (8)	Unknown (9)
Number of Violations Found	Unknown	Unknown (9)
Number of Prosecutions Initiated	13 (8)	Unknown (9)
Number of Convictions	1 (8)	Unknown (9)
Imposed Penalties for Violations Related to the Worst Forms of Child Labor	Yes (8)	No (9)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (8)	Yes (9)

While the government investigated some isolated cases involving survivors of child trafficking, these cases were limited due to the challenges presented by the pandemic. (9)

Though the FARDC separated children from armed groups, these children were occasionally detained for 2 to 14 days. (8,30) When children are detained, official procedure requires the government alert MONUSCO, which then assumes responsibility for demobilizing children and referring them to social service providers. 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. (8,30)

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. (69) There is no evidence the government took action to address these abuses. (70)

Penalties for criminal violations related to the worst forms of child labor—including the use of children in armed conflict—are one to three years of imprisonment with fines of up to \$784 (1,576,624 Congolese Francs), and are insufficient to serve as deterrents. (7,15,43,45,50,71,72)

## **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.

# Congo, Democratic Republic of the

MODERATE ADVANCEMENT

**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. (73,74) Led by the Ministry of Employment, Labor, and Social Welfare and includes representatives from 12 other ministries, local NGOs, and civil society. (6,73,74) In 2021, the committee organized a workshop with the purpose of assessing the effectiveness of activities undertaken by the national committee. Members from the government, public institutions, and NGOs attended the workshop. (9)
Autorité de Régulation et de Contrôle des Marchés des Substances Minérales Stratégique (ARECOMS)	Created under a 2019 mining decree, ARECOMS is a regulatory agency tasked with overseeing "strategic mineral" supply chains, such as cobalt and coltan, to ensure children, pregnant women, and other vulnerable populations are not working in mining sites. (29,75) ARECOMS has regulatory oversight over the Entreprise Générale du Cobalt (EGC), which is a subsidiary of the state-owned mining company Gécamines. (75) The EGC has exclusive authority to buy and sell artisanally-mined cobalt and aims to ensure price stability and fairness by removing unregulated middlemen from the supply chain, thereby decreasing the potential for child labor. (37,75,76) In 2021, the EGC created a responsible sourcing standard that supports the establishment and maintenance of safe and strictly controlled artisanal cobalt mining zones in the Democratic Republic of the Congo (DRC). The EGC Standard will apply to all sites overseen by EGC and has been designed to go beyond regulatory compliance as determined by ARECOMS. (77) Currently, however, ARECOMS is not operational, and the EGC lost its monopoly on purchasing strategic minerals in May 2022. (78,79)
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. (6,63,64) The commission is led by MOD's Children Associated with Armed Forces and Armed Groups Unit. (63,64) 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. (9)
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 Ministry of Gender and Family and includes representatives from four other ministries and the UN. (1,12,14,80) In addition, organizes training on child soldier screening, monitoring, verification, and demobilization processes, and participates in advocacy events. (1,14,31,81) Research was unable to determine whether any activities were undertaken during the reporting period.
Inter-ministerial Committee in charge of Monitoring Child Labour in Artisanal Mining (CISTEMA)	Chaired by the Ministry of Mines, CISTEMA coordinates efforts to eradicate child labor in the DRC's mining sector and serves as an adviser to other ministries addressing child labor in mining. During the reporting period, the committee completed an assessment report of their coordination efforts during a USDOL COTECCO workshop. (82)
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 survivors of trafficking. (1,37) 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 address human trafficking. (1,37) During the reporting period, the committee met 50 times and held five technical working group meetings. (1)

The creation of APLTP in April 2019 addressed a long-standing need to increase coordination among various anti-human trafficking actors within the government. (37) 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 address the worst forms of child labor. (9,16,63) 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. (63)

## 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.



# Congo, Democratic Republic of the

## MODERATE ADVANCEMENT

**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 the National Committee to Combat the Worst Forms of Child Labor in consultation with UNICEF to eliminate the worst forms of child labor in the DRC. (4,9,83) 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. (4,9,83) The original plan, which was set to expire in 2020, was extended to 2025 during the reporting period. (9)
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. (1,14,84,85) 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. (84,86,87) Requires children separated from armed groups to be immediately transferred to UNICEF. (63) 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. (88,89) Includes standard operating procedures for age verification to help the FARDC avoid underage recruitment. (1,14) In 2021, the MOD worked with MONUSCO and UNICEF to identify and remove child recruits from the FARDC and non-state armed groups. (9,90)
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), which was developed by the Ministry of Mines and 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. (91) During the reporting period, the Ministry of Mines organized a workshop to operationalize this strategy. (7,37) In addition, the government allocated \$10.8 million (19 billion Congolese Francs) to the ministry to reduce child labor in the mining sector. (7) The government is also cooperating with the Public-Private Alliance for Responsible Minerals Trade to end child labor in the cobalt sector. (37) In 2021, mining police in Walikale and Rubaya worked with the human rights NGO Association for the Development for Rural Initiatives to conduct community awareness-raising sessions on child labor to encourage families to bring children sent to mines back home. (8)
Agency for Prevention and the Fight Against Trafficking in Persons' (APLTP) National Action Plan (2020–2024)	Addresses all forms of trafficking in persons, including foreign-born and domestic survivors, as well as child soldiers. (37) Aims to prevent human trafficking through national awareness-raising and government training programs, survivor identification and care, and law enforcement cooperation and coordination. (37) During the reporting period, APLTP worked with the Ministry of Social Affairs, the Ministry of Health, and the Ministry of Labor to provide care to child trafficking victims. (9)
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, provide social services upon their release, and ensure perpetrators are prosecuted. (92,93) 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. (94,71,95,96)

Although the DRC has developed a number of action plans to address child labor, only some received dedicated funding. (13,63,25)

## VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2021, 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 inadequacy of programs to address the full scope of the problem in all relevant sectors.

# Congo, Democratic Republic of the

## MODERATE ADVANCEMENT

**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 the Support Project for Alternative Welfare of Children and Young People Involved in the Cobalt Supply Chain (PABEA Cobalt), an \$83 million project funded by the African Development Bank and implemented by the Ministry of Social Affairs, whose purpose is to ensure the social reintegration of children working in cobalt mines; 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. (1,6,14,63,97,98) The government-run Center for the Transit and Orientation of Young Children in North Kivu Province also provided psychological counseling, basic education, and job skills training to ex-child soldiers. (37)
UNICEF-Funded Education 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 continued to provide free primary education for children up to the age of 12. (8,9,99,100) 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. (100,101) UNICEF reached nearly 409,000 children through its Education in Emergencies packages. These children, who were unable to attend school due to conflict or natural disaster, were able to continue learning through educational programs on the radio, workbooks, and other learning tools. (102) In addition, nearly 450,000 exercise books were distributed, including to those living in remote areas of the country. (99-101)
USAID-Funded Projects	The USAID-PACT Sustainable Mine Site Validation (SMSV, 2018-2022) is a four-year cooperative agreement that aims to 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. (103) 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. (103) In addition, the Conflict-Free Gold Project seeks to create a transparent supply chain model for clean artisanal gold; Understanding Artisanal Mining Supply Chains and Conflict Financing in DRC is gathering reliable data to address 'conflict minerals' trade in Eastern DRC; and The Program for the Development of Eastern Congo (P-DEC) aims to adopt bottom-up peacebuilding approaches to reduce conflict and bridge social divisions. (104-106)
World Bank-Funded Projects‡	Projects in support of reestablishing peace and stability. Includes Education Quality Improvement Project (2017–2022), a \$100 million project that aims to improve the quality of primary school education. (87,107) During the reporting period, over 10,000,000 textbooks and 251,997 teacher guides for reading and writing for grades 1-3 in the four national languages (Lingala, Swahili, Tshiluba, and Kikongo) were distributed throughout the DRC. (108)
USDOL-Funded Projects	Includes Measurement, Awareness-Raising, and Policy Engagement (MAP I6) Project on Child Labor and Forced Labor, a 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 address child labor and forced labor. Along with IOM and the Walk Free Foundation, the MAP I6 project conducted research on forced labor, including forced child labor, in conflict zones in the DRC in 2018 and will publish that research in 2022. (109) Also includes Combating Child Labor in the Democratic Republic of the Congo's Cobalt Industry (2018–2022) (COTECCO), 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; the Supporting Progress on Labor Standards in the DRC, a \$3 million project implemented by the ILO to enhance the capacity of the labor inspectorate and improve working conditions; and The Global Trace Protocol Project, a global project that seeks to increase downstream tracing of goods made by child labor and forced labor. (28) 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. (7,8,28) In addition, USDOL's COTECCO project conducted a training of trainers on advocacy strategy in Kinshasa with a second training in Kolwezi. (82) The training in Kolwezi brought together 50 participants, including 10 representatives of provincial government bodies, 12 representatives of CSOs, 10 attendees from the private sector, 4 representatives of union associations, and 5 representatives of implementing partners. (82) Additional information is available on the USDOL website.

† 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. (110,111)

In November 2021, First Lady Denise Nyakeru Tshisekedi, in collaboration with the NCCL and World Vision, hosted an advocacy workshop on addressing child labor. The workshop recommended asking Parliament to consider increasing the budget for agencies working to address child labor issues in 2022. (9) In addition, the Ministry of Defense (MOD) worked closely with the UN to identify and remove child recruits in 2021. (1,37) However, the scope of child DDR programs remains insufficient, reintegration process is slow, funding is

# Congo, Democratic Republic of the

## MODERATE ADVANCEMENT

inadequate, and collaboration between partners is weak. (1,14,34) Furthermore, children separated from armed groups remain vulnerable to stigmatization and re-recruitment. In particular, 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. (12,34,112,113) There is also a lack of efforts to assist street children and programs to provide support to children engaged in forced labor in agriculture, domestic work, mining, and commercial sexual exploitation. (9,11,12,34,112,113)

## 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	Ensure that laws sufficiently criminally prohibit the various acts involved in the trafficking process and trafficking for the purposes of forced labor.	2021
Enforcement	Increase penalties for the worst forms of child labor so that they are sufficiently stringent to serve as a deterrent.	2013 – 2021
	Collect and publish complete data on labor enforcement efforts, including labor inspectorate funding, worksite inspections, whether initial training and training on new laws were provided and the number of violations found, penalties imposed, and fines collected.	2020 – 2021
	Ensure that labor inspectors are able to conduct worksite inspections throughout the country.	2021
	Fully fund civil and criminal enforcement agencies, and significantly increase the number of labor inspectors to meet the ILO's technical advice.	2015 – 2021
	Ensure that inspectors and criminal law enforcement agencies receive adequate training to carry out their duties, including refresher courses as appropriate.	2011 – 2021
	Collect and publish complete data related to criminal law enforcement efforts, including the number of investigations conducted, violations found, prosecutions, and convictions related to the worst forms of child labor.	2009 – 2021
	Hold perpetrators of the worst forms of child labor, including child soldiering, accountable.	2017 – 2021
	Issue appropriate decrees to ensure that enacted laws are implemented, including those related to light work provisions.	2009 – 2021
	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 – 2021
	Improve coordination among relevant criminal enforcement agencies in conducting investigations, collecting data, and providing services to survivors.	2017 – 2021
Coordination	Ensure that security forces do not subject children to human rights violations, including extortion and physical abuse, in artisanal small-scale mining operations.	2019 – 2021
	Improve coordination among relevant ministries and agencies to avoid duplication of efforts and ensure that they receive adequate resources and trained personnel to address the worst forms of child labor, including child trafficking.	2015 – 2021
	Ensure that the Disarmament, Demobilization, Repatriation, Reintegration, and Resettlement Commission is able to coordinate the implementation of this program as intended.	2015 – 2021
Government Policies	Ensure that all coordinating bodies are active and able to carry out their intended mandates.	2021
	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 – 2021
Social Programs	Conduct a stand-alone child labor survey to better inform child labor policies and practices along with a prevalence survey focused on mining.	2013 – 2021
	Improve access to education by ensuring that all children are registered at birth or are issued identification documents.	2012 – 2021
	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 – 2021

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

Area	Suggested Action	Year(s) Suggested
Social Programs	Expand efforts to address the needs of demobilized children and incorporate stigmatization, gender, and re-recruitment concerns into programs to reintegrate such children.	2009 – 2021
	Establish or expand social programs designed to assist children engaged in forced labor in agriculture, mining, street work, domestic work, and commercial sexual exploitation, and implement existing programs as intended.	2009 – 2021

### REFERENCES

- U.S. Department of State. Trafficking in Persons Report- 2021: Democratic Republic of the Congo. Washington, DC, July 1, 2021. <https://www.state.gov/reports/2021-trafficking-in-persons-report/democratic-republic-of-the-congo/>
- UNESCO Institute for Statistics. Gross intake ratio to the last grade of primary education, both sexes (%). Accessed March 2022. For more information, please see "Children's Work and Education Statistics: Sources and Definitions" in the Reference Materials section of this report. <http://data.uis.unesco.org/>
- UNICEF. Multiple Indicator Cluster Survey, Democratic Republic of Congo (2017–2018). Analysis received March 2022. For more information, please see "Children's Work and Education Statistics: Sources and Definitions" in the Reference Materials section of this report.
- Ministère de l'Emploi, du Travail et de la Prévoyance Sociale (METPS). Plan d'Action National (PAN) de Lutte Contre les Pires Formes de Travail des Enfants en République Démocratique du Congo (2012–2020). Kinshasa: Comité National de Lutte Contre les Pires Formes de Travail des Enfants (CN-PFTE), December 2011. Source on file.
- Faber, B. et al. Artisanal Mining, Livelihoods, and Child Labor in the Cobalt Supply Chain of the Democratic Republic of Congo. Center for Effective Global Action, May 6, 2017: Policy Report. <http://escholarship.org/uc/item/17m9g4wm>
- U.S. Embassy- Kinshasa. Reporting. May 10, 2019.
- U.S. Embassy- Kinshasa. Reporting. February 18, 2020.
- U.S. Embassy- Kinshasa. Reporting (a). February 11, 2021.
- U.S. Embassy- Kinshasa. Reporting. February 18, 2022.
- WarChild Child labour and exploitation in Cattle herding. 2019 <https://www.warchild.org.uk/our-work/what-we-do/innovative-programmes/voicemore/democratic-republic-of-congo>
- UN Committee on the Rights of the Child. Concluding observations on the report submitted by the Democratic Republic of the Congo under article 12 (1) of the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography. February 28, 2017: CRC/C/OPSC/COD/CO/1. [http://tbinternet.ohchr.org/\\_layouts/treatybodyexternal/Download.aspx?symbolno=CRC/C/OPSC/COD/CO/1&Lang=en](http://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=CRC/C/OPSC/COD/CO/1&Lang=en)
- ILO Committee of Experts. Individual Observation concerning Worst Forms of Child Labour Convention, 1999 (No. 182) Democratic Republic of the Congo (ratification: 2001). Published: 2018. [https://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100\\_COMMENT\\_ID:3338476:NO](https://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:3338476:NO)
- Amnesty International. Time to Recharge: Corporate Action and Inaction to Tackle Abuses in the Cobalt Supply Chain. London, 2017. <https://www.amnestyusa.org/reports/time-to-recharge/>
- U.S. Department of State. Trafficking in Persons Report- 2019: Democratic Republic of the Congo. Washington, DC, June 20, 2019. <https://www.state.gov/reports/2019-trafficking-in-persons-report-2/democratic-republic-of-the-congo/>
- U.S. Department of State. Trafficking in Persons Report- 2020: Democratic Republic of the Congo. Washington, DC, June 25, 2020. <https://www.state.gov/reports/2020-trafficking-in-persons-report/democratic-republic-of-the-congo/>
- ILO Committee of Experts. Individual Direct Request concerning Worst Forms of Child Labour Convention, 1999 (No. 182) Democratic Republic of the Congo (ratification: 2001). Published: 2018. [https://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100\\_COMMENT\\_ID:3338494:NO](https://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:3338494:NO)
- Global Education Cluster. Secondary Data Review - Democratic Republic of the Congo (DRC) - The Kasai Crisis. July 20, 2017. [http://www.globalprotectioncluster.org/\\_assets/files/field\\_protection\\_clusters/Democratic\\_Republic\\_Congo/files/drc-kasai-crisis\\_secondary-data-review\\_2017-07-20.en.pdf](http://www.globalprotectioncluster.org/_assets/files/field_protection_clusters/Democratic_Republic_Congo/files/drc-kasai-crisis_secondary-data-review_2017-07-20.en.pdf)
- International Peace Information Service. Mapping artisanal mining areas and mineral supply chains in Eastern Congo. April 2019. <https://ipisresearch.be/wp-content/uploads/2019/10/2019-mapping-eastern-DRC-1.pdf>
- Human Rights Watch. DR Congo: Wanted Warlord Preys on Civilians. October 20, 2020. <https://www.hrw.org/news/2020/10/20/dr-congo-wanted-warlord-preys-civilians>
- UNICEF. A stolen childhood. February 12, 2020. <https://www.unicef.org/drcongo/en/stories/stolen-childhood>
- UN. Secretary-General Annual Report on Children and Armed Conflict. June 23, 2022. <https://documents-dds-ny.un.org/doc/UNDOC/GEN/N22/344/71/PDF/N2234471.pdf?OpenElement>
- UN Reporting. June 2020. Source on file.
- Impact. The Just Gold Project: Lessons for the Future of Artisanal Gold in Democratic Republic of Congo. March 2021. [https://impacttransform.org/wp-content/uploads/2021/03/IMPACT\\_Just-Gold-Lessons\\_March-2021\\_EN-web.pdf](https://impacttransform.org/wp-content/uploads/2021/03/IMPACT_Just-Gold-Lessons_March-2021_EN-web.pdf)
- Just Results LLC, Fifty Eight, War Child, World Vision. Mineral supply chains mapping and labour market assessment Masisi territoire, North Kivu and Nzibira, Walungu territoire, South Kivu Democratic Republic of the Congo. May 27, 2020. Source on file.
- OECD. Interconnected supply chains: a comprehensive look at due diligence challenges and opportunities sourcing cobalt and copper from the Democratic Republic of the Congo. November 15, 2019. <https://mneguidelines.oecd.org/Interconnected-supply-chains-a-comprehensive-look-at-due-diligence-challenges-and-opportunities-sourcing-cobalt-and-copper-from-the-DRC.pdf>
- Kelly, Annie. Apple and Google named in US lawsuit over Congolese child cobalt mining deaths. The Guardian, December 16, 2019. <https://www.theguardian.com/global-development/2019/dec/16/apple-and-google-named-in-us-lawsuit-over-congolese-child-cobalt-mining-deaths>
- Kara, Siddharth. Is your phone tainted by the misery of the 35,000 children in Congo's mines? The Guardian, October 12, 2018. <https://www.theguardian.com/global-development/2018/oct/12/phone-misery-children-congo-cobalt-mines-drc>
- U.S. Department of Labor. Combatting Child Labor in the Democratic Republic of the Congo's Cobalt Industry. October 2018. <https://www.dol.gov/agencies/ilab/combating-child-labor-democratic-republic-congos-cobalt-industry>
- U.S. Embassy- Kinshasa official. E-mail communication to USDOL official. February 26, 2021.
- U.S. Embassy- Kinshasa. Reporting (b). February 11, 2021.



# Congo, Democratic Republic of the

## MODERATE ADVANCEMENT

- 31 UN Security Council. Children and Armed Conflict: Report of the Secretary-General. June 9, 2020: A/74/845-S/2020/525. [https://www.un.org/sg/sites/www.un.org/sg/files/atoms/files/15-June-2020\\_Secretary-General\\_Report\\_on\\_CAAC\\_Eng.pdf](https://www.un.org/sg/sites/www.un.org/sg/files/atoms/files/15-June-2020_Secretary-General_Report_on_CAAC_Eng.pdf)
- 32 UNICEF. Democratic Republic of the Congo Humanitarian Situation Report No. 12. December, 2020. [https://www.unicef.org/media/93976/file/DRC\\_SitRep\\_December\\_2020.pdf](https://www.unicef.org/media/93976/file/DRC_SitRep_December_2020.pdf)
- 33 UNICEF Data Warehouse. Cross-sector indicators. Geographic area: Democratic Republic of the Congo, Indicator: Percentage of children under age 5 whose births are registered. Time period: 2014. 2014 (Accessed March 18, 2021). [https://data.unicef.org/resources/data\\_explorer/unicef/?ag=UNICEF&df=GLOBAL\\_DATAFLOW&ver=1.0&dq=COD\\_PT\\_CHLD\\_Y0T4\\_REG.&startPeriod=1970&endPeriod=2021](https://data.unicef.org/resources/data_explorer/unicef/?ag=UNICEF&df=GLOBAL_DATAFLOW&ver=1.0&dq=COD_PT_CHLD_Y0T4_REG.&startPeriod=1970&endPeriod=2021)
- 34 UN Committee on the Rights of the Child. Concluding observations on the combined third to fifth periodic reports of the Democratic Republic of the Congo. February 28, 2017: CRC/C/COD/CO/3-5. [http://tbinternet.ohchr.org/\\_layouts/treatybodyexternal/Download.aspx?symbolno=CRC/C/COD/CO/3-5&Lang=en](http://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=CRC/C/COD/CO/3-5&Lang=en)
- 35 Can Tshisekedi's govt deliver free education in DRC? Africa News, September 12, 2019. <https://www.africanews.com/2019/09/08/can-tshisekedi-s-govt-deliver-free-education-in-drc/>
- 36 DRC: Free primary education controversy. Africa News, September 12, 2019. <https://www.africanews.com/2019/09/12/drc-free-primary-education-controversy-the-morning-call/>
- 37 U.S. Embassy- Kinshasa. Reporting. February 14, 2020.
- 38 Matthysen, K., Hoex, L., Muller, T., de Brier, G. The impact of Covid-19 on the artisanal mining sector in eastern Democratic Republic of the Congo. IPIS, September 2020. <https://ipisresearch.be/wp-content/uploads/2020/10/2020.10-IPIS-Insights-Impact-of-COVID19-on-the-artisanal-mining-sector-in-eastern-DRC.pdf>
- 39 UNICEF. Children return to school in Ebola-affected regions of the Democratic Republic of the Congo. September 3, 2019. <https://www.unicef.org/press-releases/children-return-school-ebola-affected-regions-democratic-republic-congo>
- 40 UN Reporting. February 2022. Source on File.
- 41 UN Security Council. Report of the Secretary-General on Children and Armed Conflict. August 24, 2017: A/72/361-S/2017/821. <https://reliefweb.int/sites/reliefweb.int/files/resources/N1726811.pdf>
- 42 UNICEF. Children, Victims of the Crisis in Kasai. August 2017. <https://ponabana.com/kasai-crisis-eng.pdf>
- 43 Government of the Democratic Republic of the Congo. Portant Protection de L'Enfant, N° 09/001. Enacted: January 2009. <http://www.leganet.cd/Legislation/JO/2009/L.09.001.10.01.09.htm>
- 44 Government of the Democratic Republic of the Congo. Code du Travail, N° 015/2002. Enacted: October 16, 2002. <http://www.ilo.org/dyn/natlex/docs/SERIAL/62645/52447/F1638018233/COD-62645.pdf>
- 45 Government of the Democratic Republic of the Congo. Arrêté Ministériel Fixant les Conditions de Travail des Enfants, N° 12/CAB.MIN/TPSI/045/08. Enacted: August 8, 2008.
- 46 Government of the Democratic Republic of the Congo. Loi N°18/001 Modifiant et Complétant la Loi N°007/2002 du 11 Juillet 2002 Portant Code Minier, Col. I. Enacted: March 9, 2018. [https://www.mines-rdc.cd/fr/wp-content/uploads/Code\\_minier/J.O.\\_n°\\_speical\\_du\\_28\\_mars\\_2018\\_CODE\\_MINIER\\_DE\\_LA\\_RDC.PDF](https://www.mines-rdc.cd/fr/wp-content/uploads/Code_minier/J.O._n°_speical_du_28_mars_2018_CODE_MINIER_DE_LA_RDC.PDF)
- 47 Government of the Democratic Republic of the Congo. Loi Modifiant et Complétant la Loi N° 015-2002 Portant Code du Travail, N° 16/010. Enacted: July 15, 2016. <https://www.investindrc.cd/fr/centre-d-informations/autres-textes-legaux/loi-n-16-010-du-15-juillet-2016-modifiant-et-complétant-la-loi-n-015-2002-portant-code-du-travail>
- 48 Government of the Democratic Republic of the Congo. Law Relating to the Mining Code, N° 007/2002. Enacted: July 11, 2002. [http://www.resourcegovernance.org/sites/default/files/Mining\\_Code.pdf](http://www.resourcegovernance.org/sites/default/files/Mining_Code.pdf)
- 49 Government of the Democratic Republic of the Congo. Constitution de la République Démocratique du Congo. Enacted: February 18, 2006. [http://democratie.francophonie.org/IMG/pdf/Constitution\\_de\\_la\\_RDC.pdf](http://democratie.francophonie.org/IMG/pdf/Constitution_de_la_RDC.pdf)
- 50 Government of the Democratic Republic of the Congo. Code Penal Congolais, N° 06/018. Enacted: July 20, 2006. <http://www.leganet.cd/Legislation/DroitPenal/Loi.06.018.20.07.3006.htm>
- 51 Government of the Democratic Republic of the Congo. Loi Portant Statut du Militaire des Forces Armées de la République Démocratique du Congo, N° 00120/01/2013 Enacted: January 23, 2013. <http://desc-wondo.org/wp-content/uploads/2013/08/Loi-portant-statut-du-militaire-des-FARDC-promulguée-le-15012013.pdf>
- 52 Government of the Democratic Republic of the Congo. Loi Portant Organisation Générale de la Défense et des Forces Armées, N° 04/023. Enacted: November 12, 2004. <http://desc-wondo.org/wp-content/uploads/2013/08/Loi-Organique-sur-les-FARDC.pdf>
- 53 Government of the Democratic Republic of the Congo. LOI-CADRE n° 14/004 du 11 Février 2014 DE L'ENSEIGNEMENT NATIONAL. February 11, 2014. <https://www.ilo.org/dyn/natlex/docs/ELECTRONIC/101404/122157/F920043169/COD-101404.pdf>
- 54 Government of the Democratic Republic of the Congo. Loi Cadre de l'Enseignement National, N° 86/0005. Enacted: September 22, 1986. <http://www.ilo.org/dyn/natlex/docs/ELECTRONIC/9498/111653/F1265273741/COD-9498.pdf>
- 55 U.S. Embassy- Kinshasa. Reporting. February 20, 2018.
- 56 U.S. Embassy- Kinshasa official. E-mail communication to USDOL official. July 8, 2022.
- 57 ILO Committee of Experts. Direct Request concerning Worst Forms of Child Labour: Convention, 1999 (No. 182) Democratic Republic of Congo (ratification: 2001). Published: 2016. [https://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100\\_COMMENT\\_ID:3251682](https://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:3251682)
- 58 U.S. Department of State. Country Reports on Human Rights Practices-2018: Democratic Republic of the Congo. Washington, DC, March 13, 2019. <https://www.state.gov/reports/2018-country-reports-on-human-rights-practices/democratic-republic-of-the-congo/>
- 59 U.S. Department of State. Country Reports on Human Rights Practices-2020: Democratic Republic of the Congo. Washington, DC March 30, 2021 <https://www.state.gov/reports/2020-country-reports-on-human-rights-practices/democratic-republic-of-the-congo/>
- 60 World Economic Forum. Making Mining Safe and Fair: Artisanal cobalt extraction in the Democratic Republic of the Congo. September 2020. [http://www3.weforum.org/docs/WEF\\_Making\\_Mining\\_Safe\\_2020.pdf](http://www3.weforum.org/docs/WEF_Making_Mining_Safe_2020.pdf)
- 61 Calvão, F., McDonald, C., and Bolay, M. Cobalt mining and the corporate outsourcing of responsibility in the Democratic Republic of Congo. The Extractive Industries and Society. February 17, 2021. <https://doi.org/10.1016/j.exis.2021.02.004>
- 62 Federal Institute for Geosciences and Natural Resources. Mapping of the Artisanal Copper-Cobalt Mining Sector in the Provinces of Haut-Katanga and Lualaba in the Democratic Republic of the Congo. October 2019. [https://www.bgr.bund.de/EN/Themen/Min\\_rohstoffe/Downloads/studie\\_BGR\\_kupfer\\_kobalt\\_kongo\\_2019\\_en.pdf?\\_\\_blob=publicationFile&v=3](https://www.bgr.bund.de/EN/Themen/Min_rohstoffe/Downloads/studie_BGR_kupfer_kobalt_kongo_2019_en.pdf?__blob=publicationFile&v=3)
- 63 U.S. Embassy- Kinshasa. Reporting. March 13, 2019.



- 64 Government of the Democratic Republic of the Congo. Ordonnance portant création, organisation et fonctionnement de l'unité d'exécution du programme national de désarmement, démobilisation et réinsertion, en sigle « UEPN-DDR », N° 07/057. Enacted: July 14, 2007. <http://www.droitcongolais.info/files/JO-n-15--annee-48,-1er-aout-2007-.pdf>
- 65 UN. World Economic Situation and Prospects. 2017 Statistical Annex. New York, 2017. For more information, please see "Labor Law Enforcement: Sources and Definitions" in the Reference Materials section of this report. [https://www.un.org/development/desa/dpad/wp-content/uploads/sites/45/publication/2017wesp\\_full\\_en.pdf](https://www.un.org/development/desa/dpad/wp-content/uploads/sites/45/publication/2017wesp_full_en.pdf)
- 66 CIA. The World Factbook. Accessed June 19, 2020. For more information, please see "Labor Law Enforcement: Sources and Definitions" in the Reference Materials section of this report. <https://www.cia.gov/the-world-factbook/countries/>
- 67 KPMG. DRC Economic Snapshot H2, 2017. 2017. <https://home.kpmg/content/dam/kpmg/za/pdf/2017/12/DRC-2017H2.pdf>
- 68 Tshibangu, Serge. Projet d'inspection annuelle pour le travail des enfants dans le secteur de l'agriculture: Filière Riz. République Démocratique du Congo: Présidence de la République Cabinet du Président de la République Task Force Présidentielle. August 22, 2020. Source on file.
- 69 IPIS/ULULA. Assessing the impact of due diligence programmes in eastern DRC: A baseline study. April 2019. <https://ipisresearch.be/wp-content/uploads/2019/04/1904-Rapport-Due-Diligence-DRC.pdf>
- 70 UN Security Council. Letter dated 23 December 2020 from the Group of Experts on the Democratic Republic of the Congo addressed to the President of the Security Council. December 23, 2020: S/2020/1283. <https://www.undocs.org/S/2020/1283>
- 71 Bureau International Catholique de l'Enfance, Bureau National Catholique de l'Enfance en RDC, Programme d'Encadrement des Enfants de la Rue and Groupe des Hommes Voués au Développement Intercommunautaire. 74ème Groupe de travail pré-sessionnel du Comité des droits de l'enfant 6–10 juin 2016 - 74ème session du Comité des droits de l'enfant 9–27 janvier 2017 sur la République Démocratique du Congo. May 2016. [https://bice.org/app/uploads/2016/06/CRC74\\_RapportAlternatifConjoint\\_BICE\\_BNCE-RDC\\_PEDER\\_GHOVODI.pdf](https://bice.org/app/uploads/2016/06/CRC74_RapportAlternatifConjoint_BICE_BNCE-RDC_PEDER_GHOVODI.pdf)
- 72 UNICEF. Tableau comparatif des amendements de la Société civile au Code minier. 2015. Source on file.
- 73 Government of the Democratic Republic of the Congo. Arrêté Modifiant et Completant l'Arrêté Interministériel N° 12/MIN/TPS/AR/34/2006 du 10 Juin 2006 Portant Création et Fonctionnement du Comité National de Lutte Contre les Pires Formes de Travail des Enfants. Enacted: October 14, 2013. Source on file.
- 74 Government of the Democratic Republic of the Congo. Arrêté Interministériel Portant Création et Fonctionnement du Comité National de Lutte Contre les Pires Formes de Travail des Enfants, N° 12/MIN/TPS/AR/34/2006. Enacted: June 10, 2006. [http://www.ilo.org/dyn/natlex/natlex4.detail?p\\_lang=fr&p\\_isn=75554&p\\_country=COD&p\\_count=241](http://www.ilo.org/dyn/natlex/natlex4.detail?p_lang=fr&p_isn=75554&p_country=COD&p_count=241)
- 75 Holland, Hereward, and Bujakera, Stansys. Congo creates state monopoly for artisanal cobalt. Reuters, January 31, 2020. <https://www.reuters.com/article/congo-mining/congo-creates-state-monopoly-for-artisanal-cobalt-idUSL4N2A020N>
- 76 Banza Lubaba Nkulu, C., Casas, L., Haufroid, V. et al. Sustainability of artisanal mining of cobalt in DR Congo. Nature Sustainability 1, 2018. <https://doi.org/10.1038/s41893-018-0139-4>
- 77 Entreprise Generale du Cobalt EGC Responsible Sourcing Standard March 2021 <https://www.pactworld.org/sites/default/files/20210326 - EGC Responsible Sourcing Standards - English.pdf>
- 78 U.S. Embassy- Kinshasa. Reporting. May 13, 2022.
- 79 Reid, Helen. Congo mines minister seeks to cancel artisanal cobalt monopoly. Reuters. May 11, 2022. <https://www.reuters.com/world/africa/congo-mines-minister-seeks-cancel-artisanal-cobalt-monopoly-2022-05-11/>
- 80 Mission de l'Organisation des Nations Unies pour la Stabilisation en République Démocratique du Congo. Protéger et soutenir les enfants touchés par la violence et les conflits. February 2015. [https://monusco.unmissions.org/sites/default/files/echos\\_monusco\\_42\\_1.pdf](https://monusco.unmissions.org/sites/default/files/echos_monusco_42_1.pdf)
- 81 UN Security Council. Children and Armed Conflict. Report of the Secretary-General. June 20, 2019: A/73/907–S/2019/509. [https://www.un.org/ga/search/view\\_doc.asp?symbol=S/2019/509&Lang=E&Area=UNDOC](https://www.un.org/ga/search/view_doc.asp?symbol=S/2019/509&Lang=E&Area=UNDOC)
- 82 ILO COTECCO TPR October DOL: Washington, DC October 2021 Source on file.
- 83 Government of the Democratic Republic of the Congo. Rapport Final de l'Atelier National sur le Travail des Enfants dans l'Agriculture en République Démocratique du Congo. May 20, 2015. Source on file.
- 84 Government of the Democratic Republic of the Congo. Contexte général du DDR III. UEPNDDR.cd. May 1, 2015. [http://uepnDDR.cd/Presentation\\_DDR3.html](http://uepnDDR.cd/Presentation_DDR3.html)
- 85 Government of the Democratic Republic of the Congo. Plan Global de Désarmement, Démobilisation et Réintégration (DDR III): Programme National de Désarmement, Démobilisation et Réinsertion (PNDDR). Kinshasa: Ministère de la Défense Nationale et des Anciens Combattants. 2014. <http://desc-wondo.org/wp-content/uploads/2014/01/Plan-Global-de-DDR-III.pdf>
- 86 Government of the Democratic Republic of the Congo. Programme National de Désarmement, Démobilisation et Réinsertion (PNDDR) Rapport Mensuel d'Activités du DDR III. Kinshasa: Ministère de la Défense Nationale et des Anciens Combattants, November 2015. Source on file.
- 87 World Bank. Democratic Republic of Congo - Reinsertion and Reintegration Project. May 4, 2015: PAD1244. [http://www-wds.worldbank.org/external/default/WDSContentServer/WDSP/IB/2015/05/08/090224b082e58e01/1\\_0/Rendered/PDF/Congo00Democra0integration0Project0.pdf](http://www-wds.worldbank.org/external/default/WDSContentServer/WDSP/IB/2015/05/08/090224b082e58e01/1_0/Rendered/PDF/Congo00Democra0integration0Project0.pdf)
- 88 Government of Democratic Republic of the Congo. Plan d'action pour la lutte contre le recrutement et l'utilisation d'enfant ainsi que les autre violations graves des droits de l'enfant par les forces armées et les services de sécurité de la République Démocratique du Congo. October 4, 2012. <http://www.ilo.org/dyn/natlex/docs/MONOGRAPH/101406/122160/F474283417/INT-101406.pdf>
- 89 Joint Technical Working Group on Children and Armed Conflict. UN/GoDRC Action Plan to stop and prevent underage recruitment, sexual violence and other grave child rights violations. October 4, 2012. Source on file.
- 90 Radio Okapi. Nord-Kivu : 29 mineurs sortis du groupe armé NDC/Bwira par la MONUSCO. August 27, 2020. <https://www.radiookapi.net/2020/08/27/actualite/securite/nord-kivu-29-mineurs-sortis-du-groupe-arme-ndcbwira-par-la-monusco>
- 91 Gouvernement de la République Démocratique du Congo - Ministère des Mines. Stratégie Nationale Sectorielle de Lutte Contre le Travail des Enfants dans les Mines Artisanales et sur les Sites Miniers Artisanaux en République Démocratique du Congo (2017–2025). August 2017. Source on file.
- 92 Ministre du Genre, de la Famille, et de l'Enfant. Plan d'Action du Gouvernement de la République Démocratique du Congo pour l'Application de la Resolution 1325 du Conseil de Sécurité des Nations Unies. January 2010. Source on file.

# Congo, Democratic Republic of the

## MODERATE ADVANCEMENT

- 93 République Démocratique du Congo, Ministère du Genre, Enfant et Famille. Plan d'Action National de la Mise en Œuvre de la Résolution 1325 du Conseil de Sécurité de Nations Unies, sur les Femmes, la Paix et la Sécurité IIème Génération 2019–2022. September 2018.  
[https://www.peacewomen.org/sites/default/files/PAN\\_1325\\_IIVALIDE\\_VERSION\\_FINALE.pdf](https://www.peacewomen.org/sites/default/files/PAN_1325_IIVALIDE_VERSION_FINALE.pdf)
- 94 World Vision. Plan d'Action Provincial de Lutte Contre le Pires Formes de Travail des Enfants. 2015. Source on file.
- 95 Global Coalition to Protect Education from Attack. Safe Schools Declaration Endorsements. November 14, 2017.  
<http://www.protectingeducation.org/guidelines/support>
- 96 Global Coalition to Protect Education from Attack. Safe Schools Declaration. Accessed January 19, 2018.  
[http://www.protectingeducation.org/sites/default/files/documents/safe\\_schools\\_declaration-final.pdf](http://www.protectingeducation.org/sites/default/files/documents/safe_schools_declaration-final.pdf)
- 97 Global Affairs Canada. Canada announces funding for child protection, women's economic empowerment and humanitarian assistance in the Democratic Republic of Congo. July 7, 2017: News release.  
[https://www.canada.ca/en/global-affairs/news/2017/07/canada\\_announcesfundingforchildprotectionwomenseconomicempowerme.html](https://www.canada.ca/en/global-affairs/news/2017/07/canada_announcesfundingforchildprotectionwomenseconomicempowerme.html)
- 98 African Development Bank Support Project for Alternative Welfare of Children and Young People Involved in the Cobalt Supply Chain (PABEA-COBALT) April 12, 2022  
<https://projectsportal.afdb.org/dataportal/VProject/show/P-CD-100-010>
- 99 UNICEF. Democratic Republic of the Congo Humanitarian Situation Report No. 12. December 2020.  
<https://www.unicef.org/documents/drc-humanitarian-sitrep-december-2020>
- 100 UNICEF. DRC's ministry of primary, secondary and technical education launches distance education via radio, with the support of UNICEF. April 26, 2020.  
<https://www.unicef.org/drcongo/en/press-releases/drcs-ministry-primary-secondary-and-technical-education-launches-distance-education>
- 101 Their World. Five things you need to know this week about global education. February 12, 2021.  
<https://theirworld.org/news/five-things-you-need-to-know-this-week-about-global-education-february-12>
- 102 UNICEF. Democratic Republic of the Congo Annual Humanitarian Situation Report. December 2021.  
<https://www.unicef.org/documents/drc-annual-humanitarian-situation-report-31-december-2021>
- 103 PACT World. Sustainable Mine Site Validation project profile. February 19, 2020.  
<https://www.pactworld.org/library/sustainable-mine-site-validation-project-profile>
- 104 USAID Program for the Development of Eastern Congo (P-DEC) October 2021  
<https://ipisresearch.be/project/program-for-the-development-of-eastern-congo-p-dec/>
- 105 USAID Understanding Artisanal Mining Supply Chains and Conflict Financing in DRC Washington, DC June 2021  
<https://ipisresearch.be/project/understanding-artisanal-mining-supply-chains-and-conflict-financing-in-drc/>
- 106 USAID Economic Growth Fact Sheet Democratic Republic of the Congo Washington, DC April 2022  
<https://www.usaid.gov/democratic-republic-congo/fact-sheets/economic-growth>
- 107 World Bank. Global Partnership for Education Fund Grant Agreement. April 19, 2017.  
<http://documents.worldbank.org/curated/en/182501505229544313/pdf/ITK171540-201708121116.pdf>
- 108 World Bank Education Quality Improvement Project Status Report (2022) January 2022  
<https://documents1.worldbank.org/curated/en/099240001162235758/pdf/Discl0able0Ve02000Sequence0No00007.pdf>
- 109 ILO. MAP 16 Technical Progress Report. October 2018. Source on file.
- 110 World Bank. Project Appraisal Document on a Proposed Grant in the Amount of US\$100 Million to the Democratic Republic of Congo for a DRC—Gender-Based Violence Prevention and Response Project. June 6, 2018.  
<http://documents.worldbank.org/curated/en/431561535859045136/pdf/DRC-Gender-Based-PAD-06192018.pdf>
- 111 World Bank. Project Appraisal Document on a Proposed Grant in the Amount of US\$200 Million to the Democratic Republic of Congo for a Productive Inclusion Project. June 7, 2018.  
<http://documents.worldbank.org/curated/en/790511530415823984/pdf/DRC-PAD-06112018.pdf>
- 112 Child Soldiers International. What the girls say - Improving practices for the demobilisation and reintegration of girls associated with armed forces and armed groups in Democratic Republic of Congo. June 19, 2017.  
<https://reliefweb.int/report/democratic-republic-congo/what-girls-say-improving-practices-demobilisation-and-reintegration>
- 113 Guilbert, Kieran. Raped then rejected, stigma drives former girl soldiers back into Congo's militias. Reuters, June 19, 2017.  
<https://www.voanews.com/a/raped-then-rejected-stigma-drives-former-girl-soldiers-back-into-congo-militias/3911038.html>

In 2021, the Republic of the Congo made moderate advancement in efforts to eliminate the worst forms of child labor. During the reporting period, the government conducted its first-ever nationwide child labor survey in coordination with the United Nations Children's Fund. The government also renewed a bilateral agreement with the Democratic Republic of the Congo that formalized regular bilateral collaboration to support trafficking victims and share information on suspected traffickers. In addition, the implementation of ministerial decrees aimed at protecting indigenous peoples' rights continued to result in an increase in the number of indigenous children enrolled in the school system. However, children in the Republic of the Congo are subjected to the worst forms of child labor, including in commercial sexual exploitation, sometimes as a result of human trafficking, and forced domestic work. 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, the country lacks a national policy to address child labor.



## 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, sometimes as a result of human trafficking, and in forced domestic work. (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, 2022. (6)

Source for all other data: International Labor Organization's analysis of statistics from Multiple Indicator Cluster Survey 5 (MICS5), 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 (1,4,8,9)
	Fishing (1,8)
Industry	Working in stone quarries,† including breaking stones (1,2,8,10,11)
Services	Domestic work (1-4,8)
	Market vending and carrying heavy loads‡ (1-4,8,9)
Categorical Worst Forms of Child Labor‡	Commercial sexual exploitation, sometimes as a result of human trafficking (5,8,12,13)
	Forced labor in farming, including in the production of cocoa, fishing, domestic work, and working in stone quarries (1,4,9,13,14)
	Forced labor in market vending and working in bakeries (4,13,14)
	Forced labor of indigenous Baka, Aka, and Kola children in farming, including in the production of manioc, and in fishing, hunting, and domestic work (1,4,9,14,15)

† 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.

# Congo, Republic of the

## MODERATE ADVANCEMENT




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. (2,4,8,13) 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. (3,4) Many 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. (4,5,8,11,16) While the ROC conducted a national child labor survey, information on children's work is limited because the results have not yet been published. (13)

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. (1,17) Prohibitive school fees, 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 camps and non-urban areas. (1,2,4,8,18) Indigenous children throughout the country may experience discrimination, linguistic barriers, prohibitive school fees, and long distances to travel to schools. (2,4,8,10,17,19) 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. (8)

## 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).

**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 (20,21)
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 (21,22)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Article 4, 5, 8, and 9 of Order 2224 of 1953 (22)
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; Articles 4, 5, 6, and 14 of Law No. 22-2019 on Combatting Trafficking in Persons (20,21,23,24)
Prohibition of Child Trafficking	Yes		Articles 2, 4, and 6 of Law No. 22-2019 on Combating Trafficking in Persons (24)

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

Standard	Meets International Standards	Age	Legislation
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 (21,25)
Prohibition of Using Children in Illicit Activities	Yes		Articles 68–70 and 122 of the Child Protection Code (21)
Minimum Age for Voluntary State Military Recruitment	Yes	18	Article 30 of the Military and Gendarmerie Code (26)
Prohibition of Compulsory Recruitment of Children by (State) Military	N/A*		Article 49 of the Child Protection Code (21)
Prohibition of Military Recruitment by Non-state Armed Groups	Yes		Articles 49 and 111 of the Child Protection Code (21)
Compulsory Education Age	Yes	16	Article 29 of the Constitution; Articles 1 and 3 of the Education Law (23,27)
Free Public Education	Yes		Article 29 of the Constitution; Article 1 of the Education Law (23,27)

\* Country has no conscription (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	Role
Ministry of Labor and Social Security (MOL)	Enforces child labor laws. (17) Conducts initial inspections before referring cases to the Ministry of Justice and Human Rights (MOJ) for prosecution, and offers support to victims afterwards. (8)
Ministry of Justice and Human Rights (MOJ)	Enforces criminal laws against the worst forms of child labor. Dedicates two judges to child protection cases. (1) Leads child labor law enforcement efforts. (8)
Ministry of the Interior's National Police	Enforces criminal laws against the worst forms of child labor and conducts initial investigations into cases of forced labor, human trafficking, and the use of children in illicit activities. Conducts operations to rescue trafficked children used in child labor. (1,2,4,8)

#### Labor Law Enforcement

In 2021, labor law enforcement agencies in the ROC took actions to address 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 lack of sufficient resources.

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

Overview of Labor Law Enforcement	2020	2021
Labor Inspectorate Funding	Unknown (4)	Unknown (8)
Number of Labor Inspectors	248 (4)	248 (8)
Mechanism to Assess Civil Penalties	Yes (20)	Yes (20)
Initial Training for New Labor Inspectors	No (4)	No (8)
Training on New Laws Related to Child Labor	No (4)	N/A (8)
Refresher Courses Provided	No (4)	No (8)
Number of Labor Inspections Conducted	Unknown (4)	Unknown (8)
Number Conducted at Worksite	Unknown (4)	Unknown (8)
Number of Child Labor Violations Found	Unknown (4)	Unknown (8)
Number of Child Labor Violations for Which Penalties Were Imposed	Unknown (4)	Unknown (8)
Number of Child Labor Penalties Imposed that Were Collected	Unknown (4)	Unknown (8)



# Congo, Republic of the

## MODERATE ADVANCEMENT

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

Overview of Labor Law Enforcement	2020	2021
Routine Inspections Conducted	Unknown	Unknown (8)
Routine Inspections Targeted	Unknown (4)	Unknown (8)
Unannounced Inspections Permitted	Yes (20)	Yes (20)
Unannounced Inspections Conducted	Unknown (4)	Unknown (8)
Complaint Mechanism Exists	No (4)	No (8)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	No (4)	No (8)

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. (8) Research found inspectors do not have access to government vehicles and rely on the employers whose businesses are being inspected to provide transportation. (10,29) 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 their counterparts in other ministries to refer children found during inspections to social services. (2-4,8) Further, 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. (15,30)

### **Criminal Law Enforcement**

In 2021, criminal law enforcement agencies in the ROC took actions to address child labor (Table 7). However, gaps exist within the operations of the criminal enforcement agencies that may hinder adequate criminal law enforcement, including insufficient allocation of financial resources.

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

Overview of Criminal Law Enforcement	2020	2021
Initial Training for New Criminal Investigators	Yes (30)	N/A (8)
Training on New Laws Related to the Worst Forms of Child Labor	Yes (30)	N/A (8)
Refresher Courses Provided	No (4)	No (8)
Number of Investigations	Unknown (4)	Unknown (8)
Number of Violations Found	Unknown (4)	Unknown (8)
Number of Prosecutions Initiated	Unknown (4)	Unknown (8)
Number of Convictions	Unknown (4)	Unknown (8)
Imposed Penalties for Violations Related to the Worst Forms of Child Labor	Unknown (4)	Unknown (8)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	No (4)	No (8)

The government provides funding for investigations, prosecutions, and convictions of suspected traffickers in the context of broader judicial and law enforcement programs. (3) In general, the Ministry of Justice and Human Rights (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' uneven knowledge of anti-trafficking legislation and the Child Protection Code. (5,15)

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 sometime demand payments from NGOs and other stakeholders to assist in or execute operations to rescue survivors of child trafficking. (1,8,15) Police officers are not paid overtime, and there is a lack of resources such as funds for fuel. (8) Research found that many police did not understand what constituted child labor, and that court and MOJ personnel did not fully understand or know how to handle child labor cases. (4)

During the reporting period, the ROC worked with the DRC and Benin to prohibit minors from coming into the ROC without their parents as part of an agreement reached in 2020, and advanced proceedings to formalize

these agreements as a domestic legal framework clarifying legal responsibilities under existing anti-trafficking laws. (9) The government also held a workshop for law enforcement professionals. (8) In 2021, the government repatriated eight trafficked children to Benin whose traffickers were convicted in 2019; the children received shelter, food, medical care, and psychological support. (8,9,13) Additionally, the ROC is working with the DRC to institute a reciprocal referral mechanism agreement that is identical to the one it has with Benin. (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 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 survivors. (1,31) May conduct initial inspections before referring cases to MOJ for prosecution. (1) Through its Director General of Social Affairs, oversees government strategy to address human trafficking. (15) Through its Task Force, leads efforts to address human trafficking in Pointe-Noire, designates foster families to receive victims, and assists in repatriating or reintegrating victims. (1) 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. (15)
Anti-Trafficking Coordinating Committee for Pointe-Noire (MSA Task Force)	With UNICEF support, coordinates all efforts to address trafficking of West African children in Pointe-Noire. Chaired by MSA with representatives from other government agencies and civil society organizations. (1,3,5,14) Seeks to prevent and prosecute cases of human trafficking and provides support to survivors through placement with foster families. (5,32) The Committee did not meet during the reporting period. (8)
National Commission to Fight Against Trafficking in Persons	Coordinates government efforts on trafficking in persons and forced labor as a federal-level, interministerial committee. (3) Article 34 of the 2019 Law on Combating Trafficking in Persons provides a dedicated line item for funding. (33) The Commission did not receive funding from the government and did not meet during the reporting period. (8)

During the reporting period, the MOJ carried out a public awareness campaign to inform government officials, NGOs, and members of the indigenous community about their civil and political rights, gender-based violence, and the anti-trafficking law in the north of the country. (13) Also in 2021, the government signed a renewed bilateral agreement with the DRC which formalized regular bilateral conversations and collaboration to support trafficking victims and share information on suspected traffickers. Additionally, MSA staff maintained regular contact with counterparts in Benin about trafficking in persons issues, ongoing cases, and repatriation efforts. (13)

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. (14,15) Furthermore, there is no coordinating body to oversee efforts to address child labor at the national level. (1,32)

#### 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 child labor action plan.

**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 the country's developing economy, and creating mechanisms for the efficient management of an educational system. (34)

‡ The government had other policies that may have addressed child labor issues or had an impact on child labor. (15,16)

During the reporting period the government revised its national action plan to address trafficking in persons, holding several discussion meetings. However, a new national action plan was not adopted in 2021. (13)

# Congo, Republic of the

## MODERATE ADVANCEMENT

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. (34) Furthermore, research did not discover a national action plan that addresses trafficking in persons.

### VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2021, 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 inadequate efforts to address child labor 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. (35) Includes a cash transfer program for households conditioned upon regular health visits and an 80 percent school attendance rate every month by the children of participating households. (2,35) During the reporting period, in response to the ongoing COVID-19 pandemic, the government reinforced its “Lisungi” social safety net program for approximately 200,000 households nationwide. Households received an additional \$85 from the government's COVID-19 Solidarity Fund. (8)
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 frameworks, and increase government support and engagement of local organizations and community groups. (36,37) During the reporting period, the program fed as many as 380,000 children in the country. It has been renewed for an additional 5 years. (11)
Observe, Reflect, Act Schools	Ministry of Education program supported by UNICEF, the EU, and WFP to improve access to education for indigenous children through a 2- or 3-year program to prepare them for schooling. (11,38) 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, private companies, or the local communities, and that teachers are unpaid and work on a voluntary basis. (9,11,30,39,40)

‡ The government had other social programs that may have included the goal of eliminating or preventing child labor. (8)

During the reporting period, the MSA conducted the ROC's first-ever nationwide child labor survey in coordination with UNICEF. The survey results indicated the existence of a human trafficking ring, identified trafficking cases and efforts made by officials in addressing trafficking in persons, as well as gaps in coordination between security forces and social services on the ROC's borders with its neighbors. (13) Additionally, the implementation of six 2019 ministerial decrees aimed at protecting indigenous peoples' rights continued to result 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. (13,41)

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. (8)

### VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE CHILD LABOR

Based on the reporting above, suggested actions are identified that would advance the elimination of child labor in the 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 – 2021
Enforcement	Ensure that the government establishes a formal process for referring children to the appropriate social services when they are found in situations of child labor.	2020 – 2021
	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, prosecutions initiated, and convictions secured.	2014 – 2021
	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 – 2021
	Institutionalize training for all labor inspectors, investigators, and law enforcement officers, including offering periodic refresher courses.	2014 – 2021
	Strengthen the labor inspectorate by ensuring that inspectors have adequate resources to carry out their mandated inspection duties.	2015 – 2021
	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 – 2021
	Expand criminal law enforcement efforts beyond large cities.	2014 – 2021
	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 – 2021
Coordination	Ensure that all coordinating bodies receive adequate resources to function as intended.	2014 – 2021
	Establish a coordinating mechanism to address child labor, including its worst forms, at the national level.	2009 – 2021
	Ensure that funds budgeted for the Ministry of Social Affairs, Humanitarian Action and Solidarity to address human trafficking are regularly disbursed.	2019 – 2021
	Ensure that all coordinating bodies are active and able to carry out their intended mandates.	2021
Government Policies	Adopt a plan that addresses all relevant forms of trafficking in persons.	2020 – 2021
	Integrate child labor elimination and prevention strategies into existing relevant policies.	2009 – 2021
	Adopt a policy that addresses all relevant forms of child labor and the worst forms of child labor.	2013 – 2021
Social Programs	Publish the results of the national child labor survey to determine the activities carried out by working children to inform policies and programs.	2013 – 2021
	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 subjected to sexual abuse.	2009 – 2021
	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 – 2021
	Ensure indigenous children do not experience discrimination or barriers to education.	2020 – 2021
	Ensure that the "tuition waiver program" for indigenous children is consistently applied.	2020 – 2021

**REFERENCES**

- 1 U.S. Embassy- Brazzaville. Reporting. February 22, 2018.
- 2 U.S. Embassy- Brazzaville. Reporting. March 4, 2019.
- 3 U.S. Embassy- Brazzaville. Reporting. January 17, 2020.
- 4 U.S. Embassy- Brazzaville. Reporting. January 19, 2021.
- 5 U.S. Department of State. Trafficking in Persons Report- 2021 Republic of the Congo. Washington, D.C., June 2021.  
<https://www.state.gov/reports/2021-trafficking-in-persons-report/republic-of-the-congo/>
- 6 UNESCO Institute for Statistics. Gross intake ratio to the last grade of primary education, both sexes (%). Accessed March 3, 2022. For more information, please see "Children's Work and Education Statistics: Sources and Definitions" in the Reference Materials section of this report.  
<http://data.uis.unesco.org/>
- 7 ILO. Analysis of Child Economic Activity and School Attendance Statistics from National Household or Child Labor Surveys. Original data from Multiple Indicator Cluster Survey 5 (MICS5), 2014–2015. Analysis received March 2022. Please see "Children's Work and Education Statistics: Sources and Definitions" in the Reference Materials section of this report.
- 8 U.S. Embassy- Brazzaville. Reporting. January 13, 2022.
- 9 U.S. Embassy- Brazzaville official. E-mail communication with USDOL official. April 19, 2022.
- 10 U.S. Embassy- Brazzaville. Reporting. January 13, 2017.
- 11 U.S. Embassy- Brazzaville official. E-mail communication with USDOL official. March 30, 2022.

# Congo, Republic of the

## MODERATE ADVANCEMENT

- 12 ILO Committee of Experts. Individual Direct Request concerning Worst Forms of Child Labour Convention, 1999 (No. 182) Congo (ratification: 2002). Published: 2019.  
[https://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:PI3100\\_COMMENT\\_ID:3963394](https://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:PI3100_COMMENT_ID:3963394)
- 13 U.S. Embassy- Brazzaville. Reporting. February 7, 2022.
- 14 U.S. Department of State. Trafficking in Persons Report- 2019: Republic of the Congo. Washington, D.C., June 20, 2019.  
<https://www.state.gov/reports/2019-trafficking-in-persons-report-2/republic-of-the-congo/>
- 15 U.S. Embassy- Brazzaville. Reporting. February 14, 2018.
- 16 UN Committee on the Elimination of Discrimination against Women. Consideration of reports submitted by States parties under article 18 of the Convention: Seventh periodic report of States parties due in 2016: Congo. May 15, 2017: CEDAW/C/COG/7.  
[http://tbinternet.ohchr.org/\\_layouts/treatybodyexternal/Download.aspx?symbolno=CEDAW/C/COG/7&Lang=en](http://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=CEDAW/C/COG/7&Lang=en)
- 17 U.S. Department of State. Country Reports on Human Rights Practices- 2020: Republic of the Congo. Washington, D.C., March 30, 2021.  
<https://www.state.gov/wp-content/uploads/2021/10/CONGO-REP-2020-HUMAN-RIGHTS-REPORT.pdf>
- 18 De Syg, Seke Kouassi, and Euloge Bikindou-Boueya. ÉVALUATION DES INTERVENTIONS DES NATIONS UNIES EN FAVEUR DES RÉFUGIÉS EN RÉPUBLIQUE DU CONGO. UNICEF, July 2017: Final Report. Source on file.
- 19 Bevalot, Martin, et al. Evaluation des interventions visant l'amélioration de la qualité de vie des populations autochtones - République du Congo. UNICEF, September 2015. Source on file.
- 20 Government of the Republic of the Congo. Code du travail, Loi n° 45-75 du 15 mars 1975. Enacted: March 15, 1975.  
[https://www.ilo.org/dyn/travail/docs/708/Congo - Code du travail.pdf](https://www.ilo.org/dyn/travail/docs/708/Congo_-_Code_du_travail.pdf)
- 21 Government of the Republic of the Congo. Law n° 4-2010 du 14 juin 2010 portant protection de l'enfant en République du Congo. Enacted: June 14, 2010.  
[http://www.ilo.org/dyn/natlex/natlex4.detail?p\\_lang=en&p\\_isn=88295&p\\_country=COG&p\\_count=271](http://www.ilo.org/dyn/natlex/natlex4.detail?p_lang=en&p_isn=88295&p_country=COG&p_count=271)
- 22 Government of the Republic of the Congo. Arrêté N°2224 fixant les dérogations d'emploi des jeunes travailleurs ainsi que la nature des travaux et les catégories d'entreprises interdits aux jeunes gens et l'âge limite auquel s'applique l'interdiction. October 24, 1953. Source on file.
- 23 Government of the Republic of the Congo. Constitution du 6 novembre 2015. Enacted: November 6, 2015.  
[http://www.ilo.org/dyn/natlex/natlex4.detail?p\\_lang=en&p\\_isn=100814&p\\_country=COG&p\\_count=278&p\\_classification=01.01&p\\_classcount=5](http://www.ilo.org/dyn/natlex/natlex4.detail?p_lang=en&p_isn=100814&p_country=COG&p_count=278&p_classification=01.01&p_classcount=5)
- 24 Parlement de Republic de Congo. Loi no 22 - 2019 portant la lutte contre lo traite des personnes. du 17 juin 2019.  
[https://economie.gouv.cg/sites/default/files/Documentation/Lois/2019/L\\_n°22-2019 du 17 juin 2019.pdf](https://economie.gouv.cg/sites/default/files/Documentation/Lois/2019/L_n°22-2019_du_17_juin_2019.pdf)
- 25 Government of the Republic of the Congo. Penal Code, Law No. 13/4/1946. Enacted: April 25, 1947. Source on file.
- 26 Government of the Republic of the Congo. Loi n° 10-2021 du 27 janvier 2021 portant statut général des militaires et des gendarmes. Source on file.
- 27 Government of the Republic of the Congo. Loi 25/95 du 17 novembre 1995 modifiant la loi scolaire n° 008/90 du 6 septembre 1990. Enacted: November 17, 1995.  
[http://www.axl.cefan.ulaval.ca/afrique/congo-lois\\_div.htm#Loi\\_25/95\\_du\\_17\\_novembre\\_1995\\_modifiant\\_la\\_loi\\_scolaire\\_n°\\_008/90\\_du\\_6\\_septembre\\_1990](http://www.axl.cefan.ulaval.ca/afrique/congo-lois_div.htm#Loi_25/95_du_17_novembre_1995_modifiant_la_loi_scolaire_n°_008/90_du_6_septembre_1990)
- 28 Child Soldiers International. Congo (Republic Of). January 12, 2017.  
<http://childsoldiersworldindex.org/view/CG>
- 29 ILO Committee of Experts. Individual Observation concerning Labour Inspection Convention, 1947 (No. 81) Congo (ratification: 1999). Published: 2019.  
[https://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:PI3100\\_COMMENT\\_ID:3963028](https://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:PI3100_COMMENT_ID:3963028)
- 30 U.S. Embassy- Brazzaville official. E-mail communication with USDOL official. June 23, 2021.
- 31 U.S. Department of State. Country Reports on Human Rights Practices- 2018: Republic of the Congo. Washington, D.C., March 13, 2019.  
<https://www.state.gov/reports/2018-country-reports-on-human-rights-practices/republic-of-the-congo/>
- 32 Direction Départementale des Affaires Sociales de Pointe-Noire. Rapport Annuel 2017 des Activites du Projet Lutte Contre la Traite des Enfants de Pointe-Noire. 2018. Source on file.
- 33 Parliament, Republic of Congo. Law No. 22-2019: Combating Trafficking in Persons. June 17, 2019. Source on file.
- 34 Government of the Republic of the Congo. Plan sectoriel de l'éducation 2015-2025. République du Congo May 2015.  
<https://www.globalpartnership.org/fr/content/plan-sectoriel-de-leducation-2015-2025-republique-du-congo>
- 35 World Bank. LISUNGI SAFETY NETS SYSTEM PROJECT. Project Paper, March 2, 2017.  
<http://documents.worldbank.org/curated/en/854791491098428875/pdf/REPOFCONGO-PAD-03132017.pdf>
- 36 USDA official. E-mail communication to USDOL official. March 24, 2019.
- 37 USDA. USDA Awards \$248 Million for International School Feeding Projects. October 7, 2021.  
<https://www.fas.usda.gov/newsroom/usda-awards-248-million-international-school-feeding-projects>
- 38 UNICEF. Republic of Congo Humanitarian Situation Report. 2021.  
[https://www.unicef.org/media/104401/file/Republic of Congo Humanitarian Situation Report Mid Year 2021.pdf](https://www.unicef.org/media/104401/file/Republic_of_Congo_Humanitarian_Situation_Report_Mid_Year_2021.pdf)
- 39 Les Echos. Un rapport de l'ONU déplore une discrimination profonde, systémique et extrêmement enracinée des pygmées au Congo. November 12, 2019.  
<https://lesechos-congobrazza.com/societe/6428-un-rapport-de-l-onu-deplore-une-discrimination-profonde-systemique-et-extremement-enracinee-des-pygmees-au-congo>
- 40 UN Human Rights Council. End of mission statement by the United Nations Special Rapporteur on the rights of indigenous peoples, Victoria Tauli-Corpuz on her visit to the Republic of Congo. ReliefWeb. October 25, 2019.  
<https://reliefweb.int/report/congo/end-mission-statement-united-nations-special-rapporteur-rights-indigenous-peoples>
- 41 U.S. Embassy- Brazzaville. Reporting. February 11, 2021.



Although research found no evidence that child labor exists in the Cook Islands, in 2021, the government made moderate advancement in efforts to prevent the worst forms of child labor. During the reporting period, the government approved the new National Youth Policy for 2021–2026 and opened its first Youth Hub for children, which will connect youth groups across the country in order to empower young people in their communities. Additionally, the Ministry of Internal Affairs collaborated with the United Nations Children's Fund Pacific office to draft a comprehensive report on its cash transfer program, which in part seeks to provide support to families with young children. However, the law does not criminally prohibit the use, procuring, or offering of a child for prostitution.

## I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Research found no evidence that child labor exists in the Cook Islands. Table 1 provides one key indicator on children's education in the Cook Islands.

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

Children	Age	Percent
Primary Completion Rate (%)		122.4







Source for primary completion rate: Data from 2020, published by UNESCO Institute for Statistics, 2022. (1)

The Ministry of Education has developed an Inclusive Education policy to ensure that children with disabilities and special learning needs are accommodated within the school system. The Ministry of Internal Affairs provides support for all related educational mandates. (2)

## II. LEGAL FRAMEWORK FOR CHILD LABOR

The Cook Islands is self-governing in free association with New Zealand. (3,4) 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. (3) The Cook Islands has ratified some 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 the Cook Islands' legal framework to adequately protect children from the worst forms of child labor, including the prohibition of using children in illicit activities.

**Table 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 (5)
Minimum Age for Hazardous Work	Yes	18	Article 73(2) of the Employment Relations Act (5)

# Cook Islands

## MODERATE 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		Article 73 of the Employment Relations Act; Articles 52 and 53 of the Industrial and Labor Ordinance (5,6)
Prohibition of Forced Labor	Yes		Articles 2–6 of the Prohibition of Forced or Compulsory Labor Ordinance; Articles 109B, 109E, and 109H-I of the Crimes Amendment Act (7,8)
Prohibition of Child Trafficking	Yes		Articles 109b, 109e, 109h, and 109l of the Crimes Amendment Act (8)
Prohibition of Commercial Sexual Exploitation of Children	No		Articles 109b, 109e, and 109h of the Crimes Amendment Act (8)
Prohibition of Using Children in Illicit Activities	No		
Minimum Age for Voluntary State Military Recruitment	Yes	18	Articles 36 and 37 of the Government of New Zealand's Defense Act (9)
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 (10)
Free Public Education	No		Article 22.2 of the Education Act (10)

\* Country has no conscription (9)

† Country has no standing military (11)

The Employment Relations Act prohibits children younger than age 13 from being employed. (5) 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. However, the legal framework does not determine the sectors in which light work is permitted. (5) The Cook Islands does not criminalize the use of children in illicit activities, particularly in the production and trafficking of drugs. (8) New Zealand is responsible for the defense of the territory at the Cook Islands' request. (9,11) While the Cook Islands provides free education to citizens, permanent residents, and children of permanent residents, children outside of these categories must pay a school fee. (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 of the Cook Islands 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 Internal Affairs	Enforces labor laws through the Labor Division and provides child services. Leads implementation of the UN CRC. (3)
Cook Islands Police Service	Enforces child labor laws. (3)

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. (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. However, the Government of the Cook Islands has established policies related to child labor (Table 5).

**Table 5. Key Policies Related to Child Labor**

Policy	Description
Cook Islands National Youth Policy (2021–2026) <sup>†</sup>	Identifies priority areas for youth, including education and work opportunities, health, and youth risk and resilience. (2, 12) During the reporting period, the government opened its first Youth Hub, designed to provide a safe space for children in need of support and learning opportunities. (13)
National Policy Framework for Children (2017–2021)	Provided a framework to protect the rights of children, with outcomes focused on their health, education, safety, economic opportunities, and international connectivity. Aimed 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 by improving collaboration between the government, parents, and the community. (14) During the reporting period, the government continued to support the National Policy Framework for Children. (2)
United Nations Pacific Strategy (2018–2022)	A multinational 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. (15) During the reporting period, the government continued to collaborate with UNICEF Pacific Islands as it continued its review of the Child Protection Policy and Strategic Plan for the Cook Islands. (2) Additionally, in April 2021, the Ministry of Internal Affairs worked with UNICEF to publish its report on the Cook Islands' social cash transfer program, which provides child benefits and other assistance to vulnerable populations. (16)

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

The government has not included child labor prevention strategies in the Cook Islands National Youth Policy.

#### VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

As there is no evidence of a problem, there appears to be no need for programs to address child labor.

#### VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE CHILD LABOR

Based on the reporting above, the following actions would advance the continued prevention of child labor in the Cook Islands (Table 6).

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

Area	Suggested Action	Year(s) Suggested
Legal Framework	Ensure that laws criminally prohibit the use of a child for prostitution.	2012 – 2021
	Ensure that the law prohibits the use of children in illicit activities, including in the production and trafficking of drugs.	2015 – 2021
	Ensure that the law criminally prohibits the recruitment of children under age 18 by non-state armed groups.	2016 – 2021
	Ensure that the law's light work provisions are specific enough to prevent children from involvement in child labor.	2017 – 2021
Government Policies	Ensure that the National Youth Policy includes provisions to prevent child labor.	2021
	Establish by law free basic public education for all children.	2021

# Cook Islands

## MODERATE ADVANCEMENT

### REFERENCES

- 1 UNESCO Institute for Statistics. Gross intake ratio to the last grade of primary education, both sexes (%). Accessed March 3, 2022. Please see "Children's Work and Education Statistics: Sources and Definitions" in the Reference Materials section of this report.  
<http://data.uis.unesco.org/>.
- 2 U.S. Embassy- Wellington. Reporting. January 14, 2022.
- 3 U.S. Consulate- Auckland. Reporting. January 13, 2020.
- 4 Government of the Cook Islands. The Cook Islands. Accessed June 23, 2017.  
<http://www.ck/govt.htm>
- 5 Government of the Cook Islands. Employment Relations Act 2012. Enacted: 2012. Source on file.
- 6 Government of the Cook Islands. Industrial and Labour Ordinance. Enacted: 1964.  
[http://www.vertic.org/media/National\\_Legislation/Cook\\_Islands/CK\\_Industrial\\_Labour\\_Ordinance\\_1964.pdf](http://www.vertic.org/media/National_Legislation/Cook_Islands/CK_Industrial_Labour_Ordinance_1964.pdf)
- 7 Government of the Cook Islands. Prohibition of Forced or Compulsory Labour Ordinance 1960, No. 2 of 1960. Enacted: 1960.  
[http://www.paclii.org/ck/legis/num\\_act/pofoclo1960503/](http://www.paclii.org/ck/legis/num_act/pofoclo1960503/)
- 8 Government of the Cook Islands. Crimes Amendment Act 2004, No. 5 of 2004. Enacted: June 1, 2004.  
[http://www.paclii.org/ck/legis/num\\_act/caa2004162/](http://www.paclii.org/ck/legis/num_act/caa2004162/)
- 9 Government of New Zealand. Defence Act of 1990, No. 28 of 1990. Enacted: April 1, 1990.  
<http://www.legislation.govt.nz/act/public/1990/0028/latest/DLM204973.html>
- 10 Government of the Cook Islands. Education Act 2012, No. 18 of 2012. Enacted: December 12, 2012.  
[https://planipolis.iiep.unesco.org/sites/default/files/ressources/cook\\_islands\\_education\\_act\\_2012.pdf](https://planipolis.iiep.unesco.org/sites/default/files/ressources/cook_islands_education_act_2012.pdf)
- 11 CIA. The World Factbook. Accessed January 19, 2018. Please see "Labor Law Enforcement: Sources and Definitions" in the Reference Materials section of this report.  
<https://www.cia.gov/the-world-factbook/countries/cook-islands/>
- 12 Ministry of Internal Affairs. Cook Islands National Youth Policy 2021-2026. 2021.  
<https://www.intaff.gov.ck/youth/cook-islands-national-youth-policy-2021-2026/>
- 13 Pacific Community. Cook Islands 2021 - 2026 National Youth Policy Launched. January 22, 2021.  
<https://www.spc.int/updates/blog/2021/01/cook-islands-2021-2026-national-youth-policy-launched>
- 14 Government of the Cook Islands. Te Pito Manava o te Anau: National Policy Framework for Children 2017-2021. 2017.  
<http://www.intaff.gov.ck/wp-content/uploads/2017/09/C-Is-National-Policy-Framework-for-Children-FINAL.pdf>
- 15 UN. United Nations Pacific Strategy 2018–2022: A Multi-Country Sustainable Development Framework in the Pacific Region. 2017.  
<https://unsdg.un.org/resources/united-nations-pacific-strategy-2018-2022>
- 16 Government of the Cook Islands and UNICEF. Final report: Evaluation of the social cash transfer programs in the Cook Islands 2013–2018. April 2021.  
<https://www.unicef.org/pacificislands/reports/final-report-evaluation-social-cash-transfer-programmes-cook-islands-2013-2018>

In 2021, Costa Rica made significant advancement in efforts to eliminate the worst forms of child labor. The National Statistics Institute published a new household survey that included a child labor component measuring labor rates for children between the ages of 12 and 17. Furthermore, the government drafted and enacted new national action plans to combat child labor and human trafficking. Costa Rica also drafted a law to address migrant smuggling in an effort to address human trafficking, and drafted modifications to its trafficking laws. Meanwhile, the Ministry of Labor implemented a new guide to assist businesses in confronting 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, 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. (1-7) 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 (%)		104.6

Source for primary completion rate: Data from 2020, published by UNESCO Institute for Statistics, 2022. (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 vegetables, roots, and tubers (5)
	Picking coffee (2,10,11)
	Cattle raising, including for the production of milk (2,5,11,12)
	Fishing,† including shellfish extraction (11,13,14)
Industry	Construction, including of buildings (2,5,12,13)
	Mining† gold (12)
	Manufacturing, activities unknown (2,13)
Services	Working in restaurants, shops, and hotels (2,5,13)
	Street vending,† car washing, and repairing motor vehicles (2,5,7,11,12)
	Domestic work (2,5,7,12,13,15)
Categorical Worst Forms of Child Labor‡	Commercial sexual exploitation, sometimes as a result of human trafficking (14,16,17)
	Use in the production of pornography (12,18)



# Costa Rica

## SIGNIFICANT 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 the agriculture, construction, fishing, street vending, and commercial sectors (4,14,18,19)
	Domestic servitude (14,20)
	Use in transporting or selling drugs, sometimes as a result of human trafficking (17,21)

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

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

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. (17,20,22) Migrant children, typically from Nicaragua and the Dominican Republic, are subjected to forced labor in agriculture, domestic servitude, and commercial sexual exploitation. (16,17,22)

In 2021, the National Statistics Institute published the 2021 National Household Survey, which included data on children between the ages of 12 and 17 and found that 1.3 percent of children within this age group were working. The last comprehensive child labor study that included all relevant age ranges was conducted in 2016. (21)







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. (23,24) Most of these children are between the ages of 15 and 17 and work primarily in the informal sector. (21)

Although preschool and general basic education are free and compulsory, children in rural areas, girls, LGBTQI+ youth, and children from indigenous and Afro-descendant communities face challenges, such as discrimination and gender stereotypes, in accessing and completing their education. (1,3,25) As a result of the COVID-19 pandemic, the government paused in-person and virtual instruction from May to July of 2021. Research found that the pandemic had a significant impact on equal access to education, with families living in poverty less likely to be able to benefit from remote education opportunities. (21,26)

## 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 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	Articles 3, 78, 92, and 101 of the Childhood and Adolescence Code (25)
Minimum Age for Hazardous Work	Yes	18	Articles 1 and 5 of Law 8922; Article 87 of the Labor Code (27,28)
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 and 6 of Regulation No. 36640 (25,27-29)
Prohibition of Forced Labor	Yes		Law No. 9545; Articles 20 and 56 of the Constitution; Article 8 of the Labor Code; Articles 7, 170–172, 189 bis, 192, 376, 381, 383, and 384 of the Penal Code; Article 84 of Regulation No. 36659; Article 7 of the Trafficking in Persons Law (28,30-33)
Prohibition of Child Trafficking	Yes		Law No. 9545; Articles 7, 171, 172, 189 bis, 192, 381, 383, and 384 of the Penal Code; Article 6 of Regulation No. 36659; Articles 5, 7, and 74 of the Trafficking in Persons Law (30-32)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Articles 160, 168, and 170–174 of the Penal Code (30)
Prohibition of Using Children in Illicit Activities	Yes		Articles 7, 188, 381, and 390 of the Penal Code; Article 77 of the Narcotics Law (30,34)
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 (25,33)
Free Public Education	Yes		Article 59 of the Childhood and Adolescence Code; Article 8 of the Education Law; Article 78 of the Constitution (25,33,35)

† Country has no standing military. (33)

‡ Age calculated based on available information. (25,33)

In May of 2021, the National Coalition against Trafficking in Persons and Smuggling of Migrants (CONATT) approved a modification to the Penal Code that would remove the requirement of proof of force, fraud, or coercion for trafficking in persons cases in which the trafficker exploited a victim's vulnerability. However, in 2022, Costa Rica's human rights committee voted to archive the bill. (36,37) During the reporting period, CONATT also made modifications to a draft bill to confront the smuggling of migrants. The bill has yet to be sent to the National Assembly. (21,37,38)

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 interagency 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. (14,21,39) The bills would also restrict some fishing activities. (14)

As Costa Rica's 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 their child labor laws.

# Costa Rica

## SIGNIFICANT ADVANCEMENT

**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. (25) 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. (40) 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. (25)
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. (7,12,41) Coordinates efforts with the Judicial Investigative Police, the Immigration Police, the Uniformed Police, and municipal police forces. Also coordinates with other government agencies (the National Child Welfare Agency, the Social Security System, the Ministries of Education and Health, the Civil Registry, and other agencies), as well as with non-governmental organizations, international organizations, and diplomatic missions. (21)
Judicial Investigative Police	Investigate child labor violations, including child trafficking, child commercial sexual exploitation, and the use of children in illicit activities. (16)
National Child Welfare Agency (PANI)	Leads the coordination of government and civil society efforts in child and adolescent protection. (42) Ensures that child labor victims receive social services, including temporary shelter, legal advice, counseling, and reintegration into the educational system. (25)

### Labor Law Enforcement

In 2021, labor law enforcement agencies in Costa Rica took actions to address child labor (Table 6). However, gaps exist within the operations of the Ministry of Labor and Social Security (MTSS) 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	2020	2021
Labor Inspectorate Funding	\$8,300,000 (14)	\$8,500,000 (21)
Number of Labor Inspectors	123 (14)	117 (21)
Mechanism to Assess Civil Penalties	Yes (28)	Yes (28)
Initial Training for New Labor Inspectors	Yes (14)	Yes (21)
Training on New Laws Related to Child Labor	N/A	N/A
Refresher Courses Provided	Yes (14)	Yes (21)
Number of Labor Inspections Conducted	6,424 (43)	4,566 (21)
Number Conducted at Worksite	Unknown	Unknown
Number of Child Labor Violations Found	10 (14)	0 (21)
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 (14)	Yes (21)
Routine Inspections Targeted	Yes (14)	Yes (21)
Unannounced Inspections Permitted	Yes (28)	Yes (28)
Unannounced Inspections Conducted	Yes (14)	Yes (21)
Complaint Mechanism Exists	Yes (14)	Yes (21)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (14)	Yes (21)

Labor inspectors identified 33 cases of minors working, though no cases involved children under the age of 15. Of the cases identified through inspection, inspectors cited eight illegal dismissals and two labor rights violations. (21) During the reporting period, the Office for the Eradication of Child Labor and Protection of the Adolescent Worker (OATIA) conducted two virtual trainings for Labor Inspection Office officials on the worst forms of child labor as well as trainings for inspectors with less than 4 years' experience on topics such as adolescent work, sexual exploitation of children, and trafficking in persons. (21) Overall, OATIA trained 1,285 public officials on child labor issues in 2021. (21)

In 2021, MTSS published the Responsible Business Practices Guide Against Child and Adolescent Labor in collaboration with the Costa Rica Business Network against Child Labor. The guide provides practical tools and specific actions businesses can implement to address child labor. (44,45)

Enforcement of child labor laws, particularly in rural areas and in the informal sector, is reportedly challenging due to insufficient funds for travel, facilities, and per diem costs incurred during inspections. (1,11,12,21,46) Informal work is more common in agriculture than in other sectors in Costa Rica. (2,21)

As the Labor Inspection Office has acknowledged, the number of labor inspectors is likely insufficient for the size of Costa Rica's workforce, which includes more than 2.3 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 156 inspectors. (47)

The government did not provide information on the number of worksite inspections conducted or number of penalties imposed or collected for child labor violations for inclusion in this report.

### Criminal Law Enforcement

In 2021, criminal law enforcement agencies in Costa Rica took actions to eliminate child labor (Table 7). However, gaps exist within the operations of criminal enforcement agencies that may hinder adequate criminal law enforcement, including insufficient training for criminal investigators.

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

Overview of Criminal Law Enforcement	2020	2021
Initial Training for New Criminal Investigators	Yes (14)	Yes (21)
Training on New Laws Related to the Worst Forms of Child Labor	Yes (14)	Yes (21)
Refresher Courses Provided	Yes (14)	Yes (21)
Number of Investigations	31 (14)	15 (21)
Number of Violations Found	12 (14)	15 (21)
Number of Prosecutions Initiated	4 (14)	5 (21)
Number of Convictions	2 (14)	2 (21)
Imposed Penalties for Violations Related to the Worst Forms of Child Labor	Yes (14)	Yes (21)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (14)	Yes (21)

In 2021, the National Child Welfare Agency (PANI) reported processing one case of child labor exploitation and forced begging and one case of labor exploitation. Meanwhile, CONATT reported one case of labor exploitation and forced begging in which the child was trafficked by their parents and a case of a Nicaraguan child trafficked for labor exploitation. (21) PANI also reported investigating 385 cases of child commercial sexual exploitation that included cases of use of children in pornography and child trafficking. (21) In addition, the Attorney General's Office reported it had identified 15 victims of child trafficking in cases involving commercial sexual exploitation, forced begging, forced labor, and irregular adoption. It also identified one case of child pornography. (21) Through the Angel Watch Program, a joint operation with the U.S. Embassy in Costa Rica to combat child sex tourism, Costa Rican immigration authorities denied 75 U.S. citizen registered sex offenders entry into Costa Rica. (36)

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 significant budget cuts that further reduced resources for criminal law enforcement agencies. (16,19,21,44) 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. (22) Costa Rica does not have a database to track human trafficking cases, making it difficult to target enforcement and prevention efforts. (19)

## SIGNIFICANT ADVANCEMENT

### IV. COORDINATION OF GOVERNMENT EFFORTS ON CHILD LABOR

The government has established mechanisms to coordinate its efforts to address child labor (Table 8). However, gaps exist that hinder the effective coordination of efforts to address child labor, including lack of 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 address child labor. (2) Oversees the Interinstitutional Coordinating Protocol for the Protection of Working Minors. (45) In 2021, OATIA led the process of reviewing and drafting a new National Strategic Plan against child labor, including holding workshops with various stakeholders. OATIA also worked to implement the second phase of the Child Labor Risk Identification Model, a tool developed in collaboration with the ILO that identifies areas at greater risk of child labor. (21) OATIA also piloted intervention strategies in the Limon province and in the Central Pacific region, such as opportunities for educational and employment access. (21)
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. (46) In October of 2021, the committee approved the "Roadmap to make Costa Rica a Country Free of Child Labor and its Worst Forms 2021–2025," the new national action plan to address child labor. (48)
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). (12) 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. (22) During the reporting period, CONATT led efforts to draft and launch a new national action plan against human trafficking. (49)
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. (12) Led by the National Council of Childhood and Adolescence; coordinates with OATIA and CONATT to address the worst forms of child labor. (12,50) Research was unable to determine whether the national commission was active during the reporting period.

Reports indicate that coordination is lacking between institutions responsible for investigating the worst forms of child labor and those providing social services to victims. (21) 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. (41)

### V. GOVERNMENT POLICIES ON CHILD LABOR

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

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

Policy	Description
Roadmap against Child Labor and the Worst Forms of Child Labor (2022–2025)†	Approved in 2021 and launched in early 2022, aims to eradicate all forms of child labor in Costa Rica by 2025 in part by strengthening efforts to identify and track hazardous child labor, and by increasing social awareness of and collaborative efforts to address child labor. (21,51)
National Policy against Trafficking in Persons (2020–2030)†	Enacted in 2021, outlines goals and actions in the area of preventing and combating trafficking in persons and smuggling of migrants, as well as strengthening trafficking in persons investigations and sanctioning criminals. (49,52)
Interinstitutional 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. (53) The government implemented the protocol during the reporting period, as demonstrated by referrals of child labor cases to various support agencies. (21)
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. (7,54) During the reporting period, the government initiated and published the results of a comprehensive verification study measuring the results of the plan, which showed the government had exceeded its labor related goals as of 2021. (55)

† Policy was approved during the reporting period.



## VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2021, 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. (56,57) In 2021, the government indicated the program had thus far served 77,000 families since its inception, with 19,000 more families acquiring benefits in 2021 and an expected 110,000 more families in 2022. (58)
Face of Justice Shelter†	NGO-run shelter for child victims of human trafficking that provides PANI-funded monthly subsidies and care from full-time staff, including a trauma psychologist and health practitioner. (18,19) The shelters remained operational during the reporting period. (59)
Houses of Joy (Casas de la Alegría)†	Public-private alliance that provides culturally sensitive daycare and meals to Ngäbe-Buglé, 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. (10,12,60,61) IMAS funds meals, caregiver salaries, and training; farm owners provide the land and classrooms, with financial contributions from UNICEF for building and teaching materials. (1,50,60) The program continued in 2021, with the government providing 25 children daycare services through an investment of \$4,000. Eight additional "Casas de Alegría" were opened in the cantons of Coto Brus, Puntarenas, and Tarrazú, providing care to an additional 269 children. (21)
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. (2,62) The government indicated it had provided cash transfers to at least 248,000 students in the beginning of 2021 and expected to offer services to an estimated 387,000 students over the course of the year. (63)
USDOL-Funded Projects	Youth Pathways to Leadership, Learning, and Livelihoods in Costa Rica, \$3 million project implemented by Youth Build International. During the reporting period, the project distributed laptops and provided internet connectivity to project participants. (64,65) Promoting Apprenticeship as a Path for Youth Employment in Argentina, Costa Rica, and Kenya through Global Apprenticeships Network (GAN) National Networks, \$3.3 million multi-country project that worked with employers, government agencies, civil society organizations, and other actors to promote apprenticeships and other types of work-based training opportunities for vulnerable youth; the project saw significant growth in membership in the beginning of 2021. (66,67) Implementing a Culture of Labor Compliance in Costa Rica's Agricultural Export Sector, \$2 million project implemented by the Foundation for Peace and Democracy (FUNDAPEM); in 2021, the Ministry of Labor completed a roadmap for the implementation of a new digital system designed to improve labor inspectorate capacity, including collection of fines and administration of inspections. (68,69) Measurement, Awareness-Raising, and Policy Engagement (MAP 16) Project on Child Labor and Forced Labor, 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; in Costa Rica, supports the Regional Initiative Latin America and the Caribbean in its work to develop child labor risk maps and policy responses with the government and, during the reporting period, initiated the second phase of the Child Labor Risk Identification Model in Limón. (70,71) For additional information, please see our website.

† 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. (72,73)

## 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 Costa Rica (Table 11).

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

Area	Suggested Action	Year(s) Suggested
Legal Framework	Ensure that the law criminally prohibits the recruitment of children under age 18 by non-state armed groups.	2016 – 2021
	Raise the minimum age for work to the age up to which education is compulsory.	2020 – 2021
Enforcement	Publish information on the number of inspections that were conducted at worksites, and of child labor violations for which penalties were imposed and collected.	2017 – 2021
	Allocate sufficient resources to ensure routine labor inspections in rural areas and the informal sector, including child labor inspections, particularly in agriculture.	2015 – 2021

**Table 11. 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.	2015 – 2021
	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 – 2021
	Develop a mechanism to properly track human trafficking cases to improve enforcement and prevention efforts.	2019 – 2021
Coordination	Ensure all coordinating bodies are active and able to carry out their intended mandates.	2021
	Strengthen coordination and information sharing between institutions responsible for investigating child labor and providing social services to victims.	2015 – 2021
	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 – 2021
Social Programs	Enhance efforts to eliminate barriers and make education accessible for all children, including children in rural areas, girls, LGBTQI+ youth, children from indigenous and Afro-descendant communities, and migrant children.	2015 – 2021

### REFERENCES

- U.S. Embassy- San Jose. Reporting. January 9, 2019.
- UCW. Entender el trabajo infantil y el empleo juvenil en Costa Rica. Rome: Understanding Children's Work (UCW) Programme, October 2015. [http://www.ucw-project.org/attachment/13052016799CostaRica\\_trabajo\\_infantil\\_empleo\\_juvenil.pdf](http://www.ucw-project.org/attachment/13052016799CostaRica_trabajo_infantil_empleo_juvenil.pdf)
- UN Convention on the Elimination of All Forms of Discrimination against Women. Concluding observations on the seventh periodic report of Costa Rica. July 24, 2017: CEDAW/C/CRI/CO/7. [http://tbinternet.ohchr.org/\\_layouts/treatybodyexternal/Download.aspx?symbolno=CEDAW/C/CRI/CO/7&Lang=En](http://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=CEDAW/C/CRI/CO/7&Lang=En)
- U.S. Department of State. Trafficking in Persons Report- 2017: Costa Rica. Washington, D.C., June 27, 2017. <https://www.state.gov/reports/2017-trafficking-in-persons-report/costa-rica/>
- Government of Costa Rica. Magnitud y características del trabajo infantil y adolescente en Costa Rica- Informe 2016. 2017. <http://www.iniciativa2025alc.org/sites/default/files/magnitud-y-caracteristicas-del-trabajo-infantil-adolescente-CR-Informe2016.pdf>
- Presidencia de la República de Costa Rica. Costa Rica reduce trabajo infantil al sacar a 12 mil menores de edad. March 28, 2017. <http://presidencia.go.cr/comunicados/2017/03/costa-rica-reduce-trabajo-infantil-al-sacar-a-12-mil-menores-de-edad/>
- U.S. Embassy- San Jose. Reporting. January 15, 2020.
- UNESCO Institute for Statistics. Gross intake ratio to the last grade of primary education, both sexes (%). Accessed March 3, 2022. For more information, please see "Children's Work and Education Statistics: Sources and Definitions" in the Reference Materials section of this report. <http://data.uis.unesco.org/>
- ILO. Analysis of Child Economic Activity and School Attendance Statistics from National Household or Child Labor Surveys. Original data from Multiple Indicator Cluster Survey 6 (MICS 6), 2018. Analysis received March 2022. Please see "Children's Work and Education Statistics: Sources and Definitions" in the Reference Materials section of this report.
- Government of Costa Rica. Consideraciones respecto al informe Child Labor and Forced Labor Report. San José: Ministry of Labor and Social Security, November 21, 2016. Source on file.
- U.S. Embassy- San Jose. Reporting. January 27, 2017.
- U.S. Embassy- San Jose. Reporting. December 28, 2017.
- ILO-IPEC. Magnitud y características del trabajo infantil y adolescente en Costa Rica- Informe 2011: Geneva. 2012. <http://www.ilo.org/ippecinfo/product/viewProduct.do?productid=20655>
- U.S. Embassy- San Jose. Reporting. January 14, 2021.
- ILO CEACR. Individual Direct Request concerning Worst Forms of Child Labor Convention, 1999 (No. 182) Costa Rica (ratification: 2001). Published: 2018. [http://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:13100:0::NO::P13100\\_COMMENT\\_ID,P11110\\_COUNTRY\\_ID,P11110\\_COUNTRY\\_NAME,P11110\\_COMMENT\\_YEAR:3340943,102599,Costa Rica,2017](http://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:13100:0::NO::P13100_COMMENT_ID,P11110_COUNTRY_ID,P11110_COUNTRY_NAME,P11110_COMMENT_YEAR:3340943,102599,Costa Rica,2017)
- U.S. Embassy- San Jose. Reporting. February 19, 2020. Source on file.
- U.S. Department of State. Trafficking in Persons Report- 2021: Costa Rica. Washington, D.C., June 2021. <https://www.state.gov/reports/2021-trafficking-in-persons-report/costa-rica/>
- U.S. Embassy- San Jose. Reporting. February 22, 2017.
- U.S. Embassy- San Jose. Reporting. February 22, 2019.
- U.S. Department of State. Trafficking in Persons Report- 2020: Costa Rica. Washington, D.C., June 25, 2020. <https://www.state.gov/reports/2020-trafficking-in-persons-report/costa-rica/>
- U.S. Embassy- San Jose. Reporting. January 13, 2022.
- U.S. Embassy- San Jose. Reporting. February 26, 2021.
- Government of Costa Rica. Modelo de Vulnerabilidad al Trabajo Infantil: Costa Rica. Ministerio de Trabajo y Seguridad Social, January 2020. <http://www.mtss.go.cr/seguridad-social/trabajo-infantil/trabajo-infantil/USDOL Nueva Ficha Nacional Costa Rica.pdf>
- Agencia EFE. Trabajo infantil se concentra en zonas costeras y vulnerables de Costa Rica. San Jose: January 24, 2020. <https://www.efe.com/efe/america/sociedad/trabajo-infantil-se-concentra-en-zonas-costeras-y-vulnerables-de-costa-rica/20000013-4158372>
- Government of Costa Rica. Código de la Niñez y la Adolescencia, Ley N° 7739. Enacted: 1998 (updated 2010). [http://196.40.56.11/scij/Busqueda/Normativa/Normas/nrm\\_texto\\_completo.aspx?param1=NRTC&nValor1=1&nValor2=43077&nValor3=107852&strTipM=TC](http://196.40.56.11/scij/Busqueda/Normativa/Normas/nrm_texto_completo.aspx?param1=NRTC&nValor1=1&nValor2=43077&nValor3=107852&strTipM=TC)
- Programa Estado de la Nación. Octavo Estado de la Educación. San Jose: CONARE, September 2021. [https://estadonacion.or.cr/wp-content/uploads/2021/09/Educacion\\_WEB.pdf](https://estadonacion.or.cr/wp-content/uploads/2021/09/Educacion_WEB.pdf)
- Government of Costa Rica. Prohibición del Trabajo Peligroso e Insalubre para Personas Adolescentes Trabajadoras, Law 8922. Enacted: February 3, 2011. <http://www.ilo.org/dyn/natlex/docs/ELECTRONIC/86385/97460/FI12157985/CRI86385.pdf>
- Government of Costa Rica. Código de Trabajo, Ley No. 2. Enacted: 1943 (updated 2010). <https://www.ilo.org/dyn/natlex/docs/ELECTRONIC/44102/114440/FI189960168/CRI44102.pdf>

- 29 Government of Costa Rica. Reglamento a la Ley Sobre Prohibición del Trabajo Peligroso e Insalubre para Personas Adolescentes Trabajadoras y Reforma Reglamento para la Contratación Laboral y Condiciones de Salud Ocupacional de las Personas Adolescentes, No. 36640-MTSS. Enacted: June 22, 2011.  
<http://www.ilo.org/dyn/natlex/docs/ELECTRONIC/88852/101726/F662984233/CRI88852.pdf>
- 30 Government of Costa Rica. Código Penal, Ley 4573. Enacted: 1970 (updated 2013).  
[https://www.ilo.org/dyn/natlex/natlex4.detail?p\\_isn=31590&p\\_lang=en](https://www.ilo.org/dyn/natlex/natlex4.detail?p_isn=31590&p_lang=en)
- 31 Government of Costa Rica. Ley contra la trata de personas y creación de la coalición nacional contra el tráfico ilícito de migrantes y la trata de personas (CONATT), Ley 9095. Enacted: February 8, 2013. (Last amended 2019).  
[http://www.pgrweb.go.cr/scij/Busqueda/Normativa/Normas/nrm\\_texto\\_completo.aspx?param1=NRTC&nValor1=1&nValor2=74132&nValor3=0&strTipM=TC](http://www.pgrweb.go.cr/scij/Busqueda/Normativa/Normas/nrm_texto_completo.aspx?param1=NRTC&nValor1=1&nValor2=74132&nValor3=0&strTipM=TC)
- 32 Government of Costa Rica. Reglamento para la aplicación de la ley general de migración y extranjería número 8764 a las personas menores de edad, No. 36659. Enacted: May 2011.  
[http://www.pgrweb.go.cr/scij/Busqueda/Normativa/Normas/nrm\\_texto\\_completo.aspx?param1=NRTC&nValor1=1&nValor2=70690&nValor3=85525&strTipM=TC](http://www.pgrweb.go.cr/scij/Busqueda/Normativa/Normas/nrm_texto_completo.aspx?param1=NRTC&nValor1=1&nValor2=70690&nValor3=85525&strTipM=TC)
- 33 Government of Costa Rica. Constitución Política de la República de Costa Rica. Enacted: 1949 (Updated January 1, 2014).  
<https://pdba.georgetown.edu/Parties/CostaRica/Leyes/constitucion.pdf>
- 34 Government of Costa Rica. Reforma integral Ley sobre estupefacientes, sustancias psicotrópicas, drogas de uso no autorizado, actividades conexas, legitimación de capitales y financiamiento al terrorismo, No. 8204. Enacted: December 26, 2001. Source on file.
- 35 Government of Costa Rica. Ley Fundamental de Educación, Public Law Number 2160. Enacted: 1957 (updated 2001).  
[http://www.pgrweb.go.cr/scij/Busqueda/Normativa/Normas/nrm\\_texto\\_completo.aspx?param1=NRTC&nValor1=1&nValor2=31427&nValor3=33152&strTipM=TC](http://www.pgrweb.go.cr/scij/Busqueda/Normativa/Normas/nrm_texto_completo.aspx?param1=NRTC&nValor1=1&nValor2=31427&nValor3=33152&strTipM=TC)
- 36 U.S. Embassy- San Jose. Reporting. January 27, 2022.
- 37 U.S. Embassy- San Jose. E-mail communication to USDOL official. April 8, 2022.
- 38 Government of Costa Rica. Proyecto de Ley Integral Contra El Tráfico Ilícito de Migrantes. July 22, 2020. Source on file.
- 39 U.S. Embassy- San Jose official. E-mail communication to USDOL official. June 16, 2021.
- 40 Government of Costa Rica. Trabajo Infantil y Adolescente. Ministerio de Trabajo y Seguridad Social, Accessed March 16, 2022.  
<http://www.mtss.go.cr/seguridad-social/trabajo-infantil/>
- 41 U.S. Embassy- San Jose official. E-mail communication to USDOL official. June 29, 2018.
- 42 Government of Costa Rica. Axis of Leadership. National Child Welfare Agency, 2016.  
<https://pani.go.cr/liderazgo>
- 43 U.S. Department of State official. E-mail communication to U.S. Department of Labor official. April 14, 2021.
- 44 Government of Costa Rica. Plan Nacional de Desarrollo y de Inversión Pública del Bicentenario 2019–2022 de Costa Rica. April 27, 2020.  
<https://observatorioplanificacion.cepal.org/es/planes/plan-nacional-de-desarrollo-y-de-inversion-publica-del-bicentenario-2019-2022-de-costarica>
- 45 Government of Costa Rica. Decreto 34423-MTSS. Enacted: February 12, 2008. Source on file.
- 46 Government of Costa Rica. No. 31461 MTSS. Reforma Integral Decreto que Crea Comité Directivo Nacional de Lucha Contra el Trabajo Infantil. September 8, 2003.  
[http://www.pgrweb.go.cr/scij/Busqueda/Normativa/Normas/nrm\\_texto\\_completo.aspx?param1=NRTC&nValor1=1&nValor2=51986&nValor3=56357&strTipM](http://www.pgrweb.go.cr/scij/Busqueda/Normativa/Normas/nrm_texto_completo.aspx?param1=NRTC&nValor1=1&nValor2=51986&nValor3=56357&strTipM)
- 47 ILO Labor Force Statistics (LFS) – Population and labour force. Accessed January 25, 2022. Labor force data is government-reported data collected by the ILO. Please see "Labor Law Enforcement: Sources and Definitions" in the Reference Materials section of this report.  
<https://ilostat.ilo.org/data/>
- 48 Government of Costa Rica. Costa Rica aprueba nueva Hoja de Ruta para erradicar el trabajo infantil y sus peores formas. Ministerio de Trabajo, November 12, 2021.  
[https://www.mtss.go.cr/prensa/comunicados/2021/noviembre/cp\\_29\\_2021.html](https://www.mtss.go.cr/prensa/comunicados/2021/noviembre/cp_29_2021.html)
- 49 Government of Costa Rica. Costa Rica presenta la Política Nacional contra la Trata de Personas. Ministerio de Gobernación y Policía, August 17, 2021.  
<https://www.mgp.go.cr/component/content/article/35-noticias/367-costarica-presenta-la-politica-nacional-contra-la-trata-de-personas?Itemid=108>
- 50 U.S. Embassy- San Jose official. E-mail communication to USDOL official. May 10, 2017.
- 51 Government of Costa Rica. Hoja de Ruta para hacer de Costa Rica un País Libre de Trabajo Infantil y sus Peores Formas 2022–2025. Ministerio de Trabajo y Seguridad Social, January 12, 2022. Source on file.
- 52 Government of Costa Rica. Política Nacional Contra la Trata de Personas 2020–2030. August 2021. Source on file.
- 53 Government of Costa Rica. Protocolo de coordinación interinstitucional para la atención de las personas trabajadoras menores de edad. Costa Rica. San José: February 12, 2008.  
<https://www.ilo.org/ipecinfo/product/viewProduct.do?sessionId=491a4e85ee0dec21ab6b384284f6cbeb101bbce1cad03a5f515838400247f90d.e3aTbhULbNmSe34MchaRahaPb3j0?productId=12754>
- 54 Government of Costa Rica. Plan Nacional de Desarrollo y de Inversión Pública del Bicentenario 2019–2022 de Costa Rica. 2019.  
<https://observatorioplanificacion.cepal.org/sites/default/files/plan/files/Costa Rica PNDIP 2019-2022.pdf>
- 55 Government of Costa Rica. Verificación Resultado de Metas 2020. Ministerio de Hacienda, May 2021. Source on file.
- 56 Government of Costa Rica. Puente al desarrollo. Accessed February 22, 2017.  
<https://www.presidencia.go.cr/comunicados/2015/03/puente-al-desarrollo-estrategia-nacional-reduccion-de-la-pobreza/>
- 57 Government of Costa Rica. Puente al Desarrollo: Estrategia Nacional Reducción Pobreza. IMAS, March 25, 2015.  
<https://www.presidencia.go.cr/comunicados/2015/03/puente-al-desarrollo-estrategia-nacional-reduccion-de-la-pobreza/>
- 58 Government of Costa Rica. 77.216 mil familias han sido parte de la Estrategia Puente al Desarrollo. Instituto Mixto de Ayuda Social, March 26, 2021.  
<https://www.imas.go.cr/es/comunicado/77216-mil-familias-han-sido-parte-de-la-estrategia-puente-al-desarrollo>
- 59 Amigos de Costa Rica. Asociación Cara de Justicia/Asociación El Rostro de La Justicia. Accessed January 26, 2022.  
<https://es.amigosofcostarica.org/affiliates/face-of-justice>
- 60 U.S. Embassy- San Jose official. E-mail communication to USDOL official. April 12, 2018.
- 61 U.S. Embassy- San Jose official. E-mail communication to USDOL official. June 23, 2017.
- 62 IMAS. ¿Qué es el programa Avancemos?, Instituto Mixto de Ayuda Social. Accessed December 13, 2021.  
[https://web.imas.go.cr/ayuda\\_social/avancemos.html](https://web.imas.go.cr/ayuda_social/avancemos.html)
- 63 Government of Costa Rica. 30 mil nuevas solicitudes de avancemos recibidas inician fase de análisis en el IMAS. Presidencia de la República de Costa Rica, February 18, 2021.  
<https://www.presidencia.go.cr/comunicados/2021/02/30-mil-nuevas-solicitudes-de-avancemos-recibidas-inician-fase-de-analisis-en-el-imas/>
- 64 U.S. Department of Labor. Youth Pathways to Leadership, Learning, and Livelihoods in Costa Rica. September 2016–September 2020.  
<https://www.dol.gov/agencies/ilab/youth-pathways-leadership-learning-and-livelihoods-costa-rica>

# Costa Rica

## SIGNIFICANT ADVANCEMENT

- 65 U.S. Department of Labor: YPCR Technical Progress Report. October 2021. Source on file.
- 66 U.S. Department of Labor: Promoting Apprenticeship as a Path for Youth Employment in Argentina, Costa Rica, and Kenya through Global Apprenticeships Network (GAN) National Networks. September 2016–July 2021.  
<https://www.dol.gov/agencies/ilab/promoting-apprenticeship-path-youth-employment-argentina-costa-rica-and-kenya-0>
- 67 U.S. Department of Labor: Promoting Apprenticeships as a Path for Youth Employment Final Project Technical Progress Report. October 30, 2021.
- 68 U.S. Department of Labor: Implementing a Culture of Labor Compliance in Costa Rica's Agricultural Export Sector. December 2017–November 2021.  
<https://www.dol.gov/agencies/ilab/implementing-culture-labor-compliance-costa-ricas-agricultural-export-sector>
- 69 U.S. Department of Labor: Enforcement of Labor Laws in the Agricultural Export Sector of Costa Rica. April 2022.
- 70 U.S. Department of Labor: Measurement, Awareness Raising, and Policy Engagement (MAP I6). Bureau of International Labor Affairs, Accessed March 23, 2022.  
<https://www.dol.gov/agencies/ilab/measurement-awareness-raising-and-policy-engagement-map-i6-project-child-labor-and>
- 71 U.S. Department of Labor: MAP I6 Technical Progress Report. Bureau of International Labor Affairs, October 2021.
- 72 Government of Costa Rica. Aula Edad. Ministerio de Educacion Publica, Accessed April 2, 2020.  
<http://www.mep.go.cr/programas-y-proyectos/yo-me-apunto/aula-edad>
- 73 Government of Costa Rica. Yo me apunto con la educacion – Estrategia Institucional. Ministerio de Educacion Publica, 2017.  
<http://www.mep.go.cr/sites/default/files/page/adjuntos/informacion-general-yo-me-apunto-2017.pdf>

In 2021, Côte d'Ivoire made significant advancement in efforts to eliminate the worst forms of child labor. The Ivorian government eliminated school fees in January 2021 and increased the number of labor inspectors by 10 percent. The government also hired 150 field staff to support labor inspectors in cocoa farming zones and drafted a new National Sustainable Cocoa Strategy to Fight Deforestation, Child Labor, and Low Farmer Incomes in the cocoa sector. In addition, the First Lady and Head of the National Committee for Surveillance inaugurated a third center for survivors of trafficking, exploitation, and child labor located in Ferkessédougou. However, children in Côte d'Ivoire are subjected to the worst forms of child labor, including in forced labor in the harvesting of cocoa and coffee. The government does not have a mechanism to assess civil penalties for labor law violations and the 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. (1-3) According to a Multiple Indicator Cluster Survey conducted in 2016, 21.5 percent of children ages 5 to 17 are engaged in hazardous work. (4) In addition, 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. (5) 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 (%)		80.5

Source for primary completion rate: Data from 2020, published by UNESCO Institute for Statistics, 2022. (6)

Source for all other data: International Labor Organization's analysis of statistics from Multiple Indicator Cluster Survey 5 (MICS 5), 2016. (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 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 (1-3,5,7-10)
	Production of cereals, pineapple, bananas, and coffee, including applying chemical fertilizers,† spraying pesticides,† cutting down trees,† and burning† and clearing fields† (2,3,11,12)
	Production of palm oil, honey, cashews, and rubber (1-3,9)
	Fishing, including deep sea diving;† repairing and hauling nets; and cleaning,† salting, drying, descaling, and selling fish (1-3,12)
	Production of charcoal† (1,8,11)
	Forestry (9,13)



# Côte d'Ivoire

## SIGNIFICANT ADVANCEMENT

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

Sector/Industry	Activity
Industry	Mining, <sup>†</sup> including crushing and transporting stones, blasting rocks, digging, working underground, sieving, and extracting gold with mercury or cyanide (1,3,7,9,12,14)
	Manufacturing, including repairing automobiles (9,12)
	Construction, <sup>†</sup> activities unknown (12)
Services	Domestic work (2-4,7,9,12,15)
	Working in transportation and carrying goods <sup>†</sup> (1,3,7,9,11,12)
	Street vending and commerce (1,3,7,9,11,12,14)
	Work in restaurants (2,14,16)
Categorical Worst Forms of Child Labor <sup>‡</sup>	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 (3,5,9,11,16)
	Commercial sexual exploitation, sometimes as a result of human trafficking (3,9,14)
	Use in illicit activities, including drug trafficking (17)
	Begging as <i>talibés</i> by Koranic teachers, sometimes as a result of human trafficking (18)

<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 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. (2,11,15,16)

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 and uniforms, which may be prohibitive to some families. (2,9,19-23) 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. It is estimated that there are approximately one million children who do not have these necessary documents. (3)




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. (2,3) Research also suggests that some students are physically and sexually abused at school, which may deter some students from attending school. Because of this, roughly one in four girls in Côte d'Ivoire are not able to attend primary school. (2,9,20,24,25)

Results from the International Cocoa Initiatives' Child Labor Monitoring and Remediation System indicate that children working in hazardous working conditions increased, which is at least partially attributed to the COVID-19 pandemic. (26) 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. (27) Research also indicates 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. (5,10) During this time though, there was an increase in children attending schools in cocoa-growing areas. (5,10)

## 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 (21,28)
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 (21,28,30)
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 (21,30–32)
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 (21–23)
Free Public Education	Yes		Article 2 of the Law on Education (23)

\* Country has no conscription (34,35)

The Ivorian government followed through on previously reported commitments to reduce costs related to schooling by eliminating school fees in January 2021. (3) Further, the government continued revising the civil code 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.

## SIGNIFICANT ADVANCEMENT

**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. (2,9,36,37) 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. As of the preparation of this report, there are 20,000 local SOSTECI committees in operation for the purpose of improving local coordination and exchange of information on child labor and child welfare in cocoa production areas. (2,3,7,9,12) The General Labor Directorate in Abidjan coordinates the regional offices and their efforts to address child labor. (9,17,38)
Ministry of the Interior and Security	Through its Anti-Trafficking Unit, leads efforts to enforce criminal laws against child trafficking. Through its Brigades Mondaine (Vice Squads), addresses 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 address crimes, including human trafficking. (35,39) The government reports having increased the annual budget of the Anti-Child Trafficking and Juvenile Delinquency Division Unit ( <i>La Sous-direction de la Police Criminelle chargée de la Lutte Contre la Traite d'Enfants et la Délinquance Juvenile</i> [SDLTEDJJ]), from \$10,000 in 2018 to \$200,000 in 2021. This budget covers the operation of the six regional branch offices and the central bureau in Abidjan. (3) In 2021, SDLTDEJ gained 200 police officers to increase regular investigations in the cocoa production zones and to patrol borders for child trafficking. (3)
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. (9)
Ministry of Women, Family, and Children	Leads the government's efforts to address human trafficking and implements a National Policy on Child Protection. (2,40) Provides support to child labor victims in coordination with MEPS. (2,41) During the reporting period, the Ministry of Woman, Family, and Child established 1,150 community action groups to address child labor. These action groups were a part of a national mapping project to geolocate and create data profiles on cocoa farms and farmers. (3)

### Labor Law Enforcement

In 2021, labor law enforcement agencies in Côte d'Ivoire took actions to address 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 human resource allocation.

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

Overview of Labor Law Enforcement	2020	2021
Labor Inspectorate Funding	\$300,169 (9)	\$305,588 (3)
Number of Labor Inspectors	281 (9)	310 (3)
Mechanism to Assess Civil Penalties	No (28)	No (28)
Initial Training for New Labor Inspectors	Yes (9)	Yes (3)
Training on New Laws Related to Child Labor	N/A (9)	N/A (3)
Refresher Courses Provided	Yes (9)	Yes (3)
Number of Labor Inspections Conducted	1,659 (9)	2,836 (3)
Number Conducted at Worksite	1,659 (9)	2,836 (3)
Number of Child Labor Violations Found	Unknown (9)	0 (3)
Number of Child Labor Violations for Which Penalties Were Imposed	Unknown (9)	N/A (3)
Number of Child Labor Penalties Imposed that Were Collected	N/A (9)	N/A (3)
Routine Inspections Conducted	Yes (9)	Yes (3)
Routine Inspections Targeted	Yes (9)	Yes (3)
Unannounced Inspections Permitted	Yes (28)	Yes (28)
Unannounced Inspections Conducted	Yes (9)	Yes (3)
Complaint Mechanism Exists	Yes (9)	Yes (3)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (9)	Yes (3)

During the reporting period 25 offices were newly equipped with vehicles. In addition, the government rehabilitated several labor inspectorate facilities, provided equipment, and provided fuel for vehicles to increase the number of site inspections. (3)

The number of labor inspectors is likely insufficient for the size of Côte d'Ivoire's workforce, which includes approximately 8,747,000 workers. 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 need to employ roughly 584 labor inspectors. (42,43) Labor inspectors are also tasked with dispute conciliation, which may detract from their primary duties of inspection. (28,44) The labor inspectorate suffers from a lack of resources, including insufficient staff. (3,36,37) 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. (9,45,46)

### **Criminal Law Enforcement**

In 2021, criminal law enforcement agencies in Côte d'Ivoire took actions to address child labor (Table 7). However, gaps exist within the operations of 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	2020	2021
Initial Training for New Criminal Investigators	Yes (9)	Yes (3)
Training on New Laws Related to the Worst Forms of Child Labor	N/A (9)	N/A (3)
Refresher Courses Provided	Yes (9)	Yes (3)
Number of Investigations	500 (9)	Unknown
Number of Violations Found	298 (9)	Unknown
Number of Prosecutions Initiated	298 (9)	Unknown
Number of Convictions	Unknown (9)	Unknown
Imposed Penalties for Violations Related to the Worst Forms of Child Labor	No (9)	Yes (3)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (9)	Yes (3)

While the government provided data on investigations, violations, prosecutions initiated, and convictions related to child labor and its worst forms, research was unable to disaggregate this information from other information related to child abuse. (3) However, in May 2021, the government organized an operation called "Coup de Poing NAWA 2," in the town of Soubré, an intensive cocoa production zone, in which 68 children were removed from working in cocoa farms. The Anti-Child Trafficking and Juvenile Delinquency Division (SDLTEDJ) transferred the victims to the government's center in Soubré, where they received psychological and educational assistance. (3) Some victims remained at the center instead of returning to their families. They attended school or learned skills, such as animal husbandry, horticulture, tailoring, hairdressing, or iron works. (3) Defendants in this case were prosecuted in the department of Soubré; five defendants were prosecuted for child trafficking and received sentences of 20 years' imprisonment, while 17 defendants were convicted of dangerous forms of child labor and received sentences of five years' imprisonment. (3)

The Anti-Trafficking Unit continued to lack the resources and personnel to adequately enforce criminal child labor laws throughout the country. (3,46,47)

## **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 a lack of coordination of data collection among ministries and regions.

## SIGNIFICANT ADVANCEMENT

**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. (2,46,47) Chaired by the First Lady of Côte d'Ivoire and comprises 16 international and domestic partners. (2,14,15,46,48) During the reporting period, CNS collaborated with the governmental Coffee and Cocoa Council (Conseil Café Cacao, or CCC) to contract 150 individuals who were trained in child labor investigations to support the work of the Ministry of Employment and Social Protection (MEPS) labor inspectors in cocoa farming zones. These CNS contractors are equipped with motorcycles and smartphones to provide farming households with information about stopping child labor and are authorized to collect information on child labor in order to support reporting of cases of trafficking, exploitation, and child labor to competent authorities. (3)
Inter-Ministerial Committee on the Fight Against Trafficking, Exploitation, and Child Labor (CIM)	Designs, coordinates, and implements all government actions to address the worst forms of child labor, and monitors relevant programs implemented by partner organizations. (46,48-50) Chaired by MEPS, includes representatives from 12 other ministries. (15,46,48,50)
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. (51) Includes representation at the local level through dedicated units charged with implementing the National Action Plan and Strategy Against Human Trafficking. (51,52) The Ministry of Women, Family, and Children serves as the executive secretariat and the committee comprises of 13 ministries. (17) During the reporting period, CNLTP organized a workshop with national committees to fight trafficking in persons from five other countries: Ghana, Togo, Benin, Guinea and Nigeria. (16)
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. (16,53,54) The Ivorian First Lady's office remains the key driver of the government's anti-trafficking efforts. (53)
The National Committee for Sustainable Cocoa (Comité National pour le Cacao Durable, or CNCD) *	Responsible for implementing the National Sustainable Cocoa Strategy to fight deforestation, child labor, and low farmer income. During the reporting period, the committee drafted the National Sustainable Cocoa Strategy. (3)

\* Created during the reporting period.

The MEPS and ILO with European Union funding organized a workshop/strategy meeting for the 16 members of the Tripartite Advisory Committee on International Labor Standards (*Comité Consultatif Tripartite sur les Normes Internationales du Travail*, or CCTNIT), to improve data collection related to international child labor and trafficking conventions. (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 insufficient funding of key national policies.



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

Policy	Description
National Action Plan to Combat Trafficking, Exploitation, and Child Labor (2019–2023)	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. (55) During the reporting period, civil society, CNS, and the CIM gathered separately, to discuss progress implementing the National Action Plan for Combatting Trafficking, Exploitation, and Child Labor. As a result, the First Lady and President of the CNS, Ms. Dominique Ouattara, extended the validity of the National Action Plan to 2023. (3)
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. (49,56,57) 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. (49,56-58) 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. (9)
Policies Involving SOSTECI	Aim to strengthen and expand SOSTECI. 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 SOSTECI, and address the worst forms of child labor. (59,60) 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 address human trafficking, particularly of girls. (61) During the reporting period, the government organized a workshop involving relevant stakeholders (e.g., MEPS, MOIS, CIM, CNS) to discuss SOSTECI's new provisions, rules, and procedures to support efforts to address child trafficking, exploitation, and child labor. In addition, the government provided training for 18 local SOSTECI committees located in Soubré. (3)
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. (13,45) In 2021, undertook activities related to building the capacity of the inspectors, monitoring of inspection units, and raising public awareness. (3)
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. (19) 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. (8,9) During the reporting period, the government continued building schools and delivering school supplies to increase access to education. (3) However, there remains insufficient classroom space in rural areas for the number of students enrolled. UNICEF estimated the country needs another 30,000 classrooms. (9)

‡ The government had other policies that may have addressed child labor issues or had an impact on child labor. (62)

The government drafted a new National Sustainable Cocoa Strategy (*Stratégie Nationale de Cacao Durable*) to fight Deforestation, Child Labor, and Low Farmer Incomes in the cocoa sector. (3) In addition, the government organized a workshop to identify the strategic priorities to achieve Target 8.7 of the Global Sustainable Development Goals, which seeks to eliminate child labor. (3)

Over the first six months of 2021, the EU multi-stakeholder dialogue for sustainable cocoa level have had a series of roundtables, so-called Cocoa Talks, which delved into significant dimensions of sustainability which include efforts to address child labor. (63)

## VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2021, 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 inadequacy of programs to address the full scope of the problem in all sectors.

# Côte d'Ivoire

## SIGNIFICANT ADVANCEMENT

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

Program	Description
ACCEL AFRICA	The program was co-funded by the European Union, under the Project "Accelerate action for the elimination of child labor in Africa's supply chains" ( <i>Accélérer l'action pour l'élimination du travail des enfants dans les chaînes d'approvisionnement en Afrique</i> , or ACCEL AFRICA). UNICEF and ILO representatives provided participants with strategies for synchronizing efforts to eradicate child labor. (64) During the reporting period, the government organized a workshop convening national and international experts to prepare a strategic plan for labor inspectors investigating cocoa farms. (3)
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 address the worst forms of child labor in cocoa-growing areas. Some projects support the spirit of the 2010 Declaration. (59) 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. (65)
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; (66) 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 603,185 school children in FY 2020; (67) and the Millennium Challenge Corporation Compact Skills for Employability and Productivity Project, which formally approved 20 of the expected 84 villages which would host the secondary schools and \$37 million for Technical and Vocational Education Project (TVET), which solicited proposals from private sector partners on the creation of TVET centers. (68)
World Bank-Funded Projects	Aim to improve access to education and provide poverty relief. Include: Productive Social Safety Net (2015–2024), which has supported 127,000 beneficiary households (representing 766,253 individuals) of which 47,435 are women the main recipients of the cash transfers. In addition, the Unique Social Registry (RSU) currently counts 315,925 poor and vulnerable individuals, while progress is being made in terms of timely digital payments to beneficiaries. (69-71)
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 SOSTECI. These projects include: FLIP: \$1,490,318 added to Verite-implemented project to expand work into Côte d'Ivoire in 2020. (72) CACAO: Implemented by Save the Children, \$4,000,000 awarded in December, 2020. (73) Additional information is available on the USDOL website.

† 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. (3)

During the reporting period, the government increased the 2022-2024 budget for the government's social services program (*Programme Social du Gouvernement*, or PSGouv) that funds child protection and anti-child-labor efforts, to roughly \$5.5 billion (3,182 billion CFA). The primary focus of this fund is poverty reduction, which is viewed as the primary driver of child labor in Côte d'Ivoire. (3)

The First Lady and Head of the National Committee for Surveillance (CNS) inaugurated a third center for victims of trafficking, exploitation, and child labor located in Ferkessedougou. This center is operated by an NGO she supports called Children of Africa. (3,16)

In addition, the EU contributed \$27.1 million to the sustainability of cocoa in Côte d'Ivoire, Ghana, and Cameroon. The purpose of this project is to provide decent living income for farmers, reverse the effects of deforestation, and eliminate child labor. (74)

Despite an increase in activities, the scope of existing programs, including in cocoa, is insufficient to fully address the extent of the child labor problem in Côte d'Ivoire. (3,2) 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. (5)

## VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE CHILD LABOR

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

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

Area	Suggested Action	Year(s) Suggested
Enforcement	Establish a mechanism to assess penalties for child labor violations.	2014 – 2021
	Ensure that labor inspectorate receives a sufficient amount of funding to conduct inspections and investigations throughout the country, including in the informal sector.	2014 – 2021
	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 – 2021
	Increase the number of labor inspectors to meet the ILO's technical advice.	2009 – 2021
	Disaggregate the information on criminal law enforcement efforts, including the number of convictions and penalties imposed for violations related to child labor and the worst forms of child labor.	2019 – 2021
Social Programs	Improve the accessibility and transportation capacity of schools; ensure that schools are free of physical and sexual abuse; and increase the number of teachers, textbooks, sanitation facilities, and schools, particularly in rural areas. Ensure that all children have access to birth registration and identity documents.	2011 – 2021
	Expand existing programs and institute new ones aimed at addressing the full scope of the child labor problem in Côte d'Ivoire, including the cocoa sector.	2009 – 2021
	Ensure that victims of the worst forms of child labor are able to access social services throughout the country.	2015 – 2021
	Ensure that there are sufficient classrooms available for all students enrolled.	2020 – 2021

**REFERENCES**

- Government of the Republic of Côte d'Ivoire. Rapport de la Phase de Perennisation et d'Extension. Abidjan. September 2016. Source on file.
- U.S. Embassy- Abidjan. Reporting. January 24, 2020.
- U.S. Embassy - Abidjan. Reporting. February 8, 2022.
- Ministère du Plan et du Développement. La Situation des Femmes et des Enfants en Côte d'Ivoire: Enquête à Indicateurs Multiples 2016 - MICS5. 2016.  
[https://mics-surveys-prod.s3.amazonaws.com/MICS5/West and Central Africa/Côte d'Ivoire/2016/Final/Cote d'Ivoire 2016 MICS\\_French.pdf](https://mics-surveys-prod.s3.amazonaws.com/MICS5/West and Central Africa/Côte d'Ivoire/2016/Final/Cote d'Ivoire 2016 MICS_French.pdf)
- NORC at the University of Chicago. Assessing Progress in Reducing Child Labor in Cocoa Growing Areas of Côte d'Ivoire and Ghana. October 2020.
- UNESCO Institute for Statistics. Gross intake ratio to the last grade of primary education, both sexes (%). Accessed March 2021. For more information, please see "Children's Work and Education Statistics: Sources and Definitions" in the Reference Materials section of this report.  
<http://data.uis.unesco.org/>
- N'Guettia, M. Système d'Observation et de Suivi du Travail des Enfants en Côte d'Ivoire (SOSTECI). CLCCG Annual Meeting. Washington, DC, August 28, 2017. Source on file.
- International Cocoa Initiative Foundation. Our Results. 2017.  
<http://www.cocoainitiative.org/our-work/our-results/>
- U.S. Department of State. Reporting. February 19, 2021.
- Corporate Accountability Lab Always Left Holding the Bag: The Economic Impacts of the COVID-19 Pandemic on Cocoa Farmers and Children in Côte d'Ivoire. Corporate Accountability Lab & Mouvement Ivoirien des Droits Humains. December 2021. Source on file.
- Ministère d'Etat, Ministère de l'Emploi, des Affaires Sociales et de la Formation Professionnelle, et al. Etude des phénomènes de la traite et du travail des enfants dans les secteurs de l'agriculture, des mines, du transport, du commerce et du domestique. Abidjan. 2013. Source on file.
- Government of the Republic of Côte d'Ivoire. Plan d'action national 2015–2017 de lutte contre les pires formes de travail des enfants. Abidjan. January 22, 2015. Source on file.
- U.S. Embassy- Abidjan. Reporting. February 22, 2019.
- U.S. Embassy - Abidjan. Reporting. February 25, 2021.
- Government of the Republic of Côte d'Ivoire: Ministre d'Etat, Ministre du Plan et du Développement, and ILO-BIT. Enquete Nationale sur le Situation de l'Emploi et du Travail des Enfants. Abidjan. November 2014. Source on file.
- U.S. Embassy- Abidjan. TIP Reporting. March 1, 2022.
- U.S. Embassy- Abidjan. Reporting. January 19, 2018.
- Interpeace Enfants talibés et Ecoles coraniques en Côte d'Ivoire : Enjeux et perspectives May 2019  
<https://www.interpeace.org/wp-content/uploads/2019/07/2019-Enfants-talibés-et-Ecoles-coraniques-Cdl-Web-v15.pdf>
- Government of the Republic of Côte d'Ivoire. Reconstituons notre système éducatif. January 11, 2016. Source on file.
- U.S. Department of State. Country Report of Human Rights Practices- 2020: Côte d'Ivoire. Washington, DC, March 30, 2021.  
<https://www.state.gov/reports/2020-country-reports-on-human-rights-practices/cote-divoire/>
- Government of the Republic of Côte d'Ivoire. Loi N° 2016-886 du 08 Novembre 2016 Portant Constitution de la République de Côte d'Ivoire. Enacted: November 8, 2016.  
<http://www.ilo.org/dyn/natlex/docs/ELECTRONIC/105198/128596/F-1769604843/CIV-105198.pdf>
- Government of the Republic of Côte d'Ivoire. Loi N° 2015-635 du 17 Septembre 2015 Portant Modification de la Loi N° 95-696 du 7 Septembre 1995 Relative à l'Enseignement. Enacted: September 17, 2015.  
<http://www.unesco.org/education/edurights/media/docs/dd772d376fde955a96fab3e19871f5f12b13f9d8.pdf>
- Government of the Republic of Côte d'Ivoire. Loi N° 95-696 du 7 Septembre 1995 Relative à l'Enseignement. Enacted: September 7, 1995.  
[http://www.ilo.org/dyn/natlex/natlex4.detail?p\\_lang=fr&p\\_isn=104174&p\\_count=1&p\\_classification=09](http://www.ilo.org/dyn/natlex/natlex4.detail?p_lang=fr&p_isn=104174&p_count=1&p_classification=09)
- UNICEF. Draft country programme document - Côte d'Ivoire. New York. June 6, 2016: E/ICEF/2016/P/L.34.  
[http://www.unicef.org/about/execboard/files/2016-PL34-Cote\\_dIvoire\\_draft\\_CPD-EN-21Jun2016.pdf](http://www.unicef.org/about/execboard/files/2016-PL34-Cote_dIvoire_draft_CPD-EN-21Jun2016.pdf)
- Atlantico. PROJECT AIMS TO TRANSFORM GIRLS' EDUCATION IN IVORY COAST. April 2, 2020.  
<https://atlanticoonline.com/en/project-aims-to-transform-girls-education-in-ivory-coast/>
- International Cocoa Initiative. Hazardous child labour in Côte d'Ivoire's cocoa communities during COVID-19 July 2020.  
[https://www.cocoainitiative.org/sites/default/files/resources/ICI\\_rapid-analysis-covid-impact-child-labour-identification\\_1July2020-2\\_0.pdf](https://www.cocoainitiative.org/sites/default/files/resources/ICI_rapid-analysis-covid-impact-child-labour-identification_1July2020-2_0.pdf)

- 27 International Cocoa Initiative Foundation. CHANGES IN HAZARDOUS CHILD LABOUR IN CÔTE D'IVOIRE'S COCOA COMMUNITIES BEFORE AND AFTER COVID-19 PARTIAL LOCKDOWN. November 25, 2020.  
<https://www.cocoainitiative.org/knowledge-hub/resources/changes-hazardous-child-labour-cote-divoires-cocoa-communities-and-after>
- 28 Government of the Republic of Côte d'Ivoire. Code du Travail, Loi N°2015-532. Enacted: July 20, 2015.  
<http://www.ccilci.org/communiqués/autres/3028-code-du-travail-loi-n-2015-532>
- 29 Government of the Republic of Côte d'Ivoire. Arrêté N° 2017-017 MEPS/CAB du 02 Juin 2017 déterminant la liste des travaux dangereux interdits aux enfants. Enacted: June 2, 2017.  
<http://www.ilo.org/dyn/natlex/docs/MONOGRAPH/104712/127840/F1597937352/CIV-104712.pdf>
- 30 Government of the Republic of Côte d'Ivoire. Loi N° 2010-272 du 30 Septembre 2010 Portant Interdiction de la Traite et des Pires Formes de Travail des Enfants. Enacted: September 30, 2010.  
<http://www.ilo.org/dyn/natlex/docs/MONOGRAPH/85243/95376/F693526342/CIV-85243.pdf>
- 31 Government of the Republic of Côte d'Ivoire. Code Pénal, N° 1981-640, amended by Law N° 1995-522. Enacted: July 31, 1981.  
<http://www.refworld.org/docid/3ae6b5860.html>
- 32 Government of the Republic of Côte d'Ivoire. Loi Relative a la Lutte Contre la Traite des Personnes, Loi N° 2016-1111. Enacted: December 8, 2016. Source on file.
- 33 Government of the Republic of Côte d'Ivoire. Loi N° 2016-1109 Portant Code de la Fonction Militaire. Enacted: 2016.  
<http://www.loidici.com/codefonctionmilitaire2016/fonctionmilitaire2016Recrutement.php>
- 34 Government of the Republic of Côte d'Ivoire. Loi N° 96-572 Déterminant les Conditions d'Entrée dans la Carrière Militaire. Enacted: July 31, 1996. Source on file.
- 35 U.S. Embassy- Abidjan. Reporting. February 21, 2018.
- 36 U.S. Department of State. Country Reports on Human Rights Practices- 2018: Côte d'Ivoire. Washington, DC, March 11, 2019.  
<https://www.state.gov/reports/2018-country-reports-on-human-rights-practices/cote-divoire/>
- 37 U.S. Department of State. Country Reports on Human Rights Practices- 2020: Côte d'Ivoire. Washington, DC March 30, 2021  
<https://www.state.gov/reports/2020-country-reports-on-human-rights-practices/cote-divoire/>
- 38 Government of the Republic of Côte d'Ivoire. Submission for CLCCG Annual Report 2017. Abidjan. March 6, 2018. Source on file.
- 39 UN Office on Drugs and Crime. Côte d'Ivoire Country Page. Accessed March 6, 2018.  
<https://www.unodc.org/westandcentralafrica/en/cote-d-ivoire.html>
- 40 Ministère de la Promotion de la Femme, de la Famille et de la Protection de l'Enfant. La Direction de la Protection de l'Enfant. February 1, 2016.  
<http://www.famille.gouv.ci/public/>
- 41 Government of the Republic of Côte d'Ivoire. Referral Mechanism. Source on file.
- 42 CIA. The World Factbook. January 19, 2017. Please see "Labor Law Enforcement: Sources and Definitions" in the Reference Materials section of this report.  
<https://www.cia.gov/the-world-factbook/countries/cote-divoire/>
- 43 UN. World Economic Situation and Prospects. 2017 Statistical Annex. New York, 2017. For more information, please see "Labor Law Enforcement: Sources and Definitions" in the Reference Materials section of this report.  
[https://www.un.org/development/desa/dpad/wp-content/uploads/sites/45/publication/2017wesp\\_full\\_en.pdf](https://www.un.org/development/desa/dpad/wp-content/uploads/sites/45/publication/2017wesp_full_en.pdf)
- 44 ILO Committee of Experts. Individual Direct Request concerning Labour Inspection Convention, 1947 (No. 81) Côte d'Ivoire (ratification: 1987) and Labour Inspection (Agriculture) Convention, 1969 (No. 129) Côte d'Ivoire (ratification: 1987). Published: 2017.  
[http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100\\_COMMENT\\_ID:3298245](http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:3298245)
- 45 U.S. Embassy Abidjan official. E-mail communication to USDOL official. March 25, 2019.
- 46 Comité National de Surveillance des Actions de Lutte contre la Traite l'Exploitation et le travail des Enfants (CNS). Le Nouveau Cadre Institutionnel. Accessed January 23, 2017.  
<http://www.travaildesenfants.org/fr/content/le-nouveau-cadre-institutionnel#>
- 47 Government of the Republic of Côte d'Ivoire. Création du Comité National de Surveillance des Actions de lutte contre la traite, l'exploitation et le travail des Enfants, Décret N° 2011-366. Enacted: November 3, 2011. Source on file.
- 48 Yao, SP. Présentation du Plan d'Action National 2015–2017 de Lutte contre les Pires Formes de Travail des Enfants. Abidjan: Secrétaire Exécutif du Comité National de Surveillance (CNS). 2015. Source on file.
- 49 Child Labor Cocoa Coordinating Group. 2016 Annual Report. Washington, DC, 2017. Source on file.  
[https://www.dol.gov/sites/dolgov/files/ILAB/legacy/files/CLCCG 2016 Annual Report.pdf](https://www.dol.gov/sites/dolgov/files/ILAB/legacy/files/CLCCG%2016%20Annual%20Report.pdf)
- 50 Government of the Republic of Côte d'Ivoire. Création du Comité Interministériel de lutte contre la traite, l'exploitation et le travail des Enfants, Décret N° 2011-365. Enacted: November 3, 2011.  
<http://www.travaildesenfants.org/sites/default/files/pdf/Dominique-Ouattara-Decret-de-creation-du-Comite-interministériel-de-lutte-contre-la-traite-l-exploitation-et-le-travail-des-enfants.pdf>
- 51 Government of the Republic of Côte d'Ivoire. Décret Fixant les Missions, la Composition, l'Organisation et le Fonctionnement du Comité National de Lutte Contre la Traite des Personnes. 2017. Source on file.
- 52 Government of the Republic of Côte d'Ivoire. Communiqué du Conseil des Ministres du Jeudi 13 Avril 2017. Abidjan. April 2017.  
<https://news.abidjan.net/articles/613248/communiqué-du-conseil-des-ministres-du-jeudi-13-avril-2017>
- 53 U.S. Embassy- Abidjan. Reporting. December 18, 2019.
- 54 U.S. Embassy- Lome. Reporting. September 6, 2019.
- 55 Government of the Republic of Côte d'Ivoire. Plan d'Action National de Lutte Contre La Traite, l'Exploitation et le Travail des Enfants 2019–2021. Abidjan. May 19, 2019. Source on file.
- 56 Senator Harkin, Congressman Engel, USDOL, Government of the Republic of Côte d'Ivoire, Government of the Republic of Ghana, and International Cocoa and Chocolate Industry. Declaration of Joint Action to Support Implementation of the Harkin-Engel Protocol. Abidjan. September 13, 2010. Source on file.
- 57 Senator Harkin, Congressman Engel, USDOL, Government of the Republic of Côte d'Ivoire, Government of the Republic of Ghana, and International Cocoa and Chocolate Industry. Framework of Action to Support Implementation of the Harkin-Engel Protocol. Abidjan. September 13, 2010. Source on file.
- 58 Child Labor Coordinating Group. CLCCG Report: Ten Year 2010–2020 Efforts to Reduce Child Labor in Cocoa. 2021.  
<https://www.dol.gov/sites/dolgov/files/ILAB/reports/CLCCG-Ten-Year-Report.pdf>
- 59 ILO-IPEC. Country Level Engagement and Assistance to Reduce (CLEAR) Child Labor. Geneva. October 2017: Technical Progress Report. Source on file.
- 60 ILO. Programme de promotion du travail décent en Côte d'Ivoire 2017–2020. July 2017. Source on file.
- 61 Government of the Republic of Côte d'Ivoire. Plan national de développement (PND) 2016–2020. 2016.  
[http://gcpnd.gouv.ci/fichier/doc/TOME3\\_comprese.pdf](http://gcpnd.gouv.ci/fichier/doc/TOME3_comprese.pdf)

- 62 Government of the Republic of Côte d'Ivoire. Plan Decennial Education Formation 2016 – 2025. Abidjan. February 29, 2016. Source on file.
- 63 European Commission. EU multi-stakeholder dialogue for sustainable cocoa 2021.  
[https://ec.europa.eu/international-partnerships/events/eu-multi-stakeholder-dialogue-sustainable-cocoa\\_en](https://ec.europa.eu/international-partnerships/events/eu-multi-stakeholder-dialogue-sustainable-cocoa_en)
- 64 International Labor Organization. ACCEL AFRICA. November 2018  
[https://www.ilo.org/wcmsp5/groups/public/---africa/---ro-abidjan/documents/genericdocument/wcms\\_779516.pdf](https://www.ilo.org/wcmsp5/groups/public/---africa/---ro-abidjan/documents/genericdocument/wcms_779516.pdf)
- 65 World Cocoa Foundation. Cocoa & Forests Initiative Reports Progress Despite Challenging Year. Washington, DC. May 5, 2021.  
<https://www.worldcocoafoundation.org/press-release/cocoa-forests-initiative-reports-progress-despite-challenging-year/>
- 66 World Food Program. United States provides US\$119 million to WFP for school meals in five countries. November 24, 2020.  
[https://www.wfp.org/news/united-states-provides-us119-million-wfp-school-meals-five-countries#:~:text=24 November 2020-,United States provides US\\$119 million to,school meals in five countries&text=WASHINGTON – As classrooms around the,countries in Asia and Africa](https://www.wfp.org/news/united-states-provides-us119-million-wfp-school-meals-five-countries#:~:text=24 November 2020-,United States provides US$119 million to,school meals in five countries&text=WASHINGTON – As classrooms around the,countries in Asia and Africa)
- 67 U.S. Department of Agriculture McGovern-Dole International Food for Education and Child Nutrition Program Washington, DC  
<https://www.fas.usda.gov/sites/default/files/2021-10/McGovern-FY2020.pdf>
- 68 Millennium Challenge Corporation. Côte d'Ivoire Compact. Washington, DC. 2022  
<https://www.mcc.gov/where-we-work/program/cote-divoire-compact>
- 69 World Bank. Côte d'Ivoire - Second Fiscal Management, Education, Energy and Cocoa Reforms Development Policy Operation. November 6, 2017.  
<http://documents.worldbank.org/curated/en/943511512702094794/pdf/Cote-dIvoire-DPO2-PD-Final-November-3-11102017.pdf>
- 70 World Bank. Social Safety Net Implementation Status and Results Report. December 21, 2020.  
<http://documents1.worldbank.org/curated/en/811781608563835262/pdf/Disclosable-Version-of-the-ISR-CI-Productive-Social-Safety-Net-PI43332-Sequence-No-11.pdf>
- 71 The World Bank. Social Safety Net Project. November 19, 2021  
<https://documents1.worldbank.org/curated/en/500291637342520066/pdf/Disclosable-Version-of-the-ISR-CI-Productive-Social-Safety-Net-PI43332-Sequence-No-13.pdf>
- 72 U.S. Department of Labor. Combating Forced Labor and Labor Trafficking of Adults Midterm Report. January 31, 2020.  
<https://www.dol.gov/agencies/ilab/combating-forced-labor-and-labor-trafficking-adults-and-children-ghana>
- 73 U.S. Department of Labor. CACAO: Cooperatives Addressing Child Labor Accountability Outcomes. December 2020.  
<https://www.dol.gov/agencies/ilab/cacao-cooperatives-addressing-child-labor-accountability-outcomes>
- 74 European Commission EU boosts sustainable cocoa production in Côte d'Ivoire, Ghana and Cameroon January 2021  
[https://ec.europa.eu/commission/presscorner/detail/pt/ip\\_21\\_193](https://ec.europa.eu/commission/presscorner/detail/pt/ip_21_193)



In 2021, Djibouti made minimal advancement in efforts to eliminate the worst forms of child labor. The Ministry of Labor began discussions with the Ministry of Education and the Ministry of Women and Families about the creation of a formal mechanism to refer children found in child labor to appropriate social services. In addition, the labor inspectorate targeted inspections in the restaurant and construction sectors, in which child labor is believed to be more prevalent. 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. 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. Finally, the government did not publish data on labor law or criminal law enforcement efforts for inclusion in this report.



## 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. (1,2) 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 (%)		64.8

Source for primary completion rate: Data from 2021, published by the UNESCO Institute for Statistics, 2022. (3)

Source for all other data: International Labor Organization's analysis of statistics from Multiple Indicator Cluster Survey 3 (MICS 3), 2006. (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	Caring for livestock, including goats (5)
Industry	Construction (2)
Services	Domestic work† (2,6)
	Street work, including vending, shining shoes, washing cars, and begging (2,7,8)
	Working in restaurants, small shops, and family businesses (2,6)
Categorical Worst Forms of Child Labor‡	Commercial sexual exploitation, sometimes as a result of human trafficking (1)
	Forced domestic work and begging (1,9,10)
	Use in illicit activities, including the selling of marijuana (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.

Reports suggest that children, including undocumented migrant girls, are vulnerable to commercial sexual exploitation in Djibouti City and along the Ethiopia-Djibouti trucking corridor. (1,11) Djibouti is also host to the largest number of foreign military installations in the world, including thousands of military personnel and

# Djibouti

## MINIMAL ADVANCEMENT




security contractors. This foreign military presence heightens the risks of commercial sexual exploitation of girls. (12) Djibouti is a common transit country for mixed-migration flows from Ethiopia, Yemen, the East Africa region, and the Arabian Peninsula, and children from these regions are vulnerable to exploitation. (2,8)

Djibouti's primary school enrollment rate increased from 75 percent to 92 percent between 2009 and 2019. (13) 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. (14) Although primary and middle schools are tuition free, other school-related expenses may prevent children from attending school. (15,16) Documentation and birth registration is sometimes a barrier to accessing education. Children must have a birth certificate or UNHCR refugee documentation to attend school, and thus undocumented migrant children and asylum seekers waiting for status determination are often unable to access education. (2) Despite the passage in 2017 of a National Refugee Law, 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. (17-19) Children in rural areas, where access to documentation is limited, also face obstacles to obtaining birth certificates. (6)

## 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 (20)
Minimum Age for Hazardous Work	Yes	18	Articles 108 and 110 of the Labor Code (20)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Article 110 of the Labor Code (20)
Prohibition of Forced Labor	Yes		Articles 2 and 290 of the Labor Code; Article 23 of the Law Regarding Terrorism and Other Serious Crimes (20,21)
Prohibition of Child Trafficking	Yes		Articles 1 and 5–7 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 (21,22)
Prohibition of Commercial Sexual Exploitation of Children	No		Articles 394, 396, 462, and 463 of the Penal Code; Articles 1 and 5–8 of the Law on the Fight Against the Trafficking of Persons and the Illegal Smuggling of Migrants (22,23)
Prohibition of Using Children in Illicit Activities	Yes		Articles 355, 356, and 461 of the Penal Code (23)

**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 I of the National Army Amendment Decree (24)
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 (23)
Compulsory Education Age	Yes	16	Articles 4 and 14 of the Law on the Orientation of the Education System (25)
Free Public Education	Yes		Article 16 of the Law on the Orientation of the Education System (25)

\* Country has no conscription (26)

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. (20,23,27) 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. (20,23,27) Furthermore, laws do not specifically criminalize the use of a child for prostitution. (22,23)

### 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 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. (9) Through its General Inspectorate of Labor and Social Laws, regulates youth employment. (6)
Djibouti National Police, including the Brigade for Minors	Enforce criminal laws and investigate crimes related to child labor. (9)
Ministry of Justice	Prosecutes child labor cases referred by MOL. (9)
National Commission on Human Rights	Receives complaints and investigates cases of human rights violations, including child labor. (28) Assists victims in obtaining legal aid to prosecute violators. (28)

#### **Labor Law Enforcement**

In 2021, labor law enforcement agencies in Djibouti took actions to address child labor (Table 6). However, gaps exist within the operations of the Ministry of Labor (MOL) that may hinder adequate labor law enforcement, including insufficient financial resource allocation.

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

Overview of Labor Law Enforcement	2020	2021
Labor Inspectorate Funding	Unknown	\$112,994 (2)
Number of Labor Inspectors	2 (8)	5 (2)
Mechanism to Assess Civil Penalties	Yes (20)	Yes (20)
Initial Training for New Labor Inspectors	Yes (8)	Yes (2)
Training on New Laws Related to Child Labor	N/A (8)	N/A (2)
Refresher Courses Provided	No (8)	Yes (2)

# Djibouti

## MINIMAL ADVANCEMENT

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

Overview of Labor Law Enforcement	2020	2021
Number of Labor Inspections Conducted	30 (8)	6 (2)
Number Conducted at Worksite	5 (8)	6 (2)
Number of Child Labor Violations Found	2 (8)	14 (2)
Number of Child Labor Violations for Which Penalties Were Imposed	0 (8)	0 (2)
Number of Child Labor Penalties Imposed that Were Collected	0 (8)	0 (2)
Routine Inspections Conducted	Yes (8)	Yes (2)
Routine Inspections Targeted	No (8)	Yes (2)
Unannounced Inspections Permitted	Yes (20)	Yes (20)
Unannounced Inspections Conducted	Yes (8)	Yes (2)
Complaint Mechanism Exists	No (8)	No (2)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	No (8)	No (2)

Starting in 2021, the labor inspectorate dedicated one of its five inspectors to child labor inspections. (2) During the reporting period, inspections targeted the construction and restaurant industries, in which children often work. (2)

The labor inspectorate has only one vehicle, which limits inspectors' ability to conduct inspections outside of the city of Djibouti. (2) In 2021, the labor inspectorate conducted only 6 inspections. The exceptionally low number of worksite inspections conducted in Djibouti may have impeded the enforcement of child labor laws. (2) The number of labor inspectors is likely insufficient for the size of Djibouti's workforce, which includes approximately 250,000 workers. According to the ILO's technical advice of a ratio approaching 1 inspector for every 40,000 workers in less developed economies, Djibouti would need to employ roughly 6 inspectors. (29,30) While the law includes a mechanism to impose monetary civil penalties, in practice, the labor inspectorate currently issues warning letters outlining how to remedy the situation in order to avoid a penalty. (2) While there is no formal mechanism to refer children found during labor inspections to appropriate social services, the MOL has initiated discussions to create one with the Ministry of Women and Families and the Ministry of Education. (2)

### Criminal Law Enforcement

Research did not find information on whether criminal law enforcement agencies in Djibouti took actions to address child labor (Table 7).

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

Overview of Criminal Law Enforcement	2020	2021
Initial Training for New Criminal Investigators	Unknown (8)	Unknown (2)
Training on New Laws Related to the Worst Forms of Child Labor	N/A (8)	N/A (2)
Refresher Courses Provided	Unknown (8)	Unknown (2)
Number of Investigations	Unknown (8)	Unknown (2)
Number of Violations Found	Unknown (8)	Unknown (2)
Number of Prosecutions Initiated	Unknown (8)	Unknown (2)
Number of Convictions	Unknown (8)	Unknown (2)
Imposed Penalties for Violations Related to the Worst Forms of Child Labor	Unknown (8)	Unknown (2)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (8)	Yes (2)

The government did not provide information on its criminal law enforcement efforts regarding training for investigators, the number of investigations, the number of violations found, the number of prosecutions initiated, the number of convictions, or the number of penalties imposed for inclusion in this report. (2) NGOs communicate human trafficking indicators to the police, who refer these cases to the prosecutor's office. (5,27,31) The NGO Caritas International implements separate memoranda of understanding with the Ministry of Women and Families and the National Commission of Human Rights. (8,31)

#### IV. COORDINATION OF GOVERNMENT EFFORTS ON CHILD LABOR

The government has established mechanisms to coordinate its efforts to address child labor (Table 8). However, gaps exist that hinder the 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 address 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 interagency working group is led by the Ministry of Justice and includes representatives from the MOL and the Ministry of the Interior. (32,33) During the reporting year, the Anti-Trafficking Working Group did not hold regular meetings. (2)
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. (34) Led by the Prime Minister and includes eight other agencies, representatives from NGOs, the private sector, and elected officials. (35) 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. (5) Research was unable to determine the activities of this body during the reporting year. (2)
Ministry of Women and Families	Creates child protection policies and coordinates their implementation. The ministry also develops and implements programs to address all forms of violence against children. (6,8) Through its National Policy for Children in Djibouti, focuses on the survival, development, protection, and participation of children. (6,31) 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 survivors of violence. (8) Research was unable to determine the activities of the Ministry of Women and Families during the reporting year. (2)

While various bodies coordinate efforts to address child protection and trafficking in persons, there is no active coordinating body dedicated to preventing and eliminating other forms of child labor.

#### V. GOVERNMENT POLICIES ON CHILD LABOR

The government has established policies related to child labor (Table 9). However, policy gaps exist that hinder efforts to address child labor, including lack of policy to address child labor in its worst forms.

**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 address and prevent human trafficking, protect and assist human trafficking survivors, and establish a national referral mechanism between law enforcement officials and social services providers. (36) During the reporting period, the government appointed a single focal point for the implementation of this plan, and it convened an interministerial meeting to discuss trafficking in persons. (37)
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. (38) 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. (39) The National Social Protection Strategy (2018–2022) seeks to broaden social protections for vulnerable children and youth. (38) During the reporting year, as part of the National Policy for Children, the government continued to work to expand school enrollment. (2)
National Strategy for Migration†	Promotes aid and livelihoods for migrants in Djibouti. Raises awareness for the rights and humanitarian needs of migrants. Facilitates coordination between humanitarian partners and the government through the National Coordination Office for Migration. Launched during the reporting year with the assistance of the IOM. (40)
UNDAF (2018–2022)	Focuses primarily on programs that build capacity for survivor 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. (38,41) This policy continued to be implemented during the reporting period. (37)

While the government of Djibouti had policies to address trafficking and other forms of child welfare, research found no evidence of a policy to address child labor, including its worst forms. (2)



# Djibouti

## MINIMAL ADVANCEMENT

### VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2021, 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 Families Programs†	Includes the Social Assistance Program (2016–present), which provides children and their families in vulnerable communities with education and in-kind support. (38) Similarly, the Support Project for Girls and Women in Precarious Situations (2017–present) is a multisectoral program aimed at reducing girls' economic and social vulnerability through education and training. (38) The Country Strategic Option Program (2019–2024) is a rural poverty-reduction program established under Djibouti's revised Social Protection Strategy. (38,42) Djibouti's Support Program for Children with Academic Difficulties, established in 2017, aims to provide academic support for children from low-income families. (38) The Ministry of Women and the Families continued to implement these programs during the reporting year. (2)
Comprehensive Refugee Response Framework	Government commitment, under the UNHCR, to provide refugees with access to education, healthcare, employment, and income generation. (8) The government and its partners continued to implement and expand this program during the reporting period. (37)
UNICEF Country Program, (2018–2022)	Aims to ensure children's rights and welfare by reducing child mortality, improving access to basic education, and reducing children's vulnerabilities by providing access to social protection services. Operates coordination with the Government of Djibouti, the WFP, the Global Partnership for Education, the WHO, and other partners. (43) Includes efforts to ensure access to education for refugee children, improve birth registration, and address child trafficking. (43) During the reporting year, UNICEF supported COVID-19 testing and vaccination efforts, provided treatment for 3,250 children under the age of 5 suffering from malnutrition, furnished school supplies to children, including refugees, and provided services to 500 street children. (44)
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, primarily through conditional cash transfers. (6,45–47) 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. (48,49) The project also plans to build the capacity of teachers and administrators in underserved areas. (18,48,50) Both programs continued during the reporting period. (47,51)
WFP Djibouti Country Strategic Plan (2020–2024)	Supports the government's priorities for achieving food and nutrition security through 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. (8,52) During the reporting period, provided in-kind and cash benefits to 108,399 people to mitigate vulnerability and undernourishment, and provided specialized food assistance to 5,645 children under the age of 5 to address malnutrition and stunting. (52)

† 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. (26,53)

During the reporting year, the Government of Djibouti, in line with the 2017 Djibouti Declaration on Refugee Education, continued working to implement its commitment to integrate child refugees into its national education system. (2,18,19,54,55) Furthermore, the government created a favorable environment for NGOs to operate programs for children, such as faith-based programs furthering the inclusion of children with disabilities in primary and secondary school. (37) Nevertheless, research found no evidence of programs to assist children involved in domestic work, street work, and 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 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 – 2021
	Ensure that laws criminally prohibit the use of children in prostitution.	2012 – 2021
	Ensure that the list of hazardous occupations and activities prohibited for children is comprehensive.	2009 – 2021
Enforcement	Ensure that all regions are targeted for labor inspections and that the labor inspectorate has the necessary equipment for regional inspection coverage.	2017 – 2021
	Establish a mechanism for the Ministry of Labor to receive child labor complaints.	2010 – 2021
	Increase the number of labor inspectors to meet the ILO's technical advice.	2021
	Ensure the government conducts an adequate number of labor inspections.	2021
	Establish a reciprocal referral mechanism between the labor inspectorate and social services to protect and rehabilitate children involved in child labor.	2021
	Ensure that civil penalties for child labor violations are imposed and collected.	2021
	Publish complete criminal law enforcement data, including the number of investigations conducted, violations found, penalties imposed and collected, prosecutions initiated, and convictions obtained.	2021
	Ensure that criminal law enforcement officials receive sufficient initial training and refresher courses on the worst forms of child labor.	2021
Coordination	Ensure all coordinating bodies are active and able to carry out their intended mandates.	2009 – 2021
	Establish a coordinating body dedicated to preventing and eliminating all forms of child labor.	2009 – 2021
Government Policies	Ensure that activities are undertaken to implement key policies related to child labor during the reporting period and that data on these activities are published.	2017 – 2021
	Adopt a national policy to address all forms of child labor, including its worst forms.	2016 – 2021
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 – 2021
	Ensure that all children, including refugees, asylum seekers, and children in rural areas, have access to education by removing requirements for national birth certificates or UNHCR refugee documentation to attend school.	2019 – 2021
	Implement programs to specifically address children involved in domestic work, street work, and commercial sexual exploitation.	2009 – 2021

**REFERENCES**

- U.S. Department of State. Trafficking in Persons Report: Djibouti. Washington, D.C. 2021. <https://www.state.gov/reports/2021-trafficking-in-persons-report/djibouti/>
- U.S. Embassy- Djibouti. Reporting. April 4, 2022.
- UNESCO Institute for Statistics. Gross intake ratio to the last grade of primary education, both sexes (%). Accessed March 3, 2022. For more information, please see "Children's Work and Education Statistics: Sources and Definitions" in the Reference Materials section of this report. <http://data.uis.unesco.org/>
- ILO. Analysis of Child Economic Activity and School Attendance Statistics from National Household or Child Labor Surveys. Original data from Multiple Indicator Cluster Survey 3 (MICS 3), 2006. Analysis received March 2022. For more information, please see "Children's Work and Education Statistics: Sources and Definitions" in the Reference Materials section of this report.
- U.S. Embassy- Djibouti official. E-mail communication to USDOL official. June 12, 2018.
- U.S. Embassy- Djibouti. Reporting. February 12, 2020.
- U.S. Department of State. Trafficking in Persons Report- 2019: Djibouti. Washington, D.C., June 20, 2019. <https://www.state.gov/reports/2019-trafficking-in-persons-report-2/djibouti/>
- U.S. Embassy- Djibouti. Reporting. January 15, 2021.
- U.S. Embassy- Djibouti. Reporting. February 7, 2019.
- U.S. Embassy- Djibouti. Reporting. March 12, 2019.
- U.S. Embassy- Djibouti official. E-mail communication to USDOL official. March 28, 2018.
- Acheson, Ray. Remote Warfare and Sexual Violence in Djibouti. Reaching Critical Will of the Women's International League for Peace and Freedom. August 2017. [https://wilpf.org/wp-content/uploads/2017/09/2017\\_RemoteWarfareAndSexualViolenceInDjibouti.pdf](https://wilpf.org/wp-content/uploads/2017/09/2017_RemoteWarfareAndSexualViolenceInDjibouti.pdf)
- United Nations Djibouti. UN and Partners COVID-19 Response Plan: Djibouti. November 21, 2020. [https://reliefweb.int/sites/reliefweb.int/files/resources/DJI\\_COVID-19\\_Emergency\\_Appeal\\_21092020.pdf](https://reliefweb.int/sites/reliefweb.int/files/resources/DJI_COVID-19_Emergency_Appeal_21092020.pdf)
- UNICEF. Djibouti Situation Report: Year End 2018. 2018. <https://www.unicef.org/media/81336/file/Djibouti-SitRep-Year-End-2018.pdf>
- U.S. Embassy- Djibouti. Reporting. March 11, 2018.
- U.S. Embassy- Djibouti official. E-mail communication to USDOL official. June 16, 2017.
- UNICEF. Djibouti Humanitarian Situation Report: Mid-Year 2019. June 2019. <https://www.unicef.org/media/81331/file/Djibouti-SitRep-Mid-Year-2019.pdf>
- Global Partnership for Education. Djibouti: Addressing the education needs of refugees. December 16, 2019. <https://www.globalpartnership.org/blog/djibouti-addressing-education-needs-refugees>
- République de Djibouti. Loi N° 159/AN/16/7ème L portant statut des réfugiés en République de Djibouti. Enacted: 2017. <http://web.archive.org/web/20220119060721/https://www.presidence.dj/texte.php?ID=159&ID2=2017-01-05&ID3=Loi&ID4=1&ID5=2017-01-15&ID6=n>
- République de Djibouti. Loi n° 133/AN/05/5ème portant Code du Travail, No. 133. Enacted: 2006. [http://www.ilo.org/wcmsp5/groups/public/---ed\\_protect/---protrav/---ilo\\_aids/documents/legaldocument/wcms\\_126983.pdf](http://www.ilo.org/wcmsp5/groups/public/---ed_protect/---protrav/---ilo_aids/documents/legaldocument/wcms_126983.pdf)

- 21 République de Djibouti. Loi n° 111/AN/11/6ème relative à la lutte contre le terrorisme et autres infractions graves, No. 111. Enacted: 2011. [http://www.vertic.org/media/National Legislation/Djibouti/DJ\\_Loi\\_Terrorisme.pdf](http://www.vertic.org/media/National%20Legislation/Djibouti/DJ_Loi_Terrorisme.pdf)
- 22 République de Djibouti. Loi n° 133/AN/16/7ème sur la lutte contre la traite des personnes et le trafic illicite des migrants, No. 133. Enacted: 2016. <http://web.archive.org/web/20220119193726/https://www.presidence.dj/texte.php?ID=133&ID2=2016-03-24&ID3=Loi&ID4=6&ID5=2016-03-31&ID6=n>
- 23 République de Djibouti. Le Code Pénal. Enacted: 2002. [http://www.africanchildforum.org/cfr/Legislation Per Country/djibouti/djibouti\\_penal\\_2002\\_fr.pdf](http://www.africanchildforum.org/cfr/Legislation%20Per%20Country/djibouti/djibouti_penal_2002_fr.pdf)
- 24 République de Djibouti. Décret n° 79-001/PR/DEF modificatif au décret n°77-046/PR/DEF fixant le régime des commissions, engagements et rengagements dans l'Armée nationale, No. 79-001. Enacted 1979. Source on file.
- 25 République de Djibouti. Loi n° 96/AN/00/4ème portant orientation du système éducatif Djiboutien, No. 96. Enacted: 2000. [http://web.archive.org/web/20220120071304/https://www.presidence.dj/PresidenceOld/LES TEXTES/loi96an00.htm](http://web.archive.org/web/20220120071304/https://www.presidence.dj/PresidenceOld/LES%20TEXTES/loi96an00.htm)
- 26 U.S. Embassy- Djibouti. Reporting. March 17, 2017.
- 27 U.S. Embassy- Djibouti. Reporting. December 19, 2017.
- 28 Government of Djibouti. Loi n° 59/AN/14/7ème portant organisation et fonctionnement de la Commission Nationale de Droit de l'Homme, No. 59. Enacted: 2015. <http://www.ilo.org/dyn/natlex/docs/ELECTRONIC/99841/119306/F24816027/DJL-99841.pdf>
- 29 ILO Labor Force Statistics (LFS) – Population and labour force. Accessed (January 25, 2022). Labor force data is government-reported data collected by the ILO. Please see "Labor Law Enforcement: Sources and Definitions" in the Reference Materials section of this report. <https://ilostat.ilo.org/data/>
- 30 UN. World Economic Situation and Prospects. 2021 Statistical Annex. New York, 2021. Please see "Labor Law Enforcement: Sources and Definitions" in the Reference Materials section of this report. [https://www.un.org/development/desa/dpad/wp-content/uploads/sites/45/WESP2021\\_\\_ANNEX.pdf](https://www.un.org/development/desa/dpad/wp-content/uploads/sites/45/WESP2021__ANNEX.pdf)
- 31 U.S. Embassy- Djibouti. Reporting. February 23, 2020.
- 32 U.S. Department of State. Trafficking in Persons Report- 2018: Djibouti. Washington, D.C., June 28, 2018. <https://www.state.gov/reports/2018-trafficking-in-persons-report/djibouti/>
- 33 U.S. Embassy- Djibouti official. E-mail communication to USDOL official. February 27, 2017.
- 34 République de Djibouti. Décret N° 2017-354/PR/MFF modifiant le Décret n°2012-067/PR/MPF portant Création et Organisation du Conseil National de l'Enfant (CNE). October 24, 2017. <http://web.archive.org/web/20180814032703/http://www.presidence.dj/texte.php?ID=2017-354&ID2=2017-11-02&ID3=Dcret&ID4=21&ID5=2017-11-15&ID6=n>
- 35 République de Djibouti. Décret n° 2012-067/PR/MPF portant création et organisation du Conseil National de l'Enfant, No. 2012-067. Enacted: 2012. <http://www.ilo.org/dyn/natlex/docs/ELECTRONIC/90357/104100/F1513676396/DJL-90357.pdf>
- 36 République de Djibouti. Plan national pour combattre le trafic des êtres humains et protéger les victimes du trafic (2014–2020). 2015. Source on file.
- 37 U.S. Embassy-Djibouti official. E-mail communication with USDOL official. May 27, 2022.
- 38 République de Djibouti: Ministère de la Femme et de la Famille. Rapport d'Examen National Approfondi Etabli à l'occasion du 25ème anniversaire de la quatrième Conférence mondiale de Beijing sur les Femmes Et les 5 ans du Programme de développement durable des Nations Unies à l'horizon 2030. 2019. [https://www.uneca.org/sites/default/files/uploaded-documents/Beijing25/rapport\\_final\\_beijing\\_25\\_vf\\_djibouti.pdf](https://www.uneca.org/sites/default/files/uploaded-documents/Beijing25/rapport_final_beijing_25_vf_djibouti.pdf)
- 39 OHCHR. Convention relative aux droits de l'enfant: Rapport valant troisième à cinquième rapports périodiques soumis par Djibouti en application de l'article 44 de la Convention, attendu en 2012. January 27, 2020. <http://docstore.ohchr.org/SelfServices/FilesHandler.ashx?enc=6QkGI/dPPRiCAqhKb7yhspj9X0EVB84EgDIeZPwvNFXQfc+VWY4tIFgQs3bTLN0bHArOthPcsg0R3vgT20bavuw/qEIK6uYHfQfOqi3T5QVrcR/VXQsTx4HxRfIvmF>
- 40 International Organization for Migration. Djibouti's First National Strategy on Migration Targets Challenges from Horn of Africa. September 17, 2021. <https://www.iom.int/news/djiboutis-first-national-strategy-migration-targets-challenges-horn-africa>
- 41 U.S. Embassy- Djibouti official. E-mail communication to USDOL official. March 26, 2019.
- 42 République de Djibouti. Programme d'options stratégiques pour le pays 2019–2024. May 3, 2019. <https://webapps.ifad.org/members/eb/126/docs/french/EB-2019-126-R-15.pdf>
- 43 UNICEF Djibouti Country Programme Document, 2018-2022. August 10, 2017. <https://sites.unicef.org/about/execboard/files/2017-PL18-Djibouti-CPD-ODS-EN.pdf>
- 44 UNICEF. Country Annual Report 2021: Djibouti. 2021. <https://www.unicef.org/media/116241/file/Djibouti-2021-COAR.pdf>
- 45 The World Bank. Integrated Cash Transfer and Human Capital Project (PI66220). April 22, 2019. <http://documents.worldbank.org/curated/en/893891558231269265/pdf/Djibouti-Integrated-Cash-Transfer-and-Human-Capital-Project.pdf>
- 46 The World Bank. Enhancing Income Opportunities in DJ (PI48586). Results Framework. March 31, 2020. <https://projects.worldbank.org/en/projects-operations/project-detail/PI48586?lang=en>
- 47 World Bank. Implementation Status & Results Report: Integrated Cash Transfer and Human Capital Project (PI66220). November 25, 2021. <https://documents1.worldbank.org/curated/en/099730111252129811/pdf/Disclosable0Ve0220000Sequence0No005.pdf>
- 48 The World Bank. Djibouti Invests in the Future with New Project to Expand Education to 35,000 New Students. September 30, 2019. <https://www.worldbank.org/en/news/press-release/2019/09/30/djibouti-invests-in-the-future-with-new-project-to-expand-education-to-35000-new-students>
- 49 The World Bank. Expanding Opportunities for Learning Project. February 11, 2021. <https://projects.worldbank.org/en/projects-operations/project-detail/PI66059?lang=ar>
- 50 République de Djibouti. Communiqué de la 18ème Séance du Mardi 29/10/2019. October 29, 2019. <http://web.archive.org/web/20200814075117/https://www.presidence.dj/conseilministresuite.php?ID=18&ID2=2019-10-29>
- 51 World Bank. Implementation Status & Results Report: Expanding Opportunities for Learning (PI66059). March 23, 2022. <https://documents1.worldbank.org/curated/en/099140003242234181/pdf/PI66059077833e02e08dde0f9be7b4428fb.pdf>
- 52 World Food Program. Djibouti Annual Country Report, 2021. March 31, 2022. <https://docs.wfp.org/api/documents/WFP-0000137898/download/?ga=2.263901902.313180578.1649952127-176943920.1649952127>
- 53 U.S. Embassy- Djibouti. Reporting. January 17, 2017.
- 54 UNHCR. Djibouti: 2020 Planning Summary. November 26, 2019. <http://reporting.unhcr.org/sites/default/files/pdfsummaries/GA2020-Djibouti-eng.pdf>
- 55 Government of Djibouti. Djibouti Declaration on Regional Conference on Refugee Education in IGAD Member States. December 14, 2017. [http://web.archive.org/web/20220214164503/https://igad.int/attachments/article/1725/Djibouti Declaration on Refugee Education.pdf](http://web.archive.org/web/20220214164503/https://igad.int/attachments/article/1725/Djibouti%20Declaration%20on%20Refugee%20Education.pdf)

Although research found no evidence that child labor exists in Dominica, in 2021, the government made minimal advancement in efforts to prevent the worst forms of child labor. The government funded and participated in programs that may contribute to preventing child labor, including a program that improved school infrastructure and others that provided meals to students. However, 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. 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)

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

Children	Age	Percent
Primary Completion Rate (%)		113.9

Data from 2016 published by UNESCO Institute for Statistics, 2022. (2)







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

Children from the Kalinago community face barriers to secondary education which 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. (3-5) Schools have reopened after a year and a half of online learning due to the COVID-19 pandemic. (1)

## II. LEGAL FRAMEWORK FOR CHILD LABOR

Dominica 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 Dominica's legal framework to adequately protect children from the worst forms of child labor, including the minimum age for hazardous work.

## MINIMAL ADVANCEMENT

**Table 3. Laws and Regulations on Child Labor**

Standard	Meets International Standards	Age	Legislation
Minimum Age for Work	Yes	16	Articles 2 and 46 of the Education Act 1997 (6)
Minimum Age for Hazardous Work	No		
Identification of Hazardous Occupations or Activities Prohibited for Children	No		
Prohibition of Forced Labor	No		Article 4 of the Constitution; Sections 2, 8, 10, and 13 of the Transnational Organized Crime (Prevention and Control) Act (7,8)
Prohibition of Child Trafficking	No		Sections 2, 8, 10, and 13 of the Transnational Organized Crime (Prevention and Control) Act (8)
Prohibition of Commercial Sexual Exploitation of Children	No		Sections 2, 8, 10, and 13 of the Transnational Organized Crime (Prevention and Control) Act; Article 18 of the Sexual Offenses Act (8,9)
Prohibition of Using Children in Illicit Activities	No		
Minimum Age for Voluntary State Military Recruitment	N/A†		
Prohibition of Compulsory Recruitment of Children by (State) Military	N/A†		
Prohibition of Military Recruitment by Non-state Armed Groups	No		
Compulsory Education Age	Yes	16	Article 2 of the Education Act 1997 (6)
Free Public Education	Yes		Article 15 of the Education Act 1997 (6)

† Country has no standing military (10)

Article 46 of the Education Act prohibits the employment of children ages 5 to 16 during the school year, but allows students ages 14 and older to work during school vacations or in school-sponsored employment training programs without defining the conditions, specific activities, or number of hours permissible for light work. (6)

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. The law does not otherwise prohibit the employment of children in work that is likely to jeopardize their health, safety, or morals. (11) Specifically, Dominica does not have national laws or regulations that define the types of hazardous work prohibited for children. The government also has not established a minimum age for hazardous work. (8) 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. (8) 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. (5)

### 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 4).

**Table 4. Agencies Responsible for Child Labor Law Enforcement**

Organization/Agency	Role
Labor Division, Ministry of Justice, Immigration and National Security	Conducts inspections and enforces laws related to child labor. (1,3) Authorized to conduct unannounced inspections at any location with employees and to take legal action against employers violating child labor laws. (12) Reports to police and social services those cases in which children are found in exploitative labor situations. (1)
Ministry of Health and Social Services	Helps enforce laws related to child labor. Reports any children who are found to be in exploitative labor situations to the police. (1)
Police Force	Enforces criminal laws, including those related to 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.

#### 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 2021, the government funded and participated in programs that may contribute to eliminating or preventing child labor (Table 5). However, gaps exist in these social programs, including lack of implementation.

**Table 5. 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. (13) During the reporting period, upgrades on 3 schools, costing an estimated \$2.3 million, were underway. (14)
Education Trust Fund†	Government-funded program implemented by the Ministry of Education and Human Resource Development to provide financial assistance for textbooks, transportation, registration, and exam fees to students in secondary school who would otherwise be unable to complete their education. (15) Although the program was active during the reporting period, research could not determine what activities were implemented throughout 2021. (16)
School Feeding Program†	Government-funded program implemented by the Ministry of Education and Human Resource Development to provide lunch to primary school students in targeted areas. (17) The program was active during the reporting period. (16)
Climate Resilience Agency of Dominica (CREAD) and Climate Resilience Act	Launched in 2018 in partnership with the Clinton Foundation. 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 provides support for 8,500 farmers across the island. (18-20) In 2021, Dominica's former attorney general Francine Baron became CREAD's new chief executive officer. (21)
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. (22,23) The program was active during the reporting period, with 22 youths reported to be housed at the facility as of May 2021; however, research could not determine what activities were implemented throughout 2021. (16,24)

† Program is funded by the Government of Dominica

The Organization of Eastern Caribbean States and UNICEF published a National Child Protection Action Plan in May 2018 effective through early 2021 to guide the implementation of recommendations for Dominica's child justice framework. (25) Although the program was active during the reporting period, research was unable to determine whether Dominica has completed the recommendations or adopted the action plan. (16)

Although the government had existing social programs in 2021 that could address child labor, research was unable to determine whether activities were undertaken to implement most programs during the reporting period. (1,5)

#### 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 6).

## MINIMAL ADVANCEMENT

**Table 6. 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 – 2021
	Ensure that the minimum age for hazardous work is age 18 for all children.	2015 – 2021
	Determine and codify the types of hazardous work prohibited for children, in consultation with employers' and workers' organizations.	2018 – 2021
	Criminally prohibit forced labor.	2019 – 2021
	Criminally prohibit domestic child trafficking.	2019 – 2021
	Enact legislation to specifically prohibit using, procuring, or offering of a child for the production of pornography or pornographic performances.	2011 – 2021
	Prohibit the use of children in illicit activities, including in the production and trafficking of drugs.	2014 – 2021
	Ensure that the law criminally prohibits the recruitment of children under age 18 by non-state armed groups.	2016 – 2021
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 – 2021
	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 – 2021
	Ensure that activities are undertaken to implement key social programs to address child labor during the reporting period and make information about implementation measures publicly available.	2020 – 2021

## REFERENCES

- U.S. Embassy- Bridgetown. Reporting. February 9, 2022.
- UNESCO Institute for Statistics. Gross intake ratio to the last grade of primary education, both sexes (%). Accessed March 3, 2022. For more information, please see "Children's Work and Education Statistics: Sources and Definitions" in the Reference Materials section of this report. <http://data.uis.unesco.org/>
- U.S. Embassy- Bridgetown. Reporting. January 28, 2021.
- World Bank and OECS. Indigenous Peoples Planning Framework. September 2018. <http://documents1.worldbank.org/curated/en/959021549639944890/pdf/INDIGENOUS-PEOPLES-PLANNING-FRAMEWORK.pdf>
- ILO. Direct Request (CEACR) - adopted 2021. Worst Forms of Child Labour Convention, 1999 (No. 182) - Dominica (ratification: 2001). Published: 2022. [https://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0:NO:13100:P13100\\_COMMENT\\_ID:4117304](https://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0:NO:13100:P13100_COMMENT_ID:4117304)
- Government of Dominica. Education Act 1997, No. 11 of 1997. Enacted: November 7, 1997. <http://www.dominica.gov.dm/laws/1997/act11-1997.pdf>
- Government of Dominica. Constitution of the Commonwealth of Dominica. Enacted: 1978. <http://pdba.georgetown.edu/Constitutions/Dominica/constitution.pdf>
- Government of Dominica. Transnational Organized Crime (Prevention and Control) Act 13 of 2013. Enacted: May 23, 2013. <http://www.ilo.org/dyn/natlex/docs/ELECTRONIC/93708/109652/F-1644431634/DMA93708.pdf>
- Government of Dominica. Sexual Offenses Act. Enacted: 1998. <http://bit.ly/ACox83>
- CIA. World Factbook. Accessed July 12, 2020. Please see "Labor Law Enforcement: Sources and Definitions" in the Reference Materials section of this report. <https://www.cia.gov/the-world-factbook/>
- Government of Dominica. Employment of Women, Young Persons and Children Act. Enacted: 1939. Source on file.
- Government of Dominica. Labor Standards Act. Enacted: 1977. [http://www.ilo.org/dyn/natlex/natlex4.detail?p\\_lang=en&p\\_isn=55284](http://www.ilo.org/dyn/natlex/natlex4.detail?p_lang=en&p_isn=55284)
- Caribbean Development Bank. Basic Needs Trust Fund. Accessed March 19, 2021. Source on file.
- Dominica News Online Goodwill Secondary among 14 schools to be reconstructed in Dominica. March 19, 2021. <https://dominicanewsonline.com/news/homepage/goodwill-secondary-among-14-schools-to-be-reconstructed-in-dominica/>
- Government of Dominica- Ministry of Education. Education Trust Fund. Enacted: 1981. <http://www.education.gov.dm/departments-units/education-planning-unit/education-trust-fund>
- U.S. Embassy- Bridgetown official. E-mail communication to USDOL official. March 16, 2022.
- Dominica News Online. CBI developer funds school meals programme in Dominica. May 29, 2017. <https://dominicanewsonline.com/news/homepage/news/general/cbi-developer-funds-school-meals-programme-in-dominica/>
- National Geographic. Dominica is working to become world's first hurricane-proof country. November 19, 2019. <https://www.nationalgeographic.com/science/2019/11/dominica-on-track-to-be-worlds-first-climate-resilient-nation/>
- Clinton Foundation. Building the First Climate Resilient Nation in the World. 2018. Accessed April 29, 2020. <https://www.clintonfoundation.org/clinton-global-initiative/commitment/building-first-climate-resilient-nation-world>
- Government of Dominica. Climate Resilience Act. Enacted: 2018. [http://www.dominica.gov.dm/laws/2018/Climate Resilience Act 2018.pdf](http://www.dominica.gov.dm/laws/2018/Climate%20Resilience%20Act%2018.pdf)
- Kairi FM. Former attorney general is new CEO of CREAD. March 15, 2021. <https://kairifm.com/former-attorney-general-is-new-ceo-of-cread/>
- U.S. Embassy- Bridgetown. Reporting. January 9, 2019.
- Government of Dominica- Ministry of Social Services, Family and Gender Affairs. Chances. March 7, 2016. Source on file.
- U.S. Embassy- Bridgetown official. E-mail communication to USDOL official. April 29, 2022.
- OECS and UNICEF. Dominica Action Plan Report. May 2018. <https://www.oecs.org/en/our-work/knowledge/library/social-development/child-protection/dominica-action-plan-report-may-2018>

In 2021, the Dominican Republic made moderate advancement in efforts to eliminate the worst forms of child labor. The Directorate of Policies for the Prevention and Eradication of Child Labor hired 23 child labor specialists to work in the offices of the Local Labor Representations in the interior of the country. The Dominican Municipal League, the Dominican Federation of Municipalities, and the Ministry of Labor also undertook a new inter-institutional cooperation agreement to develop awareness and training programs for municipal government personnel to integrate local governments in efforts to address child labor throughout the country. In addition, the government prepared a labor inspection manual to provide guidance to labor inspectors on the actions they should take while carrying out labor inspections. 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, including a lack of a sufficient number of labor inspectors and criminal investigators, and adequate facilities, transportation, and fuel. Labor inspectors also lack the authority to assess penalties for labor law violations, including those 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. (6,7) Table 1 provides key indicators on children's work and education in the Dominican Republic.

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

Children	Age	Percent
Working (% and population)	5 to 14	6.3 (Unavailable)
Attending School (%)	5 to 14	96.4
Combining Work and School (%)	7 to 14	9.2
Primary Completion Rate (%)		96.3

Source for primary completion rate: Data from 2020, published by UNESCO Institute for Statistics, 2022. (8)

Source for all other data: International Labor Organization's analysis of statistics from Multiple Indicator Cluster Survey 6 (MICS 6), 2019. (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	Clearing land for sugarcane production, planting and harvesting sugarcane,† and collecting cut cane† (10-12)
	Producing coffee, rice, tomatoes, bananas, beans, and garlic (3,13-18)
	Fishing† (13,19)
Industry	Producing baked goods (14)
	Construction,† activities unknown (3,5,7)
Services	Street work, including vending,† shoe shining, begging, washing car windows, and transporting packages in markets (1,3,5,13,14,17-20)
	Working in convenience store deliveries (20)
	Working in woodworking shops, car washes, and auto repair shops (3,7,14,20)
	Scavenging in landfills (14)
	Domestic work (1-3,5,14)

# Dominican Republic

## MODERATE ADVANCEMENT

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

Sector/Industry	Activity
Categorical Worst	Forced labor in domestic work, agriculture, construction, street vending, and begging (3,17,20,21)
Forms of Child Labor†	Commercial sexual exploitation, sometimes as a result of human trafficking (1-3,5,20,22)
	Use in illicit activities, including drug trafficking, sometimes as a result of human trafficking(5,17,20)

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

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

Children in the Dominican Republic are victims of commercial sexual exploitation, principally in tourist locations, such as coastal resorts and major urban areas. In addition, the Dominican Republic is a destination country for child sex tourists primarily from the United States, Canada, and Europe. (20,23) 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, and begging. (1,2,5,24-27) Some children, including Haitian children and Dominican-born children of Haitian descent, also work in agricultural production, often alongside their parents, and live in communities that frequently lack basic services, including schools. (22) Large populations of children, primarily Haitians or Dominicans of Haitian descent, live on the streets and are especially vulnerable to human trafficking. During the reporting period, the government noted an increase in domestic human trafficking victims, specifically children, brought from the interior of the country to coastal tourist areas. (20)

According to reports, most children working in the country do so in the informal sector, mainly on family farms in rural areas. The child labor rates from rural areas are almost double of those in urban areas. (20) The National Council for Children and Adolescents (CONANI) officials observed in 2021 that Constanza and the southern part of the country have the highest incidences of child labor. (20)

Many Dominican-born persons of Haitian descent, including children, continue to remain in undocumented status because of a legal change that retroactively revised the Dominican Republic's citizenship laws, which declared 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 whom were children of Haitian descent. (28,29) Afterward, the government established new legal provisions aimed at providing legal pathways for these individuals to regularize their immigration status. Yet, many of those affected by the changes have been unable to obtain legal residency documents or have their citizenship reinstated. (28,29) In 2020, the outgoing President issued a presidential decree naturalizing 749 of these individuals, nearly all of them minors, but the decree has still not been brought into effect. (30,31) In addition, thousands of other applicants remain trapped in legal limbo. Although their cases have been approved, the government has not yet issued a decree finalizing the naturalization process. (30) 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. (30) NGOs report that 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. (30) Some Dominican-born children of Haitian descent have been deported. (32) 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, in part because labor inspectors may not be able to verify their ages. (1,3,4,24,33,34) In addition, children who remain in the Dominican Republic, after their parents have been deported to Haiti due to their undocumented status, are more vulnerable to the worst forms of child labor. (35)

Education in the country was provided remotely from November 2020 until mid-October 2021 due to the pandemic. (20) The government continued enacting several initiatives begun in 2020 to facilitate instruction, such as the procurement of 800,000 tablets and laptops and the use of television, radio, and take-home workbooks to reach students without access to computers or Internet. (31) However, coverage of these initiatives was

inconsistent, especially in the poorest areas of the country. Reports indicate that remote learning tended to reinforce existing inequalities in education, since students with poor Internet connections or with parents unable to support their learning were at a disadvantage. (20) In addition, some reports indicate that children without documentation were sometimes denied access to laptops. (36)




National law guarantees free public education, requires that all children attend school until age 14, and prohibits exclusion of children from the educational system based on a lack of identity documents. (37-39) 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 for their children. 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. (16,39) However, limited reporting indicates that, in some cases, school directors have denied children without identity documents access to education. (36) Moreover, 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. (40) The Ministry of Education also requires that students have a birth certificate on file in order for them to receive a high school diploma or school transcript after graduation, leaving those children without identity documents unable to prove that they have completed high school. Thus, limiting their ability to access university and vocational education or the formal job market. (20,39,41,42)

Teacher shortages and a lack of school infrastructure also create barriers to accessing education in the Dominican Republic. (17) In addition, a high percentage of students drop out at the primary and secondary levels. (2,29,43) These issues particularly affect children living in rural areas and in communities predominantly of Haitian descent. Sources 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. (2,29,43)

## 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.



# Dominican Republic

## MODERATE ADVANCEMENT

**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 (37,44,45)
Minimum Age for Hazardous Work	Yes	18	Sections 1 and 2 of the Resolution on Hazardous Work for Persons Under Age 18; Article 251 of the Labor Code (45,46)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Articles 1–3 of the Resolution on Hazardous Work for Persons Under Age 18 (46)
Prohibition of Forced Labor	Yes		Articles 1, 3, and 7 of the Law Against Migrant Smuggling and Trafficking in Persons; Articles 25 and 409 of the Code for the Protection System and Fundamental Rights of Boys, Girls, and Adolescents; Articles 40, 41, and 62.2 of the Constitution (37,44,47)
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 (37,44,47)
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 (37,44,47,48)
Prohibition of Using Children in Illicit Activities	Yes		Article 85 of the Law on Drugs and Controlled Substances (49)
Minimum Age for Voluntary State Military Recruitment	Yes*	18	Articles 26, 96, and 97 of the Organic Armed Forces Law (50)
Prohibition of Compulsory Recruitment of Children by (State) Military	Yes*		Articles 96, 97, 231, and 232 of the Organic Armed Forces Law (50)
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 (44,51)
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 and 46 of the Code for the Protection System and Fundamental Rights of Boys, Girls, and Adolescents (37,38,44,51)

\* Country has no conscription (50)

‡ Age calculated based on available information (44,51)

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. (37,47)

### 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 (MT)	Leads efforts to eliminate child labor; conducts labor inspections, and oversees the Directorate of Policies for the Prevention and Eradication of Child Labor. Refers children found in exploitative conditions to social services, mainly the National Council for Children and Adolescents (CONANI). (17,52)
Office of the Attorney General (AG)	Prosecutes crimes involving children, including criminal violations related to the commercial sexual exploitation of children and other worst forms of child labor. Oversees the Special Prosecutor for Migrant Smuggling and Human Trafficking, which receives notifications of alleged violations related to the worst forms of child labor through a hotline. (4,22,24,53,54)
National Police	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. (13,22,24,31,53)
Tourist Police (POLITUR)	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. (17,20,22)
Local Vigilance Committees	Prevent child labor at the local level by alerting law enforcement of activities linked to child labor; directing survivors of child labor to social services, and working closely with the National Steering Committee to Eliminate Child Labor to raise awareness of child labor. (15,55) There are a total of 49 Local Vigilance Committees nationwide. (17,31,56-58)
National Council for Children and Adolescents (CONANI)	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 the Ministry of Labor through the National Steering Committee to Eliminate Child Labor to protect children against labor exploitation and enforce labor laws. (17,29,31)

### Labor Law Enforcement

In 2021, labor law enforcement agencies in the Dominican Republic took actions to address child labor (Table 6). However, gaps exist within the authority of the Ministry of Labor (MT) that may hinder adequate labor law enforcement, including the lack of authority of labor inspectors to assess penalties.

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

Overview of Labor Law Enforcement	2020	2021
Labor Inspectorate Funding	\$3.9 million (17)	\$4.4 million (20)
Number of Labor Inspectors	215 (17)	212 (20)
Mechanism to Assess Civil Penalties	Yes (45)	Yes (45)
Initial Training for New Labor Inspectors	Yes (17)	Yes (20)
Training on New Laws Related to Child Labor	N/A (17)	N/A (20)
Refresher Courses Provided	Yes (17)	Yes (20)
Number of Labor Inspections Conducted	41,953 (17)	56,938 (20)
Number Conducted at Worksite	41,953 (17)	56,938 (20)
Number of Child Labor Violations Found	15 (17)	45 (20)
Number of Child Labor Violations for Which Penalties Were Imposed	15 (17)	Unknown (20)
Number of Child Labor Penalties Imposed that Were Collected	Unknown (17)	Unknown (20)
Routine Inspections Conducted	Yes (17)	Yes (20)
Routine Inspections Targeted	Unknown (17)	Yes (20)
Unannounced Inspections Permitted	Yes (45)	Yes (45)
Unannounced Inspections Conducted	Unknown (17)	Yes (20)
Complaint Mechanism Exists	Yes (17)	Yes (20)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (17)	Yes (20)

In 2021, the MT reported that a total of 31 training sessions were held for the staff of the Directorate of Policies for the Prevention and Eradication of Child Labor and the inspection corps. Trainings included courses on child labor prevention, reporting and investigation techniques, health and safety, and equality of opportunity and non-discrimination. (20) MT hired one Creole-speaking staff member to assist with translation during inspections. Furthermore, training in the Creole language for labor inspectors is being programmed. In addition, MT hired 23 new technicians specialized in addressing child labor issues for the Directorate of Policies for the Prevention and Eradication of Child Labor, to work in the offices of the Local Labor Representations (RLT) in the interior

# Dominican Republic

## MODERATE ADVANCEMENT

of the country. (20) These technicians accompany inspectors during worksite inspections and to the orientations inspectors provide to different civil society groups. (31)

During the reporting period, labor inspectors carried out orientation sessions at sugarcane plantations to educate workers on their rights and responsibilities. These sessions emphasized that child labor is forbidden in the cultivation and harvesting of sugarcane, and that if seen, violations must be reported to the relevant authorities. (20) These sessions were translated into Creole and reached thousands of sugarcane workers in the country, including 2,000 sugarcane workers on the Central Romana sugarcane plantations. (20)

The number of labor inspectors is likely insufficient for the size of the Dominican Republic'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 industrializing economies, the Dominican Republic would need to employ about 312 labor inspectors. (59,60) In 2021, a total of 56,938 worksite inspections were conducted, representing approximately 269 worksite inspections completed by each inspector. This is a high number of inspections conducted by each inspector, and it is likely that this high number negatively impacts the quality of such inspections. (20)

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. (45) Labor inspectors do not have authority to assess labor penalties; instead, they write infraction reports which are sent to prosecutors in the Office of the Attorney General (AG) for enforcement action if prosecutors determine it is necessary. The collection of civil penalties is also the responsibility of the judicial system. (17) In 2021, MT referred 45 cases of child labor violations to the AG for further enforcement action. (20,31) MT reports that they only have oversight of work situations with an employer-employee relationship, leaving children engaged in work in informal activities outside MT's purview. In such cases, CONANI is the agency with authority and jurisdiction to intervene. (20)

The Labor Inspection Manual instructs inspectors to assess child labor violations by reviewing workers' identity documents and employers' records, making observations, and conducting interviews. (61) However, 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. (13,20)

Research indicates that inspections are not always conducted in a timely manner after complaints or requests for inspections that are based on compliance abnormalities or violations are made. In addition, evidence suggests that inspection reports often contain errors and contradictions that undermine the credibility of these reports. (13) Research also indicates that substandard labor inspections, incomplete labor inspection reports, and a lack of prosecutorial resources have hindered the ability of the AG to pursue prosecutions on criminal matters involving child labor issues. (13) A formal referral mechanism allows MT to refer child labor victims found during labor inspections to CONANI. (15,19) During the reporting period, MT reported that 468 children and adolescents were identified through labor inspections in rural and urban areas and were removed from child labor, while another 506 were warned and made aware of the consequences of child labor, with 204 of these being referred to institutions to receive services. These referred children include 157 to CONANI, 17 to the SUPERATE program, and 5 to the AG's Office. (20)

MT reports that its budget is insufficient for the maintenance of the required offices, transportation, fuel, and other resources needed to carry out adequate inspections. In 2021, employees and unions complained that an insufficient number of inspections were taking place, and that there was a lack of follow-through on the inspections that were carried out. (20,62)

### Criminal Law Enforcement

In 2021, criminal law enforcement agencies in the Dominican Republic took actions to address child labor (Table 7). However, gaps exist within the operations of the criminal enforcement agencies that may hinder adequate criminal law enforcement, including insufficient allocation of financial resources.

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

Overview of Criminal Law Enforcement	2020	2021
Initial Training for New Criminal Investigators	Yes (17)	Yes (20)
Training on New Laws Related to the Worst Forms of Child Labor	N/A (17)	N/A (20)
Refresher Courses Provided	Unknown (17)	Yes (20)
Number of Investigations	Unknown (17)	Unknown (20)
Number of Violations Found	Unknown (17)	Unknown (20)
Number of Prosecutions Initiated	Unknown (17)	Unknown (20)
Number of Convictions	3 (63)	Unknown (20)
Imposed Penalties for Violations Related to the Worst Forms of Child Labor	Unknown (17)	Unknown (20)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (17)	Yes (20,31)

The government did not provide comprehensive information on its criminal law enforcement efforts during the reporting period.

During the reporting period, 155 trainees of the National Migration Institute received training on anti-human trafficking, while 25 trainees of the Tourist Police received training on child labor and human trafficking. In addition, members of the AG's Office received training on the worst forms of child labor and human trafficking. (20)

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. (4,13,24,30,64) The lack of an appropriate case tracking system also limits coordination between MT and the AG. Reports also indicate that some cases referred to the AG by MT are not subsequently investigated and prosecuted by the AG, which is partially due to this lack of coordination. (4,7,65) Moreover, research finds that CONANI does not have the resources, facilities, and institutional capacity to meet the demand for services nationwide. (1,2,4,66)

## 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 address child labor in the Dominican Republic. Overseen by MT and comprises ministerial representatives, labor unions, private sector representatives, and NGOs. (29,67) 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 6 times during the reporting period, while the steering committees carried out 665 meetings, and the Local Vigilance Committees held 117 meetings. (20) In these meetings they plan, organize monitoring, present complaints, and establish follow-ups for the prevention and eradication of child labor in each territory. All the institutions of the National Steering Committee to Eliminate Child Labor ( <i>Comité Directivo Nacional</i> ) participate, including governmental and non-governmental institutions such as neighborhood boards ( <i>juntas de vecinos</i> ), social and community organizations, clubs, associations, and others. (20) The sessions are held with the municipal boards of CONANI in each territory. In 2021, a total of 1,283 people (803 women and 480 men) participated in these meetings and orientations. (20) Meanwhile, 1,380 people participated in the 92 follow-up meetings held by the Directorate for the Prevention and Eradication of Child Labor. (20)

# Dominican Republic

## MODERATE ADVANCEMENT

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

Coordinating Body	Role & Description
Inter-Agency Commission Against Trafficking in Persons (CITIM)	Coordinates efforts to address 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. (24,68) Held two in-person meetings during the reporting period, and helped organize a high-level conference focused on comprehensive attention to survivors for World Day Against Trafficking in Persons on July 30, 2021. (69)
Social Policies Coordination Cabinet	Coordinates all social policies and conditional cash transfer programs, such as the SUPERATE program. Led by the Vice President. (13,31) In 2021, signed an agreement with the National Institute of Drinking Water and Sewage (INAPA) to join efforts to mitigate structural problems that hinder access to improved sanitation and basic services for communities in conditions of vulnerability. It also inaugurated technical-professional training centers as part of its <i>Oportunidad</i> 14–24 program. (31,70-72)
Cabinet for Children and Adolescents	Aims to provide effective protection for the rights of children and adolescents and promote their full personal and social development. (20,73) Chaired by the First Lady and coordinated by CONANI, it also coordinates and cooperates with civil society. (20) In 2021, together with CONANI and the National Institute for Comprehensive Care for Early Childhood (INAPI), delivered to the Senate for the consideration of the legislature a draft of a law that seeks to guarantee comprehensive early childhood care. (74)
Cabinet of Women, Adolescents, and Girls*	Seeks to ensure the effective application and design of comprehensive public policies to prevent, address, prosecute, punish, repair, and eradicate violence, in its different types and spheres, against women, adolescents, and girls. (20) Established on January 5, 2021, it includes representation from government ministries and agencies, such as the Ministry of the Presidency, Ministry of Defense, Ministry of Education, the AG's Office, National Police, and CONANI. It also has representation from civil society organizations, and the Autonomous University of Santo Domingo. (20)

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

During the reporting period, the Dominican Municipal League, the Dominican Federation of Municipalities (FEDOMU), and MT undertook a new inter-institutional cooperation agreement. Its purpose is to develop awareness and training programs for local government personnel to strengthen capacities for prevention and response to child labor. (20,75) It seeks to identify spaces and modalities of child labor in the municipalities, including the worst forms of child labor, to then execute programs and policies to address the issues identified. It is a means of integrating local governments in the efforts to address child labor throughout the country. (20,75) This initiative focuses on preventing the presence of minors in activities that pose any danger to their physical, mental, and emotional health, within public spaces such as: dumps, markets, cemeteries, parks, squares, and traffic lights, among others. (20,75)

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. (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 a lack of implementation of key national policies.

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

Policy	Description
Education Pact (2014–2030)	Includes strategies to address 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. (76) Implemented by the Ministry of Education and supported by the World Bank. (20,76) 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 to address child labor, provide universal education to all children, and expand access to secondary school, including for students without identity documents. (19,77) During the reporting period, and for the ninth consecutive year, the government continued to allocate 4 percent of the nation's GDP to primary and secondary education as indicated by the National Development Strategy. The purpose of this continued funding is to improve the national education system. (3,7,17–20,78) Within the framework of this policy, the government announced on February 27, 2021, that it was, in partnership with Save the Children and the European Union, finalizing the standards for a new Certification Program for Child Labor Free Companies (ELTI-RD), for which MT will have responsibility. The government anticipates beginning a pilot of this program in 2022. (20)



On June 22, 2021, MT published the Institutional Strategic Plan 2021–2024, which aims to provide institutional strategies for the medium term in response to the current challenges facing the labor market. The plan includes objectives, lines of action, goals, and priority public policies that will guide the agency's work, including on the issue of the prevention and eradication of child labor and its worst forms. (31,79)

## VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2021, 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 inadequacy of efforts to address the problem in all sectors.

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

Program	Description
SUPERATE†	Main poverty eradication strategy by the government that serves as the primary line of social protection actions. Focuses on social intervention through the integration of conditional cash transfers, socio-educational support, and links with other government programs and services. (80) Eight components help articulate its actions: educational inclusion; health, food security, and support in emergencies; economic inclusion; housing; identify yourself; care; woman overcome; and socio-familiar accompaniment. (80) 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. (80) During the reporting period, officials of SUPERATE met with the Permanent Commission on Childhood, Adolescence and Family of the Chamber of Deputies to identify opportunities for collaboration that can be articulated between SUPERATE and the Chamber of Deputies to benefit the vulnerable populations of children, adolescents, and women. (81,82)
<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. Provides adolescents and young people between ages 14 to 24 who have limited resources access to technical professional training, scholarships, a monthly provision of raw food, and transportation to study centers. (83–86) In 2021, opened more than 20 technical-professional training centers in different parts of the country to benefit socially vulnerable adolescents and young people to prepare them to enter the labor market or entrepreneurship. (87,88) The government also began administering the economic incentive for the youth who are participating in the program, which includes a monthly subsidy deposited in the accounts of participants receiving training for technical-professional careers. (89)
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) Due to the pandemic, the program largely lapsed for the 2020–2021 school year. (20) According to NGO reports, the school buildings remained open and were a distribution center for meals, which parents could collect for their families by turning in their children's homework notebooks. But the supervised instruction or mentoring that was previously available from the extended day programs was absent because teachers and students were engaged in virtual instruction. (20)
Line 700 Hotline†	Office of the First Lady's free hotline to enable citizens to report cases of the worst forms of child labor. (90) Reports indicate it was still active in 2021. (31)
Project to Reduce Child Labor and Improve Working Conditions in Agriculture in the Dominican Republic (FORMITRA) (2017–2022)	\$5 million USDOL-funded project implemented by the ILO. Aims to support the efforts of the Government of the Dominican Republic to address child labor and strengthen labor law enforcement in agriculture. (91) In 2021, supported the government in launching the Labor Inspection Manual, a systematization of good practices for labor inspections accumulated by the government. It collects in a single document the protocols and instruments of labor inspection used by MT currently, and all current and applicable regulations in employment relationships. (61) It provides guidance to labor inspectors on the actions they should take while carrying out labor inspections and specific guidance on which elements they should consider to determine whether violations related to child labor or forced labor are taking place. (61) During the reporting period, carried out 2 regional workshops on Child Labor for local MT representatives with 96 participants. (20) Additional information is available on the USDOL website.

† 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. (2,83,92–94)

In 2021, MT reported that together with the International Justice Mission and other institutions, it developed a project for labor insertions for labor and commercial sexual exploitation survivors. The plan is expected to be implemented in 2022. (20) In addition, the government opened 15 new shelters for victims of gender violence, with facilities for children as well, and a separate specialized shelter for victims of human trafficking. (69) The Directorate of Policies for the Prevention and Eradication of Child Labor also carried out awareness campaigns on child labor, specifically involving the tourism and agricultural sectors, educational counselors and psychologists,

# Dominican Republic

## MODERATE ADVANCEMENT

and employers, unions, and commerce associations. The Directorate reported a total of 380 awareness, training, and roundtable meetings in which 7,447 people participated. (20)

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)

NGOs report that child victims of human trafficking go to CONANI temporary homes until they are reunited with their families; survivors are not offered additional services. (20)

## VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE CHILD LABOR

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

**Table 11. 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 as elements of the crime.	2019 – 2021
	Ensure that the law criminally prohibits the recruitment of children under age 18 by non-state armed groups.	2016 – 2021
Enforcement	Increase the number of labor inspectors from 212 to 312 to meet the ILO's technical advice to provide adequate coverage of the workforce, especially in remote rural areas.	2009 – 2021
	Ensure that the number of inspections conducted by each inspector is appropriate to guarantee the quality and scope of inspections.	2020 – 2021
	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 – 2021
	Establish a system to verify the age of young workers to better protect children without birth certificates or other legal documentation from exploitation.	2012 – 2021
	Ensure that labor inspectors interview workers, in a safe environment, and that they are able to communicate with Creole-speaking workers, including those who may be underage, to adequately conduct inspections for child labor violations.	2012 – 2021
	Improve training of inspectors to increase the quality of interviews with employers and workers, gather consistent documentation, conduct timely re-inspections to ensure compliance, and use inspection data to enable prosecution.	2012 – 2021
	Publish comprehensive information on the number of child labor penalties imposed and collected, as well as on the number of criminal law enforcement investigations conducted, violations found, prosecutions initiated, number of convictions, and penalties imposed.	2009 – 2021
	Increase human and financial resources to ensure adequate criminal and labor law enforcement related to child labor.	2009 – 2021
	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 – 2021
	Ensure that the National Council for Children and Adolescents has sufficient resources and facilities to provide the necessary care for survivors of child labor.	2015 – 2021
Coordination	Provide legal authorization to allow labor inspectors to conduct inspections in the informal sector.	2021
	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 – 2021
Government Policies	Take steps to implement the policies related to child labor on an annual basis and publish information about these efforts.	2020 – 2021
Social Programs	Collect and publish data on the extent and nature of child labor to inform policies and programs.	2021
	Increase efforts to issue identity documents to all children to reduce their vulnerability to labor exploitation.	2011 – 2021
	Address the specific educational needs of vulnerable populations, including unaccompanied migrant children, children of parents who have been deported, and undocumented children.	2011 – 2021
	Increase school infrastructure and teacher availability, especially in rural areas, remove supply and school-related fees, and expand efforts to reduce racial or nationality discrimination in schools.	2011 – 2021

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

Area	Suggested Action	Year(s) Suggested
Social Programs	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 – 2021
	Expand social protection programs, particularly for child survivors of commercial sexual exploitation and harmful agricultural work, and ensure that programs also provide services to vulnerable children without regular identity documents.	2010 – 2021

### REFERENCES

- Office of the United Nations High Commissioner for Human Rights. End of mission statement of the UN Special Rapporteur on the sale and sexual exploitation of children, Maud de Boer-Buquicchio, on her visit to the Dominican Republic (8–15 May 2017). Santo Domingo, May 15, 2017. <http://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=21632&LangID=E>
- ILO. Application of International Labour Standards - Report of the Committee of Experts on the Application of Conventions and Recommendations. 2017. [http://www.ilo.org/wcmsp5/groups/public/---ed\\_norm/---relconf/documents/meetingdocument/wcms\\_543646.pdf](http://www.ilo.org/wcmsp5/groups/public/---ed_norm/---relconf/documents/meetingdocument/wcms_543646.pdf)
- U.S. Embassy- Santo Domingo. Reporting. January 28, 2020.
- U.S. Embassy- Santo Domingo. Reporting. March 20, 2020.
- U.S. Department of State. Trafficking in Persons Report- 2020: Dominican Republic. Washington, D.C., June 26, 2020. <https://www.state.gov/reports/2020-trafficking-in-persons-report/dominican-republic/>
- Oficina del Alto Comisionado de las Naciones Unidas para los Derechos Humanos. Observaciones finales sobre el sexto informe periódico de la República Dominicana. November 9, 2017: CCPR/C/DOM/CO/6. [http://tbinternet.ohchr.org/\\_layouts/treatybodyexternal/Download.aspx?symbolno=CCPR/C/DOM/CO/6&Lang=En](http://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=CCPR/C/DOM/CO/6&Lang=En)
- U.S. Embassy- Santo Domingo. Reporting. February 8, 2018.
- UNESCO Institute for Statistics. Gross intake ratio to the last grade of primary education, both sexes (%). Accessed March 3, 2022. For more information, please see "Children's Work and Education Statistics: Sources and Definitions" in the Reference Materials section of this report. <http://data.uis.unesco.org/>
- ILO. Analysis of Child Economic Activity and School Attendance Statistics from National Household or Child Labor Surveys. Original data from Multiple Indicator Cluster Survey 6 (MICS 6), 2019. Analysis received March 2022. For more information, please see "Children's Work and Education Statistics: Sources and Definitions" in the Reference Materials section of this report.
- USDOL. Interviews with USDOL official. April 7–9, 2014.
- U.S. Embassy- Santo Domingo. Reporting. February 19, 2014.
- U.S. Department of Labor, Office of Trade and Labor Affairs. Public Report of Review of U.S. Submission 2011-03 (Dominican Republic). Washington, D.C.; September 27, 2013. Source on file.
- U.S. Embassy- Santo Domingo. Reporting. February 17, 2017.
- Al Momento. El trabajo infantil: amenaza de la sociedad actual. June 20, 2017. <http://almomento.mx/trabajo-infantil-amenaza-la-sociedad-actual/>
- Government of the Dominican Republic. Informe y Memoria de las Ejecuciones del Periodo Enero-Diciembre del 2017. Ministerio de Trabajo, December 6, 2017. Source on file.
- U.S. Embassy- Santo Domingo. Reporting. February 15, 2019.
- U.S. Embassy- Santo Domingo. Reporting. January 29, 2021.
- U.S. Embassy- Santo Domingo. Reporting. February 13, 2015.
- Government of the Dominican Republic. Written Communication. Submitted in response to U.S. Department of Labor's "Request for Information on Efforts by Certain Countries to Eliminate the Worst Forms of Child Labor." Washington, D.C., January 17, 2017. Source on file.
- U.S. Embassy- Santo Domingo. Reporting. February 18, 2022.
- U.S. Department of State. Trafficking in Persons Report- 2019: Dominican Republic. Washington, D.C., June 20, 2019. <https://www.state.gov/reports/2019-trafficking-in-persons-report-2/dominican-republic/>
- Global Slavery Index. Dominican Republic. 2018. <https://www.globalslaveryindex.org/2018/data/country-data/dominican-republic/>
- U.S. Embassy- Santo Domingo. Reporting. February 19, 2021.
- U.S. Department of State. Trafficking in Persons Report- 2017: Dominican Republic. Washington, D.C., June 27, 2017. <https://www.state.gov/reports/2017-trafficking-in-persons-report/dominican-republic/>
- U.S. Department of State. Trafficking in Persons Report- 2017: Haiti. Washington, D.C., June 27, 2017. <https://www.state.gov/reports/2017-trafficking-in-persons-report/haiti/>
- Sáez, Aitor. Tráfico de Personas y Esclavitud: los Infernales Destinos para la Infancia de Haití. El País, March 2, 2021. <https://elpais.com/planeta-futuro/2021-03-02/trafico-y-esclavitud-los-infernales-destinos-para-la-infancia-de-haiti.html>
- Bleszynska, Katya. Child Trafficking Thrives Along Haitian-Dominican Border. InSight Crime, March 29, 2021. <https://insightcrime.org/news/child-trafficking-thrives-along-haitian-dominican-border/#:~:text=Recent media reports have revealed,and boys forced to work.&text=Two of the victims – ages,to have sex with foreigners>
- U.S. Department of State. Country Reports on Human Rights Practices- 2020: Dominican Republic. Washington, D.C., March 30, 2021. <https://www.state.gov/reports/2020-country-reports-on-human-rights-practices/dominican-republic/>
- U.S. Department of State. Country Reports on Human Rights Practices- 2016: Dominican Republic. Washington, D.C., March 3, 2017. <https://www.state.gov/reports/2016-country-reports-on-human-rights-practices/dominican-republic/>
- U.S. Embassy- Santo Domingo official. E-mail communication to USDOL official. June 30, 2021.
- U.S. Embassy- Santo Domingo official. E-mail communication to USDOL official. July 8, 2022.
- PBS NewsHour Weekend. Citizenship shift leaves Dominican-Haitians stateless. April 8, 2019. <https://www.pbs.org/newshour/show/citizenship-shift-leaves-dominican-haitians-stateless>
- Amnesty International. Dominican Republic Annual Report 2020. April 7, 2021. <https://www.amnesty.org/en/countries/americas/dominican-republic/report-dominican-republic/#endnote-2>
- John Hopkins University and OBMICA. FY 14: Gender-based violence among stateless and national populations in the Dominican Republic. November 2017. <https://www.state.gov/prm-funded-research-and-evaluation/gender-based-violence-among-stateless-and-national-populations-in-the-dominican-republic/>

# Dominican Republic

## MODERATE ADVANCEMENT

- 35 IOM Haiti. IOM Haiti Border Monitoring Situation Report: Tracking Returnees from the Dominican Republic. September 28, 2017. <https://reliefweb.int/report/haiti/iom-haiti-border-monitoring-situation-report-tracking-returnees-dominican-republic>
- 36 USDOL. Interviews with USDOL official. 2022.
- 37 Government of the Dominican Republic. Código para el Sistema de Protección y los Derechos Fundamentales de los Niños, Niñas, y Adolescentes, No. 136-03. Enacted: 2003. [http://www.oas.org/dil/esp/LEY\\_136-03\\_-\\_Codigo\\_para\\_el\\_Sistema\\_de\\_Proteccion\\_y\\_los\\_Derechos\\_Fundamentales\\_de\\_Niños\\_Niñas\\_y\\_Adolescentes\\_Republica\\_Dominicana.pdf](http://www.oas.org/dil/esp/LEY_136-03_-_Codigo_para_el_Sistema_de_Proteccion_y_los_Derechos_Fundamentales_de_Niños_Niñas_y_Adolescentes_Republica_Dominicana.pdf)
- 38 Ministerio de Educación. Circular No. 18 de fecha 27 de julio de 2011. July 2011. Source on file.
- 39 Ministry of Education official. Interview with USDOL official. March 29, 2019.
- 40 Government of the Dominican Republic, Ministerio de Educación. Manual Operativo de Centro Educativo Público. 2013. Source on file.
- 41 U.S. Embassy- Santo Domingo official. E-mail communication to USDOL official. June 28, 2018.
- 42 Government of the Dominican Republic- Ministry of Education. Certificación de Bachiller (del Año 1994 en Adelante) (Pruebas Nacionales). 2015. <http://servicios.dominicana.gob.do/servicio.php?id=97>
- 43 The Borgen Project. Education in the Dominican Republic. January 11, 2017. <https://borgenproject.org/education-in-the-dominican-republic/>
- 44 Government of the Dominican Republic. Constitución de la República Dominicana. Enacted: June 13, 2015. [http://www.ilo.org/dyn/natlex/natlex4.detail?p\\_lang=en&p\\_isn=101183&p\\_country=DOM](http://www.ilo.org/dyn/natlex/natlex4.detail?p_lang=en&p_isn=101183&p_country=DOM)
- 45 Government of the Dominican Republic. Código de Trabajo de la República Dominicana, No. 16-92. Enacted: 1992. Source on file.
- 46 Government of the Dominican Republic. Resolución Sobre Trabajos Peligrosos e Insalubres para Personas Menores de 18 Años, No. 52/2004. Enacted: August 13, 2004. <http://www.ilo.org/dyn/natlex/docs/SERIAL/69773/68796/F452892919/DOM69773.pdf>
- 47 Government of the Dominican Republic. Ley contra el Tráfico Ilícito de Migrantes y Trata de Personas, No. 137-03. Enacted: August 2003. Source on file.
- 48 Government of the Dominican Republic. Ley sobre Crímenes y Delitos de Alta Tecnología, No. 53-07. Enacted: April 23, 2007. [http://www.oas.org/juridico/PDFs/repdom\\_ley5307.pdf](http://www.oas.org/juridico/PDFs/repdom_ley5307.pdf)
- 49 Government of the Dominican Republic. Ley sobre Drogas y Sustancias Controladas de la República Dominicana, No. 50-88. Enacted: May 30, 1988. Source on file.
- 50 Government of the Dominican Republic. Ley Orgánica de las Fuerzas Armadas de la República Dominicana, No. 139-13, Gaceta Oficial No. 10728 del 19 de septiembre de 2013. Enacted: September 13, 2013. [http://www.oas.org/juridico/spanish/mesicic2\\_repdom\\_sc\\_anexo\\_4\\_sp.pdf](http://www.oas.org/juridico/spanish/mesicic2_repdom_sc_anexo_4_sp.pdf)
- 51 Government of the Dominican Republic. Ley Orgánica de Educación, No. 66-97. Enacted: April 9, 1997. [http://www.oei.es/quipu/dominicana/LeyEdu66\\_97.pdf](http://www.oei.es/quipu/dominicana/LeyEdu66_97.pdf)
- 52 Government of the Dominican Republic. Ministry of Labor Strategic Plan (2017–2020). 2017. [http://mt.gob.do/transparencia/images/docs/plan\\_estrategico/Plan-Estrategico.2017-2020.pdf](http://mt.gob.do/transparencia/images/docs/plan_estrategico/Plan-Estrategico.2017-2020.pdf)
- 53 U.S. Embassy- Santo Domingo. Reporting. March 14, 2017.
- 54 Government of the Dominican Republic. Procuraduría Especializada Contra el Tráfico Ilícito de Migrantes y Trata de Personas: Quiénes Somos. Accessed May 24, 2021. <https://pgr.gob.do/pett/>
- 55 ILO. La región llamó a proteger a niños y niñas del trabajo infantil en los conflictos y las catástrofes. June 20, 2017. [http://www.ilo.org/san jose/sala-de-prensa/WCMS\\_559191/lang-es/index.htm](http://www.ilo.org/san jose/sala-de-prensa/WCMS_559191/lang-es/index.htm)
- 56 Government of the Dominican Republic, Ministerio de Trabajo. Ministerio de Trabajo alcanza 41 células de vigilancia contra el trabajo infantil a nivel nacional. May 10, 2019. <https://mt.gob.do/index.php/noticias/item/ministerio-de-trabajo-alcanza-41-celulas-de-vigilancia-contra-el-trabajo-infantil-a-nivel-nacional>
- 57 Government of the Dominican Republic, Ministerio de Trabajo. Ministerio de Trabajo sensibiliza y juramenta nueva célula de vigilancia contra el trabajo infantil. July 15, 2019. <https://mt.gob.do/index.php/noticias/item/ministerio-de-trabajo-sensibiliza-y-juramenta-nueva-celula-de-vigilancia-contra-el-trabajo-infantil>
- 58 Reyes Rodriguez, Patricia. Ministerio de Trabajo crea células de vigilancia contra el trabajo infantil en zonas turísticas y cañeras. Listin Diario, June 12, 2019. <https://listindiario.com/economia/2019/06/12/569639/ministerio-de-trabajo-crea-celulas-de-vigilancia-contra-el-trabajo-infantil-en-zonas-turisticas-y-caneras>
- 59 ILO Labor Force Statistics (LFS) – Population and labour force. Accessed (January 25, 2022). Labor force data is government-reported data collected by the ILO. Please see "Labor Law Enforcement: Sources and Definitions" in the Reference Materials section of this report. <https://ilostat.ilo.org/data/>
- 60 UN. World Economic Situation and Prospects 2021 Statistical Annex. New York, 2021. Please see "Labor Law Enforcement: Sources and Definitions" in the Reference Materials section of this report. <https://www.un-ilibrary.org/content/books/9789210054980/read>
- 61 Government of the Dominican Republic. Manual de Inspección del Trabajo: Protocolo de Buenas Prácticas de Inspección del Trabajo y Protocolo de Investigación y Verificación de Derechos Laborales. Ministry of Labor, November 24, 2021. Source on file.
- 62 Reyes, Rosa. Denuncias a Granel de Violaciones Laborales en los Call Centers. CDN, October 11, 2021. <https://cdn.com.do/en-desarrollo/denuncias-a-granel-de-violaciones-laborales-en-los-call-centers/>
- 63 Government of the Dominican Republic. Written Communication to USDOL official. Washington, DC. July 9, 2021. Source on file.
- 64 U.S. Embassy- Santo Domingo. Reporting. February 26, 2018.
- 65 U.S. Embassy- Santo Domingo. Reporting. December 27, 2017.
- 66 U.S. Embassy- Santo Domingo official. E-mail communication to USDOL official. June 21, 2019.
- 67 Government of the Dominican Republic. Decreto No. 144-97. 1997. Source on file.
- 68 Government of the Dominican Republic. Plan Nacional de Acción contra la Trata de Personas y el Tráfico Ilícito de Migrantes 2017–2020. 2019. Source on file.
- 69 U.S. Embassy- Santo Domingo. Reporting. February 5, 2022.
- 70 Government of the Dominican Republic. Gabinete de Política Social e INAPA Firman Convenio para Aunar Esfuerzos en Beneficio de Comunidades Más Vulnerables del País. Social Policy Cabinet. September 30, 2021. <https://gabinetesocial.gob.do/gabinete-de-politica-social-e-inapa-firman-convenio-para-aunar-esfuerzos-en-beneficio-de-comunidades-mas-vulnerables-del-pais/>
- 71 Government of the Dominican Republic. Gabinete de Política Social Inaugura Primer Centro "Oportunidad 14-24" con Apoyo Comunitario en Santo Domingo Oeste. Social Policy Cabinet. October 8, 2021. <https://gabinetesocial.gob.do/gabinete-de-politica-social-inaugura-primero-centro-oportunidad-14-24-con-apoyo-comunitario-en-santo-domingo-oeste/>
- 72 Government of the Dominican Republic. Gabinete Social Dejó en Funcionamiento Cuatro Centros de "Oportunidad 14-24" en María Trinidad Sánchez y Duarte. Social Policy Cabinet. December 10, 2021. <https://gabinetesocial.gob.do/gabinete-de-politica-social-dejo-en-funcionamiento-cuatro-centros-de-oportunidad-14-24-en-maria-trinidad-sanchez-y-duarte/>
- 73 Listin Diario. Ponen en Marcha el Gabinete de la Niñez. December 9, 2020. <https://listindiario.com/la-republica/2020/12/09/647608/ponen-en-marcha-el-gabinete-de-la-ninez>

- 74 Government of the Dominican Republic. Conani, Inai y el Gabinete de Niñez y Adolescencia Entregan al Congreso un Anteproyecto de Ley para la Primera Infancia. November 1, 2021.  
<https://presidencia.gob.do/noticias/conani-inai-y-el-gabinete-de-ninez-y-adolescencia-entregan-al-congreso-un-anteproyecto>
- 75 Government of the Dominican Republic. Ministerio de Trabajo, Fedomu y Liga Municipal se Comprometen a Erradicar el Trabajo Infantil. October 8, 2021.  
<https://mt.gob.do/index.php/noticias/item/ministerio-de-trabajo-fedomu-y-liga-municipal-se-comprometen-a-erradicar-el-trabajo-infantil>
- 76 Government of the Dominican Republic. Pacto Nacional para la Reforma Educativa en la República Dominicana (2014–2030). April 1, 2014. Source on file.
- 77 Government of the Dominican Republic. Ministerio de Economía, Planificación y Desarrollo. Ley 1-12 Estrategia Nacional de Desarrollo 2030. Santo Domingo: 2012. Source on file.
- 78 Listin Diario. República Dominicana está bien posicionada para enfrentar el reto de la crisis de aprendizaje mundial, según Banco Mundial. April 3, 2018.  
<https://listindiario.com/economia/2018/04/03/508953/república-dominicana-está-bien-posicionada-para-enfrentar-el-reto-de-la-crisis-de-aprendizaje-mundial-según-banco-mundial>
- 79 Government of the Dominican Republic. Plan Estratégico Institucional 2021-2024. Ministry of Labor. June 22, 2021.  
[https://www.mt.gob.do/transparencia/images/docs/plan\\_estrategico/PLAN ESTRATEGICO/Plan Estratégico Institucional 2021-2024, \(para publicación\).pdf](https://www.mt.gob.do/transparencia/images/docs/plan_estrategico/PLAN ESTRATEGICO/Plan Estratégico Institucional 2021-2024, (para publicación).pdf)
- 80 Government of the Dominican Republic. Supérate: Somos Supérate. Accessed May 15, 2022.  
<https://www.superate.gob.do/nosotros/somos-superate/>
- 81 Government of the Dominican Republic. Written Communication: Report of the Dominican Republic on Advances on Child Labor and its Worst Forms for 2021. February 4, 2022. Source on file.
- 82 Government of the Dominican Republic. Supérate Une Esfuerzos con Comisión de la Niñez, Adolescencia y Familia de la Cámara de Diputados. Supérate, July 8, 2021.  
<https://www.superate.gob.do/noticias/superate-une-esfuerzos-con-comision-de-la-ninez-adolescencia-y-familia-de-la-camara-de-diputados/>
- 83 Government of the Dominican Republic. El Programa Oportunidad 14-24 Trabaja en la Reinserción Jóvenes a la Sociedad. October 23, 2020.  
<https://presidencia.gob.do/noticias/el-programa-oportunidad-14-24-trabaja-en-la-reinsercion-jovenes-la-sociedad>
- 84 Government of the Dominican Republic. Gobierno Pone en Operación “Oportunidad 14-24” para Formación y Facilidad Laboral de Jóvenes en Alto Riesgo. November 20, 2020.  
<https://gabinetesocial.gob.do/gobierno-pone-en-operacion-oportunidad-14-24-para-formacion-y-facilidad-laboral-de-jovenes-en-alto-riesgo/>
- 85 Government of the Dominican Republic. Plan Social Asiste a Cientos de Jóvenes del Programa “Oportunidad 14-24”. February 24, 2021.  
<http://www.pasp.gob.do/index.php/noticias/item/456-plan-social-asiste-a-cientos-de-jovenes-del-programa-oportunidad-14-24>
- 86 Government of the Dominican Republic. Resumen Ejecutivo: Programa Oportunidad 14-24. October 2020.  
<https://gabinetesocial.gob.do/wp-content/uploads/2020/10/Resumen-Ejecutivo-Oportunidad-1424.pdf>
- 87 Government of the Dominican Republic. Programa Oportunidad 14-24 Garantiza Esperanza de Empleos para Jóvenes de la Región Sur del País. September 25, 2021.  
<https://presidencia.gob.do/noticias/programa-oportunidad-14-24-garantiza-esperanza-de-empleos-para-jovenes-de-la-region-sur>
- 88 El Nuevo Diario. Gabinete Social Abre Cuatro Centros de “Oportunidad 14-24” en María Trinidad Sánchez y Duarte. December 10, 2021.  
<https://elnuevodiario.com.do/gabinete-social-abre-cuatro-centros-de-oportunidad-14-24-en-maria-trinidad-sanchez-y-duarte/>
- 89 Hoy. Inician Entrega de Incentivos a Participantes de “Oportunidad 14-24”. December 16, 2021.  
<https://hoy.com.do/inician-entrega-de-incentivos-a-participantes-de-oportunidad-14-24/>
- 90 Portal Oficial del Estado Dominicano. Línea 700. Website, Accessed April 21, 2021.  
<https://dominicana.gob.do/index.php/component/k2/item/29-linea-700>
- 91 USDOL. Project to Reduce Child Labor and Improve Working Conditions in Agriculture in the Dominican Republic. ILAB. Accessed May 15, 2022.  
<https://www.dol.gov/agencies/ilab/project-reduce-child-labor-and-working-conditions-agriculture-dominican-republic>
- 92 UNICEF. Dominican Republic- Country programme document (2018–2022). August 9, 2017: E/ICEF/2017/P/L.17.  
[https://www.unicef.org/about/execboard/files/2017-PL17-Dominican\\_Republic-CPD-ODS-EN.pdf](https://www.unicef.org/about/execboard/files/2017-PL17-Dominican_Republic-CPD-ODS-EN.pdf)
- 93 UNICEF. UNICEF Executive Board session closes emphasizing strong partnerships for every child. September 18, 2017. Source on file.
- 94 ILO. Rol de la OIT en la mejora de las condiciones laborales y de la productividad de la Cadena de Valor del Banano en la República Dominicana. 2018. Source on file.



In 2021, Ecuador made significant advancement in efforts to eliminate the worst forms of child labor. The Attorney General's Office trained over 2,000 prosecutors and administrative staff on sexual crimes against minors and trafficking in persons. The Ministries of Labor and Social and Economic Inclusion also developed inspection plans in the agricultural sector in rural areas, a sector that had previously been lacking in inspections, and worked with their counterparts in Colombia to establish mechanisms to address child labor in the illegal mining sector along the Ecuador-Colombia border. Under the National Action Plan to Combat Trafficking in Persons, the government held various anti-trafficking trainings for labor inspectors, prosecutors, and police officers, among others. In addition, the Business Network for a Child Labor Free Ecuador – a public-private partnership helmed by the Ministry of Labor – also continued its work with 73 business entities, focusing on child labor issues in the priority sectors of bananas, flowers, fishing, and mining. 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. Although the government continued efforts to eradicate child labor, the National Project to Eradicate Child Labor formally ended in December 2021 and a replacement program or institutional body has not been identified.



### 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.

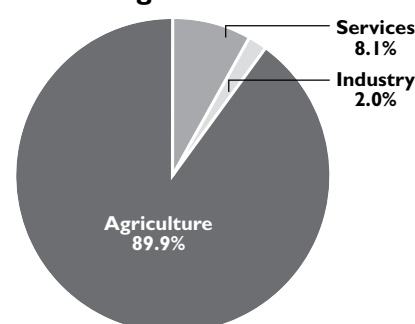
**Table 1. Statistics on Children's Work and Education**

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. (1,5-7)

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

# Ecuador

## SIGNIFICANT ADVANCEMENT

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

Sector/Industry	Activity
Agriculture	Production of bananas, coffee, cocoa, palm oil, and flowers - primarily for domestic consumption; including the use of chemical products† and machetes† (5,6,8-12)
	Fishing† (1,11)
	Hazardous work in the carving† and threading† of abacá fiber (1,12)
Industry	Gold mining† and small-scale mining† (9,10)
	Production of bricks† (9,10)
	Construction † and brickwork (1,5,6)
Services	Domestic work† (8,12)
	Street work, including begging and vending (1,11,13)
Categorical Worst Forms of Child Labor‡	Commercial sexual exploitation, sometimes as a result of human trafficking (8,15)
	Use in illicit activities, including drug trafficking and robbery, sometimes as result of human trafficking (1,7,11)
	Recruitment of children by Colombian non-state armed groups for use in armed conflict, sometimes as a result of human trafficking (11,14)
	Use in the production of pornography (1,2)
	Forced labor in small scale banana plantations as well as palm plantations, cacao, coffee, floriculture, mining; and in domestic work, street vending, and begging (1,11,12)

† 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.

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. (1,16-18) 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 particularly in the northern province of Imbabura. (1,5,6,16,19) 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. (1,9,20)

Migrant and refugee children from other Latin American countries and indigenous and Afro-Ecuadorian girls are used in child prostitution. (1,5,6,11,21) Child prostitution in Ecuador also occurs near illegal mining sites. (1,22) Venezuelan, Colombian, and Peruvian girls are victims of sex trafficking in Ecuador, particularly in irregular border crossing areas. (2,11,12) Networks for commercial sexual exploitation, including sex trafficking, also recruit children from schools, and, increasingly, through social media platforms. (2,19) Traffickers force children into criminality, recruiting them to engage in drug trafficking and robbery. (1,11)




Despite education being free in Ecuador, children face barriers to accessing education including lack of space and teachers, inadequate school infrastructure, teen pregnancy, and lack of transportation for children who must attend schools far from their homes. (5,6,16)

Due to the continued effects of the COVID-19 pandemic, the majority of an estimated 4.6 million students attended hybrid in-person/virtual schooling, or exclusively virtual schooling, during the reporting period. (1) A lack of access to the Internet or electronic devices increased absentee and dropout rates, especially in rural areas. (1) Reports indicate that approximately 110,000 children abandoned their studies as a result of continued school closures. (1) 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. (1,6)

## 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 (23,24)
Minimum Age for Hazardous Work	Yes	18	Article 87 of the Childhood and Adolescence Code (24)
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 (25,26)
Prohibition of Forced Labor	Yes		Articles 82, 91, 105, and 213 of the Integral Penal Code (27)
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 (27)
Prohibition of Using Children in Illicit Activities	Yes		Articles 47, 219, and 220 of the Integral Penal Code (27)
Minimum Age for Voluntary State Military Recruitment	Yes	18	Article 57 of the Childhood and Adolescence Code; Article 161 of the Constitution (23,24)
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 Integral Penal Code; Article 57 of the Childhood and Adolescence Code; Article 161 of the Constitution (22,23,26)
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 (23,29)

\*Country has 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).

# Ecuador

## SIGNIFICANT ADVANCEMENT

**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. (1,6) Using the Unified System of Registration of Child Labor (SURT), collects information on child laborers and refers children to appropriate government services. (1,6)
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. (5,6,16) 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. (1,6) Finances the activities of these organizations at the local level and focuses on familial child labor and child labor in the informal sector. (1,6)
Attorney General's Office (AGO)	Enforces criminal laws against child labor and hazardous child labor, including the prosecution of cases. (8,17) 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. (17)
Ministry of Government (MOG)	Oversees the National Unit for the Investigation and Protection of Children and Adolescents (UNIPEN). (1) UNIPEN investigates all crimes against children, including abuse, sexual exploitation, sex tourism, smuggling, kidnapping, exploitative child labor, and forced labor. (1) UNIPEN's National Investigative Unit against Trafficking in Persons and Illicit Smuggling of Migrants also investigates child trafficking cases, assists victims, and arrests traffickers. (1,29)

### Labor Law Enforcement

In 2021, labor law enforcement agencies in Ecuador took actions to address child labor (Table 6). However, gaps exist within the operations of the Ministry of Labor (MOL) that may hinder adequate labor law enforcement, including insufficient human resource allocation.

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

Overview of Labor Law Enforcement	2020	2021
Labor Inspectorate Funding	\$2,874,793 (32)	\$2,187,168 (8)
Number of Labor Inspectors	160 (32)	117 (8)
Mechanism to Assess Civil Penalties	Yes (32,33)	Yes (31)
Initial Training for New Labor Inspectors	Yes (32)	Yes (8)
Training on New Laws Related to Child Labor	N/A (7)	Yes (1)
Refresher Courses Provided	Yes (2)	N/A (14)
Number of Labor Inspections Conducted	7,559 (32)	12,335 (8)
Number Conducted at Worksite	7,559 (2)	12,335 (8)
Number of Child Labor Violations Found	6 (32)	5 (8)
Number of Child Labor Violations for Which Penalties Were Imposed	3 (32)	19 (1)
Number of Child Labor Penalties Imposed that Were Collected	3 (32)	19 (8)
Routine Inspections Conducted	Yes (34)	Yes (8)
Routine Inspections Targeted	Yes (2)	Yes (8)
Unannounced Inspections Permitted	Yes (33)	Yes (8)
Unannounced Inspections Conducted	Yes (32)	Yes (8)
Complaint Mechanism Exists	Yes (32)	Yes (8)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (32)	Yes (8)

Officials from the National Project to Eradicate Child Labor (PETI) accompanied labor inspectors for 5,990 verifications and labor inspections. They assisted labor inspectors in identifying child labor infractions and provided technical advice on current legal regulations and the process to hire adolescents between 15 and 17 years of age in permitted activities. (1) The MIES also participated in join inspections with the MOL in street stands, slaughterhouses, and other locations where child labor tended to be most prevalent. (1) The PETI program and the MOL proactively collaborated on inspection plans, prioritizing inspections in the agricultural sector in rural areas, a sector that had previously been lacking in inspections. (1,16) Although the MIES reported

5 child labor violations found, they reported 19 penalties imposed for violations of the worst forms of child labor because companies were found in violation under five different codes of the law. (15)

In 2021, there were 117 labor inspectors in Ecuador, a decrease of 43 inspectors from 2020. (1) The overall labor inspectorate budget and the PETI budgets both decreased in 2021. (1) There are also no inspectors in the country dedicated only to child labor issues. (1) The number of labor inspectors is likely insufficient for the size of Ecuador's workforce, which includes approximately 7.5 million workers. According to the ILO's technical advice of 1 inspector for every 15,000 workers in developing economies, Ecuador would need to employ roughly 502 labor inspectors. (33,34)

The MOL also reported that the labor inspectorate lacked the necessary resources, such as transportation and equipment, to fulfill its mandate. (5) Furthermore, inspectors do not have sufficient knowledge of child labor laws and lack training on identifying victims of trafficking in persons. (17,19) While Ecuador's labor inspectors do carry out inspections in the informal sector, they focus primarily on formal sector employment. (1) 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. (1) The government does not publish information from the Unified System of Registration of Child Labor (SURTl). (17)

### **Criminal Law Enforcement**

In 2021, criminal law enforcement agencies in Ecuador took actions to address 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 resources to adequately investigate trafficking in persons cases.

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

Overview of Criminal Law Enforcement	2020	2021
Initial Training for New Criminal Investigators	Yes (32)	Yes (8)
Training on New Laws Related to the Worst Forms of Child Labor	N/A (7)	N/A (8)
Refresher Courses Provided	Yes (34)	N/A (14)
Number of Investigations	330 (32)	479 (8)
Number of Violations Found	Unknown (2,34)	Unknown
Number of Prosecutions Initiated	277 (32)	Unknown
Number of Convictions	Unknown (2)	Unknown
Imposed Penalties for Violations Related to the Worst Forms of Child Labor	Yes (32)	Yes (8)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (32)	Yes (8)

The Attorney General's Office (AGO) reported finding 227 victims under the age of 18 involved in 6 types of criminal violations related to the worst forms of child labor in 2021. (1) They also reported that until November 2021, 32 minors were rescued and transferred to the Specialized Victim Witness Protection Program (SPAVT), 5 of whom were victims of trafficking in persons for the purpose of sexual exploitation. (1) The MIES assisted 11,700 children and adolescents vulnerable to child labor during the reporting period. (1) Numbers on convictions were also not available, but the AGO reported that 12 individuals were indicted or "processed" for child labor crimes during the reporting period. (1)

The AGO also conducted several virtual and in-person trainings through the Directorate of Training and Mission Strengthening during the reporting period. These included a training in April for over 2,000 prosecutors and administrative staff on sexual crimes against minors and a training in October for 29 prosecutors and administrative staff on anti-trafficking in persons efforts. (1) The MOG also conducted various trainings for labor inspectors, prosecutors, specialized police units, and other staff, including new employees from the National Police's specialized units on issues related to human trafficking and amendments to the Criminal Law. (1) Ecuador's Judicial Council signed a framework agreement with the Judicial Power of Peru to strengthen judicial cooperation on trafficking in persons crimes and other issues. (2)



# Ecuador

## SIGNIFICANT ADVANCEMENT

Civil society reports that the National Investigative Unit and La Dirección Nacional de Policía Especializada para Niños, Niñas y Adolescentes (DINAPEN) lack resources to investigate trafficking in persons cases adequately. (30) 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) 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. (2) Although the MIES will generally assign child victims to shelters depending on space availability, officials cite a lack of shelters in many provinces as a primary constraint in victim assistance. (5,16,19,35,36)

## IV. COORDINATION OF GOVERNMENT EFFORTS ON CHILD LABOR

The government has established mechanisms to coordinate its efforts to address child labor (Table 8). However, gaps exist that hinder the effective coordination of efforts to address child labor, including a lack of 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-Agency Committee for the Eradication of Child Labor	Coordinates government efforts to combat child labor. Includes participation from MOL, MOG, AGO, and MIES. (1,15) Regional councils on children and adolescence represent local governments on the committee. (5) Coordinated government efforts to combat child labor in 2021 under the Lenin Moreno administration, but following the change in presidents in May, did not meet again. (1) The government did not report any clear replacement body for this committee. (1)
Inter-Agency Sub-Committee for the Eradication of Child Labor (Mesa Interinstitucional de Erradicación del Trabajo Infantil)	Coordinates regional efforts to address child labor. (36) Participants include MIES; Regional Councils of Childhood and Adolescence; ministries of Education, Labor, and Interior; DINAPEN; and AGO. (35,36) Local committees worked with the MOL to coordinate work on child labor eradication and report cases of child labor via the SURTI system during the reporting period. (1)
Inter-Institutional Coordinating Committee for the Prevention of Trafficking in Persons and Illicit Traffic in Migrants	Coordinates government efforts to address human trafficking through prevention and the promotion of rights, the integral protection of the rights of victims, and investigation and sentencing. (37) Chaired by the Ministry of Government and established as part of the National Plan to Combat Human Trafficking, Sexual and Labor Exploitation, and Other Forms of Exploitation (1,37) This committee met periodically during the reporting period to coordinate anti-trafficking in persons efforts and developed a reporting mechanism to help schools deal with potential trafficking cases. (1,2)
Technical Secretariat for Ecuador's Growth Without Child Malnutrition	Establishes food and nutritional security as a national policy to improve children's health and nutrition as a baseline priority for youth wellbeing. (8) Created in May 2021 as a replacement for the previous administration's Technical Secretariat for the Lifetime Plan. (8)
National Council for Inter-Generational Equity (CNII)	Coordinates inter-agency efforts to protect the rights of vulnerable populations, including children. (38) The CNII provided feedback to the MIES on draft reforms to the Organic Code for Comprehensive Protection of Children during the reporting period. (1)

During the reporting period, the MOL and MIES worked with their Colombian counterparts to establish mechanisms to address child labor in the illegal mining sector along the Ecuador-Colombia border. (1) The MIES also launched a series of national roundtables in October to coordinate interagency actions to prevent and address child begging and child labor. The roundtables prioritized actions in 21 districts where street begging and child labor are most prevalent. (1) However, the MOL also reported that the ongoing pandemic and the change in presidential administration limited interagency coordination in 2021. (1) The government continues to struggle with ensuring that some children rescued from working in the informal sector receive adequate social assistance. (40)

## 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 an active and permanent policy to address child labor.

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

Policy	Description
National Project to Eradicate Child Labor (PETI) (2018 - 2021)	Established a strategy to eradicate child labor in Ecuador by 2021 and prevent hazardous child labor in agriculture, manufacturing, construction, and mining. The project was led by the Ministry of Labor (MOL) and operated under the National Plan for Good Living. (8,16,41) The PETI program was implemented by the MOL as a pilot initiative, operated without a permanent budget guaranteeing a permanent dedicated directorate within the MOL in charge of efforts to combat child labor, and formally ended in December 2021. As such, the Ecuadorian government does not have an active national plan, program, or institutional body to eradicate child labor. (1) At the time of this report, MOL's technical teams continued to carry out work under this policy despite its formal closure. (1,15)
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 2019, the Action Plan includes U.S.-funded support through the IOM and is the government's first multi-sectoral plan on trafficking that establishes goals for every public sector institution to address human trafficking. (38-43) Under this plan, in 2021 the government held various trainings on trafficking victim identification, prosecution, and victim assistance to labor inspectors, prosecutors, and police officers, among others. The government also continued the #TogetherAgainstTIP (#JuntosContraLaTrata) national campaign. (1,2)
National Development Plan ( <i>Plan de Creación de Oportunidades</i> ) (2021–2025)	Under former President Moreno, the "Lifetime Plan" aimed to support vulnerable populations from birth to advanced age through a series of social welfare programs and reduce child labor of children ages 5 to 14 to 2.7 percent by 2021. (17,44) Moreno's plan was led by the Technical Secretariat for the Lifetime Plan. (45) Due to the presidential administrative change, the plan was not active after May 2021. (1) Under President Guillermo Lasso, the national development plan is called "Creating Opportunities" and focuses on job creation. (12)

The Ministry of Labor has reported its intention to establish a permanent institutional body dedicated to child labor to replace the PETI program, though no further clarification has been reported. (1)

## VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2021, 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 inadequate 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	Ministry of Labor and UNICEF 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. (46) 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. (6) In 2021, the program continued its efforts with 73 member companies specializing in the priority sectors of bananas, flowers, fishing, and mining. (1)
National Program to Combat Street Begging and Child Labor†	Seeks to raise awareness about child begging and aims to facilitate social services for children begging in the streets. (1) The Ministry of Social and Economic Inclusion (MIES) continued to coordinate this program in 2021 with various other government agencies including the MOL and the National Unit for the Investigation and Protection of Children and Adolescents (UNIPEN), intensifying the campaign in November and December over the holiday season when child labor tends to spike. (1)
<i>Palma Futuro</i> (2019–2022)	Six million dollar 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. (47) In 2021, the Palma Futuro Project assessed the social compliance systems of its private sector partners and conducted trainings for their suppliers on child labor and forced labor risks. It disseminated information on the impact of the pandemic on labor conditions in the palm oil sector and worked with the private sector partners to develop and deliver messaging to palm oil workers about health and safety protocols during the pandemic. (48) For additional information, please see the USDOL website.
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. (47) While activities under this program took place in 2021 prior to the change in administration, research could not determine whether it was active after that change. (1)

† 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. (17,47,48)

# Ecuador

## SIGNIFICANT ADVANCEMENT

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. (16) 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. (1,6)

## 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 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 – 2021
	Ensure that the labor inspectorate is properly funded so that inspectors receive sufficient resources, including transportation and equipment, to carry out their duties adequately. Ensure that inspections sufficiently cover sectors in which child labor has been reported, including the informal sector.	2014 – 2021
	Ensure that labor inspectors have sufficient knowledge of existing laws and receive adequate training in victim identification to conduct inspections and refer victims to social services.	2015 – 2021
	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 – 2021
	Publish information on the number of criminal violations found, prosecutions initiated, and convictions of crimes related to the worst forms of child labor.	2019 – 2021
	Ensure that criminal investigators receive sufficient resources to investigate cases of the worst forms of child labor and refer victims to services.	2019 – 2021
	Ensure that investigators receive sufficient resources, including shelters for victims, to investigate cases of the worst forms of child labor and refer victims.	2016 – 2021
	Strengthen the provision of specialized services for victims of human trafficking.	2018 – 2021
Coordination	Ensure there is an active replacement body for the Inter-Agency Committee for the Eradication of Child Labor.	2021
	Strengthen coordinating mechanisms among ministries providing social services to victims of child labor, especially in the informal sector.	2015 – 2021
Government Policies	Transition the defunct National Plan to Eradicate Child Labor from its original pilot project status to a permanent directorate with a permanent budget to ensure effective coordination on efforts to address child labor.	2020 – 2021
Social Programs	Conduct a comprehensive child labor survey so there is sufficient data to inform government actions to eliminate child labor.	2018 – 2021
	Enhance efforts to address exploitative labor practices and labor trafficking of migrant and refugee children.	2018 – 2021
	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, and addressing teen pregnancy issues and internet access.	2014 – 2021
	Ensure that all social programs that address child labor, including the Youth Impulse Program, continue to remain active and publish information on activities taken during the reporting period.	2019 – 2021
	Ensure that social programs make interventions in sectors in which child labor is most prevalent, specifically in the informal and agricultural sectors.	2018 – 2021
	Ensure that the social registry includes families most vulnerable to child labor by updating the list of recipients of social assistance.	2020 – 2021

## REFERENCES

- 1 U.S. Embassy- Quito. Reporting. January 31, 2022.
- 2 U.S. Embassy- Quito. Reporting. February 9, 2022.
- 3 UNESCO Institute for Statistics. Gross intake ratio to the last grade of primary education, both sexes (%). Accessed March 3, 2022. For more information, please see "Children's Work and Education Statistics: Sources and Definitions" in the Reference Materials section of this report. <http://data.uis.unesco.org/>
- 4 ILO. Analysis of Child Economic Activity and School Attendance Statistics from National Household or Child Labor Surveys. Original data from Encuesta Nacional de Empleo, Desempleo y Subempleo (ENEMDU), 2019. Analysis received March 2022. Please see "Children's Work and Education Statistics: Sources and Definitions" in the Reference Materials section of this report.
- 5 U.S. Embassy- Quito. Reporting. February 4, 2020.
- 6 U.S. Embassy- Quito. Reporting. February 24, 2021.

- 7 UNICEF official. Interview with USDOL official. September 3, 2019.
- 8 Government of Ecuador. PETI - Proyecto de Erradicación del Trabajo Infantil 2018–2021. 2018. Source on file.
- 9 IOM. Diagnostico Situacional Sobre la Trata de Personas en la Provincia de Pichincha. 2017. Source on file.
- 10 U.S. Embassy - Quito. Reporting. January 26, 2022.
- 11 U.S. Department of State. Trafficking in Persons Report- 2021: Ecuador. Washington, D.C., July 2021.  
<https://www.state.gov/reports/2021-trafficking-in-persons-report/ecuador/>
- 12 U.S. Embassy- Quito official. E-mail communication to USDOL official. May 11, 2022.
- 13 Defensoria del Pueblo Ecuador. Informe de verificación de derechos humanos: La indigna situación de familias que viven dentro de las haciendas de abaca de la empresa japonesa Furukawa Plantaciones C.A. Ecuador. February 18, 2019.  
[https://www.dpe.gob.ec/wp-content/dpecomunicacion/Informe final furukawa.pdf](https://www.dpe.gob.ec/wp-content/dpecomunicacion/Informe%20final%20furukawa.pdf)
- 14 El Universo. Un 8% de población infantil trabaja en las zonas urbanas de Ecuador. June 10, 2019.  
<https://www.eluniverso.com/guayaquil/2019/06/10/nota/73700018-poblacion-infantil-trabaja-zonas-urbanas>
- 15 U.S. Embassy- Quito official. E-mail communication to USDOL official. March 10, 2022.
- 16 U.S. Embassy- Quito. Reporting. February 8, 2019.
- 17 U.S. Embassy- Quito. Reporting. January 16, 2018.
- 18 U.S. Department of State official. E-mail communication to USDOL official. April 27, 2018.
- 19 U.S. Embassy- Quito. Reporting. March 11, 2019.
- 20 IOM. Diagnostico Situacional Sobre la Trata de Personas en la Provincia de Guayas. 2017. Source on file.
- 21 U.S. Embassy- Quito. Reporting. February 19, 2021.
- 22 IOM. Diagnostico Situacional Sobre la Trata de Personas en la Provincia de Manabí. 2017. Source on file.
- 23 Government of Ecuador. Constitución del Ecuador. Enacted: 2008.  
[https://www.oas.org/juridico/pdfs/mesicic4\\_ecu\\_const.pdf](https://www.oas.org/juridico/pdfs/mesicic4_ecu_const.pdf)
- 24 Government of Ecuador. Código de la Niñez y Adolescencia with modifications until 2009. Enacted: 2003. Source on file.
- 25 Government of Ecuador. Resolución No. 16 CNNA. Enacted: 2008. Source on file.
- 26 Government of Ecuador. Listado de Actividades Peligrosas en el Trabajo de Adolescentes. Official Register, 2015. Source on file.
- 27 Government of Ecuador. Código Orgánico Integral Penal. Enacted: 2014.  
<http://www.asambleanacional.gob.ec/system/files/document.pdf>
- 28 Government of Ecuador. Ley Orgánica de Movilidad Humana. Enacted: January 31, 2017. Source on file.
- 29 Government of Ecuador. Ley Orgánica de Educación Intercultural. Enacted: 2011. Source on file.
- 30 U.S. Embassy- Quito. Reporting. February 26, 2020.
- 31 Government of Ecuador. Código de Trabajo. May 2013.  
<https://www.trabajo.gob.ec/wp-content/uploads/2015/03/CODIGO-DEL-TRABAJO-1.pdf>
- 32 U.S. Embassy- Quito official. E-mail communication to USDOL official. March 22, 2021.
- 33 ILOSTAT. ILO Labor Force Statistics (LFS) - Population and Labour Force. Accessed January 25, 2022. Labor force data is government-reported data collected by the ILO.  
<https://ilostat.ilo.org/data/>
- 34 UN. World Economic Situation and Prospects 2019 Statistical Annex. New York. 2019. Please see "Labor Law Enforcement Sources and Definitions" in the Reference Materials section of this report.  
[https://www.un.org/development/desa/dpad/wp-content/uploads/sites/45/WESP2019\\_BOOK-web.pdf](https://www.un.org/development/desa/dpad/wp-content/uploads/sites/45/WESP2019_BOOK-web.pdf)
- 35 Government of Ecuador – Unit for Crimes Against Children and Adolescents official. Interview with USDOL official. September 4, 2019.
- 36 U.S. Embassy- Quito official. E-mail communication to USDOL official. July 12, 2019.
- 37 Ministerio de Inclusión Económica y Social. Erradicación del Trabajo Infantil en el Sector Agrícola, El Nuevo Enfoque para el Ecuador. Accessed April 11, 2018.  
<http://www.inclusion.gob.ec/erradicacion-del-trabajo-infantil-en-el-sector-agricola-el-nuevo-enfoque-para-el-ecuador/>
- 38 Government of Ecuador. Plan de acción contra la trata de personas 2019 - 2030. November 2019.  
<https://www.ministeriodegobierno.gob.ec/wp-content/uploads/downloads/2019/12/PLAN-DE-ACCION-CONTRA-LA-TRATA-DE-PERSONAS-1.pdf>
- 39 Government of Ecuador. Consejo de Igualdad Intergeneracional. Accessed April 5, 2022.  
<https://www.igualdad.gob.ec/quienes-somos/>
- 40 U.S. Embassy- Quito official. E-mail communication to USDOL official. June 25, 2020.
- 41 U.S. Embassy- Quito official. E-mail communication to USDOL official. May 8, 2017.
- 42 El Debate. Ecuador estrena política integral contra la trata de personas. December 18, 2019.  
<https://www.debate.com.mx/mundo/Ecuador-estrena-politica-integral-contra-la-trata-de-personas-20191218-0242.html>
- 43 Government of Ecuador. Gobierno realizó el lanzamiento del Plan De Acción Contra la Trata de Personas 2019–2030. December 18, 2019.  
<https://www.ministeriodegobierno.gob.ec/gobierno-realizo-el-lanzamiento-del-plan-de-accion-contra-la-trata-de-personas-2019-2030/>
- 44 Government of Ecuador. Plan Nacional Toda una Vida. November 2017.  
[http://www.planificacion.gob.ec/wp-content/uploads/downloads/2017/10/PNBV-26-OCT-FINAL\\_0K.compressed1.pdf](http://www.planificacion.gob.ec/wp-content/uploads/downloads/2017/10/PNBV-26-OCT-FINAL_0K.compressed1.pdf)
- 45 Government of Ecuador. Programa Misión Ternura. Accessed March 6, 2018. Source on file.
- 46 Redceres. Nuevo Consejo Directivo de la RED de Empresas por un Ecuador Libre de Trabajo Infantil. April 4, 2019.  
<https://www.redceres.com/post/2019/04/04/nuevo-consejo-directivo-de-la-red-de-empresas-por-un-ecuador-libre-de-trabajo-infantil>
- 47 U.S. Department of Labor. Palma Futuro: Preventing and Reducing Child Labor and Forced Labor in Palm Oil Supply Chains. Accessed June 9, 2020.  
<https://www.dol.gov/agencies/ilab/palma-futuro-preventing-and-reducing-child-labor-and-forced-labor-palm-oil-supply>
- 48 Partners of the Americas official. E-mail communication to USDOL official. April 7, 2022. Source on file.
- 49 Government of Ecuador. Misión Impulso Joven. Accessed April 5, 2022.  
<https://www.infancia.gob.ec/objetivos-y-metas-2/>
- 50 U.S. Embassy- Quito. Reporting. January 17, 2017.
- 51 Agencia EFE. La Vicepresidenta de Ecuador presenta la misión "Menos pobreza, más desarrollo". January 9, 2018.  
<https://www.efe.com/efe/america/politica/la-vicepresidenta-de-ecuador-presenta-mision-menos-pobreza-mas-desarrollo/20000035-3487517>

In 2021, Egypt made moderate advancement in efforts to eliminate the worst forms of child labor. The Prosecutor General's Office announced the opening of eight specialized prosecution offices to combat human trafficking and illegal migration crimes nationwide. Additionally, 121 new human trafficking investigations involving forced child begging were opened as a result of Ministry of Interior campaigns to combat child exploitation. The Egyptian Senate's Manpower Committee also submitted a draft labor law to the Speaker of the Senate for review. A separate proposed amendment would also allow the government to fine business owners 1,000 to 2,000 Egyptian pounds (64 to 128 USD) for violating the minimum age provisions, with double the fine for repeat offenses, and subject the business to the possibility of forced closure for up to 6 months. 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 address 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. (1,2,3,4) Table 1 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 1. 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, 2022. (5)

Source for all other data: International Labor Organization's analysis of statistics from Demographic and Health Survey (DHS), 2014. (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 cotton (2,7-10)
	Tending livestock (10,12-15)
	Fishing, activities unknown (13,16)
Industry	Quarrying† limestone (1,2,7,15)
	Making bricks (1,2,7,17)
	Working in carpentry workshops (13,18)
	Working in marble workshops (19,20)
	Construction, activities unknown (7,10,17,21)
Services	Domestic work (2,7,14,17,22)
	Driving tuktuks (2,7,23)
	Repairing automobiles (2,7,24)
	Street work, including selling goods and collecting garbage (2,21,25)



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

Sector/Industry	Activity
Categorical Worst Forms of Child Labor†	Forced domestic work (2,4,16)
	Commercial sexual exploitation, sometimes as a result of human trafficking (2,4,7,26,27)
	Forced begging (2,4,7)
	Trafficking of drugs, sometimes as a result of human trafficking (4)

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

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

Egyptian children are exploited in forced labor, domestic work, street begging, drug trafficking, quarrying, and agricultural work in Egypt. (4) Some children are forced by their immediate and extended families into sexual exploitation, begging, and domestic and factory labor. (4,27) 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. (2,7,26)

In April 2021, a 14-year-old boy was tortured and killed in a poultry slaughterhouse where he worked after reportedly asking to be paid. (28) Additionally, 8 children were killed when the truck transporting them, along with 15 other surviving child laborers, sank in the Nile River. (15) Reporting indicates that child labor is common among Egypt's thousands of poultry farms. (15)







Children in Egypt face barriers to education, including access to identity documentation and the associated costs of attending school. Enrolling in public school requires a certified birth certificate, which some 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. (2,9,13,16) A lack of qualified teachers, poorly maintained schools, sanitation issues, classroom density, lack of infrastructure, and bullying in schools also prevent some 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 at on the way to school, as well as cultural barriers. (2,16,29)

The government offers refugee children access to the public education system; however, refugee children are subjected to racism and bullying, and face language barriers. In response, some non-Egyptians residing in the country, such as those from Sudan, have organized independent school systems unaffiliated with the government for their children. (2,30)

## 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 (31)
Minimum Age for Hazardous Work	Yes	18	Article 1 of Ministry of Manpower's Decree 118 (32)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Articles 1 and 2 of Ministry of Manpower's Decree 118 (32)
Prohibition of Forced Labor	Yes		Article 89 of the Constitution; Article 291 of the Penal Code; Articles 2 and 3 of the Law on Combating Human Trafficking (31,33,34)
Prohibition of Child Trafficking	Yes		Article 89 of the Constitution; Article 291 of the Penal Code; Articles 2 and 3 of the Law on Combating Human Trafficking (31,33,34)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Article 116-bis(a) of the Child Law; Article 291 of the Penal Code; Articles 2 and 3 of the Law on Combating Human Trafficking; Articles 1–4 and 6 of the Law on the Combating of Prostitution (31,34,35)
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 (31,32,36)
Minimum Age for Voluntary State Military Recruitment	No	15	Ministry of Defense Guidelines on Youth Volunteers in the Armed Forces (37)
Prohibition of Compulsory Recruitment of Children by (State) Military	Yes		Article 1 of the Law on Military and National Service (38)
Prohibition of Military Recruitment by Non-state Armed Groups	Yes		Article 7-bis(b) of the Child Law (31)
Compulsory Education Age	Yes	15‡	Article 59(1) of the Child Law; Articles 80 and 238 of the Constitution (31,33)
Free Public Education	Yes		Article 54 of the Child Law (31)

‡ Age calculated based on available information (39,40)

In 2021, the Egyptian Senate's Manpower Committee submitted a draft labor law to the Speaker of the Senate for review. (3) The draft law includes a provision to raise the minimum legal age for apprenticeships from 12 to 14 years. A separate proposed amendment would also allow the government to fine business owners 1,000 to 2,000 Egyptian pounds (64 to 128 USD) for violating the minimum age provisions, with double the fine for repeat offenses, and subject the business to the possibility of forced closure for up to 6 months. (3) However, the draft law does not include protections for domestic workers, who will remain vulnerable to exploitation. Additionally, Article 60 of the draft labor law prohibits employers from "requiring" children to work more than 6 hours a day, rather than outright limiting children's work to 6 hours per day. (41)

Egypt's current laws prohibit hazardous occupations and activities for children, including in quarrying, tanning, welding, spraying pesticides, and carrying heavy loads. (32) However, the types of hazardous work prohibited for children do not include brick production, in which there is evidence of exposure to hazardous temperatures. (2)

The minimum age for voluntary state military recruitment does not meet international standards as it is below age 16. (37)

### III. ENFORCEMENT OF LAWS ON CHILD LABOR

The government has established institutional mechanisms for the enforcement of laws and regulations on child labor (Table 5). However, gaps exist within the operations of 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. (2,7) If police investigations confirm criminal activity, cases are subsequently sent to the Prosecutor General's Office, which operates under the Ministry of Justice. (2,7)
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 (PGO). (2,7)
Ministry of Justice, Prosecutor General's Office	Prosecutes violations of laws related to the worst forms of child labor and human trafficking. (2,7)
Ministry of Local Development	Provides administrative and logistical support for the enforcement of child labor laws. Administers the Child Protection Committees. (2,7)
Administrative Control Authority	Investigates government corruption and human trafficking, and reports violations to the Ministry of Interior, which refers cases for prosecution. (2,42)

### Labor Law Enforcement

In 2021, labor law enforcement agencies in Egypt took actions to address child labor (Table 6). However, gaps exist within the operations of the Ministry of Manpower 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	2020	2021
Labor Inspectorate Funding	Unknown (2)	Unknown (3)
Number of Labor Inspectors	Unknown (2)	Unknown (3)
Mechanism to Assess Civil Penalties	Yes (3)	Yes (3)
Initial Training for New Labor Inspectors	Unknown (2)	Unknown (3)
Training on New Laws Related to Child Labor	N/A	N/A
Refresher Courses Provided	Yes (2)	Yes (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	Unknown (2)	Unknown (3)
Number of Child Labor Penalties Imposed that Were Collected	Unknown (2)	Unknown (3)
Routine Inspections Conducted	Unknown (2)	Unknown (3)
Routine Inspections Targeted	Unknown (2)	Unknown (3)
Unannounced Inspections Permitted	Yes (2)	Yes (3)
Unannounced Inspections Conducted	Unknown (2)	Unknown (3)
Complaint Mechanism Exists	Yes (2)	Yes (3)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (2)	Yes (3)

The government did not provide information on its labor law enforcement efforts specific to the worst forms of child labor for inclusion in this report.

Although the number of labor inspectors is unknown, the number of labor inspectors is likely insufficient for the size of Egypt's workforce, which includes more than 28.4 million workers. According to the ILO's technical advice of a ratio approaching 1 inspector for every 15,000 workers in developing economies, Egypt would need to employ roughly 1,896 labor inspectors. (43,44)

### Criminal Law Enforcement

In 2021, criminal law enforcement agencies in Egypt took actions to address child labor (Table 7). However, gaps exist within the operations of the enforcement agencies that may hinder adequate criminal law enforcement, including in financial resource allocation.

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

Overview of Criminal Law Enforcement	2020	2021
Initial Training for New Criminal Investigators	Unknown (2)	Unknown (3)
Training on New Laws Related to the Worst Forms of Child Labor	N/A	N/A
Refresher Courses Provided	Unknown (2)	Unknown (3)
Number of Investigations	Unknown (2)	Unknown (3)
Number of Violations Found	Unknown (2)	Unknown (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)

In 2021, Egypt increased its efforts to combat the worst forms of child labor, including in forced begging and child sexual exploitation. (45) In January, 121 new human trafficking investigations involving forced child begging were opened as a result of Ministry of Interior campaigns to combat child exploitation. (45) Additionally, several prosecutions began for defendants charged with child sexual exploitation and forcing children to beg. (45) Moreover, the Prosecutor General's Office announced the opening of eight specialized prosecution offices to combat human trafficking and illegal migration crimes nationwide. (45)

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. (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 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. (46) Identifies and monitors at-risk children. Manages two 24-hour hotlines and receives reports of child labor and child trafficking. (16) Active in 2021. (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. (2,7) The committee met for the third time in 2021 and reviewed the draft update to the hazardous work list. (3)
National Coordinating Committee for Combating and Preventing Illegal Migration and Trafficking in Persons (NCCPIM and TIP)	Coordinates efforts to address human trafficking. (47) Led by an ambassador appointed by the Prime Minister, comprises 29 government entities, including the Ministries of Interior and Manpower. (16) Active in 2021. (45)
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. (16) Active in 2021. (45)

#### 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. (2,16) 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) Active in 2021. (3)
National Strategy for Combating and Preventing Trafficking in Persons (2016–2021)	Aimed to maintain referral mechanisms, train law enforcement officials, and address trafficking of street children. (2,16) In 2021, NCCPIM and TIP worked on drafting an updated anti-trafficking strategy. (45)
National Strategy for Childhood and Motherhood (2018–2030)	Includes a child labor chapter that 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 2021. (3)

## VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2021, 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 inadequacy 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. (48) Active in 2021. (49)
Solidarity and Dignity Program ( <i>Takaful and Karama</i> )†	Funded by the Ministry of Social Solidarity, promotes school attendance and health monitoring for children by providing income supplements to poor families. (2,13) This partnership between the government and WFP, 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) Active in 2021. (50)
Children without Shelter†	Ministry of Social Solidarity-operated shelters for survivors of human trafficking, child survivors 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. (51) Mobile units in 10 governorates work to reintegrate children with their families or place them in foster care. (52)
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. (53) In 2021, the government cooperated with the ACCEL project to train labor inspectors on the inspection checklist. (3)

† 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 children involved in 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 – 2021
	Ensure that the law establishes age 16 as the minimum age for voluntary recruitment by the state military with safeguards for voluntariness.	2019 – 2021
Enforcement	Publish information on labor law enforcement efforts.	2011 – 2021
	Ensure the number of labor inspectors in Egypt meets the ILO's technical guidance.	2018 – 2021
	Increase the number of inspectors receiving training on child labor policies.	2019 – 2021
	Publish information on criminal law enforcement efforts.	2011 – 2021
Social Programs	Ensure universal access to free public education, especially for girls and refugee children, by addressing the cost of school fees, supplies, violence in schools, lack of documentation, and other barriers to education.	2010 – 2021
	Expand programs to address the full scope of the child labor problem, particularly in commercial sexual exploitation and in quarrying limestone.	2010 – 2021
	Expand the <i>Takaful and Karama</i> program to ensure that children are able to stay in school.	2020 – 2021

## REFERENCES

- Emam, Amr. Egypt moves against worst forms of child labour, measures not enough. *The Arab Weekly* July 15, 2018. <https://the arabweekly.com/egypt-moves-against-worst-forms-child-labour-measures-not-enough>
- U.S. Embassy- Cairo. Reporting. January 14, 2021.
- U.S. Embassy- Cairo. Reporting. March 22, 2022.
- U.S. Department of State. *Trafficking in Persons Report- 2021*: Egypt. Washington, D.C., July 1, 2021. <https://www.state.gov/reports/2020-trafficking-in-persons-report/egypt/>
- UNESCO Institute for Statistics. Gross intake ratio to the last grade of primary education, both sexes (%). Accessed March 2021. For more information, please see "Children's Work and Education Statistics: Sources and Definitions" in the Reference Materials section of this report. <http://data.uis.unesco.org/>
- ILO. *Analysis of Demographic and Health Survey, 2014*. Analysis received March 2020. Please see "Children's Work and Education Statistics: Sources and Definitions" in the Reference Materials section of this report.
- U.S. Embassy- Cairo. Reporting. January 14, 2020.
- El Badri, Haitham. *White Gold: Open Treasure in the Dunes*. Youm 7, September 7, 2017. Source on file.
- Emam, Amr. Egyptian children dropping out of school because of poverty. *The Arab Weekly*, April 16, 2017. <http://www.the arabweekly.com/Opinion/8260/Egyptian-children-dropping-out-of-school-because-of-poverty>
- Save the Children. *Young Invisible Enslaved: Children Victims of Trafficking and Labor Exploitation in Italy*. July 2017. [http://www.childlinesa.org.za/wp-content/uploads/Young\\_Invisible\\_Enslaved.pdf](http://www.childlinesa.org.za/wp-content/uploads/Young_Invisible_Enslaved.pdf)
- Elshamy, Mosa'ab. Powder-covered workers toil in Egypt's quarries. *The Associated Press*, April 6, 2015. <https://www.apnews.com/3eab905b7430405b96dc601030193ba1>
- Egypt Today. CAPMAS: 152 million children pushed to labor market due to COVID-19. November 19, 2020. <https://www.egypttoday.com/Article/3/94414/CAPMAS-152-million-children-pushed-to-labor-market-due-to>
- U.S. Embassy- Cairo. Reporting. January 31, 2019.
- ILO and Egyptian Central Agency for Public Mobilization and Statistics (CAPMAS). *Working Children in Egypt: Results of the 2010 National Child Labour Survey*. Cairo, May 1, 2012. [http://www.ilo.org/ipec/Informationresources/WCMS\\_IPEC\\_PUB\\_21017/lang--en/index.htm](http://www.ilo.org/ipec/Informationresources/WCMS_IPEC_PUB_21017/lang--en/index.htm)
- Al Monitor. Child labor assumes fatal proportions in Egypt. January 18, 2022. <https://www.al-monitor.com/originals/2022/01/child-labor-assumes-fatal-proportions-egypt>
- U.S. Embassy- Cairo. Reporting. January 22, 2018.
- Ministry of Manpower. *National Action Plan for Combating the Worst Forms of Child Labour in Egypt and Supporting Family (2018–2025)*. June 2018. [https://www.ilo.org/ipec/Informationresources/WCMS\\_IPEC\\_PUB\\_30375/lang--en/index.htm](https://www.ilo.org/ipec/Informationresources/WCMS_IPEC_PUB_30375/lang--en/index.htm)
- Gulf News. Regional spike in child labour amid global low. June 11, 2017. <http://gulfnews.com/news/mena/other/regional-spike-in-child-labour-amid-global-low-1.2041998>
- Fathi, Ahmed. Shaq El Tho'ban: Child Labor Fuels Egypt's Marble Industry. *Raseef 22*, April 2, 2017. <https://raseef22.com/en/life/2017/04/02/shaq-el-thoban-child-laborers-fuel-egypts-marble-industry/>
- El-Behary, Hend. March saw highest rates of child abuse in Egypt in 5 years. *Egypt Independent*, April 24, 2017. <http://www.egyptindependent.com/efacc-march-saw-highest-rates-child-abuse-egypt-5-years/>
- Galal, Youssef. *Child Labour in Egypt: 4 Underage Workers Document Their Struggles*. *Cairo Scene*, February 8, 2017. <http://cairoscene.com/In-Depth/Child-Labour-in-Egypt-4-Underage-Workers-Documents-Their-Struggle>
- Salama, Samir. Egypt: Two working children subjected to horrific torture. *Gulf News*, August 25, 2020. <https://gulfnews.com/world/mena/egypt-two-working-children-subjected-to-horrific-torture-1.73402420>
- The Associated Press. Rise in children quitting school to drive tuktuks. July 3, 2017. <https://www.youtube.com/watch?v=T3wcdLlrHG0>
- U.S. Embassy- Cairo. Reporting. January 24, 2017.
- Curnow, Walt. Child poverty increases in Egypt as critical support languishes. *Al Monitor*, January 9, 2017. Source on file.
- Borisova, Nevena. In Egypt, Both Sexual Harassment and Child Marriages Continue to Plague the Country. *Global Voices*, December 15, 2017. <https://globalvoices.org/2017/12/15/in-egypt-both-sexual-harassment-and-child-marriages-continue-to-plague-the-country/>
- U.S. Embassy- Cairo. Reporting. February 16, 2021.
- Boy tortured to death by his employers when he demanded his wage. *Gulf Today*, April 25, 2021. <https://www.gulftoday.ae/news/2021/04/25/boy-tortured-to-death-by-his-employers-when-demanded-his-wage>
- CARE Egypt. *Barriers to Girls' Education*. November 21, 2017. source on file.

## MODERATE ADVANCEMENT

- 30 U.S. Embassy- Cairo. Official communication to USDOL official. June 16, 2022.
- 31 Government of Egypt. Child Law, Promulgated by Law No. 12 of 1996 (amended by Law No. 126 of 2008), also amending the Penal Code, Law No 58 of 1937. Enacted: 2008. Source on file.
- 32 Government of Egypt. Ministry of Manpower and Migration Decree 118 of the Year 2003. Enacted: 2003. Source on file.
- 33 Government of Egypt. Constitution of the Arab Republic of Egypt 2014- unofficial translation. Enacted: January 18, 2014. <http://www.sis.gov.eg/Newvr/Dustor-en001.pdf>
- 34 Government of Egypt. Law No. 64 of 2010 regarding Combating Human Trafficking. Enacted: 2010. Source on file.
- 35 Government of Egypt. Law No. 10 of 1961, on the Combating of Prostitution. 1961. <http://www.refworld.org/docid/5492d8784.html>
- 36 Government of Egypt. Law on Narcotics No. 182. Enacted: June 5, 1960. Source on file.
- 37 Government of Egypt, Ministry of Defense. Guidelines on Youth Volunteers in the Armed Forces. Cairo, Source on file.
- 38 Government of Egypt. Law No. 127 on Military and National Service. Enacted: 1980. Source on file.
- 39 Elbagir, Nima. How children are trafficked into Europe. CNN, June 16, 2015. <http://www.cnn.com/2015/06/15/europe/freedom-project-misery-trail-children/>
- 40 Kandil, Amr Mohamed. Egypt reviews national efforts to end child labour by 2025. July 2, 2018. <http://www.egypttoday.com/Article/2/53187/Egypt-reviews-national-efforts-to-end-child-labour-by-2025>
- 41 Government of Egypt. Draft Labor Law. 2022. Source on File.
- 42 U.S. Embassy- Cairo official. E-mail communication to USDOL official. June 27, 2019.
- 43 ILO. Strategies and Practice for Labour Inspection: Geneva: Committee on Employment and Social Policy. GB.297/ESP/3. November 2006. Please see "Labor Law Enforcement: Sources and Definitions" in the Reference Materials section of this report. <https://www.ilo.org/public/english/standards/relm/gb/docs/gb297/pdf/esp-3.pdf>
- 44 UN. World Economic Situation and Prospects. 2020. [https://www.un.org/development/desa/dpad/wp-content/uploads/sites/45/WESP2020\\_Annex.pdf](https://www.un.org/development/desa/dpad/wp-content/uploads/sites/45/WESP2020_Annex.pdf)
- 45 U.S. Embassy- Cairo. Reporting. January 25, 2022.
- 46 Government of Egypt. About NCCM. Accessed March 18, 2021. [http://www.nccm-egypt.org/e3/index\\_eng.html](http://www.nccm-egypt.org/e3/index_eng.html)
- 47 Ali, Walaa. In Depth: Global praise to Egyptian efforts to combat Cross-border human trafficking. Egypt Today. September 30, 2020. <https://www.egypttoday.com/Article/1/92527/In-Depth-Global-praise-to-Egyptian-efforts-to-combat-Cross>
- 48 European Union- External Action Service. European Union supports Egypt in collaboration with UNICEF to expand educational opportunities and enforce child protection systems. October 24, 2016: Press Release. [https://eeas.europa.eu/headquarters/headquarters-homepage/12826/european-union-supports-egypt-collaboration-unicef-expand-educational-opportunities-and\\_en](https://eeas.europa.eu/headquarters/headquarters-homepage/12826/european-union-supports-egypt-collaboration-unicef-expand-educational-opportunities-and_en)
- 49 UNICEF. A School Accessible to All Students. February 15, 2021. <https://www.unicef.org/egypt/stories/school-accessible-all-students>
- 50 Egypt Today. In 6 years, value of Egypt's monetary subsidies program rises sixfold. August 18, 2021. <https://www.egypttoday.com/Article/1/107003/In-6-years-value-of-Egypt-s-monetary-subsidies-program>
- 51 U.S. Embassy- Cairo. Reporting. March 19, 2017.
- 52 Embassy of Egypt official. Interview with USDOL official. December 21, 2018.
- 53 ILO. Accelerating Action for the Elimination of Child Labour in Supply Chains in Africa. November, 2018. [https://www.ilo.org/wcmsp5/groups/public/---africa/---ro-abidjan/documents/genericdocument/wcms\\_717664.pdf](https://www.ilo.org/wcmsp5/groups/public/---africa/---ro-abidjan/documents/genericdocument/wcms_717664.pdf)

In 2021, El Salvador made moderate advancement in efforts to eliminate the worst forms of child labor. The Ministry of Education invested over \$53 million to purchase computers that benefited 120,092 students and 12,000 teachers in the country. The government signed a cooperation agreement with the governments of Honduras and Guatemala to strengthen coordination and efforts to address trafficking in persons. The government also published results from its annual multipurpose household survey, which identifies child labor prevalence in the country. 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 continue to lack sufficient resources to enforce child labor laws throughout the country. Gaps also remain related to the lack of publicly available, comprehensive information on its labor and criminal law enforcement efforts. Finally, social programs do not adequately address the full scope of the child labor problem in the country.



### 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. (1,2-4) In 2021, the Director General of Statistics and Census published results from the 2020 El Salvador Annual Multipurpose Household Survey, which found that around 88,300 children between the ages of 5 and 17 are working in El Salvador, a 5.3 percent decrease since 2019. (5,6) The survey also found that more than 60 percent of child laborers live in rural communities and 34 percent do not attend school. However, 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 to which children were subjected. (5,6) Table 1 provides key indicators on children's work and education in El Salvador.

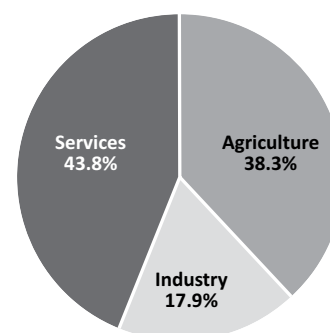
**Table 1. Statistics on Children's Work and Education**

Children	Age	Percent
Working (% and population)	5 to 14	4.1 (41,069)
Attending School (%)	5 to 14	91.1
Combining Work and School (%)	7 to 14	4.3
Primary Completion Rate (%)		86.6

Source for primary completion rate: Data from 2018, published by UNESCO Institute for Statistics, 2022. (7)

Source for all other data: International Labor Organization's analysis of statistics from Encuesta de Hogares de Propósitos Múltiples (EHPM), 2020. (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.

# El Salvador

## MODERATE ADVANCEMENT

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

Sector/Industry	Activity
Agriculture	Harvesting sugarcane† and coffee,† and production of cereal grains (2,9,10)
	Cattle-raising† (9,10)
	Fishing,† including harvesting shellfish and mollusks† (2,5,10-12)
Industry	Manufacturing fireworks† (2,10,12)
	Production of baked goods (9,10)
	Construction† (2,11,5)
Services	Garbage scavenging,† street begging,† washing cars, and vending† (2,4,5,13)
	Domestic work (2,4)
	Selling goods in markets or kiosks (5)
Categorical Worst Forms of Child Labor‡	Commercial sexual exploitation, sometimes as a result of human trafficking (2,4,11,12,5)
	Use by gangs to perform illicit activities, including committing homicides, extortion, and trafficking drugs, sometimes as a result of human trafficking (2-11,5)
	Forced begging, domestic work, agricultural labor, construction, and work in textiles (2-5,11)

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

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

Children in El Salvador often lack economic stability 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. (1,2,4,11,14) The MS-13 and Barrio 18 gangs are the most active in recruiting, training, and arming children in the country, in order to exert territorial control and produce revenue through criminal activities. Children are coerced to join the gangs, but once they join gang membership is permanent and they cannot leave without severe or deadly consequences for themselves or their families. (5) Gang recruits must commit murder to gain full membership status in the gang, thus forcing children to perpetrate homicides at the direction of adult gang leaders. (5) Additionally, gangs often force young girls into domestic servitude, including providing childcare, and into sexual exploitation. In some cases of gang activity, children are taken into prisons to be commercially sexually exploited by prisoners. (4,5,11) Reports indicate that those who resist have been assaulted or killed. (2,4,11) According to El Salvador's Trafficking in Person's Special Prosecutor and local NGOs, adolescent girls with limited education are among the most at risk of being trafficked. (14) LGBTQI+ adolescents are also at risk of being forced into commercial sexual exploitation by gangs. (2)

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. (4,15,16) 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. (4,15)

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 has not been published to demonstrate the impact of these efforts and provide details on specific government programs. (10)

At schools, children are recruited, extorted, and harassed by gangs, which may cause them to stop attending. (11) This situation is aggravated by the fact that a majority of schools are located in communities where gangs are present. (17,18) 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. (19) Children who do not attend school are more vulnerable to child labor, including its worst forms. (1,20) Children in El Salvador face numerous barriers to education such as insufficient funds allocated to education and precarious school infrastructure. (18) Poverty, particularly in rural areas, also presents a barrier to education in El Salvador because children leave school to contribute to family income. (18) 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. (2,11) 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. (21) 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. (2,5,11) Approximately, 11 percent of children in the country do not have a birth certificate. (13) Reporting also indicates that children from indigenous communities disproportionately lack access to education. (1,2,11)

Many students drop out of school before completing their education, particularly during middle school, due to the existing barriers to education. (5) The Ministry of Education (MINED) reported that only 6 out of 10 students complete the compulsory education of 9 years, and over 851,794 students did not register for the 2021 school year. This is a 1.3 percent increase in the number of students failing to attend school compared to 2020. (5) The COVID-19 pandemic has increased the drop-out rate due to lack of access to computers and reliable internet connection needed to participate in virtual classes. (5) Rural areas have had the greatest difficulty keeping students in school. The General Directorate of Statistics' (DIGESTYC) 2020 Multiple Purpose and Household Survey reported in 2021 that only 6.5 percent of rural households had access to the Internet in 2020. (5) Additionally, most schools in the country are not constructed in a manner that would allow them to adjust to environmental changes. For example, 6 out of 10 schools are not prepared to face environmental risks, natural disasters, and epidemics. (5) Furthermore, 1,943 schools do not have adequate sanitation systems, 938 schools do not have access to drinking water, and an additional 964 schools have an inconsistent source of water. (5)

## 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 a minimum age for work that is lower than 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	16	Articles 114, 116, and 627 of the Labor Code; Article 38.10 of the Constitution; Articles 59 and 60 of the Law for the Comprehensive Protection of Children and Adolescents (LEPINA) (22,23,24)
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 (22,23,25)



# El Salvador

## MODERATE ADVANCEMENT

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

Standard	Meets International Standards	Age	Legislation
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Article 1 of Agreement 241 of 2011 (25)
Prohibition of Forced Labor	Yes		Articles 3, 5, 54, and 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 (22,23,24,26)
Prohibition of Child Trafficking	Yes		Articles 3, 5, 54, and 55 of the Special Law Against Trafficking in Persons; Article 56 of LEPINA (24,26)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Articles 3, 5, 54, and 55 of the Special Law Against Trafficking in Persons; Articles 169–173 of the Penal Code; Article 55 of LEPINA (24,26,27)
Prohibition of Using Children in Illicit Activities	Yes		Articles 3, 5, 54, and 55 of the Special Law Against Trafficking in Persons; Articles 214 and 345 of the Penal Code; Article 56 of LEPINA (24,26,27)
Minimum Age for Voluntary State Military Recruitment	Yes	16	Articles 2 and 6 of the Military Service Law (28)
Prohibition of Compulsory Recruitment of Children by (State) Military	Yes		Article 215 of the Constitution; Articles 2 and 11 of the Decree No. 298 (22,29)
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 (22,27,30)
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 (22,24,31)
Free Public Education	Yes		Articles 5, 18, 20, and 22 of the General Education Law; Article 82 of LEPINA; Article 56 of the Constitution (22,24,31)

\* Country has no conscription

‡ Age calculated based on available information (24,31)

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. (22-24) While children are not permitted to be employed other than in light work until the age of 16, the light work framework is inconsistent with international standards because it does not specify the activities of work permitted. (22-24)

### 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 Social Welfare (MTPS)	Inspects worksites for labor violations, including child labor, and monitors working conditions for adolescents who are granted work authorization. (2,12) Maintains a child labor unit dedicated to child labor law enforcement issues. (13,34) Refers cases of the worst forms of child labor to the Attorney General's Office. (2,13)
Ministry of Justice and Public Security	Enforces criminal laws related to the worst forms of child labor, together with the Attorney General's Office, through the National Civil Police (PNC), which maintains a special trafficking in persons unit to investigate and prosecute human trafficking, including child trafficking. (2,5,12,26,35) Supports the Attorney General's Office in conducting investigations. (5)
Attorney General's Office	Responsible for initiating criminal proceedings for all types of the worst forms of child labor, as well as bringing the cases to trial. The Attorney General is the head of the office and is elected by the Legislative Assembly. (5)
The Salvadoran Institute for the Complete Development of Children and Adolescents (ISNA)	Receives referrals from law enforcement agencies on cases of criminal exploitation of children, including for forced labor, human trafficking, and commercial sexual exploitation. Provides child victims with services, including shelter, medical attention, psychological help, and legal advice. (13,36)

### Labor Law Enforcement

In 2021, labor law enforcement agencies in El Salvador took actions to address 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 insufficient financial resource allocation.

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

Overview of Labor Law Enforcement	2020	2021
Labor Inspectorate Funding	\$3.2 million (11)	\$1.6 million (5)
Number of Labor Inspectors	124 (11)	Unknown (5)
Mechanism to Assess Civil Penalties	Yes (23)	Yes (23)
Initial Training for New Labor Inspectors	Yes (11)	Yes (5)
Training on New Laws Related to Child Labor	N/A (11)	N/A (5)
Refresher Courses Provided	No (11)	Unknown (5)
Number of Labor Inspections Conducted	23,262 (11)	Unknown (5)
Number Conducted at Worksite	Unknown (11)	Unknown (5)
Number of Child Labor Violations Found	0 (11)	Unknown (5)
Number of Child Labor Violations for Which Penalties Were Imposed	N/A (11)	Unknown (5)
Number of Child Labor Penalties Imposed that Were Collected	N/A (11)	Unknown (5)
Routine Inspections Conducted	Yes (11)	Yes (5)
Routine Inspections Targeted	Yes (11)	Yes (5)
Unannounced Inspections Permitted	Yes (23)	Yes (23)
Unannounced Inspections Conducted	Yes (11)	Yes (5)
Complaint Mechanism Exists	Yes (11)	Yes (5)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (11)	Yes (5)

The government provided limited information on its labor law enforcement efforts for inclusion in this report. In 2021, the funding for the labor inspectorate was reduced by almost 50 percent compared to 2020. The Ministry of Labor and Social Welfare (MTPS) has indicated that its budget is insufficient to address workers' rights. (11) 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. (2,11,37) While the number of labor inspectors in the country is unknown, according to the ILO's technical advice of a ratio approaching 1 inspector for every 40,000 workers in less developed countries, El Salvador would need to employ roughly 191 labor inspectors as its workforce consists of over 2.8 million workers. (38,39)

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. (23) Reports indicate that this amount is insufficient to deter labor violations. (35)

### Criminal Law Enforcement

In 2021, criminal law enforcement agencies in El Salvador took actions to address child labor (Table 7). However, gaps exist within the operations of criminal enforcement agencies that may hinder adequate criminal law enforcement, including insufficient allocation of financial resources.

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

Overview of Criminal Law Enforcement	2020	2021
Initial Training for New Criminal Investigators	No (11)	Unknown (5)
Training on New Laws Related to the Worst Forms of Child Labor	N/A (11)	N/A (5)
Refresher Courses Provided	No (11)	Unknown (5)
Number of Investigations	14 (11)	Unknown (5)
Number of Violations Found	Unknown (11)	Unknown (5)
Number of Prosecutions Initiated	Unknown (11)	Unknown (5)
Number of Convictions	Unknown (11)	Unknown (5)

# El Salvador

## MODERATE ADVANCEMENT

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

Overview of Criminal Law Enforcement	2020	2021
Imposed Penalties for Violations Related to the Worst Forms of Child Labor	Unknown (11)	Unknown (5)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (11)	Yes (5)

The government did not provide information on its criminal law enforcement efforts for inclusion in this report. However, in October 2021, police officers arrested 30 individuals for sharing child pornography photos through social media applications. The Attorney General's Office also reported identifying 35 victims of child trafficking for sexual exploitation during the reporting period. (5,41) The Trafficking in Persons Unit of the Attorney General's Office reported it provided training during the reporting period to its 12 prosecutors, and some of these trainings were on human trafficking and smuggling, cybercrimes against children and adolescents, and on the Model of Cooperation for the Search of Missing Children. Additionally, the National Civil Police also received training on trafficking in persons during the year. (42) However, the scope of the government's criminal law enforcement efforts is insufficient to fully address the extent of the child labor problem in the country, particularly when it comes to the worst forms of child labor.

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. (5,11) Reports also indicate that the Ministry of Justice and Public Security is underfunded, lacks a significant number of resources such as cars and computers, and is unable to support a sufficient number of investigators to collect and analyze evidence to process case backlogs. (1,13,14,37) 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. (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 a lack of efficacy in accomplishing mandates.

**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 address child labor. Chaired by the Ministry of Labor and Social Welfare (MTPS), includes 11 government agencies, along with representatives from labor unions, business associations, and NGOs. (12,44) Maintains a web-based monitoring system that allows government agencies to share and analyze information to coordinate the implementation of the Roadmap. (12) 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 address human trafficking and implements the National Policy Against Trafficking in Persons. (12,33) Led by the Ministry of Justice and Public Security and composed of 11 government agencies. (12,26) 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 the Law for the Comprehensive Protection of Children and Adolescents (LEPINA) and the National Policy for the Comprehensive Protection of Children and Adolescents in El Salvador (PNPNA). (12,24,45,46) Responds to cases involving the violation of children's rights by providing victim assistance. (13,47) In 2021, in compliance with the PNPNA, developed training and awareness activities on the rights of children and adolescents, including on the topic of the eradication of child labor. CONNA provided these activities to 1,640 people, 687 of which were children and adolescents. (5)
Departmental and Local Committees for Children's and Adolescents' Rights	Implement CONNA's policies, including PNPNA, at the departmental and municipal levels, and receive complaints of child rights violations. (12,24) 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.

In 2021, the government of El Salvador signed a cooperation agreement with the governments of Honduras and Guatemala to increase efforts against trafficking in persons. This agreement strengthens the existing coordination work that the Trafficking in Persons Unit of the Attorney General's Office performs in coordinating with

prosecutors in the region on investigations, search and rescue of victims, repatriation or return of nationals or foreign victims, legal protection of victims, and collection of evidence. (42,48)

### 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 the lack of mainstreaming 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. Aimed to eliminate all child labor by 2020, by reducing poverty, improving education and health, protecting children's rights, and raising awareness of child labor. (49) Chaired by the Ministry of Labor and Social Welfare (MTPS) along with the Ministry of Education (MINED), the Ministry of Foreign Relations, the Ministry of Economy, the Ministry of Health, and the Ministry of Agriculture and Livestock. (11) Although the policy was stated to conclude in 2020, some of the activities of the Roadmap were implemented in 2021 as they were identified as key actions to eliminate child labor. (5) In 2021, MTPS reported the results of its Plan of Integral Inspections that it began carrying out in 2020 in bars and nightclubs to identify cases of human trafficking and child labor. The inspections led to the sanctioning and temporary or permanent closure of several establishments. (21,50)
Torogoz Plan (Strategic Institutional Plan 2019–2024)†	Promotes educational inclusion and a protective school environment to prevent child labor and school dropouts. (5) The 2019 implementation date was delayed until 2021, partly due to the pandemic. (51,52) In 2021, MINED invested over \$53 million to purchase 132,095 computers which benefited 120,092 students and about 12,000 teachers nationwide. (5,53) In alliance with Internet service providers, MINED also offered an "Internet Education Package" which allowed students and public school teachers to access different platforms without cost. (5,54)
National Policy for the Comprehensive Protection of Children and Adolescents (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. (46) In 2021, the Salvadoran Institute for Comprehensive Child and Adolescent Development (ISNA) launched an awareness campaign on child labor called "Let's Promote a Life Free from Any Form of Exploitation Against Children and Adolescents". The campaign targeted the use of child labor in sugarcane harvest and the extraction of mollusks in the Departments of La Paz and Sonsonate. (5) In June 2021, as part of the PNPNA, MTPS launched a social media awareness campaign to eradicate child labor in commemoration to the World Day Against Child Labor. Additionally, ISNA launched an awareness campaign in October 2021 called "Let's Unite to Guarantee the Rights of Children and Adolescents" with financial support from Save the Children and Doctors of the World. (5)
National Policy Against Trafficking in Persons	Defines a comprehensive plan to address 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. (55,56) Research was unable to determine whether activities were undertaken during the reporting period to implement the National Policy Against Trafficking in Persons.
National Policy to Support Early Childhood Development ( <i>Crecer Juntos</i> ) 2020–2030†	Established in January 2021. (13) Seeks to ensure children reach their maximum potential during early childhood, by guaranteeing the necessary conditions to provide them with quality services such as care, education, health, nutrition, and environments that protect their rights. It also aims to eradicate child labor in girls and boys between five and seven years old by 2030. (13,57)

† 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. (1,5,35,58-61)

The government has not included child labor elimination and prevention strategies in the National Youth Policy (2010–2024). (13,62)

In 2021, the Ministry of Labor and Social Welfare launched the Labor Market Information System (SIMEL) as a tool to analyze the labor market and main labor indicators in the country. (63) It assists in the development of public policy instruments that produce strategic impact on the labor market. (64) This system will provide information on the number of people working under dangerous conditions that could harm their physical and mental integrity, as well as on child labor. It will also provide information on the country's progress towards abolishing these types of occupations and detail challenges that remain to eliminate the prevalence of jobs of this nature. (65)

# El Salvador

## MODERATE ADVANCEMENT

### VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2021, 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 inadequacy 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 the National Council for Children and Adolescents (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, both of which promote respect toward the physical, psychological, and sexual integrity of children and adolescents. (12,40,66,67) The hotline offers children and adults the ability to consult specialists in emergency situations. (67) In 2021, the Ministry of Foreign Affairs (MFA) joined the "Think Twice" regional campaign of the International Organization for Migration (IOM) to alert young people to false offers related to irregular migration and trafficking in persons. (5,68) As part of this campaign, MFA worked with IOM, the National Youth Institute, and the Mayor of San Salvador to develop a program discouraging youth from irregular migration and to prevent them from becoming victims of trafficking. (5) This program led to the painting of a mural in the Vista Bella community with a message associated with the campaign. In the process of creating the mural, two workshops were carried out focused on raising awareness and the prevention of irregular migration and human trafficking. (5)
Sustainable Families Programs‡	Set of government programs focused on improving health, education, productivity, and security, and eliminating poverty through inclusive and sustainable economic growth and access to public services. Includes Health and Education Bonus Programs that assist families with cash transfers conditioned on children's school attendance and health checkups. (13,55,69,70) 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 National Civil Police (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. (13,71-74) In 2021, PNC strengthened patrols in the proximities of schools in both urban and rural areas throughout the country. (5) In addition, agents of the prevention units developed training sessions with children and adolescents at various schools, particularly in those considered more vulnerable to crime. These training sessions sought to remove students from risky situations, such as affiliation with gang members, drug trafficking or use, and use of alcohol. (5) This initiative was supported by the Bureau of International Narcotics and Law Enforcement Affairs of the U.S. Department of State. (5)
USDOL-Funded Projects	Projects which aim to reduce the incidence of child labor, including: Increasing Collective Action to Address Child Labor, Forced Labor, and Other Unacceptable Conditions of Work in El Salvador, Guatemala, and Honduras (2021–2026), a \$8.4 million project implemented by Pan American Development Foundation in El Salvador, Guatemala, and Honduras; Youth Pathways-Central America (2015–2021), a \$17.2 million project implemented by Catholic Relief Services in El Salvador and Honduras; and Reducing Incidence of Child Labor and Harmful Conditions of Work in Economic Strengthening Initiatives (RICHES) (2017–2022), a \$1.6 million project implemented by the Grameen Foundation in El Salvador and the Philippines. (66,75,76) In 2021, the Youth Pathways-Central America project provided support and services for at-risk children and youth affected by the pandemic and natural disasters, such as in-kind food and biosecurity kits. It also assisted youth to continue school online as schools were closed for in-person instruction and provided employability skills training. (77) Additional information is available on the USDOL website.

† 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. (1,72,78,79)

In 2021, the Ministry of Education continued providing financial assistance to children in the form of school uniforms, shoes, and supplies, with its economic investment reaching a value of \$73.5 million. The Ministry of Education also contributed approximately \$14.2 million to the School Food and Health Program. (5)

Despite efforts to address human trafficking, services for boys who are human trafficking survivors are limited, which may leave them vulnerable to being trafficked again. (43) 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. (13)

Civil society organizations in El Salvador have raised concerns that actions taken by the government, such as the creation of a commission to investigate the allocation of funds to civil society organizations, may have negative repercussions on them. They are specifically concerned that these actions will affect the ability to operate of



independent civil society organizations, including those working on children's issues, which in turn could increase the vulnerability of children to exploitation. (80-82)

### 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 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 to the age up to which education is compulsory.	2018 – 2021
	Ensure that the legal light work provisions specify the activities in which light work may be undertaken by those under age 16.	2021
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 – 2021
	Ensure that the number of labor inspectors meets the ILO's technical advice.	2018 – 2021
	Ensure that all labor inspectors receive training on child labor themes.	2018 – 2021
	Establish monetary penalties for labor violations that are proportionate to the nature and seriousness of the offense.	2009 – 2021
	Collect and publish information on labor law enforcement efforts, including the number of labor inspectors and whether they received refresher courses on child labor; the number and type of labor inspections conducted, the number of violations found, and the total penalties imposed and collected.	2021
	Collect and make publicly available complete information on training for new criminal investigators and data on the number of investigations, criminal violations found, number of prosecutions initiated, number of convictions, and number of penalties imposed related to the worst forms of child labor.	2019 – 2021
	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 electronic information-sharing capabilities.	2014 – 2021
	Ensure there is a sufficient number of criminal law enforcement officials to carry out criminal investigations on the worst forms of child labor; and that they receive specialized training.	2021
Coordination	Ensure that all coordinating bodies are able to carry out their intended mandates.	2018 – 2021
Government Policies	Integrate child labor elimination and prevention strategies into the National Youth Policy for 2010–2024.	2014 – 2021
	Ensure that activities are undertaken to implement the National Policy Against Trafficking in Persons and that data on these activities are published during the reporting period.	2020 – 2021
Social Programs	Collect and publish government statistics evaluating the impact of collaborative projects targeting child labor in sugarcane production.	2016 – 2021
	Remove barriers to education, such as birth registration requirements, and ensure access for all children, including students of indigenous descent.	2011 – 2021
	Ensure that students have access and equipment for remote education, when necessary.	2021
	Ensure that schools have proper infrastructure and sanitation systems to support students.	2021
	Ensure that activities are undertaken to implement the Sustainable Families program to address child labor and that data on these activities are published during the reporting period.	2020 – 2021
	Ensure that adequate services are available for all human trafficking survivors, including boys.	2020 – 2021
	Implement programs to support child laborers who may not be living with their parents, including child domestic workers.	2017 – 2021
	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 – 2021

### REFERENCES

- 1 U.S. Embassy- San Salvador. Reporting. February 4, 2019.
- 2 U.S. Embassy- San Salvador. Reporting. January 15, 2020.
- 3 U.S. Embassy- San Salvador. Reporting. February 11, 2021.
- 4 U.S. Department of State. Trafficking in Persons Report- 2020 El Salvador. June 25, 2020.  
<https://www.state.gov/reports/2020-trafficking-in-persons-report/el-salvador/>
- 5 U.S. Embassy- San Salvador. Reporting. January 14, 2022 (A).
- 6 Government of El Salvador: Ministry of Economy. Encuesta de Hogares de Propósitos Múltiples. Dirección General de Estadística y Censos (DIGESTYC). 2021.  
<http://www.digestyc.gob.sv/index.php/temas/des/ehpm/publicaciones-ehpm.html>
- 7 UNESCO Institute for Statistics. Gross intake ratio to the last grade of primary education, both sexes (%). Accessed March 3, 2022. For more information, please see "Children's Work and Education Statistics: Sources and Definitions" in the Reference Materials section of this report.  
<http://data.uis.unesco.org/>
- 8 ILO. Analysis of Child Economic Activity and School Attendance Statistics from National Household or Child Labor Surveys. Original data from Encuesta de Hogares de Propósitos Múltiples (EHPM), 2020. Analysis received March 2022. Please see the "Children's Work and Education Statistics: Sources and Definitions" in the Reference Materials section of this report.
- 9 ILO and DIGESTYC. Magnitud y características del trabajo infantil en El Salvador 2015: Resultados del módulo sobre trabajo infantil de la Encuesta de Hogares de Propósitos Múltiples (EHPM) de 2015. Organización Internacional del Trabajo, Servicio de principios y derechos fundamentales en el trabajo (FUNDAMENTALS), Dirección General de Estadística y Censos de El Salvador (DIGESTYC). 2016.  
[http://www.ilo.org/ipecc/informationresources/WCMS\\_IPEC\\_PUB\\_28595/lang-es/index.htm](http://www.ilo.org/ipecc/informationresources/WCMS_IPEC_PUB_28595/lang-es/index.htm)
- 10 U.S. Embassy- San Salvador. Reporting. January 14, 2022 (B).
- 11 U.S. Embassy- San Salvador. Reporting. January 13, 2021.
- 12 U.S. Embassy- San Salvador. Reporting. January 16, 2018.
- 13 U.S. Embassy- San Salvador official. E-mail communication to USDOL official. July 6, 2022.
- 14 US Embassy- San Salvador. Reporting. February 14, 2020.
- 15 Ayala, Edgardo. Central America- Fertile Ground for Human Trafficking. Inter Press Service News Agency. November 8, 2019.  
<http://www.ipsnews.net/2019/11/central-america-fertile-ground-human-trafficking/>
- 16 UNICEF. Migración de Niñas, Niños y Adolescentes. Accessed May 27, 2021.  
<https://www.unicef.org/guatemala/migración-de-niñas-niños-y-adolescentes>
- 17 UN Human Rights Council. Summary of Stakeholders' Submissions on El Salvador- Report of the Office of the United Nations High Commissioner for Human Rights. August 21, 2019. Source on file.
- 18 UN Human Rights Council. Compilation on El Salvador- Report of the Office of the United Nations High Commissioner for Human Rights. August 22, 2019. Source on file.
- 19 U.S. Department of State. Country Reports on Human Rights Practices- 2020 El Salvador. Washington, DC, March 30, 2021.  
<https://www.state.gov/reports/2020-country-reports-on-human-rights-practices/el-salvador/>
- 20 Radfar, Amir; Asgharzadeh, Seyed Ahmad Ahmadi; Quesada, Fernando; and Filip, Irina. Challenges and Perspectives of Child Labor. *Industrial Psychiatry Journal*. 2018.  
<https://www.ncbi.nlm.nih.gov/pmc/articles/PMC6198592/?report=printable>
- 21 U.S. Embassy- San Salvador official. E-mail communication to USDOL official. June 16, 2021.
- 22 Government of El Salvador. Constitución de la República de El Salvador (with reforms until 2009). Enacted: 1983.  
[https://www.asamblea.gob.sv/sites/default/files/documents/decretos/171117\\_072857074\\_archivo\\_documento\\_legislativo.pdf](https://www.asamblea.gob.sv/sites/default/files/documents/decretos/171117_072857074_archivo_documento_legislativo.pdf)
- 23 Government of El Salvador. Código de Trabajo, No. 15. Enacted: June 23, 1972. Source on file.
- 24 Government of El Salvador. Ley de Protección Integral de la Niñez y la Adolescencia. Enacted: 2009. Source on file.
- 25 Government of El Salvador. Acuerdo No. 241. Enacted: July 8, 2011. Source on file.
- 26 Government of El Salvador. Ley Especial Contra la Trata de Personas, No. 824. Enacted: November 14, 2014.  
<https://www.acnur.org/fileadmin/Documentos/BDL/2016/10431.pdf>
- 27 Government of El Salvador. Código Penal (with modifications until 2010), No. 1030. Enacted: June 15, 1974.  
[http://www.oas.org/dil/esp/Codigo\\_Penal\\_El\\_Salvador.pdf](http://www.oas.org/dil/esp/Codigo_Penal_El_Salvador.pdf)
- 28 Government of El Salvador. Ley del Servicio Militar y Reserva de la Fuerza Armada, No. 298 de 1992. Enacted: July 30, 1992.  
<http://www.refworld.org/docid/4c73c69d2.html>
- 29 Government of El Salvador. Decree N. 298. Enacted August 10, 1992  
[https://www.asamblea.gob.sv/sites/default/files/documents/decretos/171117\\_072922265\\_archivo\\_documento\\_legislativo.pdf](https://www.asamblea.gob.sv/sites/default/files/documents/decretos/171117_072922265_archivo_documento_legislativo.pdf)
- 30 Government of El Salvador. Decreto No. 458 - Ley de Proscripción de Maras, Pandillas, Agrupaciones, Asociaciones y Organizaciones de Naturaleza Criminal. Enacted: September 10, 2010.  
[https://www.asamblea.gob.sv/sites/default/files/documents/decretos/171117\\_073001876\\_archivo\\_documento\\_legislativo.pdf](https://www.asamblea.gob.sv/sites/default/files/documents/decretos/171117_073001876_archivo_documento_legislativo.pdf)
- 31 Government of El Salvador. Ley General de Educación, No. 917. Enacted: 1996.  
[https://siteal.iiep.unesco.org/sites/default/files/sit\\_accion\\_files/siteal\\_el\\_salvador\\_0197.pdf](https://siteal.iiep.unesco.org/sites/default/files/sit_accion_files/siteal_el_salvador_0197.pdf)
- 32 U.S. Embassy- San Salvador official. E-mail communication to USDOL official. July 11, 2019.
- 33 Government of El Salvador. Decreto No. 90. Enacted: August 26, 2011. Source on file.
- 34 Ministerio de Trabajo y Prevision Social (MTPS). Presentación de Toda La Estructura Institucional del Ministerio de Trabajo y Previsión Social. 2017.  
<https://www.transparencia.gob.sv/institutions/mtps/documents/209718/download>
- 35 U.S. Embassy- San Salvador. Reporting. January 30, 2017.
- 36 Instituto Salvadoreño para el Desarrollo Integral de la Niñez y la Adolescencia (ISNA). Competencias de Trabajo. 2016. Source on file.
- 37 U.S. Embassy- San Salvador official. E-mail Communication to USDOL official. July 9, 2020.
- 38 ILO Labor Force Statistics (LFS) – Population and labour force. Accessed (January 25, 2022). Labor force data is government-reported data collected by the ILO. Please see "Labor Law Enforcement: Sources and Definitions" in the Reference Materials section of this report.  
<https://ilostat.ilo.org/data/>
- 39 UN. World Economic Situation and Prospects 2021 Statistical Annex. New York, 2021. Please see "Labor Law Enforcement: Sources and Definitions" in the Reference Materials section of this report.  
<https://www.un-ilibrary.org/content/books/9789210054980/read>
- 40 U.S. Embassy- San Salvador official. E-mail communication to USDOL official. May 22, 2017.
- 41 AP News. El Salvador: Police Arrest 30 in Child Pornography Case. October 1, 2021.  
<https://apnews.com/article/mexico-arrests-child-pornography-el-salvador-san-salvador-526ab08d4df268699e915281a86ffa57>
- 42 U.S. Embassy- San Salvador. Reporting. February 2, 2022.

- 43 U.S. Department of State. Trafficking in Persons Report- 2019: El Salvador. Washington, DC, June 14, 2019.  
[https://sv.usembassy.gov/our-relationship/official-reports/tip\\_2019/](https://sv.usembassy.gov/our-relationship/official-reports/tip_2019/)
- 44 Government of El Salvador. ¿Qué es el Comité Nacional para la Erradicación de las Peores Formas de Trabajo Infantil y Quiénes lo Componen? Ministerio de Trabajo. Accessed April 14, 2022.  
<https://www.mtps.gob.sv/2020/10/27/que-es-el-comite-nacional-para-la-erradicacion-de-las-peores-formas-de-trabajo-infantil-y-quienes-lo-componen/>
- 45 Consejo Nacional de la Niñez y de la Adolescencia (CONNA). Quiénes Somos. January 16, 2012. Source on file.
- 46 Consejo Nacional de la Niñez y de la Adolescencia (CONNA). Política Nacional de Protección Integral de la Niñez y de la Adolescencia en El Salvador. May 16, 2013.  
<http://extwprlegs1.fao.org/docs/pdf/els156067.pdf>
- 47 Machuca, Evelyn. CONNA funciona con déficit de presupuesto desde el año pasado. La Prensa Gráfica. January 21, 2019.  
<https://www.laprensagrafica.com/elsalvador/CONNA-funciona-con-deficit-de-presupuesto-desde-el-ano-pasado-20190120-0278.html>
- 48 Government of El Salvador. Sign Important Agreement Against Human Trafficking. Ministry of Justice and Public Security. January 7, 2021.  
<https://www.seguridad.gob.sv/firman-importante-convenio-contra-la-trata-de-personas/>
- 49 Ministerio de Trabajo y Previsión Social (MTPS). Hoja de Ruta para Hacer de El Salvador un País Libre de Trabajo Infantil y sus Peores Formas 2010–2020. December 1, 2009. Source on file.
- 50 Government of El Salvador. Ministerio de Trabajo Presenta Consolidado de Plan Integral de Inspecciones entre el MTPS y la PNC. MTPS. January 27, 2021.  
<https://www.mtps.gob.sv/2021/01/27/ministerio-de-trabajo-presenta-consolidado-de-plan-integral-de-inspecciones-entre-el-mtps-y-la-pnc/>
- 51 Bracamonte, Ricardo. El Torogoz, Plan Estratégico de Educación. El Salvador. com August 9, 2021.  
<https://www.elsalvador.com/opinion/editoriales/educacion/877088/2021/>
- 52 Government of El Salvador. Plan Torogoz: Plan Estratégico Institucional 2019-2024. Ministry of Education. April 20, 2021. Source on file.
- 53 UNICEF. UNICEF Brinda Apoyo Técnico a MINED para Cerrar la Brecha Digital. September 8, 2021.  
<https://www.unicef.org/elsalvador/comunicados-prensa/unicef-brinda-apoyo-tecnico-mined-para-cerrar-la-brecha-digital>
- 54 Government of El Salvador. Estudiantes Deben Inscribirse para Habilitar su Conectividad Gratuita. February 26, 2021.  
<https://www.mined.gob.sv/2021/02/26/estudiantes-deben-inscribirse-para-habilitar-su-conectividad-gratuita/#:~:text=su conectividad gratuita-,Estudiantes deben inscribirse para habilitar su conectividad gratuita,cuenta el alumno o alumna.>
- 55 UCV. Entendiendo los Resultados del Trabajo Infantil y el Empleo Juvenil en El Salvador. June 2013. Source on file.
- 56 Government of El Salvador. Política Nacional contra la Trata de Personas de El Salvador. 2012.  
[https://tbinternet.ohchr.org/Treaties/CMW/Shared Documents/SLV/INT\\_CMW\\_ADR\\_SLV\\_I6594\\_S.doc](https://tbinternet.ohchr.org/Treaties/CMW/Shared%20Documents/SLV/INT_CMW_ADR_SLV_I6594_S.doc)
- 57 Government of El Salvador. Crecer Juntos: Política Nacional de Apoyo al Desarrollo Infantil Temprano 2020-2030. January 2021.  
[https://crecerjuntos.gob.sv/dist/documents/POLITICA\\_CRECER\\_JUNTOS\\_2020-2030.pdf](https://crecerjuntos.gob.sv/dist/documents/POLITICA_CRECER_JUNTOS_2020-2030.pdf)
- 58 Governments of El Salvador, Guatemala, and Honduras. Plan of the Alliance for Prosperity in the Northern Triangle: A Road Map. September 2014.  
<http://idbdocs.iadb.org/wsdocs/getdocument.aspx?docnum=39224238>
- 59 Government of Guatemala and Government of El Salvador. Memorandum de Entendimiento entre la República de El Salvador y la República de Guatemala para la Protección de las Víctimas de la Trata de Personas y del Tráfico Ilícito de Migrantes. 2011.  
[https://www.oas.org/dil/esp/Memorandum\\_de\\_Entendimiento\\_Guatemala\\_El\\_Salvador\\_Trata\\_de\\_Persona.pdf](https://www.oas.org/dil/esp/Memorandum_de_Entendimiento_Guatemala_El_Salvador_Trata_de_Persona.pdf)
- 60 Government of El Salvador. Renovación del Convenio de Cooperación para la Erradicación del Trabajo Infantil en Caña de Azúcar. Ministerio de Trabajo y Previsión Social (MTPS). June 29, 2015. Source on file.
- 61 U.S. Embassy- San Salvador official. E-mail communication to USDOL official. June 26, 2018.
- 62 Government of El Salvador. Política Nacional de Juventud 2010–2024 y Plan Acción 2010–2014. August 2010. Source on file.
- 63 Government of El Salvador. Ministerio de Trabajo Lanza el Sistema de Información del Mercado Laboral SIMEL. Ministry of Labor and Social Welfare. December 1, 2021.  
<https://www.mtps.gob.sv/2021/12/01/ministerio-de-trabajo-lanza-el-sistema-de-informacion-del-mercado-laboral-simel/>
- 64 Government of El Salvador. Objetivos del SIMEL. Ministry of Labor and Social Welfare: SIMEL. Accessed on May 11, 2022.  
<https://simel.mtps.gob.sv/objetivos-del-simel/>
- 65 Government of El Salvador. Trabajo por Abolir. Ministry of Labor and Social Welfare: SIMEL. Accessed on May 11, 2022.  
<https://simel.mtps.gob.sv/category/temas/trabajo-por-abolir/>
- 66 U.S. Embassy- San Salvador. Reporting. February 13, 2017.
- 67 Machuca, Evelyn. Lanzan Línea para Atender a la Niñez y a la Adolescencia. La Prensa Gráfica. May 25, 2019.  
<https://www.laprensagrafica.com/elsalvador/Lanzan-linea-para-atender-a-la-ninez-y-a-la-adolescencia-20190524-0509.html>
- 68 International Organization for Migration. Cancillería de El Salvador se Suma a Campaña de OIM para Prevenir la Trata de Personas y Desmotivar la Migración Irregular. February 10, 2021.  
<https://www.programamesoamerica.iom.int/es/noticia/cancilleria-de-el-salvador-se-suma-campana-de-oim-para-prevenir-la-trata-de-personas-y>
- 69 Secretaría Técnica y Planificación. Familias Sostenibles. 2017. Source on file.
- 70 Fondo de Inversión Social para el Desarrollo Local de El Salvador. FISDL Asume con el Mayor de los Compromisos el Reto de Ser la Principal Institución Ejecutora de la Estrategia Familias Sostenibles. November 20, 2017. Source on file.
- 71 Government of El Salvador. Plan de Prevención y Seguridad Escolar en Chalatenango. Ministerio de Educación. March 4, 2014. Source on file.
- 72 Ministerio de Educación. Consejo Nacional de Seguridad anuncia la realización de la Semana por la seguridad y la convivencia ciudadana. November 1, 2017. Source on file.
- 73 Calderón, Beatriz. Plan de seguridad escolar incluye 1,123 centros educativos este año. San Salvador: La Prensa Gráfica. San Salvador. January 29, 2019.  
<https://www.laprensagrafica.com/elsalvador/Plan-de-seguridad-escolar-incluye-1123-centros-educativos-este-ano-20190129-0261.html>
- 74 Periodo Equilibrium. Autoridades de seguridad lanzan plan de prevención escolar. January 29, 2019.  
<http://www.periodicoequilibrium.com/autoridades-de-seguridad-lazan-plan-de-prevencion-escolar/>
- 75 National Council for Children and Adolescents (CONNA) Acuerdo 1, Reglamento Programas de Atención Niñez, Adolescencia. 2017. Source on file.
- 76 Catholic Relief Services. Youth Pathways- Central America Project Summary. 2017.  
<https://www.dol.gov/agencies/ilab/youth-pathways-central-america-0>
- 77 U.S. Department of Labor. Project Youth Pathways Central America, Honduras and El Salvador. Technical Progress Report. October, 2021. Source on file.
- 78 Díaz, Juan Carlos. Insisten en Prevenir la Migración de los Centroamericanos a EUA. La Prensa Gráfica. May 5, 2017. Source on file.
- 79 United Nations Office on Drugs and Crime. El Salvador joins UNODC's Blue Heart campaign to end human trafficking. 2017.  
<https://www.unodc.org/unodc/en/frontpage/2017/November/el-salvador-joins-unodcs-blue-heart-campaign-to-end-human-trafficking.html?ref=fs1>

# El Salvador

---

## MODERATE ADVANCEMENT

- 80 International Center for Not-For-Profit Law. Civic Freedom Monitor: El Salvador. November 23, 2021.  
<https://www.icnl.org/resources/civic-freedom-monitor/el-salvador>
- 81 Human Rights Watch. El Salvador: Shelve 'Foreign Agents' Bill. November 12, 2021.  
<https://www.hrw.org/news/2021/11/12/el-salvador-shelve-foreign-agents-bill#>
- 82 Daniels, Joe Parkin. El Salvador Rights Groups Fear Repression After Raids on Seven Offices. The Guardian. November 24, 2021.  
<https://www.theguardian.com/global-development/2021/nov/24/el-salvador-rights-groups-fear-repression-after-raids-on-seven-offices>

## NO ADVANCEMENT – EFFORTS MADE BUT COMPLICIT IN FORCED CHILD LABOR

In 2021, Eritrea is receiving an assessment of no advancement. Despite initiatives to address child labor, Eritrea is assessed as having made no advancement because it demonstrated complicity in the use of forced child labor. Government officials continued to force students in grade 12, some 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 its Child Wellbeing Committees. 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, 2022. (2)

Data were unavailable from International Labor Organization's analysis, 2022. (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 (4,5)
	Herding livestock (4-7)
Industry	Mining, including gold (8)
	Small-scale manufacturing (9)
Services	Domestic work, including fetching water and firewood (4,9)
	Working in auto mechanic shops, bicycle repair shops, tea and coffee shops, metal workshops, grocery stores, the Asmara bowling alley, and open markets (1,6,9,10)
	Street work, including vending, cleaning cars, and begging (1,4,9)
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 (5,11-13)
	Commercial sexual exploitation, sometimes as a result of human trafficking (14)

‡ 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. (5,12,15) To graduate from high school and meet the compulsory training component of national service, students are required to complete their final year of schooling (grade 12) at the Warsay Yika'alo 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 by the time they participate in the military training component of 12th grade schooling, some are reportedly as young as age 16. (5,12,14,16) During the year at Sawa, 4 months are devoted to mandatory military training, which includes military discipline and procedures, weapons training, a survival exercise, and a 2-to-4 week war simulation. Some conscripts are forced to perform agricultural labor on government-owned farms. (13,15,17) 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 and food subsidies, opening a bank account, 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. (18,19)




Without completion of (and official release from) national service assignments, Eritrean children face a future of indefinite national service. They endure notoriously harsh conditions at Sawa, including allegations of sexual harassment of female students. Many are later unable to earn higher wages in the private sector. (5,20) These factors underlie an ongoing exodus of unaccompanied minors from the country. (4,14,21,22) 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. (4,14,23,24) It is unclear if age verification procedures are consistently applied prior to new Sawa graduates being sent to active military service. (5,25) 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. (12,14,26) Furthermore, the government did not collect or publish data on child work, child labor, or the worst forms of child labor during the reporting period. (1,5)

Children, particularly in rural areas, lack access to teachers, classrooms, transportation, uniforms, and school supplies. (5,14,18,27) To address the shortfall, through the national service program the government has deployed teachers to less populated regions to educate rural and nomadic children. (1,5) The government's national development agenda prioritizes the expansion of schooling in rural areas. (5,28,29) 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)

## II. LEGAL FRAMEWORK FOR CHILD LABOR

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

**Table 3. Ratification of International Conventions on Child Labor**

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

**NO ADVANCEMENT – EFFORTS MADE BUT COMPLICIT IN FORCED CHILD LABOR**

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	Articles 3 and 68 of the Labor Proclamation (30)
Minimum Age for Hazardous Work	No		Articles 3, 35, and 69 of the Labor Proclamation (30)
Identification of Hazardous Occupations or Activities Prohibited for Children	No		Article 69 of the Labor Proclamation (30)
Prohibition of Forced Labor	Yes		Articles 3 and 9 of the Labor Proclamation; Articles 108(c) and 297 of the Penal Code (21,30)
Prohibition of Child Trafficking	Yes		Articles 297 and 315–318 of the Penal Code (21)
Prohibition of Commercial Sexual Exploitation of Children	No		Articles 313–318 of the Penal Code (21)
Prohibition of Using Children in Illicit Activities	No		Articles 390 and 391 of the Penal Code (21)
Minimum Age for Voluntary State Military Recruitment	No		
Prohibition of Compulsory Recruitment of Children by (State) Military	Yes		Articles 7 and 8 of the Proclamation on National Service (12)
Prohibition of Military Recruitment by Non-state Armed Groups	No		Articles 109(e) and 111(b) of the Penal Code (21)
Compulsory Education Age	No	14‡	
Free Public Education	No		Article 21 of the Constitution (31)

‡ Age calculated based on available information (22-24)

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. (30) 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. (25) Likewise, the Labor Proclamation's hazardous work protections do not apply to children working outside formal employment relationships. (30)

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. (21) 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. (21) 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. (12)

Eritrea does not appear to have any laws guaranteeing free basic education or setting the compulsory education age, increasing the risk of children's involvement in child labor. However, 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. (25,32,33)

**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.

## NO ADVANCEMENT – EFFORTS MADE BUT COMPLICIT IN FORCED CHILD LABOR

**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. (16) According to the government, child labor inspectors operate in every administrative zone. (27)
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 2021, labor law enforcement agencies in Eritrea took actions to address 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 lack of referral mechanisms.

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

Overview of Labor Law Enforcement	2020	2021
Labor Inspectorate Funding	Unknown (1)	Unknown (5)
Number of Labor Inspectors	28 (1)	28 (5)
Mechanism to Assess Civil Penalties	Yes (1,30)	Yes (5,30)
Initial Training for New Labor Inspectors	Yes (1)	Yes (5)
Training on New Laws Related to Child Labor	N/A (1)	N/A
Refresher Courses Provided	Yes (1)	Yes (5)
Number of Labor Inspections Conducted	Unknown (1)	Unknown (5)
Number Conducted at Worksite	Unknown (1)	Unknown (5)
Number of Child Labor Violations Found	Unknown (1)	Unknown (5)
Number of Child Labor Violations for Which Penalties Were Imposed	Unknown (1)	Unknown (5)
Number of Child Labor Penalties Imposed that Were Collected	Unknown (1)	Unknown (5)
Routine Inspections Conducted	Unknown (1)	Unknown (5)
Routine Inspections Targeted	Unknown (1)	Unknown (5)
Unannounced Inspections Permitted	Yes (1,30)	Yes (30)
Unannounced Inspections Conducted	Unknown (1)	Unknown (5)
Complaint Mechanism Exists	Unknown (1)	Unknown (5)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Unknown (1)	Unknown (5)

Because child labor laws do not extend to private farms and homes, it is unlikely inspectors inspected private farms and homes. (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. (28) According to the ILO's technical advice of a ratio approaching 1 inspector for every 40,000 workers in less developed economies, Eritrea would need to employ about 68 labor inspectors. (28,29)

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)

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 efforts for inclusion in this report. (1)

### Criminal Law Enforcement

In 2021, criminal law enforcement agencies in Eritrea took actions to address child labor (Table 7). However, gaps exist within the operations of the criminal enforcement agencies that may hinder adequate criminal enforcement, including a lack of criminal law enforcement data.

## NO ADVANCEMENT – EFFORTS MADE BUT COMPLICIT IN FORCED CHILD LABOR

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

Overview of Criminal Law Enforcement	2020	2021
Initial Training for New Criminal Investigators	Unknown (1)	Unknown (5)
Training on New Laws Related to the Worst Forms of Child Labor	N/A (1)	N/A
Refresher Courses Provided	Unknown (1)	Unknown (5)
Number of Investigations	Unknown (1)	Unknown (5)
Number of Violations Found	Unknown (1)	Unknown (5)
Number of Prosecutions Initiated	Unknown (1)	Unknown (5)
Number of Convictions	Unknown (1)	Unknown (5)
Imposed Penalties for Violations Related to the Worst Forms of Child Labor	Unknown (1)	Unknown (5)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Unknown (1)	Unknown (5)

Under the Proclamation on National Service (No. 82/1995), all Eritreans over the age of 18 must undergo 6 months of compulsory military training at the National Military Training Center. (12) 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 2021 to ensure children were not subjected to compulsory military training. (5,9,13,30) The government does not publicly release information on its criminal law enforcement efforts. (9,20)

#### 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 has 43 Child Well-Being Committees that operate at the local level and 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 2021, 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. (5,9)

#### V. GOVERNMENT POLICIES ON CHILD LABOR

The government has established policies related to child labor (Table 8). However, policy gaps exist that hinder efforts to address child labor, including a lack of efficacy in carrying out 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. (34,32) The policy calls for the provision of free and compulsory basic education to all children irrespective of gender, sex, ethnicity, religion, or disability. (35) Research was unable to determine whether activities were undertaken to implement the policy during the reporting period.
Education Sector Development Plan (2018–2021)	Established 8 years of free and compulsory education for all children. (36,37) Included a strategy to ensure equitable access to education for all children, including in nomadic communities, through the provision of portable classrooms. (34,36) Research was unable to determine whether activities were undertaken to implement the policy during the reporting period.

‡ The government had other policies that may have addressed child labor issues or had an impact on child labor. (33)

#### VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2021, the government funded and participated in programs that may contribute to eliminating or preventing child labor (Table 9). However, gaps exist in these social programs, including inadequacy to address the problem in all sectors.

## NO ADVANCEMENT – EFFORTS MADE BUT COMPLICIT IN FORCED CHILD LABOR

**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. (4,17,36) UNICEF pledged to support continuity of education for over 600,000 children in 2020–2021. (38-40) Research was unable to determine whether activities were undertaken to implement the program during the reporting period.
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, expanded access to quality basic education for all children, and protected children from violence, exploitation, and abuse. (41,42) Research was unable to determine whether activities were undertaken to implement the program during the reporting period.
Better Migration Management	EU-led program encompassing 11 countries in North, Central, and East Africa; aims to address the international labor market, including trafficking of children. The Eritrean government joined the program on May 28, 2019. (9,43) Research was unable to determine whether activities were undertaken to implement the policy 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.

## 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 – 2021
	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 – 2021
	Criminally prohibit the use of a child for prostitution.	2014 – 2021
	Criminally prohibit procuring and offering a child for the production of drugs.	2013 – 2021
	Criminally prohibit the recruitment of children under age 18 by non-state armed groups.	2016 – 2021
	Establish by law free basic public education, and establish by law an age up to which education is compulsory that extends to the minimum age for employment.	2016 – 2021
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 – 2021
	Increase the number of labor inspectors to meet the ILO's technical advice.	2018 – 2021
	Ensure labor inspectors are provided sufficient resources, including transportation, to access sites in which child labor is likely to occur.	2019 – 2021
	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 – 2021
	Ensure there are reciprocal referral mechanisms between labor authorities and social services.	2021
Coordination	Establish coordinating mechanisms to directly address child labor.	2009 – 2021
Government Policies	Ensure that children under age 18 are not placed in military or agricultural labor assignments as part of national service.	2009 – 2021
	Publish information on actions taken to implement the Education Sector Development Plan (2018–2021) and the Comprehensive National Child Policy.	2021
Social Programs	Ensure that all children, including in rural areas, have equitable 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 – 2021
	Collect and publish data on the extent and nature of child labor to inform policies and programs.	2009 – 2021
	Institute programs and publish information regarding efforts to address child labor, including in agriculture, domestic work, street work, and the worst forms of child labor, including in commercial sexual exploitation.	2009 – 2021



## NO ADVANCEMENT – EFFORTS MADE BUT COMPLICIT IN FORCED CHILD LABOR

### REFERENCES

- 1 U.S. Department of State. Reporting. January 13, 2021.
- 2 UNESCO Institute for Statistics. Gross intake ratio to the last grade of primary education, both sexes (%). Accessed March 3, 2022. For more information, please see "Children's Work and Education Statistics: Sources and Definitions" in the Reference Materials section of this report. <http://data.uis.unesco.org/>
- 3 ILO. Analysis of Child Economic Activity and School Attendance Statistics from National Household or Child Labor Surveys. Analysis received March 2022. Please see "Children's Work and Education Statistics: Sources and Definitions" in the Reference Materials section of this report.
- 4 Government of Eritrea. 2018 Child Labour Report: Prepared as part of the USA-TDA (20000) Requirements. Asmara, January 11, 2019. Source on file.
- 5 U.S. Embassy- Asmara. Reporting. February 8, 2022.
- 6 U.S. Department of State. Reporting. January 24, 2018.
- 7 UN General Assembly Human Rights Council. Report of the Working Group on the Universal Periodic Review: Eritrea. New York, April 18, 2019: A/HRC/41/14. <https://documents-dds-ny.un.org/doc/UNDOC/GEN/G19/110/20/PDF/G1911020.pdf?OpenElement>
- 8 Haile, Milkias, et al. Adverse Health Effects of Mercury Use on Illegal Gold Miners: A Study in Garasi, Eritrea. *Advances in Biochemistry*, 5(2), 2017. <https://www.sciencepublishinggroup.com/journal/paperinfo?journalid=110&doi=10.11648/j.ab.20170502.11>
- 9 U.S. Department of State. Reporting. February 3, 2020.
- 10 U.S. Department of State. Reporting. February 6, 2019.
- 11 UN General Assembly Human Rights Council. Report of the Special Rapporteur on the situation of human rights in Eritrea: Note by the Secretariat. July 24, 2017: A/HRC/35/39. Source on file.
- 12 Government of Eritrea. Proclamation of National Service, Proclamation No. 82/1995. Enacted October 23, 1995. <https://www.refworld.org/docid/3dd8d3af4.html>
- 13 Human Rights Watch. "They Are Making Us into Slaves, Not Educating Us". August 2019. [https://www.hrw.org/sites/default/files/report\\_pdf/eritrea0819\\_web.pdf](https://www.hrw.org/sites/default/files/report_pdf/eritrea0819_web.pdf)
- 14 U.S. Department of State. Trafficking in Persons Report- 2020: Eritrea. Washington, D.C., June 25, 2020. <https://www.state.gov/reports/2020-trafficking-in-persons-report/eritrea/>
- 15 U.S. Department of State. Country Reports on Human Rights Practices- 2019: Eritrea. Washington, D.C., March 11, 2020. <https://www.state.gov/reports/2019-country-reports-on-human-rights-practices/eritrea/>
- 16 U.S. Department of State. Reporting. April 17, 2019.
- 17 U.S. Department of State official. E-mail communication to USDOL official. July 12, 2019.
- 18 UN General Assembly Human Rights Council. Summary of Stakeholders' submissions on Eritrea. New York, November 7, 2018: A/HRC/WG.6/32/ERI/3. <https://documents-dds-ny.un.org/doc/UNDOC/GEN/G18/333/89/PDF/G1833389.pdf?OpenElement>
- 19 U.S. Department of State official. E-mail communication to USDOL official. May 12, 2021.
- 20 U.S. Embassy- Asmara. Reporting. January 28, 2022.
- 21 Government of Eritrea. The Penal Code of the State of Eritrea 2015. Sabur Printing Services, 2015. <https://www.refworld.org/pdfid/55a51ccc4.pdf>
- 22 Education Policy and Data Center. Eritrea. <https://www.epdc.org/country/eritrea.html>
- 23 UNESCO. Education System- Eritrea. 2021. <http://uis.unesco.org/country/ER>
- 24 ILO Committee of Experts. Individual Observations concerning Minimum Age Convention, 1973 (No. 138) Eritrea (ratification: 2000). Published 107th ILC session (2018). [https://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100\\_COMMENT\\_ID:3338792:NO](https://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:3338792:NO)
- 25 ILO Committee of Experts. Individual Observations concerning Minimum Age Convention, 1973 (No. 138) Eritrea (ratification: 2000). Published: 2021. [https://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100\\_COMMENT\\_ID:4057152](https://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:4057152)
- 26 U.S. Department of State official. E-mail communication to USDOL official. January 31, 2018.
- 27 U.S. Department of State official. E-mail communication to USDOL official. April 26, 2017.
- 28 CIA. The World Factbook. Accessed March 2019. <https://www.cia.gov/the-world-factbook/countries/eritrea/>
- 29 UN. World Economic Situation and Prospects 2018 Statistical Annex. New York, 2018. Please see "Labor Law Enforcement: Sources and Definitions" in the Reference Materials section of this report. [https://www.un.org/development/desa/dpad/wp-content/uploads/sites/45/publication/WESP2018\\_Full\\_Web-I.pdf](https://www.un.org/development/desa/dpad/wp-content/uploads/sites/45/publication/WESP2018_Full_Web-I.pdf)
- 30 Government of Eritrea. The Labour Proclamation of Eritrea, No. 118/2001. Enacted: 2001. Source on file.
- 31 Government of Eritrea. The Constitution of Eritrea. May 23, 1997. <https://wipo.int/en/legislation/details/8937>
- 32 Government of Eritrea. Comprehensive National Child Policy. February 2013. Source on file.
- 33 UN. The Strategic Partnership Cooperation Framework (SPCF) Between the Government of the State of Eritrea and The United Nations 2017–2021. January 2017. <https://eritrea.un.org/en/99909-strategic-partnership-cooperation-framework-2017-2021>
- 34 Government of Eritrea. Ministry of Labour and Social Welfare. Department of Labor TDA Report 2019. 2019. Source on file.
- 35 U.S. Department of State official. E-mail communication to USDOL official. March 21, 2019.
- 36 Government of Eritrea. Education Sector Plan 2018–2022. February 1, 2018. <https://www.globalpartnership.org/content/education-sector-plan-eritrea-2018-2022>
- 37 U.S. Department of State official. E-mail communication to USDOL official. May 29, 2018.
- 38 UNICEF. Humanitarian Action for Children. December 2020. <https://www.unicef.org/media/87231/file/2021-HAC-Eritrea.pdf>
- 39 UNICEF. Eritrea Appeal: Humanitarian Action for Children. August 31, 2019. <https://www.unicef.org/appeals/eritrea>
- 40 UNICEF. Eritrea Country Office: Humanitarian Situation Report No. 12. July 2020. <https://www.unicef.org/media/83096/file/Eritrea-SitRep-Mid-Year-2020.pdf>
- 41 U.S. Department of State official. E-mail communication to USDOL official. May 16, 2019.
- 42 UN. The Strategic Partnership Cooperation Framework (SPCF) Between the Government of the State of Eritrea and The United Nations 2017–2021. December 31, 2019. [https://reliefweb.int/sites/reliefweb.int/files/resources/200203\\_un-gose\\_infographic\\_spcf\\_2017-21\\_31dec2019.pdf](https://reliefweb.int/sites/reliefweb.int/files/resources/200203_un-gose_infographic_spcf_2017-21_31dec2019.pdf)
- 43 European Union. Better Migration Management Programme Phase II. May 28, 2019. [https://ec.europa.eu/trustfundforafrica/region/horn-africa/regional/better-migration-management-programme-phase-ii\\_en](https://ec.europa.eu/trustfundforafrica/region/horn-africa/regional/better-migration-management-programme-phase-ii_en)

In 2021, Eswatini made minimal advancement in efforts to eliminate the worst forms of child labor. The Government of Eswatini launched a National Action Plan on the Elimination of Child Labor and created an interagency task force to oversee its implementation. The Deputy Prime Minister (DPM)'s office, which oversees child welfare, launched a campaign to ensure that children in Eswatini are issued identity documents, which will help orphaned and vulnerable children gain a greater access to education. 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. 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. (1,2) 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 (%)		88.6

Source for primary completion rate: Data from 2019, published by UNESCO Institute for Statistics, 2022. (3)

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

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

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

Sector/Industry	Activity
Agriculture	Raising and herding livestock, including cattle, buffalo, goats, swine, horses, donkeys, and sheep (2,5,6)
Services	Domestic work (2,6)
	Street work, including working as vendors, bus attendants, taxi conductors, porters, and car washers (1,6-8)
Categorical Worst Forms of Child Labor‡	Forced labor in livestock herding, domestic work, farming, and market vending (1,7-11)
	Commercial sexual exploitation, sometimes as a result of human trafficking (1,6-8,10-13)
	Use in illicit activities, including growing drugs such as marijuana (6,11,12)

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

Children perform physically arduous tasks while herding in the grasslands and mountainous regions, and risk occupational injury and disease from exposure to dangerous tools, insecticides, and herbicides. Children's injuries sustained during livestock herding include open wounds, fractures, dislocations and sprains, fever, extreme fatigue, and snake bites. (5) In addition, there is evidence that children are increasingly involved in the production—but not the dealing or trafficking—of marijuana, which remains illegal. (2,6,11)

# Eswatini

## MINIMAL ADVANCEMENT







Research suggests that in recent years, children from neighboring countries have been trafficked through Eswatini for purposes of sexual exploitation. There are also reports that Swati children, particularly orphaned and vulnerable girls from poor families, have been lured into sexual exploitation through promises of good jobs in neighboring countries, particularly South Africa. (2)

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. (2,6,14)

## 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 at or above that required by international standards.

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

Standard	Meets International Standards	Age	Legislation
Minimum Age for Work	No	15	Articles 234 and 238 of the Children's Protection and Welfare Act; Section 97 of the Employment Act (15,16)
Minimum Age for Hazardous Work	Yes	18	Articles 236 and 238 of the Children's Protection and Welfare Act; Article 29 of the Constitution (15,17)
Identification of Hazardous Occupations or Activities Prohibited for Children	No		Articles 233, 236, and 237 of the Children's Protection and Welfare Act (15)
Prohibition of Forced Labor	Yes		Articles 2, 13, 232, and 238 of the Children's Protection and Welfare Act; Sections 144 and 145 of the Employment Act; Articles 2, 12, and 13 of the People Trafficking and People Smuggling (Prohibition) Act; Article 17 of the Constitution (15-18)
Prohibition of Child Trafficking	Yes		Article 2 of the Children's Protection and Welfare Act; Articles 2, 3, 12, and 13 of the People Trafficking and People Smuggling (Prohibition) Act (15,18)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Sections 42–46 of the Crimes Act; Sections 2, 13–15, 24, 25, and 38 of the Sexual Offences and Domestic Violence Act; Articles 2, 12, and 13 of the People Trafficking and People Smuggling (Prohibition) Act (18-20)
Prohibition of Using Children in Illicit Activities	Yes		Articles 16 and 49 of the Children's Protection and Welfare Act (15)
Minimum Age for Voluntary State Military Recruitment	Yes	18	Section 17 of The Umbutfo Swaziland Defense Force Order (21)

**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*		Section 17 of The Umbutfo Swaziland Defense Force Order (21)
Prohibition of Military Recruitment by Non-state Armed Groups	No		
Compulsory Education Age	No	12/13‡	Section 10 of the Free Primary Education Act (22)
Free Public Education	No		Section 3 of the Free Primary Education Act (22)

\* Country has no conscription (21)

‡ Age calculated based on available information (22)

Both the Children's Protection and Welfare Act and the Employment Act apply minimum age protections to children working in industrial undertakings, but neither covers children working in domestic or agricultural work. (15,16) Children working in the agricultural and informal sectors often work long hours, carry heavy loads, work in remote areas, and risk exposure to harmful pesticides. (5) There is also no identification of hazardous occupations or activities prohibited for children based on the current legislation. (15,16,23)

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. (22,23) 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. (22,24)

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*, a practice in which people render services to the local chief or king. (14,25) There have been no recent reports that local chiefs forced residents or children to work, and research indicates that the practice is rare or non-existent. 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. (25)

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. (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.

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

Organization/Agency	Role
Ministry of Labor and Social Security (MLSS)	Enforces child labor laws and promotes relations between labor, government, and business through tripartite dialogue. (14)
Royal Eswatini Police Services (REPS)	Investigates cases involving the worst forms of child labor. Informs victims of sexual offenses, including commercial sexual exploitation, of available counseling and other support services. (20,26)

## MINIMAL ADVANCEMENT

**Table 5. Agencies Responsible for Child Labor Law Enforcement (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. (27)
Director of Public Prosecutions	Prosecutes cases involving the worst forms of child labor, and refers child survivors to social and legal support services. (2,20) Responsible for implementing survivor identification guidelines and referral mechanisms for victims of human trafficking and those at risk. (2)

The Department of Social Welfare offered support 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). (6,14)

### Labor Law Enforcement

In 2021, labor law enforcement agencies in Eswatini took actions to address child labor (Table 6). However, gaps exist within the authority of the MLSS 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	2020	2021
Labor Inspectorate Funding	Unknown (6)	Unknown (2)
Number of Labor Inspectors	Unknown (6)	14 (2)
Mechanism to Assess Civil Penalties	Yes (16)	Yes (16)
Initial Training for New Labor Inspectors	Yes (6)	Yes (2)
Training on New Laws Related to Child Labor	N/A (6)	N/A (2)
Refresher Courses Provided	No (6)	Yes (2)
Number of Labor Inspections Conducted	Unknown (6)	Unknown (2)
Number Conducted at Worksite	N/A (6)	N/A (2)
Number of Child Labor Violations Found	Unknown (6)	0 (2)
Number of Child Labor Violations for Which Penalties Were Imposed	N/A (6)	N/A (2)
Number of Child Labor Penalties Imposed that Were Collected	N/A (6)	N/A (2)
Routine Inspections Conducted	Yes (6)	Yes (2)
Routine Inspections Targeted	Yes (6)	Yes (2)
Unannounced Inspections Permitted	Yes (16)	Yes (16)
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)

Although the amount of funding for the labor inspectorate is unknown, research indicates that there was no funding for labor inspections during the reporting period. (2) In previous years, research indicated that labor inspectors lacked sufficient resources, such as vehicles, to conduct inspections. (2,6,12,26) In addition, based on the number of labor inspectors, there remains a lack of labor inspectors for the size of Eswatini's workforce, which includes approximately 427,900 workers. (28) 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 24 labor inspectors, and would require the hiring of 11 additional inspectors to meet this threshold. (29,30)

Due to civil unrest, spikes in COVID-19 cases, and restrictions in movement put in place by the government, there were limited inspections conducted by the labor inspectorate, although the total number is unknown. (2)

While a mechanism to assess civil penalties exists, inspectors are not allowed to assess penalties. They must refer the matter to the police, who in turn refer to the office of the Director of Public Prosecutions (DPP) for framing formal charges against a company or individual. (2) If the case is prosecuted and concluded against the employer, then the courts will determine the fines. (2)



### Criminal Law Enforcement

In 2021, criminal law enforcement agencies in Eswatini took actions to address 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	2020	2021
Initial Training for New Criminal Investigators	Yes (6)	Yes (2)
Training on New Laws Related to the Worst Forms of Child Labor	N/A (6)	N/A (2)
Refresher Courses Provided	Yes (6)	Yes (2)
Number of Investigations	1 (6)	0 (2)
Number of Violations Found	1 (6)	N/A (2)
Number of Prosecutions Initiated	1 (6)	N/A (2)
Number of Convictions	Unknown (6)	0 (2)
Imposed Penalties for Violations Related to the Worst Forms of Child Labor	Unknown (6)	N/A (2)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (6)	Yes (2)

REPS lacked sufficient resources to fulfill its full mandate and carry out child labor investigations and likely will continue to lack sufficient resources due to the ongoing economic crisis and budget cuts in Eswatini. (2,6,14)

## 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
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. (26) 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 survivors 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. (18) In 2021, the Government of Eswatini assumed management of a new shelter for human trafficking survivors, which involved coordination across government and non-government entities; the shelter is expected to be fully operational in 2022. (2,31)

During the reporting period, a tripartite committee, consisting of REPS, the DPP, and the Trafficking in Persons Secretariat, met to report on cases and ensure appropriate interventions were being taken. (11)

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 its mandate, how to accomplish their mission, and the overall effectiveness of the task force. (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 a lack of implementation.

## MINIMAL ADVANCEMENT

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

Policy	Description
National Strategic Framework and Action Plan to Combat People Trafficking (2019–2023)	Assigns responsibilities for addressing human trafficking to relevant government agencies and provides services to survivors. Aims to improve protection for survivors, prosecution for offenders, and continued prevention efforts. (32) Research was unable to determine whether actions were undertaken to implement this policy during the reporting period.
National Action Plan on the Elimination of Child Labor (2019–2025)†	An interagency task force was established to oversee the implementation of the new policy. A hard copy of the policy was not available for review. (2)
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. (33) Research was unable to determine whether actions were undertaken to implement this policy during the reporting period.

† Policy was adopted during the reporting period.

## VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2021, 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 inadequacy 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 aimed 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. (6) In December 2021, the program trained law enforcement officials on countertrafficking to build their capacity to screen, identify, and refer victims to the appropriate services. (31)
Free Primary Education Program†	Provides funding to ensure free primary education to children for a period of 7 years, starting from age 6 and ending at grade seven. (26,34) Research was unable to determine whether activities were undertaken to implement this program during the reporting period.

† Program is funded by the Government 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. (8) In addition, the Deputy Prime Minister's office, which oversees child welfare, launched a campaign to register children to help them gain access to schools. (2) Although Eswatini has programs that target child labor, the scope of these programs is insufficient to fully address the extent of the problem. (8,35)

## 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 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 – 2021
	Ensure that the hazardous occupations and activities prohibited for children are comprehensive and cover agricultural undertakings and domestic work.	2012 – 2021
	Adopt legislation that prohibits the recruitment of children under age 18 by non-state armed groups.	2016 – 2021
	Establish a compulsory education age that is consistent with the minimum age for work.	2009 – 2021
	Establish by law free basic public education through lower secondary education.	2018 – 2021
	Adopt legislation that regulates the work performed through traditional practices like <i>Kuhlehla</i> .	2017 – 2021

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

Area	Suggested Action	Year(s) Suggested
Enforcement	Collect and publish comprehensive statistics on enforcement efforts, including labor inspectorate funding, the number of inspections conducted at worksites, the number of convictions, and the number of penalties imposed and collected.	2020 – 2021
	Provide adequate resources to labor inspectors and criminal investigators so they can fulfill their mandates.	2013 – 2021
	Increase the number of labor inspectors to meet the ILO's technical advice.	2016 – 2021
Coordination	Ensure that all coordinating bodies are active and have the necessary resources to be able to fulfill their mandates as intended.	2019 – 2021
	Establish a coordinating mechanism that addresses all child labor issues, including children working in agriculture and domestic work.	2015 – 2021
	Improve coordination and communication among coordinating bodies to clarify mandates to address all forms of child labor.	2018 – 2021
Government Policies	Implement child labor-related policies, including the National Children's Policy and National Strategic Framework and Action Plan to Combat People Trafficking.	2017 – 2021
	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 – 2021
	Integrate child labor elimination and prevention strategies into the Eswatini Education and Training Sector Policy.	2010 – 2021
Social Programs	Ensure that children are able to access free basic education, including paying or eliminating school fees for lower secondary and upper secondary education.	2013 – 2021
	Ensure that social programs to address child labor are implemented in accordance with their mandates.	2018 – 2021
	Ensure a minimum quality of standard care in shelters for victims of child trafficking.	2017 – 2021
	Develop social protection programs to assist children engaged in child labor in domestic work and herding.	2014 – 2021

**REFERENCES**

- U.S. Department of State. Trafficking in Persons Report- 2020: Eswatini. Washington, D.C., June 16, 2020. <https://www.state.gov/wp-content/uploads/2020/06/2020-TIP-Report-Complete-062420-FINAL.pdf>
- U.S. Embassy- Mbabane. Reporting. January 14, 2022.
- UNESCO Institute for Statistics. Gross intake ratio to the last grade of primary education, both sexes (%). Accessed March 3, 2022. For more information, please see the "Children's Work and Education Statistics: Sources and Definitions" in the Reference Materials section of this report. <http://data.uis.unesco.org/>
- ILO. Analysis of Child Economic Activity and School Attendance Statistics from National Household or Child Labor Surveys. Original data from Multiple Indicator Cluster Survey 4 (MICS 4), 2010. Accessed March 2022. For more information, please see "Children's Work and Education Statistics: Sources and Definitions" in the Reference Materials section of this report.
- Government of Eswatini and ILO. Statistical Report on Child Labour in Herding in Rural Areas of Swaziland 2014. 2018. [https://www.ilo.org/ipsec/Informationresources/WCMS\\_IPEC\\_PUB\\_30395/lang-en/index.htm](https://www.ilo.org/ipsec/Informationresources/WCMS_IPEC_PUB_30395/lang-en/index.htm)
- U.S. Embassy- Mbabane. Reporting. February 2, 2021.
- U.S. Department of State. Trafficking in Persons Report- 2019: Eswatini. Washington, D.C., June 20, 2019. <https://www.state.gov/reports/2019-trafficking-in-persons-report-2/eswatini/>
- U.S. Embassy- Mbabane. Reporting (TIP). February 18, 2020.
- UN Office of the High Commissioner on Human Rights. Human Rights Committee discusses implementation of Civil and Political Rights in Swaziland. July 10, 2017. <http://www.ohchr.org/en/NewsEvents/Pages/DisplayNews.aspx?NewsID=21859&LangID=E>
- U.S. Department of State. Eswatini: Input for the Eighteenth Annual Trafficking in Persons Report. February 22, 2018. Source on file.
- U.S. Embassy- Mbabane. Reporting. February 12, 2021.
- U.S. Embassy- Mbabane. Reporting. February 27, 2019.
- ILO Committee of Experts. Individual Direct Request concerning Forced Labour Convention, 1930 (No. 29) Swaziland (ratification: 1978). Published: 2017. Accessed November 26, 2017. [http://www.ilo.org/dyn/normlex/en/?p=1000:13100:0::NO:13100:P13100\\_COMMENT\\_ID:3297019](http://www.ilo.org/dyn/normlex/en/?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:3297019)
- U.S. Embassy- Mbabane. Reporting. January 17, 2020.
- Government of Eswatini. Children's Protection and Welfare Act, 2012. Enacted: 2012. Source on file.
- Government of Eswatini. The Employment Act, 1980. Enacted: 1981. [http://www.snat.org.sz/New\\_Page/Employment\\_Act.pdf](http://www.snat.org.sz/New_Page/Employment_Act.pdf)
- Government of Eswatini. The Constitution of the Kingdom of Swaziland Act 2005. Enacted: 2005. [http://www.wipo.int/wipolex/en/text.jsp?file\\_id=217889](http://www.wipo.int/wipolex/en/text.jsp?file_id=217889)
- Government of Eswatini. The People Trafficking and People Smuggling (Prohibition) Act 2009, Act No. 7. Enacted: November 10, 2009. <https://www.ilo.org/dyn/natlex/docs/MONOGRAPH/107539/132415/F306693388/SWZ107539.pdf>
- Government of Eswatini. The Crimes Act of 1889. <http://www.osall.org.za/docs/2011/03/Swaziland-Crimes-Act-61-of-1889.pdf>
- Government of Eswatini. The Sexual Offences and Domestic Violence Act, 2018. Enacted: June 28, 2018. Source on file.
- Government of Eswatini. The Umbutfo Swaziland Defence Force Order. Enacted: 1977. Source on file.
- Government of Eswatini. The Free Primary Education Act. Enacted: 2010. Source on file.
- ILO Committee of Experts. Individual Observation concerning Minimum Age Convention, 1973 (No. 138) Eswatini (ratification: 2002). 2018. Accessed April 2, 2019. [https://www.ilo.org/dyn/normlex/en/?p=1000:13100:0::NO:13100:P13100\\_COMMENT\\_ID:3341738](https://www.ilo.org/dyn/normlex/en/?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:3341738)

## MINIMAL ADVANCEMENT

- 24 UNESCO. International Standard Classification of Education (ISCED) 2011. Montreal: UNESCO Institute for Statistics, 2012.  
<http://uis.unesco.org/sites/default/files/documents/international-standard-classification-of-education-isced-2011-en.pdf>
- 25 ILO Committee of Experts. Observation concerning Forced Labour Convention, 1930 (No. 29) Eswatini (ratification: 1978). 2017. Accessed April 2, 2019.  
[https://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100\\_COMMENT\\_ID:3297022:YES](https://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:3297022:YES)
- 26 U.S. Embassy- Mbabane. Reporting. February 11, 2019.
- 27 Government of Eswatini. Office of the Prime Minister; Human Trafficking Secretariat. 2020.  
<http://www.gov.sz/index.php/latest-news/2302-trafficking-in-persons>
- 28 CIA. The World Factbook. Accessed March 26, 2019. Please see “Labor Law Enforcement: Sources and Definitions” in the Reference Materials section of this report.  
<https://www.cia.gov/the-world-factbook/countries/>.
- 29 UN. World Economic Situation and Prospects 2017 Statistical Annex. 2017. Please see “Labor Law Enforcement: Sources and Definitions” in the Reference Materials section of this report.  
[https://www.un.org/development/desa/dpad/wp-content/uploads/sites/45/publication/2017wesp\\_full\\_en.pdf](https://www.un.org/development/desa/dpad/wp-content/uploads/sites/45/publication/2017wesp_full_en.pdf)
- 30 ILO. Committee on Employment and Social Policy. Strategies and Practice for Labour Inspection. Geneva. GB.297/ESP/3. November 2006. Please see “Labor Law Enforcement: Sources and Definitions” in the Reference Materials section of this report.  
<https://www.ilo.org/public/english/standards/relm/gb/docs/gb297/pdf/esp-3.pdf>
- 31 U.S. Embassy- Mbabane. Reporting (TIP). February 3, 2022.
- 32 Government of Eswatini. National Strategic Framework and Action Plan to Combat People Trafficking 2019–2023. Source on file.
- 33 Government of Eswatini. Swaziland National Children's Policy, 2009.  
<https://www.infocenter.nercha.org.sz/sites/default/files/NatChildPolicy.pdf>
- 34 Government of Eswatini. Ministry of Education and Training - Freed Education. 2021.  
[http://www.gov.sz/index.php?option=com\\_content&view=article&id=423&Itemid=369](http://www.gov.sz/index.php?option=com_content&view=article&id=423&Itemid=369)
- 35 ILO. Decent Work Country Programmes, Programmes by country/ subregion 2016. Cited March 2020.  
<http://www.ilo.org/public/english/bureau/program/dwcp/countries/>

In 2021, Ethiopia made moderate advancement in efforts to eliminate the worst forms of child labor. During the reporting period, the government established a new National Action Plan to Eliminate the Worst Forms of Child Labor (2021–2025). The Ministry of Labor and Skills, together with the Confederation of Ethiopian Trade Unions and Confederation of Ethiopian Employers Federation also launched the Decent Work Country Program (2021–2025). In addition, the government significantly increased the operating budget of the labor inspectorate. However, children in Ethiopia are 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 address 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 in forced labor in domestic work and commercial sexual exploitation. (1-3) According to the results of the 2015 Ethiopia National Child Labor Survey published in 2018, almost 16 million children from the ages of 5 to 17 were 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). (4) 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." (5,6) The report supplemented CSA's 2015 Ethiopia National Child Labor Survey with new data on hard-to-reach children working in urban areas, including information about children engaged in domestic service and other work in the services sector. (5,6) 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 (%)		68.1

Source for primary completion rate: Data from 2020, published by UNESCO Institute for Statistics, 2022. (7)

Source for all other data: International Labor Organization's analysis of statistics from Socio Economic Survey (ESS 3), 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	Planting and harvesting apples, bananas, coffee, cotton, <i>khat</i> , and sesame (3,4,9-13)
	Herding livestock, including cattle (3,14)
	Fishing (4)
Industry	Mining gold† and quarrying† (4,15)
	Construction,† including carrying heavy loads and digging (3,4,10)
	Repairing motor vehicles and motorcycles (4)
	Producing handicrafts, including pottery and traditional handwoven textiles (4)
Services	Domestic work (3,4,9,10,16)



# Ethiopia

## MODERATE ADVANCEMENT

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

Sector/Industry	Activity
Services	Unpaid household services, including carrying heavy loads of water and firewood (3,4,16)
	Street work, including shoe shining, assisting taxi drivers, vending, portering, and begging (4,5)
Categorical Worst Forms of Child Labor‡	Commercial sexual exploitation, sometimes as a result of human trafficking (1,5,10,17-19)
	Forced labor in domestic work, herding, street vending, construction, and traditional weaving of handwoven textiles (5,19-22)
	Recruitment of children by non-state armed groups for use in armed conflict (3,5,15)

† 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.

Ethiopia is a source and destination country for child trafficking, both transnational and domestic. Ethiopian children voluntarily travel to Amhara, a region bordering a key irregular migration route to Europe, to harvest sesame. (12,13,19,23) This sector is allegedly linked to overland smuggling networks, with children earning enough to fund passage to Europe via North Africa. (12,13,23) 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. (12) Somaliland intercepts between 50 and 100 children a week, many under the age of 13, traveling from Amhara and Oromia to the Middle East. (12) Children who begin as voluntary migrants may be forced into commercial sexual exploitation or become victims of forced labor. (3,17,18)

Research on child trafficking victims from SNNPR and Oromia indicates that 85 percent were rescued from or escaped domestic work, while two-thirds of them 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. (22) 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. (17,21,24) Trusted community members, known as *manamasas*, recruit and groom vulnerable youth on behalf of local and international human trafficking syndicates. (18,25) 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. (18,21) In addition, traffickers exploit Ethiopian girls in commercial sex and domestic servitude in neighboring countries. (18) Moreover, 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. (3,10,12) The plant releases two highly addictive central nervous system stimulants (cathinone and cathine) whose acute and long-term neurological effects include *khat*-induced psychosis. (11,12)

In November 2020, a conflict erupted in northern Tigray between government forces and the Tigray People's Liberation Front (TPLF); the conflict is ongoing. (26) By early December, more than 45,000 Ethiopians fleeing the war had crossed into Sudan, up to one-half of whom were children. (26) 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. (5,15,26,27) There is also one report of authorities in the Borana Zone in southern Oromia forcibly conscripting youth to join the Ethiopian National Defense Force. (3)







Some women and girls have reportedly been forced by military elements to have sex in exchange for basic commodities, though the specific military elements remain unknown. (28,29) In addition, military blockades have disrupted emergency humanitarian aid distribution networks in Tigray. (28-30) As a result of the ongoing violence, some 2.3 million children in the region lack access to humanitarian assistance, and 1.3 million were unable to attend school. (5,31,32) 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. (15,33) 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. (10,31,32,34) Ethnic unrest was also recorded in Oromia, Amhara, and SNNPR, and research suggests the Oromo Liberation Army-Shane may have recruited child soldiers. (5,35)

Ethiopian authorities closed all secondary schools for one week in December so that pupils could harvest crops; some of these harvested crops were for those on the frontline of the civil war. More than 2 million pupils were already out of school due to the war. (36) 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. (15,37) 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. The Somali and Afar regions had the lowest rates of school attendance, with only 38.6 percent of school-age children enrolled in the Somali region and 50.2 percent enrolled in the Afar region. (4,5,38) 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. (10,39,40) These factors increased children's risk of entering the workforce at a young age. (9,10,32,38)

## 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	15	Articles 4.1, 89.1, 89.2, 89.3, and 185 of the Labor Proclamation 1156/2019 (41)
Minimum Age for Hazardous Work	No	18	Article 36.1(d) of the Constitution; Articles 89.3 and 89.4 of the Labor Proclamation 1156/2019 (41,42)
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 (41,43)
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 (42,44,45)
Prohibition of Child Trafficking	Yes		Article 18.2 of the Constitution; Articles 597 and 635–637 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 (42,44-46)
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 (44,45)

# 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 3.1–3.5 and 4.1 of the Prevention and Suppression of Trafficking in Persons and Smuggling of Persons Proclamation No. 1178-2020 (44,45)
Minimum Age for Voluntary State Military Recruitment	Yes	18‡	Article 270 of the Criminal Code (44)
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 (45)
Compulsory Education Age	No		
Free Public Education	No		

\* Country has no conscription (44)

‡ Age calculated based on available information (5)

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. (41,43) 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 Convention 138, which prohibits hazardous work for all children under the age of 16. (41,47,48) The Government of Ethiopia notes that, in practice, children begin apprenticeships after the completion of 10th grade, typically at age 16 or 17. (49) The Ministry of Labor and Skills (MOLS) 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. (10,15) While Ethiopia has a policy encouraging public funding of primary education, its laws do not provide for free public education or a compulsory age for education. (5,45,50)

### III. ENFORCEMENT OF LAWS ON CHILD LABOR

The government has established institutional mechanisms for the enforcement of laws and regulations on child labor (Table 5). However, gaps exist within the operations of 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 Skills (MOLS)	Conducts labor inspections of formal worksites through its regional Bureaus of Labor and Skills. (10) Through its National Referral Mechanism, coordinates referrals of survivors to social services providers. (24) During the reporting period, regional and city administration labor inspection offices in Addis Ababa, Amhara, Oromia, and Sidama were equipped with basic safety and health monitoring equipment, received eight motorbikes for labor inspection visits, and were provided with hundreds of packages of basic hygiene/sanitation materials to prevent COVID-19 transmission during inspection activities. (3)
Ethiopian Federal Police Commission	Enforces criminal laws against the worst forms of child labor, including child trafficking and the commercial sexual exploitation of children. (10) Addresses child trafficking and assists vulnerable children through its Special Child Protection Units in Addis Ababa and other major cities. (10,19,20,51) Refers cases to the Ministry of Women and Social Affairs (MOWSA), which develops and implements programs to protect vulnerable children and monitor alleged violations of child protection laws, including the worst forms of child labor. (3) MOWSA also maintains rehabilitation centers and coordinates foster families for children rescued from the worst forms of child labor. (10)
Ministry of Justice	Prosecutes criminal violations of child labor laws, including through its Special Investigative Unit for Women and Children. (10)

The former Ministry of Labor and Social Affairs (MOLSA) was reconstituted as the Ministry of Labor and Skills (MOLS), and the former Ministry of Women, Children, and Youth (MOWCY) was also reconstituted as the Ministry of Women and Social Affairs (MOWSA). In addition, the Office of the Attorney General was reconstituted as the Ministry of Justice. (3)

### **Labor Law Enforcement**

In 2021, labor law enforcement agencies in Ethiopia took actions to address child labor (Table 6). However, gaps exist within the operations of MOLS 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	2020	2021
Labor Inspectorate Funding	\$153,000 (15)	\$2,524,544 (3)
Number of Labor Inspectors	621 (15)	537 (3)
Mechanism to Assess Civil Penalties	Yes (5,15,41)	Yes (41)
Initial Training for New Labor Inspectors	Yes (15)	Yes (3)
Training on New Laws Related to Child Labor	Yes (15)	Yes (3)
Refresher Courses Provided	Yes (15)	Yes (3)
Number of Labor Inspections Conducted	43,360 (15)	40,639 (3)
Number Conducted at Worksite	43,360 (15)	40,639 (3)
Number of Child Labor Violations Found	3 (15)	Unknown (3)
Number of Child Labor Violations for Which Penalties Were Imposed	Unknown (15)	Unknown (3)
Number of Child Labor Penalties Imposed that Were Collected	Unknown (15)	Unknown (3)
Routine Inspections Conducted	Yes (15)	Yes (3)
Routine Inspections Targeted	Yes (15)	Yes (3)
Unannounced Inspections Permitted	Yes (41)	Yes (41)
Unannounced Inspections Conducted	Yes (15)	Yes (3)
Complaint Mechanism Exists	Yes (15)	Yes (3)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (15)	Yes (3)

In 2021, labor inspections were conducted in commercial agriculture, small and medium manufacturing industries, the services sector, and construction. However, labor inspections are often not conducted in the informal sector, and in some areas of the country, labor inspections were suspended due to conflict. (3) 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. (2,3,7,10) Labor inspectors refer child labor violations to judicial authorities, who are able to assess penalties. (5,41) In addition, the number of labor inspectors is likely insufficient for the size of Ethiopia's workforce, which includes 52.8 million workers. According to the ILO's technical advice of a ratio approaching 1 inspector for every 40,000 workers in less developed economies, Ethiopia would employ about 1,321 inspectors. (52)

Despite the increase in funding for the labor inspectorate in 2021, MOLS and other stakeholders report that a lack of resources and poor coordination among agencies hampered their ability to enforce child labor laws. (3)

### **Criminal Law Enforcement**

In 2021, criminal law enforcement agencies in Ethiopia took actions to address 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 collecting and publishing enforcement statistics.

# Ethiopia

## MODERATE ADVANCEMENT

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

Overview of Criminal Law Enforcement	2020	2021
Initial Training for New Criminal Investigators	Unknown (5,15)	Unknown (3)
Training on New Laws Related to the Worst Forms of Child Labor	Unknown (5,15)	Unknown (3)
Refresher Courses Provided	Unknown (5,15)	Unknown (3)
Number of Investigations	Unknown (5,15)	Unknown (3)
Number of Violations Found	Unknown (5,15)	Unknown (3)
Number of Prosecutions Initiated	Unknown (5,15)	Unknown (3)
Number of Convictions	Unknown (5,15)	Unknown (3)
Imposed Penalties for Violations Related to the Worst Forms of Child Labor	Unknown (5,15)	Unknown (3)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (5)	Yes (3)

While the government did provide some criminal law enforcement data for inclusion in this report, it is unclear whether the data included child labor-related cases. (2,10,18,23) Enforcement efforts continued to focus on transnational human trafficking for the purpose of forced labor, to the detriment of internal human trafficking, including trafficking of children for the purposes of commercial sexual exploitation. (18)

Ethiopian immigration and border patrol authorities refer human trafficking survivors 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. (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 lack of coordination between agencies.

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

Coordinating Body	Role & Description
National Steering Committees	Includes the National Steering Committee on the Worst Forms of Child Labor, which coordinates activities on the worst forms of child labor. Members include MOLS, MOWSA, and the Ministry of Education. (2,17) Also includes the National Steering Committee Against Sexual Abuse and Exploitation of Children, which develops action plans and coordinates activities to address the commercial sexual exploitation of children. (17) During the reporting period, the Committee evaluated the 2019–2020 National Action Plan to eliminate child labor, and conducted visits and provided technical support to staff at project sites in the Amhara region for World Vision Ethiopia's Partnership Against Child Exploitation (PACE). The Committee also printed the National Action Plan so that it could be disseminated to stakeholders. (3)
MOLS National Forum to Eliminate the Worst Forms of Child Labor	Addresses the worst forms of child labor at the national level. (2,5) Research was unable to determine whether the Forum was active during the reporting period.
National Anti-Human Trafficking and Smuggling Mechanisms	Responsible for the creation of policies and strategies for the prevention of smuggling and trafficking in persons and issuing directives. (22) Chaired by the Deputy Prime Minister; and includes representatives from the Federal Attorney General's Office, the Ministry of Foreign Affairs, the Ministry of Peace, MOLS, the Refugees and Returnees Affairs Agency, MOWSA, the Commission of Job Creation, the Ministry of Health, the Federal Police Commission, the National Bank, the Ethiopian Central Statistics Agency, the National Intelligence and Security Services, regional governments, the Civil Societies Agency, and religious institutions. Also oversees 10 working groups that specialize in multiple anti-trafficking in persons sectors, including a Women and Children Support and Protection Working Group. (5,22) Research was unable to determine whether the coordinating body was active during the reporting period.
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 MOWSA in all nine regional capitals and two city administrations. (53) 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. (3,17,24)



## V. GOVERNMENT POLICIES ON CHILD LABOR

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

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

Policy	Description
National Education and Children's Policies	Promotes children's rights and aims to improve access to education. In the case of 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 human trafficking. (54) Regarding the Ethiopian Education Development Roadmap (2018–2030), aims to make education free and compulsory, while the Education and Training Policy prioritizes government support for education through grade 10, and the Pastoralist Area Education Strategy provides for alternative education in pastoralist communities. The National Technical & Vocational Education & Training Strategy also aims to improve access to vocational education for girls and out-of-school children. (38,55–58) The government has not included child labor elimination and prevention strategies in the Education Sector Development Roadmap, the National Technical & Vocational Education & Training Strategy, or the National Children's Policy. (56–58)
National Action Plan to Eliminate the Worst Forms of Child Labor (2021–2025) <sup>†</sup>	Includes guidelines on child labor identification, withdrawal, reintegration, and education. Overseen by the National Steering Committee on the Worst Forms of Child Labor. (2) As part of its efforts to draft the new National Action Plan (NAP), the government convened a consultative workshop for stakeholders in April 2021 from government ministries, the ILO, the Confederation of Ethiopian Trade Unions (CETU), the Confederation of Ethiopian Employers Federation (CEEFF), and other NGOs; held a review meeting with a small MOLS team on the NAP design process in May 2021; and launched the NAP in June 2021 at a workshop attended by about 50 participants. (3)

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

<sup>‡</sup> The government had other policies that may have addressed child labor issues or had an impact on child labor. (59,60)

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. (61) Despite Ethiopia's voluntary engagement as a Pathfinder country and its early efforts to implement SDG 8.7 on child labor during the previous two reporting periods, Ethiopia did not participate in the first meeting for Pathfinder countries in December 2021. Ethiopia was also one of two Pathfinder countries that did not submit the requested progress report on child labor for 2021. (3) It is unclear whether Ethiopia attended the second meeting for Pathfinder countries in February 2022. (3)

## 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 2021, the Ministry of Education continued the Comprehensive, Inclusive Learning and Development–School Feeding Project (CHILD-SFP), a school feeding project benefiting 163,021 pre-primary and primary school students in 499 schools in 5 regional states: Oromia, Amhara, Sidama, Somali, and Afar. (15,62) The Global Partnership for Education, a USAID partner, provided \$21.4 million in funding for the school feeding project, which is implemented by Save the Children. During the reporting period, the project provided training to administrators at the districts' education offices, as well as to teachers in the target schools. (15,62) In addition, the government allocated \$48,223,349 (1.9 billion birr) to the same regions to feed 1.4 million students. (15) 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 Kaliti 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. (5) The Foundation handed over management of the facility to the Addis Ababa Bureau of Labor and Social Affairs in May 2020. (15) The shelter provides basic services, including psychosocial support, life skills, education, and training, to enable children's reintegration into society. The initiative is part of Ethiopia's national reform agenda. (5,15)

# Ethiopia

## MODERATE ADVANCEMENT

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

Program	Description
Confederation of Ethiopian Trade Unions (CETU) <sup>†*</sup>	In 2021, CETU partnered with the Norwegian Confederation of Trade Unions to launch the "Combating Modern Slavery in Ethiopia" project that looks to reduce the prevalence of children in slavery through prevention, restoration, and capacity strengthening. (3,63) During the reporting period, the project launched its first workshop, which sought to build a broad network of stakeholders to address child slavery. (3,63)
World Vision Programs	Includes Effective Approaches in Ending the Worst Forms of Child Labor (2019–2022), an international program designed to test and measure innovative approaches to reduce the worst forms of child labor, and which 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. (12,64,65) This program has supported 1,350 children engaged in the worst forms of child labor in Dera, Libo Kemekem, and Gondar Zuria districts of Amhara since 2020. (3)
World Bank-Funded Projects <sup>†</sup>	The Ethiopia General Education Quality Improvement Program for Equity (GEQIP-E) (2017–2022) <sup>†</sup> is a \$300 million program that works with the Ministry of Education to improve education quality and access. (66–68) GEQIP-E works with the Ministry of Education to create budget lines for school grants and textbooks. (69,70) During the reporting period, the project hired a support staff specialist to focus on key aspects of the project which include: increasing school enrollment; distributing textbooks and other learning materials; assisting with refugee assistance within schools; and improving existing facilities. (68)
UNICEF-Funded Programs	UNICEF-funded programs to improve social safety nets and access to education. These programs 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). (10) UNICEF, the Swedish International Development Agency, and MOLS also jointly fund the Urban Productive Safety Net Program, which aims to build upon efforts to address nutritional and educational outcomes in Amhara and Addis Ababa through cash transfers and linking participants to basic social services. (10,71) UNICEF educational services reached one in five vulnerable children in Ethiopia, providing them with early learning as well as informal and non-formal educational services. (6,31)
USDOL-Funded Project	Includes She Thrives: Reducing Child Labor in Ethiopia's Agricultural Sector using a Gender-Focused Approach (2020–2025), 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. (72) Additional information is available on the USDOL website.

\* Program was launched during the reporting period.

<sup>†</sup> Program is co-funded by the Government of Ethiopia. (15)

<sup>‡</sup> The government had other social programs that may have included the goal of eliminating or preventing child labor. (3,73)

During the reporting period, MOLS, together with the Confederation of Ethiopian Trade Unions (CETU) and Confederation of Ethiopian Employers Federations (CEEF), launched the Decent Work Country Program (DWCP, 2021–2025) for Ethiopia with support from the ILO in Addis Ababa. (3) Although the government participates in and implements several programs to address child labor, programs do not sufficiently target sectors with high incidences of child labor, such as agriculture and domestic work. (2) There is also a paucity throughout the country of rehabilitation and reintegration centers for victims of child trafficking and commercial sexual exploitation. (1,17) Moreover, both government and NGO-run shelters were unable to accept referrals of vulnerable children during the first months of the COVID-19 pandemic because they had to create separate areas for newcomers to quarantine. (5)

## VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE CHILD LABOR

Based on the reporting above, suggested actions are identified that would advance the elimination of child labor in 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 – 2021
	Ensure that the types of hazardous work prohibited for children are comprehensive, including hazardous tasks in traditional weaving.	2016 – 2021
	Ensure that the law criminally prohibits the recruitment of children under age 18 by non-state armed groups.	2020 – 2021
	Establish by law free basic education.	2012 – 2021
	Establish by law an age up to which education is compulsory that extends to the minimum age for employment.	2012 – 2021
Enforcement	Increase the number of labor inspectors to meet the ILO's technical advice.	2015 – 2021
	Ensure that labor inspectors have sufficient resources to conduct inspections in all sectors and are able to coordinate adequately with other agencies.	2009 – 2021
	Ensure that both domestic and transnational child trafficking cases are investigated and punished.	2013 – 2021
	Gather, disaggregate, and publish information on the number of child labor violations found, penalties applied and collected, trainings done, the number of investigations conducted, prosecutions initiated, and convictions obtained.	2009 – 2021
	Prosecute perpetrators of the worst forms of child labor, including recruitment of children into armed conflict, according to the law.	2021
Coordination	Clarify individual mandates for coordinating mechanisms charged with addressing child labor, and enhance intercommittee communication, coordination, and collaboration.	2015 – 2021
	Provide adequate funding to coordinating bodies so that they may effectively coordinate activities related to the worst forms of child labor.	2020 – 2021
Government Policies	Integrate child labor elimination and prevention strategies into the Education Sector Development Program, the National Technical & Vocational Education & Training Strategy, and the National Youth Policy.	2013 – 2021
	Publish activities undertaken to implement key policies related to child labor to address child labor during the reporting period.	2018 – 2021
	Ensure that Ethiopia fulfills its commitment as an Alliance 8.7 Pathfinder country.	2021
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 – 2021
	Develop or expand social protection programs to address child labor, including in agriculture and domestic work.	2009 – 2021
	Ensure that social services necessary to prevent child labor, such as rehabilitation and reintegration centers, are available throughout the country.	2009 – 2021
	Take steps to ensure student safety while at school, including environments free from sexual harassment, and make efforts to prevent schools from being attacked and occupied by the Ethiopian National Defense Force and non-state armed groups.	2021

**REFERENCES**

- ILO Committee of Experts. Observation concerning Worst Forms of Child Labour Convention, 1999 (No. 182) Ethiopia (ratification: 2003). Published: 2018.  
[https://www.ilo.org/dyn/normlex/en/?p=1000:13100:0::NO:13100:PI3100\\_COMMENT\\_ID:3791150](https://www.ilo.org/dyn/normlex/en/?p=1000:13100:0::NO:13100:PI3100_COMMENT_ID:3791150)
- U.S. Embassy- Addis Ababa. Reporting. January 22, 2019.
- U.S. Embassy- Addis Ababa. Reporting. February 7, 2022.
- International Labour Organization and Central Statistical Agency (CSA) of Ethiopia. 2015 Ethiopia National Child Labour Survey. Geneva: ILO, 2018.  
[https://www.ilo.org/ipecl/informationresources/WCMS\\_IPEC\\_PUB\\_30035/lang-en/index.htm](https://www.ilo.org/ipecl/informationresources/WCMS_IPEC_PUB_30035/lang-en/index.htm)
- U.S. Embassy- Addis Ababa. Reporting. January 15, 2021.
- UNICEF Ethiopia and Central Statistical Agency of Ethiopia. Child Labour Analysis in Ethiopia. December 2020.  
<https://www.unicef.org/ethiopia/reports/child-labour-analysis-ethiopia>
- UNESCO Institute for Statistics. Gross intake ratio to the last grade of primary education, both sexes (%). Accessed March 3, 2022. For more information, please see "Children's Work and Education Statistics: Sources and Definitions" in the Reference Materials section of this report.  
<http://data.uis.unesco.org/>
- ILO. Analysis of Child Economic Activity and School Attendance Statistics from National Household or Child Labor Surveys. Original data from Socio Economic Survey (ESS 3), 2015–2016. Analysis received March 2022. Please see "Children's Work and Education Statistics: Sources and Definitions" in the Reference Materials section of this report.
- Borko, Zegeye Paulos. Child Labor and Associated Problems (The Case of Damot Gale District in Wolaita Zone, Ethiopia). International Journal of Economics & Management Sciences, 6, No. 5, 2017  
<https://www.omicsonline.org/open-access/child-labor-and-associated-problems-the-case-of-damot-gale-district-in-wolaita-zone-ethiopia-2162-6359-1000450.pdf>
- U.S. Embassy- Addis Ababa. Reporting. January 24, 2020.
- Negash, Girma. The Education of Children Entangled in Khat Trade in Ethiopia: The Case of Two Khat Market Centers. Forum for Social Studies, Addis Ababa University, 2017.  
[https://www.researchgate.net/publication/330651603\\_The\\_Education\\_of\\_Children\\_Entangled\\_in\\_Khat\\_Trade\\_in\\_Ethiopia\\_The\\_Case\\_of\\_Two\\_Khat\\_Market\\_Centers\\_Forum\\_for\\_Social\\_Studies\\_FSS\\_Addis\\_Ababa\\_ii](https://www.researchgate.net/publication/330651603_The_Education_of_Children_Entangled_in_Khat_Trade_in_Ethiopia_The_Case_of_Two_Khat_Market_Centers_Forum_for_Social_Studies_FSS_Addis_Ababa_ii)
- World Vision official. Interview with USDOL official. December 2019.
- World Vision Ethiopia. Sesame Supply Chains and Value Chains Assessment in Ethiopia: The Case of Child Labour in Sesame Production—Northwest Ethiopia. September 2020. Source on file.

- 14 Shumetie, A., and Mamo, K. Effect of cropland and livestock ownership on child labour in eastern Ethiopia: empirical examination of the Wealth Paradox. ICEP 13, 5, August 26, 2019. <https://doi.org/10.1186/s40723-019-0061-x>
- 15 U.S. Embassy- Addis Ababa official. E-mail to USDOL official. January 28, 2021.
- 16 O'Kane, Claire; Barros, Ornella; Meslaoui, Nicolas. Il est Temps de Parler: Points de vue des enfants sur le travail des enfants. Allemagne: Fédération Internationale Terre des Hommes. May 2018. [https://www.time-to-talk.info/wp-content/uploads/2018/06/T2T\\_Report\\_French.pdf](https://www.time-to-talk.info/wp-content/uploads/2018/06/T2T_Report_French.pdf)
- 17 ECPAT International and Defence for Children. Sexual Exploitation of Children in Ethiopia. Submission for the Universal Periodic Review of the human rights situation in Ethiopia. ECPAT Nederland, October 4, 2018. <http://web.archive.org/web/20210326085932/https://ecpat.org/wp-content/uploads/2018/07/Universal-Periodic-Review-on-Sexual-Exploitation-of-Children-in-Ethiopia-English-2018.pdf>
- 18 U.S. Department of State. Trafficking in Persons Report- 2020: Ethiopia. Washington, D.C., June 20, 2020. <https://www.state.gov/reports/2020-trafficking-in-persons-report/ethiopia/>
- 19 U.S. Department of State. Trafficking in Persons Report- 2021: Ethiopia. Washington, D.C., July 1, 2021. <https://www.state.gov/reports/2021-trafficking-in-persons-report/ethiopia/>
- 20 U.S. Department of State. Trafficking in Persons Report- 2018: Ethiopia. Washington, D.C., June 28, 2018. <https://www.state.gov/reports/2018-trafficking-in-persons-report/ethiopia/>
- 21 Gardner, Tom. Trafficked into slavery: The dark side of Addis Ababa's growth. Reuters, May 16, 2017. <https://www.reuters.com/article/us-ethiopia-trafficking-economy/trafficked-into-slavery-the-dark-side-of-addis-ababas-growth-idUSKCN18C00I>
- 22 U.S. Embassy- Addis Ababa. Reporting. February 26, 2021.
- 23 U.S. Embassy- Addis Ababa. TIP Reporting. March 18, 2022.
- 24 U.S. Embassy- Addis Ababa. Reporting. February 19, 2019.
- 25 U.S. Embassy- Addis Ababa. Reporting. February 14, 2020.
- 26 Wuilbercq, Emeline. Hundreds of unaccompanied child refugees vulnerable to exploitation and trafficking, aid agencies warn. Thomson Reuters Foundation. December 3, 2020. <https://www.reuters.com/article/ethiopia-conflict-trafficking/fleeing-tigray-war-ethiopian-children-seen-at-risk-of-trafficking-in-sudan-idUSL8N2IJ4OE>
- 27 Wuilbercq, Emeline. Lone Ethiopian child refugees seen at risk of exploitation in Sudan. Thompson Reuters Foundation. January 15, 2021. <https://news.trust.org/item/20210115131115-vv6zd>
- 28 BBC. Ethiopia's Tigray crisis: 'I lost my hand when a soldier tried to rape me.' February 15, 2021. <https://www.bbc.com/news/world-africa-55832711>
- 29 AP News <https://apnews.com/article/international-news-violence-ethiopia-united-nations-kenya-166e4f47eaeec6e424ba3b773c61e> Click to copy RELATED TOPICS Health United Nations Violence Africa Ethiopia Int'l News Kenya UN warns of 'serious' rape charges in Ethiopia's Tigray AP News January 22, 2021 <https://apnews.com/article/international-news-violence-ethiopia-united-nations-kenya-166e4f47eaeec6e424ba3b773c61e>
- 30 World Peace Foundation. How Armed Conflict and Mass Atrocities Have Destroyed an Ethiopian Region's Economy and Food System and Are Threatening Famine. April 6, 2021. <https://sites.tufts.edu/wpfiles/2021/04/Starving-Tigray-report-final.pdf>
- 31 UNICEF Ethiopia Humanitarian Appeals: 2020. March 7, 2020. <https://reliefweb.int/report/ethiopia/humanitarian-action-children-2020-ethiopia>
- 32 UNICEF Ethiopia Country Office Humanitarian Situation Report. Reporting Period: January–December 2020. [https://www.unicef.org/media/92181/file/Ethiopia\\_SitRep\\_31\\_December\\_2020.pdf](https://www.unicef.org/media/92181/file/Ethiopia_SitRep_31_December_2020.pdf)
- 33 UNICEF. UNICEF Acts to Help Ethiopian Refugees in Sudan. November 24, 2020. <https://www.unicefusa.org/stories/unicef-acts-help-ethiopian-refugees-sudan/37916>
- 34 UN OCHA. Humanitarian Needs Overview: Ethiopia. January 2020. [https://reliefweb.int/sites/reliefweb.int/files/resources/Ethiopia\\_Humanitarian\\_Needs\\_Overview\\_2020.pdf](https://reliefweb.int/sites/reliefweb.int/files/resources/Ethiopia_Humanitarian_Needs_Overview_2020.pdf)
- 35 Yusuf, Semir. Drivers of ethnic conflict in contemporary Ethiopia. ISS Africa, December 9, 2019. <https://issafrica.org/research/monographs/drivers-of-ethnic-conflict-in-contemporary-ethiopia>
- 36 BBC News. Ethiopia closes schools to boost civil war effort BBC News. December 3, 2021. <https://www.bbc.com/news/world-africa-59524707>
- 37 UN Ethiopia. UN Socio-economic Assessment of COVID-19 in Ethiopia. May 2020. <https://ethiopia.un.org/en/49388-un-socio-economic-assessment-covid-19-ethiopia>
- 38 Ministry of Education, Education Strategy Center (ESC). Ethiopian Education Development Roadmap (2018–2030): An integrated Executive Summary. Addis Ababa, July 2018. [https://planipolis.iiep.unesco.org/sites/default/files/ressources/ethiopia\\_education\\_development\\_roadmap\\_2018-2030.pdf](https://planipolis.iiep.unesco.org/sites/default/files/ressources/ethiopia_education_development_roadmap_2018-2030.pdf)
- 39 Global Coalition to Protect Education from Attack. Education Under Attack 2020. 2020. [https://protectingeducation.org/wp-content/uploads/eua\\_2020\\_full.pdf](https://protectingeducation.org/wp-content/uploads/eua_2020_full.pdf)
- 40 Human Rights Watch. Ethiopia: Unlawful Shelling of Tigray Urban Areas. February 11, 2021. <https://www.hrw.org/news/2021/02/11/ethiopia-unlawful-shelling-tigray-urban-areas>
- 41 Government of Ethiopia. Labour Proclamation No. 1156-2019. September 5, 2019. [http://www.ilo.int/dyn/natlex/natlex4.detail?p\\_lang=en&p\\_isn=109825&p\\_country=ETH&p\\_count=1](http://www.ilo.int/dyn/natlex/natlex4.detail?p_lang=en&p_isn=109825&p_country=ETH&p_count=1)
- 42 Government of Ethiopia. The Constitution of the Federal Democratic Republic of Ethiopia. Enacted: December 8, 1994. <https://www.wipo.int/edocs/lexdocs/laws/en/et/et007en.pdf>
- 43 Ministry of Labour and Social Affairs. List of Hazardous Occupations for Children in Ethiopia. Addis Ababa; International Labour Organization, July 2011. Source on file.
- 44 Government of Ethiopia. The Criminal Code of the Federal Democratic Republic of Ethiopia, No. 414/2004. Enacted: 2004.
- 45 Government of Ethiopia. Prevention and Suppression of Trafficking in Persons and Smuggling of Persons Proclamation No. 1178-2020. April 13, 2020. <https://chilot.me/2020/04/prevention-and-suppression-of-trafficking-in-persons-and-smuggling-of-persons-proclamation-no-1178-2020/>
- 46 Government of Ethiopia. Proclamation to Provide for the Prevention and Suppression of Trafficking in Persons and Smuggling of Migrants, No. 909/2015. Enacted: 2015. <http://www.ilo.org/dyn/natlex/docs/ELECTRONIC/101059/126622/F-402220324/ETH101059.pdf>
- 47 ILO Committee of Experts. Individual Observation concerning Minimum Age Convention, 1973 (No. 138) Ethiopia (ratification: 1999). Published: 2019. [https://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:13100:0::NO:13100:P13100\\_COMMENT\\_ID:3934930:NO](https://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:13100:0::NO:13100:P13100_COMMENT_ID:3934930:NO)
- 48 Emeline Wuilbercq and Yared Tsegaye. The children who run away to work: Ethiopia's hidden weaver. August 16, 2021. <https://longreads.trust.org/item/Ethiopia-hidden-weavers-child-labour>
- 49 ILO Committee of Experts. Individual Direct Request concerning Minimum Age Convention, 1973 (No. 138) Ethiopia (ratification: 1999). Published: 2019. [https://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:13100:0::NO:13100:P13100\\_COMMENT\\_ID:3934934:NO](https://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:13100:0::NO:13100:P13100_COMMENT_ID:3934934:NO)

- 50 Government of Ethiopia. Education and Training Policy. 1994. Source on file.
- 51 Government of Ethiopia. Labour Proclamation, No. 377/2003. Enacted: February 26, 2004.  
<http://chilot.files.wordpress.com/2011/08/proc-no-377-2003-labour.pdf>
- 52 UN. World Economic Situation and Prospects 2017 Statistical Annex. New York, 2017. Please see “Labor Law Enforcement: Sources and Definitions” in the Reference Materials section of this report.  
[https://www.un.org/development/desa/dpad/wp-content/uploads/sites/45/publication/2017wesp\\_full\\_en.pdf](https://www.un.org/development/desa/dpad/wp-content/uploads/sites/45/publication/2017wesp_full_en.pdf)
- 53 World Vision. Ethiopia, E4Y (Engaged, Educated, Empowered, Ethiopian Youth). Technical Progress Report. December 20, 2018. Source on file.
- 54 Government of Ethiopia. National Children's Policy. 2009. Source on file.
- 55 Government of Ethiopia. Education and Training Policy. April 1994.  
<http://www.moe.gov.et/PoliciesStrategies>
- 56 Ministry of Education. Pastoralist Area Education Strategy. Addis Ababa, 2009.  
<https://planipolis.iiep.unesco.org/en/2009/pastoralist-area-education-strategy-5259>
- 57 Government of Ethiopia. National Technical & Vocational Education & Training (TVET) Strategy. Addis Ababa, August 2008. Source on file.
- 58 Government of Ethiopia. Education Sector Development Programme V (ESDPV)-Programme Action Plan. Addis Ababa: Ministry of Education, August 2015.  
[http://www.cmpethiopia.org/content/download/2267/9609/file/ESDPV\\_FINAL.pdf](http://www.cmpethiopia.org/content/download/2267/9609/file/ESDPV_FINAL.pdf)
- 59 Government of Ethiopia. National Youth Policy. July 2015.  
<https://chilot.me/wp-content/uploads/2011/08/fdre-youth-policy.pdf>
- 60 Government of Ethiopia. Growth and Transformation Plan 2015. Addis Ababa, October 2015. Source on file.
- 61 United Nations Ethiopia. National Pathfinder Country Strategic Workshop on Alliance 8.7 in Ethiopia. December 2019.  
[https://www.alliance87.org/wp-content/uploads/2019/12/PressRelease\\_Ethiopia\\_A87Workshop.pdf](https://www.alliance87.org/wp-content/uploads/2019/12/PressRelease_Ethiopia_A87Workshop.pdf)
- 62 Global Partnership. The Best is Yet to Come. Save the Children. March 7, 2022.  
<https://www.globalpartnership.org/blog/ethiopia-best-yet-come>
- 63 Confederation of Ethiopian Trade Unions (CETU). Combatting Modern Slavery in Ethiopia. October 5, 2021.  
<https://www.woordendaad.nl/english/cmsethiopia/>
- 64 Ellis, Carey. World Vision leads new programme to eradicate child slavery in East Africa. World Vision UK, December 2, 2018.  
<https://www.worldvision.org.uk/news-and-views/latest-news/2018/december/world-vision-leads-new-programme-eradicate-child-slavery-east-africa/>
- 65 Thompson Reuters Foundation. Multi-million-pound project announced to fight child trafficking and forced labour in Africa. December 2, 2018.  
<https://www.trust.org/contentAsset/raw-data/d8f88cdf-7b0a-400b-ab89-b9b4ffb2be17/document>
- 66 World Bank. Project Paper on a Proposed Additional Credit in the Amount of US\$108.1 Million to the Federal Democratic Republic of Ethiopia for the Productive Safety Net Project IV. April 19, 2017 (accessed October 17, 2017).  
<http://documents.worldbank.org/curated/en/987181493949648075/pdf/Ethiopia-PP-04212017.pdf>
- 67 World Bank. Program Appraisal Document on a Proposed IDA Grant and Multi-Donor Trust Fund Grant in the Amount of \$300 Million IDA Grant and \$140 Million MDTF Grant to the Federal Democratic Republic of Ethiopia for the General Education Quality Improvement Program for Equity (GEQIP-E). 2017.  
<http://documents.worldbank.org/curated/en/128401513911659858/pdf/ETHIOPIA-EDUC-PAD-11302017.pdf>
- 68 World Bank Implementation Status and Results Report for Ethiopia General Education Quality Improvement Program for Equity (PI63050) October 2021  
<https://documents1.worldbank.org/curated/en/863281634246420887/pdf/Disclosable-Version-of-the-ISR-Ethiopia-General-Education-Quality-Improvement-Program-for-Equity-PI63050-Sequence-No-09.pdf>
- 69 World Bank. Ethiopia General Education Quality Improvement Project II. Implementation Status & Results Report. February 25, 2019.  
<http://documents.worldbank.org/curated/en/660891551132046171/pdf/Disclosable-Version-of-the-ISR-Ethiopia-General-Education-Quality-Improvement-Project-II-PI29828-Sequence-No-11.pdf>
- 70 World Bank. Ethiopia General Education Quality Improvement Program for Equity. Implementation Status & Results Report. August 30, 2018.  
<http://documents.worldbank.org/curated/en/606981537152124626/pdf/Disclosable-Version-of-the-ISR-Ethiopia-General-Education-Quality-Improvement-Program-for-Equity-PI63050-Sequence-No-02.pdf>
- 71 UNICEF Ethiopia Humanitarian Situation Report #12 - Reporting Period January–December 2018. December 31, 2018.  
<https://reliefweb.int/report/ethiopia/unicef-ethiopia-humanitarian-situation-report-12-january-december-2018>
- 72 USDOL. She Thrives: Reducing Child Labor in Ethiopia's Agricultural Sector using a Gender-Focused Approach. December 2020.  
<https://www.dol.gov/agencies/ilab/she-thrives-reducing-child-labor-ethiopias-agricultural-sector-using-gender-focused>
- 73 Government of Ethiopia. Proclamation No. 1049/2017 to Provide for the Amendment of the Vital Events Registration and National ID Proclamation. August 7, 2017.  
<https://data.unicef.org/wp-content/uploads/2017/12/Proclamation-no.-1049-of-2017.pdf>



# Falkland Islands (Islas Malvinas)

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

Although research found no evidence that child labor exists in the Falkland Islands (Islas Malvinas), in 2021, 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 hosted trainings on safeguarding children, including understanding child sexual exploitation. However, the Falkland Islands (Islas Malvinas) are assessed as having made only minimal advancement because it continued to implement a practice that delays advancement to prevent child labor. There is no functioning labor inspectorate in the Falkland Islands (Islas Malvinas) to enforce labor laws. Labor inspections are a key tool for identifying child labor violations, and their absence makes children more vulnerable to the worst forms of child labor. In addition, 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)

### II. LEGAL FRAMEWORK FOR CHILD LABOR

British Overseas Territories 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 failure to criminalize the use of 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 2, 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)

# Falkland Islands (Islas Malvinas)

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

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

Standard	Meets International Standards	Age	Legislation
Prohibition of Forced Labor	Yes		Section 117 of the Crimes Ordinance of 2014; Chapter 1, Section 4 of the Constitution Order (5,6)
Prohibition of Child Trafficking	Yes		Section 87 of the Crimes Ordinance of 2014; Part 1, Sections 57–60 of the Sexual Offenses Act (5,7)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Sections 259–263 of the Crimes Ordinance of 2014; Part 1 of the Sexual Offenses Act (5,7)
Prohibition of Using Children in Illicit Activities	No		
Minimum Age for Voluntary State Military Recruitment	Yes	17	Article 10 of the Falkland Islands Defense Ordinance (8)
Prohibition of Compulsory Recruitment of Children by (State) Military	N/A*		
Prohibition of Military Recruitment by Non-state Armed Groups	No		
Compulsory Education Age	Yes	16	Education Ordinance; Chapter 1, Section 12 of the Constitution Order (6,9)
Free Public Education	Yes		Education Amendment Ordinance; Chapter 1, Section 12 of the Constitution Order (6,9)

\* Country has no conscription (10)

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, 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. (4,11) 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 for the production or 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. The Government of the Falkland Islands (Islas Malvinas) has established an institutional mechanism for the enforcement of laws and regulations on child labor. However, the absence of a labor inspectorate at the national level in the Falkland Islands (Islas Malvinas) may impede the enforcement of child labor laws (Table 3).

**Table 3. Agencies Responsible for Child Labor Law Enforcement**

Organization/Agency	Role
Royal Falkland Islands Police	Enforce laws, including those protecting children against abuses. Participate in the Safeguarding Children Board and lead the Board's trainings on understanding child sexual exploitation. (12,13)

### 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 its efforts to address child labor (Table 4).

# Falkland Islands (Islas Malvinas)

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

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

Coordinating Body	Role & Description
Falkland Islands Safeguarding Children Board	Develops child safety and welfare policies concerning intervention, training, recruitment, safety, investigation and communication, review of serious cases and child deaths, and monitoring of performance by agencies so that improvements may be made. 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. (14) Met quarterly in 2021 and published a training prospectus outlining mandatory trainings for all government personnel working with vulnerable children and adults. The required courses include a training on understanding child sexual exploitation led by the Royal Falkland Islands Police. (13,15)

## 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, the following actions 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 – 2021
	Raise the minimum age for work to at least age 15 and up to the age to which education is compulsory in all sectors.	2017 – 2021
	Ensure that the minimum age for hazardous work is age 18 and that national law determines prohibited work activities for children.	2015 – 2021
	Ensure that the law prohibits the use of children in illicit activities, including in the production and trafficking of drugs.	2013 – 2021
	Ensure that the law criminally prohibits the recruitment of children under age 18 by non-state armed groups.	2012 – 2021
Enforcement	Establish a labor inspectorate to enforce labor laws, including laws pertaining to child labor.	2021

## REFERENCES

- 1 U.S. Embassy- London. Reporting. February 3, 2022.
- 2 U.S. Embassy- London. Reporting. January 24, 2017.
- 3 Government of Falkland Islands. Employment of Children Ordinance 1966. 1966.  
[https://legislation.gov.fk/download/pdf/7d3fd38-7196-491d-a49a-955b2291614a/69a2b54c-e937-4e21-bb20-b82d7de75689/fiord-1966-1\\_2017-07-31.pdf](https://legislation.gov.fk/download/pdf/7d3fd38-7196-491d-a49a-955b2291614a/69a2b54c-e937-4e21-bb20-b82d7de75689/fiord-1966-1_2017-07-31.pdf)
- 4 Government of Falkland Islands. Employment of Women, Young Persons and Children Ordinance 1967. 1967.  
[https://legislation.gov.fk/download/pdf/72ee8a05-6d84-4f98-8664-42df7506dc88/4a7f2b82-9ab2-4ed4-8b38-a44c78e41f04/fiord-1967-1\\_2017-07-31.pdf](https://legislation.gov.fk/download/pdf/72ee8a05-6d84-4f98-8664-42df7506dc88/4a7f2b82-9ab2-4ed4-8b38-a44c78e41f04/fiord-1967-1_2017-07-31.pdf)
- 5 Government of the Falkland Islands. Crimes Ordinance 2014. November 9, 2016.  
[https://legislation.gov.fk/view/whole/2019-05-25/fiord-2014-13#:~:text=Crimes Ordinance 2014,-Published May 23&text=AN ORDINANCE To consolidate and,offences; and for connected purposes.&text=\(2\) This Ordinance comes into,by notice in the Gazette](https://legislation.gov.fk/view/whole/2019-05-25/fiord-2014-13#:~:text=Crimes Ordinance 2014,-Published May 23&text=AN ORDINANCE To consolidate and,offences; and for connected purposes.&text=(2) This Ordinance comes into,by notice in the Gazette)
- 6 Government of the United Kingdom of Great Britain and Northern Ireland. South Atlantic Territories: The Falkland Islands Constitution Order 2008. Enacted: November 5, 2008.  
[http://www.legislation.gov.uk/ukSI/2008/2846/pdfs/ukSI\\_20082846\\_en.pdf](http://www.legislation.gov.uk/ukSI/2008/2846/pdfs/ukSI_20082846_en.pdf)
- 7 Government of the United Kingdom of Great Britain and Northern Ireland. Sexual Offences Act 2003. Enacted: 2003.  
[http://www.legislation.gov.uk/ukpga/2003/42/pdfs/ukpga\\_20030042\\_en.pdf](http://www.legislation.gov.uk/ukpga/2003/42/pdfs/ukpga_20030042_en.pdf)
- 8 Government of the Falkland Islands. Falkland Islands Defence Force Ordinance. Enacted March 16, 2002.  
<https://www.legislation.gov.fk/view/html/inforce/2022-03-29/fiord-1991-26>
- 9 Government of the Falkland Islands. Education Ordinance 1989. Accessed January 12, 2022.  
[https://legislation.gov.fk/download/pdf/a27bc389-b066-48fe-8998-0c61089e2ed8/9ae98221-dd49-4e61-9e0d-3f0c8de99fc6/fiord-1989-9\\_2017-07-31.pdf](https://legislation.gov.fk/download/pdf/a27bc389-b066-48fe-8998-0c61089e2ed8/9ae98221-dd49-4e61-9e0d-3f0c8de99fc6/fiord-1989-9_2017-07-31.pdf)
- 10 CIA. The World Factbook: Falkland Islands (Islas Malvinas). Accessed August 6, 2018.  
<https://www.cia.gov/the-world-factbook/countries/falkland-islands-islas-malvinas/>
- 11 U.S. Embassy- London. Reporting. January 14, 2020.

# Falkland Islands (Islas Malvinas)

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

- 12 Government of the Falkland Islands. Royal Falkland Islands Police. Accessed June 10, 2021.  
<https://www.police.gov.fk/>
- 13 Government of the Falkland Islands. Safeguarding Children's Board. Open Agenda. September 8, 2021.  
[http://www.falklands.gov.fk/assembly/downloads/Committees/FI\\_Safeguarding\\_Adult\\_Board\\_FISAB/FISAB\\_2021/SAB\\_Agenda\\_10.12.2021.pdf](http://www.falklands.gov.fk/assembly/downloads/Committees/FI_Safeguarding_Adult_Board_FISAB/FISAB_2021/SAB_Agenda_10.12.2021.pdf)
- 14 Government of the Falkland Islands. Safeguarding Children Board. Accessed March 4, 2022.  
<https://www.falklands.gov.fk/socialservices/safeguarding/safeguarding-children-s-board>
- 15 Government of the Falkland Islands. Safeguarding Children's Board Agendas and Minutes 2021.  
<https://www.falklands.gov.fk/assembly/fiscb-committee/category/472-fiscb-2021>

In 2021, Fiji made moderate advancement in efforts to eliminate the worst forms of child labor. The government ratified the United Nations' Convention on the Rights of the Child Optional Protocol on the Involvement of Children in Armed Conflict and 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 launched the National Action Plan to Combat Human Trafficking and accompanying strategy and allocated financial and human resources to implement it. 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 forced domestic work. The government did not provide information on its labor law enforcement or criminal law enforcement efforts.



## 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. (1-3) Table I 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 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 (%)		108.9

Source for primary completion rate: Data from 2019, published by UNESCO Institute for Statistics, 2022. (4)

Data were unavailable from International Labor Organization's analysis, 2022. (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	Cutting† and harvesting† sugarcane (2,3)
	Fishing† and deep-sea diving† (2,3)
Services	Street work, including vending, washing cars, begging, and selling fruit and other foods (2,6,7)
	Domestic work (2)
	Working in garages, retail shops, or roadside stalls (2,3)
	Collecting scrap metal† (2,3)
Categorical Worst Forms of Child Labor‡	Commercial sexual exploitation, sometimes as a result of human trafficking (1-3,8-13)
	Use in the production of pornography (2,3,11,12)
	Forced labor in agriculture, begging, retail, and domestic work (1)
	Use in illicit activities, including drug trafficking and organized robberies (2,3,14,15)

† 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.



## MODERATE ADVANCEMENT

During the reporting period, the Government of Fiji announced that it will work with UNICEF to conduct a Multiple Indicator Cluster Survey (MICS), which includes a module on child labor. Although the Ministry of Employment, Productivity, and Industrial Relations (MEPIR) collected data on child labor, it did not publish the information. (2)




Children are subjected to commercial sexual exploitation in Fiji, sometimes as a result of human trafficking, including by family members, taxi drivers, foreign tourists, businesspersons, and crew on foreign fishing vessels. (1,2,10,12,13,16) Research also shows that children in Fiji are subjected to online commercial sexual exploitation, including child pornography. (11,13,17) Parents sometimes send their children to live with families in cities or near schools to facilitate their continuing education and to perform light household work. Research found that some of these children are vulnerable to involuntary domestic work or are forced to engage in sexual activity in exchange for food, clothing, or shelter. (1,16,18) Street children in Fiji are vulnerable to the worst forms of child labor, such as commercial sexual exploitation, sometimes as a result of human trafficking, selling illicit drugs, and forced labor. (1,2,8,13,15,19) These vulnerabilities are further exacerbated by the COVID-19 pandemic and natural disasters. (16)

The pandemic continued to profoundly impact students' access to education in Fiji, particularly affecting children from low-income families and single-parent families, as well as children with special education needs. School closures due to pandemic outbreaks and Tropical Cyclone Cody, which caused severe damages to critical structures for education, increased children's vulnerabilities to the worst forms of child labor and human trafficking. (2) Other barriers included access challenges for schools in remote areas, and telecommunication and internet connectivity issues that made it difficult for students to access online learning materials during the pandemic. (2)

## II. LEGAL FRAMEWORK FOR CHILD LABOR

Fiji 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 Fiji ratified the UN CRC Optional Protocol on the Sale of Children, Child Prostitution, and Child Pornography and the UN CRC Optional Protocol on the Involvement of Children in Armed Conflict. (2,20-23)

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 (24)
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 (25,26)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Hazardous Occupations Prohibited to Children Under 18 Years of Age Order (26)
Prohibition of Forced Labor	Yes		Articles 6 and 91 of the Employment Relations Promulgation; Articles 20 and 21 of the Immigration Act; Articles 102, 103, 111, and 121 of the Crimes Decree (24,27,28)
Prohibition of Child Trafficking	Yes		Articles 2, 91, and 256 of the Employment Relations Promulgation; Articles 2, 17–20, 22 and Schedule 2 of the Immigration Act; Articles 111–121 of the Crimes Decree (24,27,28)
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 (24,28,29)
Prohibition of Using Children in Illicit Activities	Yes		Article 91 of the Employment Relations Promulgation; Article 58 of the Juveniles Act (24,30)
Minimum Age for Voluntary State Military Recruitment	Yes	18	Article 7 of the Royal Fiji Military Forces Act (31)
Prohibition of Compulsory Recruitment of Children by (State) Military	Yes*		Article 7 of the Royal Fiji Military Forces Act (31)
Prohibition of Military Recruitment by Non-state Armed Groups	No		
Compulsory Education Age	Yes	15	Compulsory Education Orders 1997 and 1998 (32,33)
Free Public Education	Yes		Article 31 of the Constitution of Fiji (34)

\* Country has no conscription (31)

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. (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 Employment, Productivity, and Industrial Relations (MEPIR)	Enforces laws related to child labor. Maintains a 24-hour phone line to accept reports of child labor and refers children to social services when appropriate. (2)
Employment Relations Tribunal	Adjudicates alleged violations of child labor provisions in the Employment Relations Promulgation. (2)
Fiji Police Force	Investigates criminal violations and enforces laws on the worst forms of child labor. (2) Maintains a Human Trafficking Unit and provides training to other police units focused on addressing human trafficking. (8)
Department of Immigration	Responsible for immigration services, refugee services, and efforts to address human trafficking. (2) 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. (35)
Office of the Director of Public Prosecutions	Enforces laws on child trafficking. (36)

## MODERATE ADVANCEMENT

**Labor Law Enforcement**

Research did not find information on whether labor law enforcement agencies in Fiji took actions to address child labor.

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

Overview of Labor Law Enforcement	2020	2021
Labor Inspectorate Funding	Unknown (35)	\$4.5 million‡ (2,37)
Number of Labor Inspectors	45 (35)	Unknown (2)
Mechanism to Assess Civil Penalties	Yes (24)	Yes (24)
Initial Training for New Labor Inspectors	No (35)	Unknown (2)
Training on New Laws Related to Child Labor	N/A	N/A
Refresher Courses Provided	Yes (35)	Unknown (2)
Number of Labor Inspections Conducted	843 (35)	Unknown (2)
Number Conducted at Worksite	843 (35)	Unknown (2)
Number of Child Labor Violations Found	0 (35)	Unknown (2)
Number of Child Labor Violations for Which Penalties Were Imposed	0 (35)	Unknown (2)
Number of Child Labor Penalties Imposed that Were Collected	0 (35)	Unknown (2)
Routine Inspections Conducted	Yes (35)	Unknown (2)
Routine Inspections Targeted	No (35)	Unknown (2)
Unannounced Inspections Permitted	Yes (24)	Yes (24)
Unannounced Inspections Conducted	Yes (8)	Unknown (2)
Complaint Mechanism Exists	Yes (35)	Yes (2)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (35)	Yes (2)

‡ Funding is for August 2021 to July 2022.

Restriction measures in Fiji due to the pandemic have led to the closing of businesses, which impeded the government's labor law enforcement activities in 2021. The government did not provide information on labor law enforcement efforts for inclusion in this report. (2)

**Criminal Law Enforcement**

Research did not find information on whether criminal law enforcement agencies in Fiji took actions to address child labor.

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

Overview of Criminal Law Enforcement	2020	2021
Initial Training for New Criminal Investigators	Unknown (35)	Unknown (2)
Training on New Laws Related to the Worst Forms of Child Labor	N/A	N/A
Refresher Courses Provided	Unknown (35)	Unknown (2)
Number of Investigations	Unknown (35)	Unknown (2)
Number of Violations Found	Unknown (35)	Unknown (2)
Number of Prosecutions Initiated	0 (35)	Unknown (2)
Number of Convictions	0 (35)	Unknown (2)
Imposed Penalties for Violations Related to the Worst Forms of Child Labor	No (35)	Unknown (2)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (35)	Yes (2)

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. The government did not provide information on 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 the lack of efficacy in accomplishing mandates.

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

Coordinating Body	Role & Description
National Coordinating Committee on Children (NCCC)	Coordinates child labor and child safety enforcement efforts. Comprises 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. (35) During the reporting period, NCCC held two meetings for consultation on the National Child Safeguarding Policy Work Plan. (38)
Interagency Network	Focuses on child labor issues at the district and provincial level. Monitors and reports cases of non-compliance. (39) Comprises interagency committees in nine towns in Fiji. (39) Research was unable to determine whether the Interagency Network was active during the reporting period.
Interagency 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. Shares information on child labor cases, including the worst forms of child labor. (2) Research was unable to determine whether the Interagency Network was active during the reporting period.
Interagency Task Force on Beggars	Addresses issues concerning children who beg and other exploited children. The Ministry of Social Welfare, Women, and Poverty Alleviation and the police regularly conduct patrols to identify and assist children. (40) Research was unable to determine whether the Interagency Task Force was active during the reporting period.
Interagency 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. (41,42) 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. (43) The Interagency Working Group on Human Trafficking was active during the reporting period. (1)

#### 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)	Addresses, develops, and implements strategic economic development priorities in the South Pacific, including eliminating child labor and the worst forms of child labor. A multinational strategic framework program consisting of 14 South Pacific nations. (44) Activities during the reporting period were conducted under the UNICEF Pacific Multi-Country Child Protection Program (2018–2022). (2,45)
National Action Plan to Combat Human Trafficking and National Anti-Human Trafficking Strategy (2021–2026) <sup>†</sup>	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. (35,41,46,47) During the reporting period, the Fijian Cabinet formally endorsed the revised national action plan and accompanying strategy. In addition, the government allocated financial and human resources for implementation of the National Action Plan. (1,16)

<sup>†</sup> Policy was implemented 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. (2)

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. (48)

#### VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2021, 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 inadequacy to address the problem in all sectors.

## MODERATE ADVANCEMENT

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

Program	Description
UNICEF Pacific Multi-Country Child Protection Program (2018–2022)	Prioritizes children's rights including the elimination of the worst forms of child labor. Multi-country program in 14 Pacific Island countries aligned with the UN Pacific Strategy 2018–2022. (45) During the reporting period, UNICEF worked with the Government of Fiji to conduct the Multiple Indicator Cluster Survey. (2) The Ministry of iTaukei Affairs also collaborated with UNICEF on a child protection program focusing on the rights for children of the indigenous iTaukei population. (38,49)
Education Assistance Programs†	The 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. (17) The 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 \$7,400 to offset the cost of education for children attending remote schools. (50) During the reporting period, the government continued to provide transport assistance to students, and allocated approximately \$31 million for the Free Education Grant in fiscal year 2021–2022. (2,37)
Child Protection Program and Allowance‡	Ministry of Women, Children, and Poverty Alleviation (MWCPA) Child Protection Program that raises awareness of, and enacts recommendations from, the UN CRC. (17) MWCPA Child Protection Allowance assists single mothers, widows, and children. (51) Research was unable to determine whether activities were undertaken to implement the Child Protection Program and Allowance during the reporting period.
Trafficking Victims Rehabilitation Programs†	Homes of Hope is an NGO program that assists victims of sexual abuse and human trafficking. (17,51) During the reporting period, the government provided \$185,000 to women-focused institutions through the MWCPA to help victims of gender-based violence, including human trafficking and sexual abuse. (2)
Measurement, Awareness-Raising, and Policy Engagement Project on Child Labor and Forced Labor (MAP16)	\$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 address child labor, forced labor, and human trafficking through national, regional, and global initiatives. (52) In 2021, coordinated and facilitated trainings on child labor inspections, including in the informal sector and on the worst forms of child labor, in six divisions in Fiji with a total of 212 participants. (53) Additional information is available on the USDOL website.

† 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. (2,35)

During the reporting period, MEPIR, the MWPCA, the Ministry of Education, the Ministry of Health and Medical Services, the iTaukei Affairs Board, and the Fiji Police Force collaborated with the ILO to support a series of training and awareness seminars with a network of stakeholders to strengthen efforts to address child labor. The training programs were conducted in commemoration of the International Year for the Elimination of Child Labor. (54)

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 forced domestic work. (1,17)

## VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE CHILD LABOR

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

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

Area	Suggested Action	Year(s) Suggested
Legal Framework	Ensure that the law criminally prohibits the recruitment of children under age 18 by non-state armed groups.	2016 – 2021
	Ensure that the law's light work provisions are specific enough to prevent children from involvement in child labor.	2015 – 2021



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

Area	Suggested Action	Year(s) Suggested
Enforcement	Publish labor law enforcement information, including the number of labor inspectors, initial training for new labor inspectors, whether refresher courses were provided for existing labor inspectors, number of labor inspections conducted, number of labor inspections conducted at the worksite, whether routine inspections were targeted, 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.	2021
	Strengthen the labor inspectorate by initiating targeted inspections based on analysis of data related to risk-prone sectors and patterns of serious incidents.	2020 – 2021
	Publish criminal law enforcement information, including initial training for new criminal investigators, refresher courses for existing criminal investigators, number of investigations conducted, number of violations, number of prosecutions initiated, number of convictions, and imposed penalties for violations related to the worst forms of child labor.	2020 – 2021
Coordination	Ensure that all coordinating bodies are active and can carry out their intended mandates.	2021
Social Programs	Collect and publish data on the extent and nature of child labor to inform policies and programs.	2017 – 2021
	Ensure that activities are undertaken to implement the Child Protection Program and Allowance during the reporting period and make information about implementation measures publicly available.	2021
	Increase the availability of support services for children vulnerable to commercial sexual exploitation, human trafficking, and forced domestic work, in order to prevent them from being sent to live with other families.	2010 – 2021

**REFERENCES**

- U.S. Department of State. Trafficking in Persons Report- 2021: Fiji. Washington, D.C., July 1, 2021. <https://www.state.gov/reports/2021-trafficking-in-persons-report/fiji/>
- U.S. Embassy- Suva. Reporting. February 1, 2022.
- Tuvuki, Simone. Worst forms of child labour identified in Fiji. Fiji Village, March 30, 2021. <https://www.fijivillage.com/news/Worst-forms-of-child-labour-identified-in-Fiji-r85f4x/>
- UNESCO Institute for Statistics. Gross intake ratio to the last grade of primary education, both sexes (%). Accessed March 3, 2022. For more information, please see "Children's Work and Education Statistics: Sources and Definitions" in the Reference Materials section of this report. <http://data.uis.unesco.org/>.
- ILO. Analysis of Child Economic Activity and School Attendance Statistics from National Household or Child Labor Surveys. Analysis received March 2022. Please see "Children's Work and Education Statistics: Sources and Definitions" in the Reference Materials section of this report.
- Naqeleuvuki, Vilimaina. Child labour concern. Fiji Times, August 28, 2020. <https://www.fijitimes.com/child-labour-concern-2/>
- Vakasukawaqa, Arieta. Assisted children 'return to streets.' The Fiji Times, February 12, 2021. <https://www.fijitimes.com/assisted-children-return-to-streets/>
- U.S. Embassy- Suva. Reporting. March 15, 2021.
- Wise, Margaret. Sold for Sex. Fiji Times, October 6, 2017. Source on file.
- Vakasukawaqa, Arieta. Culture Of silence, taboo, camouflages sex exploitation. Fiji Sun, October 5, 2017. <http://fijisun.com.fj/2017/10/05/culture-of-silence-taboo-camouflages-sex-exploitation/>
- Nacei, Luke. NGO blames internet use. The Fiji Times, September 30, 2020. <https://www.fijitimes.com/416530-2/>
- Rovoi, Christine. Children in Fiji involved in prostitution: NGOs. RNZ, October 15, 2020. <https://www.rnz.co.nz/international/pacific-news/428364/children-in-fiji-involved-in-prostitution-ngos>
- Kumar, Vishaal. 'Sexual exploitation of children prevalent in urban areas' - Report. The Fiji Times, September 29, 2020. <https://www.fijitimes.com/sexual-exploitation-of-children-prevalent-in-urban-areas-report/>
- Lyons, Kate. 'I've seen terrible, terrible violence': cocaine and meth fuel crime and chaos in Fiji. The Guardian, June 24, 2019. <https://www.theguardian.com/global-development/2019/jun/24/ive-seen-terrible-terrible-violence-cocaine-and-meth-fuel-and-chaos-in-fiji>
- RNZ News. Fijian drug taskforce gets US help. Radio New Zealand, July 19, 2019. <https://www.rnz.co.nz/international/pacific-news/394745/fijian-drug-taskforce-gets-us-help>
- U.S. Embassy- Suva. Reporting. March 15, 2022.
- U.S. Embassy- Suva. Reporting. January 21, 2020.
- U.S. Embassy- Suva. Reporting. March 25, 2020.
- Nacei, Luke. Tukutukulevu: Street kids vulnerable to prostitution. The Fiji Times, September 29, 2020. <https://www.fijitimes.com/tukutukulevu-street-kids-vulnerable-to-prostitution-2/>
- UN. Treaty Body Database. Accessed: 2021. [https://tbinternet.ohchr.org/\\_layouts/15/TreatyBodyExternal/Treaty.aspx?CountryID=60&Lang=EN](https://tbinternet.ohchr.org/_layouts/15/TreatyBodyExternal/Treaty.aspx?CountryID=60&Lang=EN)
- RNZ News. Fiji's ratification of children's rights welcomed. March 23, 2021. <https://www.rnz.co.nz/international/pacific-news/438883/fiji-s-ratification-of-children-s-rights-welcomed>
- Chand, Anish. Fiji's ratification of the Optional Protocol welcomed. The Fiji Times, March 20, 2021. <https://www.fijitimes.com/fijis-ratification-of-the-optional-protocol-welcomed/>
- UNICEF. UNICEF and UN Human Rights welcome Fiji's commitment to combatting child exploitation. Suva, Fiji: March 19, 2021. <https://www.unicef.org/pacificislands/press-releases/unicef-and-un-human-rights-welcome-fijis-commitment-combatting-child-exploitation>
- Government of Fiji. Employment Relations Promulgation 2007, No. 36. Enacted: 2007. [http://www.ilo.org/dyn/travail/docs/820/Employment\\_Relations\\_Promulgation\\_2007.pdf](http://www.ilo.org/dyn/travail/docs/820/Employment_Relations_Promulgation_2007.pdf)

## MODERATE ADVANCEMENT

- 25 Government of Fiji. Employment Relations (Administration) Regulations. Enacted: 2008.  
<https://www.ilo.org/dyn/natlex/docs/ELECTRONIC/77669/82546/FI449470204/FJI77669.pdf>
- 26 Government of Fiji. The Hazardous Occupations Prohibited to Children Under 18. Enacted: May 28, 2013. Source on file.
- 27 Government of Fiji. Immigration Act 2003, No. 17. Enacted: 2003.  
[http://www.pacii.org/fj/legis/num\\_act/ia2003138/](http://www.pacii.org/fj/legis/num_act/ia2003138/)
- 28 Government of Fiji. Crimes Decree 2009, No. 44. Enacted: 2009.  
<https://www.ilo.org/dyn/natlex/docs/SERIAL/86223/97166/FI417546453/FJI86223.pdf>
- 29 Government of Fiji. Juveniles (Amendment) Act, 29. Enacted: 1997. Source on file.
- 30 Government of Fiji. Juveniles Act, Chapter 56. Enacted: 1997.  
[http://www.pacii.org/fj/legis/consol\\_act/ja129/](http://www.pacii.org/fj/legis/consol_act/ja129/)
- 31 Government of Fiji. Royal Fiji Military Forces Act, Chapter 81 (1949).  
[http://www.pacii.org/fj/legis/consol\\_act/rfmfa276/](http://www.pacii.org/fj/legis/consol_act/rfmfa276/)
- 32 Government of Fiji. Compulsory Education Order 1997. Enacted: January 20, 1997.  
<https://www.laws.gov.fj/Acts/DisplayAct/438#>
- 33 Government of Fiji. Compulsory Education Order 1998. Enacted: January 19, 1998.  
<https://www.laws.gov.fj/Acts/DisplayAct/439#>
- 34 Government of Fiji. 2013 Constitution of the Republic of Fiji. Enacted: 2013.  
<https://www.fiji.gov.fj/getattachment/a3cddc01-dc73-4823-83b8-f290672ddae0/2013-Constitution-of-The-Republic-of-Fiji.aspx>
- 35 U.S. Embassy- Suva. Reporting. March 2, 2021.
- 36 Government of Fiji, Office of the Director of Public Prosecutions. Anti-Human Trafficking. Accessed 2021.  
<https://odpp.com.fj/anti-human-trafficking/>
- 37 U.S. Embassy- Suva official. E-mail communication to USDOL official. March 14, 2022.
- 38 ILO official. E-mail communication to USDOL official. March 13, 2022.
- 39 U.S. Embassy- Suva official. E-mail communication to USDOL official. July 7, 2020.
- 40 U.S. Embassy- Suva official. E-mail communication to USDOL official. May 8, 2022.
- 41 Government of Fiji. National Anti-Human Trafficking Strategy 2021–2026. 2021. Source on file.
- 42 U.S. Embassy- Suva official. E-mail communication to USDOL official. May 5, 2021.
- 43 U.S. Embassy- Suva. Reporting. April 3, 2020.
- 44 UN. United Nations Pacific Strategy 2018–2022: A Multi-Country Sustainable Development Framework in the Pacific Region. 2017.  
[https://unsdg.un.org/sites/default/files/2019-12/UNDP\\_WS\\_FINAL\\_UNPS\\_2018-2022.pdf](https://unsdg.un.org/sites/default/files/2019-12/UNDP_WS_FINAL_UNPS_2018-2022.pdf)
- 45 UN. Strategy Note for the 2018–2022 Pacific Multi-Country Programme of Cooperation. New York: October 10, 2017. Source on file.
- 46 U.S. Embassy- Suva. Reporting. January 29, 2021.
- 47 Government of Fiji. National Action Plan to Combat Human Trafficking 2021–2026. 2021. Source on file.
- 48 ILO. Report: Developing a Joint Roadmap for Fiji as a Pathfinder Country to Achieve SDG Target 8.7. Suva: August 30, 2019.  
[https://www.ilo.org/suva/publications/WCMS\\_726134/lang-en/index.htm](https://www.ilo.org/suva/publications/WCMS_726134/lang-en/index.htm)
- 49 ILO. Measurement, Awareness-Raising, and Policy Engagement Project on Child Labor and Forced Labor (MAP I6). October 2021: Technical Progress Report. Source on file.
- 50 U.S. Department of State official. E-mail communication to USDOL official. May 7, 2018.
- 51 U.S. Embassy- Suva. Reporting. January 16, 2019.
- 52 U.S. Department of Labor. Measurement, Awareness-Raising, and Policy Engagement (MAP I6) Project on Child Labor and Forced Labor. Washington, D.C.: Accessed 2022.  
<https://www.dol.gov/agencies/ilab/measurement-awareness-raising-and-policy-engagement-map-i6-project-child-labor-and>
- 53 ILO. Measurement, Awareness-Raising, and Policy engagement Project on Child Labor and Forced Labor (MAP I6). April 2022: Technical Progress Report. Source on file.
- 54 Vula, Timoci. ILO training and awareness seminars targets elimination of child labour. The Fiji Times, December 12, 2021.  
<https://www.fijitimes.com/ilo-training-and-awareness-seminars-targets-elimination-of-child-labour/>

In 2021, Gabon made minimal advancement in efforts to eliminate the worst forms of child labor. During the reporting period, authorities removed more than 30 children from exploitive settings and provided them with government services. 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 lack the basic resources necessary to conduct investigations. Finally, Gabon does not have a policy that addresses all relevant forms of child labor.



### 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. (I-6) 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 (%)		78.4

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 Deuxième Enquête Démographique et de Santé au Gabon (EDSG-II), 2012. (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	Fishing, including the production and sale of smoked fish (6,9,10)
Industry	Working in sand quarries† (1,6,10)
	Working in brick factories (6,10)
Services	Domestic work (3-6,10)
	Street vending, including windshield cleaning, cleaning market spaces at night, and carrying heavy loads† (5,6,9)
	Garbage scavenging (6,10)
	Working in transportation, including minibuses,† and as mechanics (1,2,6)
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 (1,3,6,12)
	Commercial sexual exploitation, sometimes as a result of human trafficking (4-6,10,13)

† 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.

# Gabon

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




Gabon is primarily a destination and transit country for victims of child trafficking from other countries in Central and West Africa. (6,14) 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. (6,14,15) 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. (6,9,13) Reports also indicate that West African human traffickers reportedly exploit children from their countries of origin to work in Libreville markets and in other urban centers, including Port-Gentil. (6,7,13)

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. (10,16) Due to a lack of teachers and poor school infrastructure, education beyond primary school is often unavailable. (6,17) 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. (6)

## 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 (18-20)
Minimum Age for Hazardous Work	Yes	18	Article 1 of the Hazardous Work List (18,19,21)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Articles 2, 3, and 5 of the Hazardous Work List (18,19,21)
Prohibition of Forced Labor	Yes		Articles 225 to 225-7 of Gabon's 2020 Revised Penal Code; Articles 3, 12, and 13 of Law N° 09/04 Preventing and Fighting Against Child Trafficking; Article 4 of the Labor Code (18,22,23)
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 (22,23)

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

Standard	Meets International Standards	Age	Legislation
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 (23,24)
Prohibition of Using Children in Illicit Activities	Yes		Article 281-1 of Gabon's 2020 Revised Penal Code (23)
Minimum Age for Voluntary State Military Recruitment	Yes	18	Article 17 of the Law on the Organization of National Defense and Public Security (25)
Prohibition of Compulsory Recruitment of Children by (State) Military	Yes*		Article 17 of the Law on the Organization of National Defense and Public Security (25)
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 (23,16,26)
Free Public Education	Yes		Articles 1.18 and 1.19 of the Constitution; Article 2 of Act N° 21/2011 on General Education (16,26)

\* Country has no conscription (27)

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. (2,18,22,23) Article 2 of Decree N° 0651/PR/MTEPS Establishing Individual Exceptions to the Minimum Age for Admission to Employment permits children under age 16 to perform light work with parental permission. However, it does not set a minimum age, 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. (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 child labor laws.

**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. (17) 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. (1,6)
Ministry of the Interior's Police Force	Enforces laws, investigates child labor violations, and refers cases to the Ministry of Justice for prosecution. (6,17) Refers cases of child labor to the MSPNS. The shelters for referred children are run by or work in close coordination with MSPNS. (6,13)
Ministry of Justice	Enforces child labor laws by prosecuting child labor cases. Coordinates activities of the agencies responsible for enforcing criminal laws against child forced labor/trafficking, commercial sexual exploitation, and the use of children in illicit activities. (6) Assists in supporting victims of child trafficking while prosecutors and investigators prepare their cases. (1,6)

While active, the Ministry of Employment, Public Function, Labor and Professional Training did not carry out its mandated role during the reporting period, which includes addressing child labor complaints. (6)

#### Labor Law Enforcement

In 2021, 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	2020	2021
Labor Inspectorate Funding	Unknown (10)	Unknown (6)
Number of Labor Inspectors	Unknown (10)	Unknown (6)
Mechanism to Assess Civil Penalties	Yes (10)	Yes (18)
Initial Training for New Labor Inspectors	No (10)	No (6)
Training on New Laws Related to Child Labor	N/A (10)	N/A (6)
Refresher Courses Provided	No (10)	No (6)
Number of Labor Inspections Conducted	0 (10)	0 (6)
Number Conducted at Worksite	N/A (10)	N/A (6)
Number of Child Labor Violations Found	0 (10)	0 (6)
Number of Child Labor Violations for Which Penalties Were Imposed	N/A (10)	N/A (6)
Number of Child Labor Penalties Imposed that Were Collected	N/A (10)	N/A (6)
Routine Inspections Conducted	N/A (10)	N/A (6)
Routine Inspections Targeted	Unknown (10)	N/A (6)
Unannounced Inspections Permitted	Yes (18)	Yes (18)
Unannounced Inspections Conducted	No (10)	No (6)
Complaint Mechanism Exists	Yes (10)	Yes (6)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (10)	Yes (6)

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 have hampered the labor inspectorate's capacity to adequately conduct inspections and enforce labor laws throughout the country. (2,6,13,17) In addition, labor inspectors in Gabon are responsible for reconciling labor disputes, which may detract from their primary duty of inspection. (18)

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. The police take note of violations of child labor law, carry out investigations when further information is necessary, and refer cases to the court system within the Ministry of Justice's jurisdiction. (6)

### Criminal Law Enforcement

In 2021, criminal law enforcement agencies in Gabon took actions to address 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	2020	2021
Initial Training for New Criminal Investigators	No (10)	No (6)
Training on New Laws Related to the Worst Forms of Child Labor	N/A (10)	N/A (6)
Refresher Courses Provided	N/A (10)	No (6)
Number of Investigations	Unknown (10)	Unknown (6)
Number of Violations Found	Unknown (10)	Unknown (6)
Number of Prosecutions Initiated	20 (28)	Unknown (6)
Number of Convictions	2 (28)	6 (6,29)
Imposed Penalties for Violations Related to the Worst Forms of Child Labor	Unknown (10)	Yes (6,29)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (10)	Yes (6)

The government did not provide information on the number of investigations conducted, the number of violations found, or the number of prosecutions initiated for inclusion in this report. However, during the reporting period, authorities removed more than 30 children from exploitive settings; all of the children removed

received services from the government. (6) In addition, the Ministry of Justice convicted six individuals on trafficking related charges. (29)

Despite these efforts, research has shown that a lack of resources, which included transportation and access to fuel, 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. (5,10,13,29) Research also found that Gabonese authorities do not have a consistent mechanism to report human trafficking statistics to Post. (13)

### 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 Justice and Ministry of Interior	Coordinate national efforts against child trafficking and other worst forms of child labor. (6,17,29)
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. (6,30)
Local Vigilance Committees	Identifies potential cases of child trafficking, intercept victims, and assist children at risk of child trafficking. (6,31)
Ministry of Social Affairs and Women's Rights & 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. (1,13) MSPNS can also refer cases to the Ministry of Justice, which may pursue criminal charges. (9,13)

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. (6,9)

Research also indicates that the other coordinating committees lacked sufficient funding and members sometimes used their personal funds to support human trafficking victims. (1,10,32) All coordination committees were inactive during the reporting period. (6,10)

### 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) (3,33,34)

### VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2021, 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 inadequacy 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	Provides social services to victims of child labor and child trafficking. The government provides support to shelters run by civil society organizations. (1,3,13,35) Victims received medical care, literacy training, and reintegration support. (1,6)

Research found no evidence of a government program that directly addressed child labor. (1,10) 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. (1,3,6,10,13,31)

### VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE CHILD LABOR

Based on the reporting above, suggested actions are identified that would advance the elimination of child labor in 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 – 2021
Enforcement	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 – 2021
	Establish criminal prohibitions for the recruitment of children under age 18 for use in armed conflict by non-state armed groups.	2016 – 2021
	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 – 2021
	Strengthen the labor inspectorate by having inspectors conduct routine and unannounced inspections, including in the informal sector.	2014 – 2021
	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 – 2021
	Ensure that the government conducts an adequate number of labor inspections and criminal investigations and publish criminal law enforcement information.	2018 – 2021
Coordination	Ensure that coordinating bodies are sufficiently funded to carry out their mandates, remain active, and report on their activities.	2013 – 2021
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 – 2021
	Integrate child labor elimination and prevention strategies into existing relevant policies.	2014 – 2021
Social Programs	Collect and publish data on the extent and nature of child labor to inform policies and programs.	2014 – 2021
	Ensure that children have access to education by eliminating school fees, increasing the number of teachers and schools in rural areas, and make efforts to provide all children with birth registration.	2010 – 2021
	Expand 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 – 2021

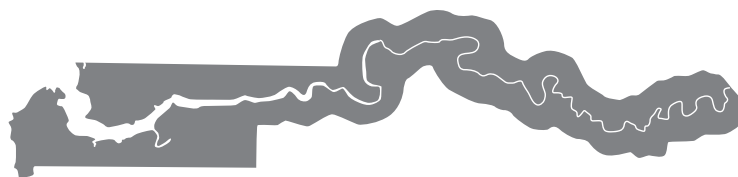
### REFERENCES

- 1 U.S. Embassy- Libreville. Reporting. January 14, 2019.
- 2 ILO Committee of Experts. Individual Observation concerning Minimum Age Convention, 1973 (No. 138) Gabon (ratification: 2010). Published: 2017.  
[http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100\\_COMMENT\\_ID:3286367](http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:3286367)
- 3 ILO Committee of Experts. Individual Direct Request concerning Worst Forms of Child Labour Convention, 1999 (No. 182) Gabon (ratification: 2001). Published: 2017.  
[http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100\\_COMMENT\\_ID:3286371](http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:3286371)
- 4 Par Liberte Togo Grand reportage/Gabon: Le paradis «cauchemardesque» pour certains Togolais. March 16, 2017.  
<http://www.27avril.com/blog/diaspora/grand-reportage-gabon-paradis-cauchemardesque-certains-togolais>
- 5 Agence France-Presse. Gabon struggles to stem tide of child trafficking. July 4, 2018.  
<https://www.timeslive.co.za/news/africa/2018-07-04-gabon-struggles-to-stem-tide-of-child-trafficking/>
- 6 U.S. Embassy- Libreville. Reporting. January 20, 2022
- 7 UNESCO Institute for Statistics. Gross intake ratio to the last grade of primary education, both sexes (%). Accessed March 2021. For more information, please see "Children's Work and Education Statistics: Sources and Definitions" in the Reference Materials section of this report.  
<http://data.uis.unesco.org/>
- 8 ILO. Analysis of Child Economic Activity and School Attendance Statistics from National Household or Child Labor Surveys. Original data from Deuxième Enquête Démographique et de Santé au Gabon (EDSG-II), 2012. Analysis received March 2020. For more information, please see "Children's Work and Education Statistics: Sources and Definitions" in the Reference Materials section of this report.
- 9 U.S. Embassy- Libreville. Reporting. January 17, 2020.
- 10 U.S. Embassy- Libreville. Reporting. February 4, 2021.

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

- 11 UN Committee on the Rights of the Child. Concluding observations on the second periodic report of Gabon. Geneva, July 8, 2016: CRC/C/GAB/CO/2.  
[http://tbinternet.ohchr.org/\\_layouts/treatybodyexternal/Download.aspx?symbolno=CRC/C/GAB/CO/2&Lang=En](http://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=_CRC/C/GAB/CO/2&Lang=En)
- 12 ILO Committee of Experts. Individual Observation concerning Worst Forms of Child Labour Convention, 1999 (No. 182) Gabon (ratification: 2001). Published: 2017.  
[http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100\\_COMMENT\\_ID:3286374](http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:3286374)
- 13 U.S. Department of State. Trafficking in Persons Report- 2020: Gabon. Washington, DC, June 16, 2020.  
<https://www.state.gov/reports/2020-trafficking-in-persons-report/gabon/>
- 14 U.S. Department of State. Trafficking in Persons Report- 2018: Gabon. Washington, DC, June 28, 2018.  
<https://www.state.gov/reports/2018-trafficking-in-persons-report/gabon/>
- 15 The Coca-Cola Company. Review of Child Labour, Forced Labour and Land Rights in the Gabon Sugarcane Supply Chain. 2017.  
<https://www.coca-colacompany.com/content/dam/journey/us/en/private/2017/03/sugar-study-gabon.pdf>
- 16 Government of the Gabonese Republic. Loi portant orientation générale de l'éducation, de la formation et de la recherche, Loi N° 21/2011. Enacted: February 11, 2012.  
<http://www.axl.cefan.ulaval.ca/afrique/gabon-loi-2011.htm>
- 17 U.S. Department of State. Country Reports on Human Rights Practices- 2020: Gabon. Washington, DC, March 30, 2021.  
<https://www.state.gov/reports/2020-country-reports-on-human-rights-practices/gabon/>
- 18 Government of the Gabonese Republic. Code du Travail, Loi N° 3/94. Enacted: November 21, 1994.  
<http://www.ilo.org/dyn/natlex/docs/WEBTEXT/39615/64948/F94GAB01.htm>
- 19 Government of the Gabonese Republic. Ordonnance portant modification de certaines dispositions du Code du Travail de la République Gabonaise, Ordonnance N° 018/PR/2010. Enacted: February 25, 2010.  
[http://www.ilo.org/dyn/natlex/natlex4.detail?p\\_lang=en&p\\_isn=85242&p\\_country=GAB](http://www.ilo.org/dyn/natlex/natlex4.detail?p_lang=en&p_isn=85242&p_country=GAB)
- 20 Government of the Gabonese Republic. Décret fixant les dérogations individuelles à l'âge minimum d'admission à l'emploi en République Gabonaise, Décret N° 0651/PR/MTEPS. Enacted: April 13, 2011.  
<http://faolex.fao.org/docs/pdf/gab107288.pdf>
- 21 Government of the Gabonese Republic. Décret n°0023/PR/MEEDD du 16 2013, fixant la nature des pires formes de travail et les catégories d'entreprises interdites aux enfants de moins de 18 ans. Enacted: January 16, 2013.  
<http://www.sgg.gouv.ga/820-0023-pr-meedd/>
- 22 Government of the Gabonese Republic. Loi relative à la prévention et à la lutte contre le trafic des enfants en République Gabonaise, Loi N° 009/2004. Enacted: September 21, 2004.  
[http://www.ilo.org/dyn/natlex/natlex4.detail?p\\_lang=fr&p\\_isn=70261&p\\_country=GAB&p\\_count=194](http://www.ilo.org/dyn/natlex/natlex4.detail?p_lang=fr&p_isn=70261&p_country=GAB&p_count=194)
- 23 Government of the Gabonese Republic. Special Code Penal, Loi n°006/2020 Enacted: June 30, 2020. Source on file.
- 24 Government of the Gabonese Republic. Penal Code, Loi N° 21/63. Enacted: May 31, 1963. Source on file.
- 25 Government of the Gabonese Republic. Portant Organisation Générale de la Défense Nationale et de la Sécurité Publique, Loi N° 004/98. Enacted: February 20, 1998.  
<http://www.defense-nationale.gouv.ga/textes-de-base/loi-n00498>
- 26 Government of the Gabonese Republic. Constitution de la République du Gabon. Enacted: 1991.  
[http://www.ilo.org/dyn/natlex/natlex4.detail?p\\_lang=en&p\\_isn=34815&p\\_country=GAB&p\\_count=182&p\\_classification=01.01&p\\_classcount=5](http://www.ilo.org/dyn/natlex/natlex4.detail?p_lang=en&p_isn=34815&p_country=GAB&p_count=182&p_classification=01.01&p_classcount=5)
- 27 Child Soldiers International. Gabon Country Page. Accessed February 23, 2018.  
<http://childsoldiersworldindex.org/view/GA>
- 28 U.S. Embassy- Libreville. Reporting. February 19, 2021.
- 29 U.S. Embassy- Libreville Reporting (TIP) February 17, 2022
- 30 ILO Committee of Experts. Individual Direct Request concerning Minimum Age Convention, 1973 (No. 138) Gabon (ratification: 2010). Published: 2017.  
[http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100\\_COMMENT\\_ID:3286364](http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:3286364)
- 31 U.S. Embassy- Libreville official. E-mail communication to USDOL official. June 6, 2018.
- 32 U.S. Embassy- Libreville. Reporting. February 13, 2019.
- 33 Government of the Gabonese Republic. Politique Nationale de la Jeunesse du Gabon. Libreville, 2012.  
[http://www.youthpolicy.org/national/Gabon\\_2011\\_National\\_Youth\\_Policy.pdf](http://www.youthpolicy.org/national/Gabon_2011_National_Youth_Policy.pdf)
- 34 UN and Government of the Gabonese Republic. Plan Cadre des Nations Unies pour l'Aide au Développement du Gabon (2018–2022). July 2017.  
[https://www.unicef.org/about/execboard/files/PNUAD-Gabon-21.0.\\_2017.pdf](https://www.unicef.org/about/execboard/files/PNUAD-Gabon-21.0._2017.pdf)
- 35 Government of the Gabonese Republic. Décret fixant les conditions des contrôles, enquêtes et perquisitions relatives à la prévention et à la lutte contre le trafic des enfants en République Gabonaise, Décret N° 24/PR/MTE. Enacted: January 6, 2005. Source on file.

In 2021, The Gambia made moderate advancement in efforts to eliminate the worst forms of child labor. The government adopted a new National Action Plan Against Trafficking in Persons, and it launched the National Referral Mechanism for the Protection of Vulnerable Migrants,



including the Victims of Trafficking. However, 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 the minimum age for work is higher than the age of compulsory education. Although the government has adopted various policies addressing human trafficking, research found no evidence of a policy on other worst forms of child labor. In addition, labor inspectors do not inspect private homes or farms where 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. (1,2) 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 (%)		85.2

Source for primary completion rate: Data from 2021, published by UNESCO Institute for Statistics, 2022. (3)

Source for all other data: International Labor Organization's analysis of statistics from the Multiple Indicator Cluster Survey 6 (MICS6), 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	Farming, including protecting crops against animals (1,5)
Industry	Working in carpentry, masonry, sewing, plumbing, and in metal welding workshops† (1,5)
	Mining† and quarrying† (6)
Services	Domestic work (1)
	Street work, including begging and vending (1,6-9)
	Scavenging for scrap metal at dump sites, markets, garages, and car parks (5,10)
	Working as attendants for commercial vehicles in the transportation sector (1,9)
	Working as auto mechanics† (1,5)
Categorical Worst Forms of Child Labor‡	Commercial sexual exploitation, sometimes as a result of human trafficking (1,2,11,12)
	Forced begging by Koranic teachers (1,2,5,13)
	Forced labor in domestic work, farming, and street vending (2,5)

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

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

In The Gambia, children are exploited in human trafficking and subjected to commercial sexual exploitation, forced labor, and domestic work. Girls and boys from other West African countries are reportedly subjected to human trafficking for commercial sexual exploitation. (2,14) Research suggests that before the pandemic, foreign nationals subjected children to commercial sexual exploitation in the Tourism Development Area, which consists



# The Gambia

## MODERATE ADVANCEMENT




of the areas around major beaches, hotels, and nightclubs. (2,5,15-18) During the reporting year, the impact of the pandemic on the tourism industry likely reduced the prevalence of child exploitation in the tourism sector. (5) In The Gambia, it is a common practice to send boys to receive education from Koranic teachers, or *marabouts*, who sometimes force students to engage in begging, street vending, and agricultural work. (1,13,14)

The Constitution and Gambian law mandate free compulsory primary and lower-secondary education. Families, however, are often responsible for transportation, supplies and uniforms, exam fees, and contributions to school funds. (13,19,20) Children with disabilities face significant barriers in accessing education. (5,13) In addition, inadequate classroom infrastructure, low numbers of teachers in rural areas, and limited access to clean water and toilets in schools create barriers for children to access education. (1,5,6,13,21,22)

## 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 (23)
Minimum Age for Hazardous Work	Yes	18	Articles 2 and 44 of the Children's Act; Articles 41, 46, and 47 of the Labor Act (23,24)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Articles 42, 44, and 45 of the Children's Act (23)
Prohibition of Forced Labor	Yes		Article 20 of the Constitution; Articles 2, 39-41, 47, and 58 of the Children's Act; Articles 2 and 28 of the Trafficking in Persons Act (19,23,25)
Prohibition of Child Trafficking	Yes		Articles 2, 30, and 39 of the Children's Act; Articles 2, 28-29, 38(c), and 56 of the Trafficking in Persons Act; Article 13 of the Tourism Offenses Act (23,25,26)
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 Offenses Act (23,26)
Prohibition of Using Children in Illicit Activities	Yes		Articles 31 and 37 of the Children's Act (23)
Minimum Age for Voluntary State Military Recruitment	Yes	18	Article 59 of the Children's Act (23)

**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 59 of the Children's Act (23)
Prohibition of Military Recruitment by Non-state Armed Groups	Yes		Article 31(c) of the Children's Act (23)
Compulsory Education Age	No	16‡	Article 18 of the Children's Act (23)
Free Public Education	Yes		Article 30 of the Constitution; Article 18 of the Children's Act (19,23)

‡ Age calculated based on available information. (19,23,27)

In The Gambia, children may commence an apprenticeship in the informal sector at the age of 12, which makes them vulnerable to engaging in child labor and not completing basic education. (23) Children in The Gambia are required to attend school up to age 16, but this standard makes children ages 16 through 18 vulnerable to child labor, as they are not required to attend school but are not legally permitted to work. (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 their child labor laws.

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

Organization/Agency	Role
Department of Labor	Receives complaints about child labor. Conducts labor inspections in the formal sector, mediates disputes between employers and labor representatives, and refers serious cases to the labor courts and the Industrial Tribunal. (5) Housed under the Ministry of Trade, Industry, and Regional Integration and Employment. (1,17)
Immigration Department Child Welfare Unit	Conducts unannounced inspections, including in marketplaces and restaurants. (5)
Children's Court	Adjudicates criminal, civil, and care and protection cases involving children. Coordinates with social welfare officers from the Department of Social Welfare (DSW) in the referral and care of children. (5,23,29)
National Agency Against Trafficking in Persons (NAATIP)	Under the purview of the Ministry of Justice, investigates suspected cases of human trafficking. Staff includes investigators, police, members of the National Intelligence Agency, and five prosecutors. (5,16,21,30,31) Gathers evidence for the NAATIP director, who can recommend that the NAATIP prosecutor file charges for human trafficking violations. (21) Conducts public awareness campaigns on human trafficking in tourist areas, schools, and border towns. (31) Trains law enforcement officers, judges, prosecutors, social workers, hoteliers, and civil society organizations on child labor, child trafficking, and trafficking in persons. (2,28,31) Oversees a National Referral Mechanism for the Protection of Vulnerable Migrants, including Victims of Trafficking (NRM) in The Gambia. (30,32)
The Gambia Police Force Child Welfare Unit	Receives reports of child labor complaints and coordinates with NAATIP on investigations and prosecutions. (21) Oversees all situations involving children's welfare. Collaborates with the Child Protection Alliance (CPA), DSW, NGOs, and other agencies. (6,18,33) Oversees Child Welfare Units staffed by trained child welfare officers at all major police stations. (28)
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. (2,18,34)
Local Enforcement Agencies	Monitor neighborhoods for child exploitation with support from DSW. Maintain Neighborhood Watch Groups established by DSW in urban areas near tourist resorts. (2,17,18,21) Serve as volunteer arbiters and mediators for community disputes involving children and other matters through Village Development Committees. (6) 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. (10,21,35)

# The Gambia

## MODERATE ADVANCEMENT

Reports indicate that the Neighborhood Watch Groups remain largely inadequate, as they are not empowered to monitor or report cases, are untrained, and only 2 out of the original 11 groups are even occasionally active. (2,18) In addition, the work of Child Welfare Units within the police and immigration departments is hampered by turnover, lack of resources, and limited capacity. (2) While volunteer-run Community Child Protection Committees under the Department of Social Welfare (DSW) are theoretically empowered to report cases of child labor, research indicates that they are largely inactive. (5)

### Labor Law Enforcement

In 2021, labor law enforcement agencies in The Gambia took actions to address child labor (Table 6). However, the exceptionally low number of worksite inspections conducted at the national level in The Gambia may have impeded the enforcement of child labor laws.

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

Overview of Labor Law Enforcement	2020	2021
Labor Inspectorate Funding	\$15,576 (1)	\$15,576 (5)
Number of Labor Inspectors	4† (1)	4 (5)
Mechanism to Assess Civil Penalties	Yes (24)	Yes (24)
Initial Training for New Labor Inspectors	Yes (1)	Yes (5)
Training on New Laws Related to Child Labor	N/A (1)	N/A (5)
Refresher Courses Provided	Yes (1)	Yes (5)
Number of Labor Inspections Conducted	5† (1)	4 (5)
Number Conducted at Worksite	5† (1)	Unknown (5)
Number of Child Labor Violations Found	0 (1)	5 (5)
Number of Child Labor Violations for Which Penalties Were Imposed	N/A (1)	0 (5)
Number of Child Labor Penalties Imposed that Were Collected	N/A (1)	0 (5)
Routine Inspections Conducted	Yes (1)	Unknown (5)
Routine Inspections Targeted	Yes (1)	Yes (5)
Unannounced Inspections Permitted	Yes (24)	Yes (24)
Unannounced Inspections Conducted	Yes (1)	Yes (5)
Complaint Mechanism Exists	Yes (1)	Yes (5)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (1)	Yes (5)

† Data are from January 1 to March 30, 2020. (1)

The number of labor inspectors is likely insufficient for the size of The Gambia's workforce, which includes approximately 495,000 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 need to employ about 12 labor inspectors. (36,37) While the labor inspectorates stopped conducting inspections in 2020 after the outbreak of the pandemic, inspections did resume in 2021. (1,5) Reports indicate that the labor inspectorate's funding was insufficient to implement its mandate and conduct a meaningful number of inspections. (5) In addition, although legally permitted to do so, inspectors do not inspect private homes or farms, where children may be working. (6,21,24)

### Criminal Law Enforcement

In 2021, criminal law enforcement agencies in The Gambia took actions to address 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 enforcement of penalties.

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

Overview of Criminal Law Enforcement	2020	2021
Initial Training for New Criminal Investigators	Unknown (1)	Yes (1)
Training on New Laws Related to the Worst Forms of Child Labor	N/A (1)	N/A (5)
Refresher Courses Provided	Unknown (1)	Yes (31)
Number of Investigations	Unknown (1)	Unknown (5)
Number of Violations Found	Unknown (1)	Unknown (5)
Number of Prosecutions Initiated	Unknown (1)	Unknown (5)
Number of Convictions	Unknown (1)	Unknown (5)
Imposed Penalties for Violations Related to the Worst Forms of Child Labor	Yes (1)	No (5)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (1)	Yes (5)

The government did not provide information on its criminal law enforcement efforts for inclusion in this report. (5) Research indicates that penalties are not fully applied, possibly hindering enforcement and emboldening violators. (2,23,33,35) In August 2021, the government launched the National Referral Mechanism for the Protection of Vulnerable Migrants, including the Victims of Trafficking (NRM), which outlines a comprehensive procedure for responding to suspected cases of human trafficking. The NRM was developed in part with funding from the U.S. Department of State and in consultation with NGOs and the IOM. (31) The NRM defines standard operating procedures to identify human trafficking and ensure that survivors are protected, referred to social services, and provided access to justice. (31) In the reporting year, the National Agency Against Trafficking in Persons (NAATIP) held a 2-day training for officers in the Tourism Security Unit on identifying cases of human trafficking, including child trafficking. The officers learned about their responsibilities under the NRM and took part in mock screening interviews to identify victims of human trafficking. (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 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 and supported by UNICEF, comprises representatives from Department of Labor, UNICEF, DSW, NAATIP, Action Aid, Ministry of Basic and Secondary Education, Gambia Teachers Union, Young People in the Media, and the Inspector General of Police. (1) Research was unable to determine whether this coordinating body was active in 2021.
National Trafficking in Persons Task Force	Coordinates the implementation of the Trafficking in Persons Action Plan and shares information among law enforcement agencies. (1) Includes NAATIP, Ministry of Justice, Department of Immigration, DSW, Ministry of Foreign Affairs, Women's Bureau, Gambia Radio and Television Services, The Gambian Tourism Board, Child Protection Alliance, Center for Street Children, The Gambian Armed Force, and The Gambia Police Force. (1) During the reporting period, met on a regular basis to discuss coordination, policy, and legislation on human trafficking issues. In addition, updated the National Action Plan Against Trafficking in Persons. (5,38)
Child Protection Alliance (CPA)	Civil society organization that promotes children's rights and child protection services. Members include government departments, civil society organizations, UN agencies, NGOs, child and youth organizations, and bilateral institutions. (1,18,39) Conducts joint programs with DSW and the Police Child Welfare Unit to identify children engaged in child labor. (18) Maintains 15 child protection centers across the country to monitor, identify, and report potential cases of child abuse and human trafficking. (18,21) Research was unable to determine which activities were undertaken by this coordinating body in 2021.
Department of Social Welfare (DSW)	Coordinates interagency efforts to address violations of child's rights, including child labor and child trafficking. (5,28,32) Housed under the Ministry of Women, Children and Social Welfare. (5) Coordinates with the Department of Labor, the Police Child Welfare Unit, and other enforcement agencies to provide social services to child labor and child trafficking survivors. (5) During the reporting period, in collaboration with NAATIP, conducted awareness-raising activities on human trafficking. (31)
The Gambia Tourism Board	Coordinates efforts to prevent and address commercial sexual exploitation of children in tourist areas. (5) In the reporting year, coordinated with NAATIP and IOM to provide training on human trafficking to hospitality workers. (31)

# The Gambia

## MODERATE ADVANCEMENT

### V. GOVERNMENT POLICIES ON CHILD LABOR

The government has established policies related to child labor (Table 9). However, policy gaps exist that hinder efforts to address child labor, including the lack of a national child labor policy.

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

Policy	Description
National Action Plan against Trafficking in Persons (2021–2025)*	Directs governmental efforts to address human trafficking. Includes strategies to improve legal framework, training of law enforcement and social services, prevention and awareness, and protection for human trafficking survivors. (38) During the reporting period, was updated and renewed for 2021–2025. (31)
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. (5) During the reporting year, the government continued to support this policy. (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. (18,40) During the reporting period, the government continued to support this policy, but the pace of training and implementation has slowed due to the impact of the pandemic on the tourism industry. (5)

\* 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. (21)

Although the government has adopted various policies addressing human trafficking and commercial sexual exploitation of children, research found no evidence of a policy on other worst forms of child labor.

### VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2021, 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 inadequacy of programs to address the full scope of the problem.

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

Program	Description
DSW Child Welfare Drop-in Centers†	Drop-in centers run by DSW with support from international organizations, foreign NGOs, and local businesses. Provide care, educational support, and counseling to child trafficking survivors, children removed from forced labor, street children, and children exploited by Koranic schools for forced begging. (5,18) Drop in centers were in operation during the reporting period. (5)
Conditional Cash Transfers to Islamic Religious Schools ( <i>Majaalis</i> )†	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. (5,17,21) Provides curriculum standards to Islamic schools. (5,39) Each month, a joint team of ministry officials and Institute for Social Reformation and Action representatives travels to each Koranic school participating in the program. (5) During the reporting period, 17 schools participated in the program, which has reached about 1,500 children. (5)
School Improvement Grant†	Covers the cost of stationary, books, and school uniforms for children in lower basic, upper basic, and senior secondary education. (39) This program continued during the reporting period. (5)
Education Sector Support Program	World Bank project implemented through the Ministry of Basic and Secondary Education with the aim of improving access to and quality of basic education. (39,42) Provides professional development and training to teachers to improve education quality, and funds the construction of new classrooms and the purchase of textbooks to improve access. Active in 2021. (42)

† Program is funded by the Government of The Gambia.

Child trafficking survivors may receive care from the government-run drop-in centers, privately operated institutions, or in their own residence as appropriate, and still receive government-provided resources regardless of the chosen option. (30,31) 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. (5,21)



### VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE CHILD LABOR

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

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

Area	Suggested Action	Year(s) Suggested
Legal Framework	Raise the minimum age for workplace apprenticeships to age 16.	2017 – 2021
	Ensure that the age up to which education is compulsory is the same as the minimum age for work.	2020 – 2021
Enforcement	Ensure that local enforcement agencies, including Neighborhood Watch Groups and Community Child Protection Committees, are active, empowered, and properly trained to monitor and report cases of child labor.	2018 – 2021
	Publish information on the number of labor inspections conducted at worksites and whether routine inspections are conducted.	2021
	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 – 2021
	Ensure the government conducts an adequate number of labor inspections.	2021
	Ensure that the labor inspectorate conducts inspections at private homes and farms.	2017 – 2021
	Ensure that criminal penalties for the worst forms of child labor are consistently applied to deter violations.	2016 – 2021
	Publish information on criminal law enforcement trainings, investigations, violations, prosecutions, and convictions.	2020 – 2021
	Ensure that labor law and criminal law enforcement agencies have sufficient funding to carry out their mandates.	2021
Coordination	Ensure that all coordinating bodies are active and able to carry out their intended mandates.	2018 – 2021
Government Policies	Adopt a policy that addresses all relevant worst forms of child labor.	2021
Social Programs	Ensure that children can complete compulsory schooling by subsidizing or defraying the cost of books, uniforms, transportation, and other fees.	2010 – 2021
	Enhance opportunities for children to access education by providing adequate teaching facilities and clean water, ensuring accessibility for students with disabilities, and increasing the number of teachers in rural areas.	2017 – 2021
	Expand existing programs to address the full scope of the child labor problem.	2010 – 2021

### REFERENCES

- 1 U.S. Embassy- Banjul. Reporting. February 11, 2021.
- 2 U.S. Department of State. Trafficking in Persons Report- 2021: Gambia. Washington, D.C. 2021.  
<https://www.state.gov/reports/2021-trafficking-in-persons-report/gambia/>
- 3 UNESCO Institute for Statistics. Gross intake ratio to the last grade of primary education, both sexes (%). Accessed March 3, 2022. For more information, please see "Children's Work and Education Statistics: Sources and Definitions" in the Reference Materials section of this report.  
<http://data.uis.unesco.org/>.
- 4 ILO. Analysis of Child Economic Activity and School Attendance Statistics from National Household or Child Labor Surveys. Original data from the Multiple Indicator Cluster Survey 6 (MICS6), 2018. Analysis received March 2022. Please see "Children's Work and Education Statistics and Definitions" in the Reference Materials section of this report.
- 5 U.S. Embassy-Banjul. Reporting. February 24, 2022.
- 6 U.S. Embassy- Banjul. Reporting. January 29, 2018.
- 7 ILO Committee of Experts. Direct Request concerning Worst Forms of Child Labour Convention, 1999 (No. 182) Gambia (ratification: 2001). Published 2018.  
[https://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:13100:0::NO::P13100\\_COMMENT\\_ID:3339632](https://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:13100:0::NO::P13100_COMMENT_ID:3339632)
- 8 Mendy, Oumie. Despite the ban, child labor prevalent in Gambia. The Chronicle. November 19, 2019.  
<https://www.chronicle.gm/despite-the-ban-child-labor-prevalent-in-gambia/>
- 9 Jeffang, Kebba. Selling for survival and harming the future: State of child labor in the Gambia. The Chronicle. May 15, 2020.  
<https://www.chronicle.gm/selling-for-survival-and-harming-the-future-state-of-gambias-children-in-the-streets/>
- 10 ILO Committee of Experts. Direct Request concerning Worst Forms of Child Labour Convention, 1999 (No. 182) Gambia (ratification: 2001). Published: 2019.  
[https://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100\\_COMMENT\\_ID:3963415](https://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:3963415)
- 11 OHCHR. The Gambia must step up prosecutions to boost progress on ending child sexual exploitation, says UN human rights expert. October 31, 2019.  
<https://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=25241&LangID=E>
- 12 OHCHR. End of mission statement of the UN Special Rapporteur on the sale and sexual exploitation of children, Maud de Boer-Buquichio, on her visit to The Gambia (21–29 October 2019). Banjul. October 29, 2019.  
<https://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=25235&LangID=E>
- 13 UNICEF National Study on Out-of-School Children in the Gambia. January 2017.  
<https://www.unicef.org/gambia/reports/gambia-national-study-out-school-children-2017>

# The Gambia

## MODERATE ADVANCEMENT

- 14 UNHRC. Concluding observations on The Gambia in the absence of its second periodic report. August 30, 2018.  
<http://docstore.ohchr.org/SelfServices/FilesHandler.ashx?enc=6QkG1d/PPRiCAqhKb7yhsswua+gmPOIESI6nsX0bj9rx+Yg3ji5G8SnmRBidLGEN2nhIrPYe+XmNMgdU5S38aLH7HdpI fHPThR54wv2NNwDR3t+B/I8ZmcBUjPNW4BC>
- 15 U.S. Embassy- Banjul. Reporting. February 15, 2019.
- 16 U.S. Embassy- Banjul. Reporting. February 25, 2020.
- 17 U.S. Embassy- Banjul. Reporting. December 10, 2018.
- 18 U.S. Embassy- Banjul. Reporting. January 13, 2020.
- 19 Government of the Republic of The Gambia. Constitution. Enacted: January 1997.  
<http://www.accessgambia.com/information/constitution.html>
- 20 U.S. Department of State. Country Reports on Human Rights Practices-2020: Gambia Washington, D.C., March 30, 2021.  
<https://www.state.gov/reports/2020-country-reports-on-human-rights-practices/gambia/>
- 21 U.S. Embassy- Banjul. Reporting. January 15, 2019.
- 22 Government of the Gambia. The Gambia: Voluntary National Review, A Report on the progress of implementation of SDGs. 2020.  
<https://gambia.un.org/index.php/en/98399-gambia-voluntary-national-review-june-2020>
- 23 Government of the Republic of The Gambia. Children's Act. Enacted: July 21, 2005. Source on file.
- 24 Government of the Republic of The Gambia. Labour Act, 5/2007. Enacted: October 17, 2007. Source on file.
- 25 Government of the Republic of The Gambia. Trafficking in Persons Act. Enacted: October 5, 2007. Source on file.
- 26 Government of the Republic of The Gambia. Tourism Offences Act 2003. Enacted: April 9, 2003. Source on file.
- 27 ILO Committee of Experts. Direct Request concerning Minimum Age Convention, 1973 (No. 138) Gambia (ratification: 2000). Published: 2017.  
[http://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:13100:0::NO::P13100\\_COMMENT\\_ID,P11110\\_COUNTRY\\_ID,P11110\\_COUNTRY\\_NAME,P11110\\_COMMENT\\_YEAR:3294180,103226,Gambia,2016](http://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:13100:0::NO::P13100_COMMENT_ID,P11110_COUNTRY_ID,P11110_COUNTRY_NAME,P11110_COMMENT_YEAR:3294180,103226,Gambia,2016)
- 28 ILO Committee of Experts. Direct Request concerning Worst Forms of Child Labor Convention, 1999 (No. 182) The Gambia (ratification 2001). Published: 2021.  
[https://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:13100:0::NO::P13100\\_COMMENT\\_ID:4012600](https://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:13100:0::NO::P13100_COMMENT_ID:4012600)
- 29 Government of the Republic of The Gambia. Children's Court Rules, 2010. 2010. Source on file.
- 30 U.S. Embassy- Banjul. Reporting. February 24, 2021.
- 31 U.S. Embassy- Banjul. Reporting. February 1, 2022.
- 32 Government of the Republic of The Gambia. National Referral Mechanism (NRM) for the Protection of Vulnerable Migrants, including Victims of Trafficking in The Gambia. 2021. Source on file.
- 33 U.S. Embassy- Banjul official. E-mail communication to USDOL official. May 31, 2019.
- 34 IOM. IOM Engages Gambian Tourism Sector in Counter-Trafficking Efforts. October 12, 2019.  
<https://rodakar.iom.int/news/iom-engages-gambian-tourism-sector-counter-trafficking-efforts>
- 35 U.S. Embassy- Banjul official. E-mail communication to USDOL official. February 7, 2019.
- 36 ILO Labor Force Statistics (LFS). Population and labour force. Accessed (January 25, 2022).  
<https://ilostat.ilo.org/data/>
- 37 UN. World Economic Situation and Prospects. 2021.  
[https://www.un.org/development/desa/dpad/wp-content/uploads/sites/45/WESP2021\\_ANNEX.pdf](https://www.un.org/development/desa/dpad/wp-content/uploads/sites/45/WESP2021_ANNEX.pdf)
- 38 Government of the Republic of The Gambia. National Action Plan Against Trafficking in Persons in The Gambia (2021–2025). 2021. Source on file.
- 39 ILO Committee of Experts. Individual Observation concerning Worst Forms of Child Labour Convention, 1999 (No. 182) The Gambia (ratification: 2001). Published: 2021.  
[https://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:13100:0::NO::P13100\\_COMMENT\\_ID:4012603](https://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:13100:0::NO::P13100_COMMENT_ID:4012603)
- 40 Gambia Tourism Authority. Code of Conduct of the Gambia Tourism Authority for the Protection of Children. 2004. Source on file.
- 41 U.S. Embassy- Banjul official. E-mail communication to USDOL official. January 24, 2020.
- 42 World Bank. Implementation Status and Results Report, The Gambia-Education Sector Support Program. December 3, 2021.  
<https://documents.worldbank.org/en/publication/documents-reports/documentdetail/099155012032133938/disclosable0ve0890000sequence0no008>

In 2021, Georgia made moderate advancement in efforts to eliminate the worst forms of child labor. The government doubled the budget for the Labor Inspectorate, significantly increased its number of labor inspectors, and approved a new National Action Plan on Trafficking in Persons (2021–2022). The Public Defender's Office also published a report on the status of child labor as a result of the COVID-19 pandemic, and a new mobile group was created to identify and assist children living and working on the streets in Adjara.

However, children in Georgia are subjected to the worst forms of child labor, including forced begging. Children also engage in agricultural labor. Although the government made meaningful efforts in all relevant areas during the reporting period, Georgia's minimum age for work does not meet international standards because it does not apply to the informal sector. 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 forced begging. Children also engage in agricultural labor. (I-5) Table 1 provides key indicators on children's work and education in Georgia.

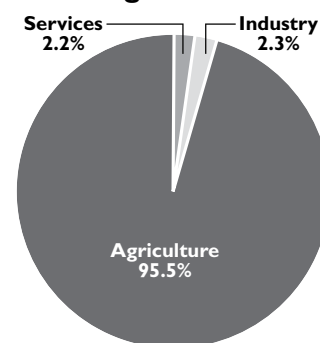
**Table 1. Statistics on Children's Work and Education**

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 (%)		93.5

Source for primary completion rate: Data from 2020, published by UNESCO Institute for Statistics, 2022. (3)

Source for all other data: International Labor Organization's analysis of statistics from National Child Labor Survey (NCLS), 2015. (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 of potatoes, citrus, blueberries, tea, hazelnuts, and hay (1,2,5-7)
	Raising cattle, activities unknown (7)
Industry	Construction (7,8)
	Work in factories (7)
Services	Street work, including begging, vending, carrying cargo, and collecting scrap metal (1,2,5,7,9-12)
	Domestic work (1,7)
	Work in restaurants, hotels, supermarkets, small advertising services, and at beaches and resorts (1,7)
Categorical Worst Forms of Child Labor‡	Commercial sexual exploitation, sometimes as a result of human trafficking (11,13,14)
	Forced begging and street vending (1,2,5,11-13,15)
	Coerced criminality, such as theft (1,14)

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

# Georgia

## MODERATE ADVANCEMENT

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. (9-15) Estimates suggest that 1,000 to 2,000 children earn a living by begging, primarily caused by poverty, homelessness, or domestic violence. (1,5,7,9,10,12) Many of the child beggars are from Roma communities. (9,11) Children also engage in seasonal labor migration, both within Georgia and to Turkey, where children as young as age 13 work during the summers to harvest tea and hazelnuts, as well as in construction. (7) There are instances in which Georgia is a source and transit country for child trafficking, especially of girls to Cyprus, Egypt, Turkey, and the United Arab Emirates for the purposes of commercial sexual exploitation. (9,14) Limited evidence indicates children may perform hazardous activities in construction. (8)

A lack of awareness among parents and employers is also cited as a barrier to the elimination of child labor in Georgia. Parents, especially in rural areas, do not perceive children's work as harmful to their development, even under conditions that are considered child labor by international standards. (7)




In the regions of Abkhazia and South Ossetia, which are occupied by Russian forces and not under control of the central government, lack of information limits an assessment of the types of work children perform and the sectors in which they work. (2,5,14,16)

Children who do not attend school in Georgia are vulnerable to the worst forms of child labor. Some children systematically miss or drop out of school due to their involvement in seasonal work, household labor, or seasonal labor migration. (1,7) Migrant children who do not speak Georgian or Russian may also not attend school due to language barriers; however, there are some mixed language schools with Georgian and Azeri or Armenian. (1) School employees, such as teachers and administrative personnel, do not always record absenteeism by students or the reasons for it. As a result, many cases of child labor are not recorded or investigated. (1,7) 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. (2,17,18) In addition, some children from Roma communities lack identity documents, and therefore have challenges accessing education. (17) UNICEF notes that some migrant and Roma families continue to destroy identification and other documents in an effort to avoid interaction with state officials. (10) Although the law provides a path for homeless and transient children to obtain identity documents, government outreach remains insufficient to address the issue. (17) During the reporting period, the Ministry of Justice's Public Service Development Agency issued 10 temporary identification documents for homeless children, 7 identity cards, and 2 biometric passports. (1) The identity cards ensure that children are provided with additional state-funded services, including social, medical, and educational programs. (2)

## 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 4 of the Labor Code of Georgia (19)
Minimum Age for Hazardous Work	Yes	18	Article 4 of the Labor Code of Georgia; Articles 2 and 5 of the Law on Occupational Safety; Resolution 381 Approving the List of Dangerous, Heavy, Harmful, and Hazardous Works (19-21)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Article 4(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 (19-21)
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 (22-25)
Prohibition of Child Trafficking	Yes		Articles 143, 143/1, 143/2, 143/3, and 172 of the Criminal Code of Georgia; Law of Georgia on Combating Human Trafficking (23,24)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Articles 143/1, 143/2, 143/3, 253–255, 255/1, and 255/2 of the Criminal Code of Georgia; Article 56 of the Code on the Rights of the Child (24,25)
Prohibition of Using Children in Illicit Activities	No		Article 171 of the Criminal Code of Georgia (24)
Minimum Age for Voluntary State Military Recruitment	Yes	18	Article 10 of the Law of Georgia on Military Duty and Military Service (26)
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 (26)
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 (24,25)
Compulsory Education Age	Yes	15‡	Articles 2 and 9 of the Law of Georgia on General Education (27)
Free Public Education	Yes		Article 22 of the Law of Georgia on General Education (27)

‡ Age calculated based on available information (27)

In December 2021, the Criminal Procedure Code of Georgia was amended to permit investigators to involve witness and victim coordinators in criminal proceedings, where previously this power rested solely with prosecutors. The new provisions in the law make witness and victim coordinators more accessible, preventing further traumatization and revictimization of survivors of human trafficking. (12,28) The Ministry of Internal Affairs (MoIA) also adopted an order approving the establishment of a national registry for persons convicted of sexual crimes, including child trafficking and commercial sexual exploitation of children. The registry is intended to reduce recidivism and enhance law enforcement efforts to monitor offenders. (12)

Labor Code provisions related to the minimum age for work are not in compliance with international standards because they do not apply to the informal sector. (19) In Georgia, some employers hire children informally specifically because they are not covered by the Labor Code. (7) Georgia's law on education allows children to leave school at age 15. (27) During the 2020–2021 school year, 3,017 females (1,029 in grade 10; 407 in grade 11; and 256 in grade 12) and 4,033 males (1,783 in grade 10; 477 in grade 11; and 275 in grade 12) dropped out of school. (29) These children are vulnerable to the worst forms of child labor because they are no longer required to be in school but are not old enough to be 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. (19) 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. (19) Lastly, Georgia's laws do not criminally prohibit the use of children in illicit activities, including the procuring and offering of children for the production or trafficking of drugs. (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, Health, and Social Affairs (MoLHSA)	Oversees child welfare issues and pursues enforcement of labor laws, including forced labor, labor exploitation, and occupational safety and health norms as determined by the Organic Law of Georgia on Occupational Safety. (1,2,17,30) Through the Department of Labor and Employment Policy, revises laws and policies to be in accordance with international standards. (31) 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. (5) Receives complaints through the Child Protection and Social Programs sub-department, and refers complaints of child labor violations to law enforcement agencies for investigation. (31) In 2021, 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. (1) In January 2021, MoLHSA's Department of Labor Inspection became a separate Labor Inspection Service within MoLHSA. (11) Operates a hotline in eight languages (Georgian, English, Russian, Turkish, Azeri, Armenian, Arabic, and Persian languages). (1)
Ministry of Internal Affairs (MoIA)	Enforces criminal laws related to the worst forms of child labor, including child trafficking. (1,2,5) Through District Police Units, collects information on minors in each jurisdiction and visits minors' families to inform them of their rights. (31) Through the Human Rights Department, ensures prompt responses to human trafficking crimes and suggests recommendations for investigations. Operates a hotline that is available in Georgian, Russian, and English. (9)
Central Criminal Police Department within MoIA	Leads criminal investigations of human trafficking, including the trafficking of children, through the Division for Combating Human Trafficking and Illegal Migration. (1,2,9) Identifies human traffickers and collates data on traffickers across various agencies through the Information-Analytical Department. (32) Investigates possible human trafficking schemes by deploying teams of law enforcement officials in Mobile Units to investigate companies offering suspicious work opportunities abroad. (14,33)
Prosecutor's Office of Georgia	An independent entity, separate from the Ministry of Justice (MOJ), which prosecutes criminal cases involving child exploitation, forced labor, and human trafficking. (13,34) Includes the Prosecution Service of Georgia Working Group, which addresses child labor trafficking issues under the framework of the Prosecution Service Strategy for 2017–2021. (1,11,17)

The Government of Georgia regularly organizes meetings and trainings with relevant state agencies responsible for the enforcement of laws related to child exploitation. In November 2021, in close cooperation with the IOM and with the financial support of the State Department's Bureau of International Narcotics and Law Enforcement Affairs, a joint training was held for investigators, prosecutors, victim and witness coordinators, and social workers and psychologists from the Agency for State Care. (1,12) The training sought to improve the efficacy of state institutions by sharing best practices in communication techniques to better understand the needs and challenges of child survivors of exploitation. (1,12) Additionally, in December 2021, the Prosecutor's Office convened a working group to discuss the pandemic's effects on child labor, including the difficulty of detecting child labor cases and new labor exploitation trends, challenges, and future steps. This working group has met regularly since its establishment in 2017 as part of a 5-year strategy to address the challenges of detecting and prosecuting child labor and forced labor. (1,2)

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. (2,12,16)

#### **Labor Law Enforcement**

In 2021, labor law enforcement agencies appeared to function adequately in addressing 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 the lack of information about inspections in all sectors.

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

Overview of Labor Law Enforcement	2020	2021
Labor Inspectorate Funding	\$967,000 (2)	\$1,927,900 (1)
Number of Labor Inspectors	67 (2,35)	109 (1)
Mechanism to Assess Civil Penalties	Yes (36)	Yes (36)
Initial Training for New Labor Inspectors	Yes (2)	Yes (1)
Training on New Laws Related to Child Labor	Yes (2)	Yes (1)
Refresher Courses Provided	Yes (2)	Yes (1)
Number of Labor Inspections Conducted	21,081 (2)	58,607 (1)
Number Conducted at Worksite	21,081 (2)	58,607 (1)
Number of Child Labor Violations Found	0 (2)	1 (1)
Number of Child Labor Violations for Which Penalties Were Imposed	0 (2)	0 (1)
Number of Child Labor Penalties Imposed that Were Collected	0 (2)	0 (1)
Routine Inspections Conducted	Yes (2)	Yes (1)
Routine Inspections Targeted	Yes (2)	Yes (1)
Unannounced Inspections Permitted	Yes (36)	Yes (36)
Unannounced Inspections Conducted	Yes (2)	Yes (1)
Complaint Mechanism Exists	Yes (2)	Yes (1)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (2)	Yes (1)

The government reported a twofold budget increase for the Labor Inspectorate in 2021. (1) The Labor Inspectorate also increased its staffing to 109 labor inspectors and 10 additional supervisory positions for a workforce of more than 1.5 million, which now surpasses the ILO's technical advice of a ratio approaching 1 inspector for every 20,000 workers in transition economies. (1,37,38) There are two inspectors specifically assigned to monitor forced labor and child labor issues, but all inspectors are trained on six technical and general topics and provided with continuing education to have the skills required to cover child labor cases. Inspections took place throughout the country and covered a range of economic sectors, including agriculture. (1)

Although the number of inspections increased significantly from 2020, the majority of inspections were conducted based on pandemic-related regulations. Out of the 58,607 inspections conducted, only 914 inspections were conducted on occupational safety and health issues, and 293 inspections were conducted on labor code violations, including child labor. (1) In 2021, labor inspectors received and responded to three complaints of possible child labor, and referred one case to the Agency for State Care. (1) The Labor Inspectorate also worked with the IOM during the reporting period to develop a guidance document on identifying and addressing labor trafficking and labor exploitation. (12)

### **Criminal Law Enforcement**

In 2021, 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	2020	2021
Initial Training for New Criminal Investigators	Yes (2)	Yes (1)
Training on New Laws Related to the Worst Forms of Child Labor	Yes (2)	Yes (1)
Refresher Courses Provided	Yes (2)	Yes (1)
Number of Investigations	4 (2)	6 (1)
Number of Violations Found	1 (2)	2 (1)
Number of Prosecutions Initiated	1 (2)	2 (1)
Number of Convictions	26 (2,39)	2 (1)
Imposed Penalties for Violations Related to the Worst Forms of Child Labor	Yes (2)	Yes (1)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (2)	Yes (1)

# Georgia

## MODERATE ADVANCEMENT

In 2021, the MoIA's national police academy conducted trainings for specialized police officers and investigators on the juvenile justice process and the needs of homeless children, each of which attracted more than 200 attendees. Additionally, investigators and representatives of the MoIA participated in a number of training courses related to child trafficking and exploitation, including virtual courses on child trafficking, online commercial sexual exploitation of children, and working with Interpol's International Database on Child Sexual Exploitation. (1,12)

During the reporting period, two people were convicted in three cases of using physical and psychological duress and threats of physical violence to force children to beg and sell small items on the streets of Tbilisi. (1,12) Georgian law enforcement agencies also reported conducting investigations into incidents of child pornography. (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. (2,12,15)

The MoIA continued to support the operation of 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. (1,39) In May 2021, the mobile task forces received expert training on identifying and assisting homeless children who were subjected to human trafficking, and a new mobile group was created in November 2021 to identify and assist children living and working on the streets in Adjara. (1,12) Between April and November 2021, the mobile groups identified 158 homeless children. (12)

## IV. COORDINATION OF GOVERNMENT EFFORTS ON CHILD LABOR

The government has established mechanisms to coordinate its efforts to address child labor (Table 8). However, gaps exist that hinder the effective coordination of efforts to address child labor, including the lack of 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. (2,5) In 2021, continued work toward the establishment of two psycho-social service centers for child survivors of sexual violence 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. (2) Working groups convened during 2021 to address issues such as children's rights and sexual harassment. (1)
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 survivors. (13) Drafts national action plans and other strategic government programs to address human trafficking, and publishes biannual statistics on human trafficking, including sexual and labor exploitation of minors. Refers child survivors to shelters to receive social services. (1,2) Chaired by the Minister of Justice and comprises representatives from state agencies and non-state entities. (9,13) In 2021, approved a National Action Plan on Trafficking in Persons (2021–2022). (1) In April, also implemented new legislation that grants survivors of human trafficking a 1-time compensatory payment without the need to go through the judicial process. (12)
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. (40) Publishes an annual parliamentary report on human rights in Georgia with a chapter dedicated to children's rights. (1,2) In 2021, with the support of UNICEF, published a report on the administration of justice in crimes of sexual abuse and sexual exploitation of children, covering the period from July 2020 to March 2021. (1,12,41) Also published a report on the status of child labor as a result of the COVID-19 pandemic, which reviewed legislative regulations in the field of child labor and made specific, practical recommendations for other government agencies. (1,7,12)

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

Coordinating Body	Role & Description
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, human trafficking, and other human rights issues. Monitors and evaluates the government's compliance with and respect for national laws and international agreements. (42) In 2021, continued to operate the "Child Hotline" through the Agency for State Care to provide free assistance to children by connecting them to the relevant governmental and non-governmental agencies. The hotline provides both over-the-phone and in-person psychological support and counseling services for children and parents, and received 1,014 calls during the reporting period. (1)
Joint Child Referral Mechanism	Ensures interagency coordination of the enforcement of child labor laws and enumerates the procedures for referring children subject to any form of violence, including labor exploitation, to child protective services. (1,2,9,17) Through MoLA, 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. (2) The referral mechanism continued to operate in 2021. (1)

In 2021, the Inter-Agency Anti-Trafficking Coordination Council for the Implementation of Measures Against Human Trafficking (A-TIP Council) drafted progress reports to evaluate the previous National Action Plans for 2017–2018 and 2019–2020. The A-TIP Council presented its findings publicly in May 2021, and incorporated lessons learned when finalizing the Governmental Strategy for 2021–2025 on Protection of Homeless Children from Violence, including Trafficking in Persons. (1) In addition, the Central Criminal Police Department and MoLHSA's Labor Inspectorate continued work on updating their Memorandum of Mutual Cooperation, with the goal of establishing joint investigatory mobile groups. However, a lack of transparency and clarity among the various coordinating bodies hinders cooperation between them, the Labor Inspectorate, and law enforcement. (1,2,14)

## 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 insufficient scope of existing policies.

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

Policy	Description
Governmental Strategy on Protection of Homeless Children from Violence, including Trafficking in Persons (2021–2025) <sup>†</sup>	Aims to protect homeless children from violence and human trafficking. Formulated by the Actions against Trafficking in Human Beings (A-TIP Council), a working group which has representatives from the MOJ, MoLA, MoLHSA, and the Ministry of Education, Science, Culture, and Sport, among other government ministries, met virtually throughout the reporting period to finalize the Strategy and solicit comments from NGOs, international organizations, and other stakeholders. (1,12) Draft policy awaiting approval from the government. (1)
National Action Plan on Trafficking in Persons (2021–2022) <sup>†</sup>	Aims for the social integration of children living or working on the streets, including through measures such as issuing identity documents and facilitating school enrollment. Supports the development of policy and the implementation of activities to address human trafficking. (1) In 2021, the National Action Plan committed the government to more effectively protect and promote social integration of children living or working on the streets, including those involved in begging. (1)
Code on the Rights of the Child	Seeks to establish and implement a range of measures to protect children from violence and hazardous child labor. (2,5,25) In 2021, the Public Defender's Office published a report recommending the development of a child labor policy document and relevant tools for its implementation. (1,7)

<sup>†</sup> Policy adopted during the reporting period

<sup>‡</sup> The government had other policies that may have addressed child labor issues or had an impact on child labor. (17)

The 2018–2020 National Human Rights Action Plan expired at the end of 2020, and the government began drafting a new 3-year national human rights action plan during the reporting period. (1) 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 associated with family farms.

### VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2021, 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 inadequacy 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 administers social benefits, including targeted social assistance, for survivors of child labor, human trafficking, domestic abuse, and sexual violence, as well as for elderly, disabled, and orphan populations. (1,2) Also operates six shelters and seven crisis centers for children living and working on the street. (12) Implements the government's Rehabilitation and Reintegration Strategy, which includes operating shelters for survivors of human trafficking. (17) In addition, operates a hotline for potential victims of human trafficking with assistance available in eight languages. (11) In 2021, received a budget of \$17.5 million, opened a new crisis center in Batumi, and continued to operate crisis centers and shelters to help remove child beggars from the streets. (1,12) Assisted 261 street children during the reporting period, 171 of whom were directed to crisis centers and 90 of whom were directed to 24-hour shelters under MoLHSA management in 4 cities: Tbilisi, Kutaisi, Rustavi, and Batumi. (1)
Ministry of Education, Science, Culture, and Sport (MoES)†	Oversees national primary education curriculum and vocational training programs. (2) Funds programs that promote the inclusion of vulnerable children in education. (2,17) Initiatives include a program designed to increase the participation in school by street children, children forced into begging, and children who are seasonal agricultural workers; and a program to distribute free textbooks to public school students. (17) Conducts anti-trafficking activities in elementary schools, high schools, and institutions of higher education. (11) In 2021, the government continued to address the educational needs of vulnerable children by funding education for children living in MoLHSA shelters, vocational programs, and a program to increase the number of Georgian language teachers in communities with a high number of ethnic minorities. (1)
Targeted Social Assistance Program and Child Benefit Program†	Social Services Agency-administered social assistance programs designed to eliminate poverty, especially child poverty. In 2021, 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†	Places abandoned children in appropriate care and provides assistance to children at high risk of abandonment and children with disabilities. In 2021, received a budget of \$12.8 million. (1)
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. Additional information is available on the USDOL website. (43,44)

† Program is funded by the Government of Georgia.

‡ The government had other social programs that may have included the goal of eliminating or preventing child labor. (2,9,17)

Although Georgia has programs that target child labor, including ones to address the problem of street children, their scope does not fully address the extent of the problem. (2,7,45)

In 2021, the National Statistics Office of Georgia implemented a real-time monitoring survey on the impact of the pandemic on the well-being of families and children. Data were collected through electronic tablets and telephone interviews on topics including children's school attendance. (1) According to the surveys, 98.7 percent of children between ages 6 and 17 attended school in person, virtually, or a hybrid of both. The MoES continued to operate platforms for distance learning such as the "TV School" educational project to broadcast the national curriculum's standard lessons in Georgian, minority languages, and sign language. (1) Despite these efforts, 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. (2,46)

### 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 Georgia (Table 11).



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

Area	Suggested Action	Year(s) Suggested
Legal Framework	Ensure that the minimum age for work applies to all children, including those in informal work.	2017 – 2021
	Increase the age up to which education is compulsory to age 16, the minimum age for work.	2009 – 2021
	Ensure that the law's light work provisions are sufficiently specific to prevent children from involvement in child labor.	2016 – 2021
	Ensure that the law criminally prohibits the use, procuring, and offering of children for the production and trafficking of drugs.	2019 – 2021
	Ensure that the law criminally prohibits the recruitment of children under age 18 by non-state armed groups.	2016 – 2021
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 – 2021
Government Policies	Adopt a policy that addresses all relevant forms of child labor, including child labor in agriculture.	2017 – 2021
Social Programs	Collect and publish data on the extent and nature of child labor, including in agriculture, to inform policies and programs.	2018 – 2021
	Make additional efforts to register all children in school, including those from Roma communities, provide them with identity documents, and ensure that these groups can access education.	2018 – 2021
	Improve access to education for children who speak languages other than Georgian or Russian, as well as for socially vulnerable children, children from impoverished families, children with disabilities, and children who live in rural areas.	2019 – 2021
	Expand existing programs to address the scope of the child labor problem, especially for street children.	2018 – 2021

**REFERENCES**

- U.S. Embassy- Tbilisi. Reporting, January 14, 2022.
- U.S. Embassy- Tbilisi. Reporting, January 15, 2021.
- UNESCO Institute for Statistics. Gross intake ratio to the last grade of primary education, both sexes (%). Accessed March 3, 2022. For more information, please see "Children's Work and Education Statistics: Sources and Definitions" in the Reference Materials section of this report. <http://data.uis.unesco.org/>
- ILO. Analysis of Child Economic Activity and School Attendance Statistics from National Household or Child Labor Surveys. Original data from National Child Labor Survey (NCLS), 2015. Analysis received March 2021. Please see "Children's Work and Education Statistics: Sources and Definitions" in the Reference Materials section of this report.
- U.S. Embassy- Tbilisi. Reporting, January 14, 2020.
- ILO and National Statistics Office of Georgia (GEOSTAT). Georgia National Child Labour Survey 2015 Analytical Report. 2016. [http://www.ilo.org/ipecc/Informationresources/WCMS\\_IPEC\\_PUB\\_28635/lang-en/index.htm](http://www.ilo.org/ipecc/Informationresources/WCMS_IPEC_PUB_28635/lang-en/index.htm)
- Public Defender of Georgia and UNICEF. Child Labour During the New Coronavirus Pandemic and Beyond. April 2, 2021. <https://www.unicef.org/georgia/reports/child-labour-during-covid-19-pandemic-and-beyond>
- JAM News. Tbilisi: 16-year-old teenager died working on a construction site. July 17, 2019. <https://jam-news.net/16-year-old-dies-working-at-tbilisi-construction-site/?lang=ru>
- U.S. Embassy- Tbilisi. Reporting, March 1, 2019.
- UNICEF. Children Living and/or Working in the Streets of Georgia. Tbilisi: UNICEF, July 2018. <https://www.unicef.org/georgia/reports/children-living-and-or-working-streets-georgia>
- U.S. Embassy- Tbilisi. Reporting, February 24, 2021.
- U.S. Embassy- Tbilisi. Reporting, February 2, 2022.
- U.S. Embassy- Tbilisi. Reporting, February 13, 2020.
- U.S. Department of State. Trafficking in Persons Report- 2021: Georgia. Washington, D.C. June 30, 2021. <https://www.state.gov/reports/2021-trafficking-in-persons-report/georgia/>
- U.S. Department of State. Trafficking in Persons Report- 2020: Georgia. Washington, D.C., June 16, 2020. <https://www.state.gov/reports/2020-trafficking-in-persons-report/georgia>
- U.S. Department of State. Country Reports on Human Rights Practices- 2020: Georgia. Washington, D.C., March 2021. <https://www.state.gov/wp-content/uploads/2021/03/GEORGIA-2020-HUMAN-RIGHTS-REPORT.pdf>
- U.S. Embassy- Tbilisi. Reporting, February 11, 2019.
- Gogoberidze, Khatia and Nino Mamanishvili. Georgia: the children left outside the classroom. JAMNews. April 2, 2019. <https://jam-news.net/georgia-children-left-without-schools/>
- Government of Georgia. Labour Code of Georgia. Enacted: 2010. Accessed June 10, 2021. <https://matsne.gov.ge/en/document/view/1155567>
- Government of Georgia. Occupational Safety Law. March 4, 2019. <https://matsne.gov.ge/ka/document/view/4486188?publication=0>
- Government of Georgia. Resolution No. 381 Approving the list of dangerous, heavy, harmful and hazardous works. Enacted: July 27, 2018. <https://www.matsne.gov.ge/ka/document/view/4277583...?publication=0>
- Government of Georgia. The Constitution of Georgia. Enacted: 1995. [http://myrights.gov.ge/uploads/file-manager/Constitution\\_13\\_10\\_17\\_ENG.pdf](http://myrights.gov.ge/uploads/file-manager/Constitution_13_10_17_ENG.pdf)
- Government of Georgia. Law of Georgia on Combating Human Trafficking. Enacted: June 16, 2006. <https://matsne.gov.ge/en/document/view/26152>
- Government of Georgia. Criminal Code of Georgia. Enacted: 1999. [https://legislationline.org/sites/default/files/documents/b7/GEO\\_CC\\_July2021\\_eng.pdf](https://legislationline.org/sites/default/files/documents/b7/GEO_CC_July2021_eng.pdf)
- Government of Georgia. Children's Rights Code. Enacted: September 20, 2019. <https://info.parliament.ge/#law-drafting/17229>
- Government of Georgia. Law of Georgia on Military Duty and Military Service. Enacted: 1997. <https://matsne.gov.ge/en/document/download/31780/64/en/pdf>
- Government of Georgia. Law of Georgia on General Education. Enacted: April 8, 2005. <https://matsne.gov.ge/en/document/download/29248/56/en/pdf>

## MODERATE ADVANCEMENT

- 28 Government of Georgia. Criminal Procedure Code. October 9, 2009. <https://matsne.gov.ge/en/document/view/90034?publication=137>
- 29 National Statistics Office of Georgia (GEOSTAT). Data on drop-out students in Georgia. Accessed June 15, 2022. <https://geostat.ge/media/41915/abandoned-studying.xlsx>
- 30 Office of the U.S. Trade Representative. Deputy Minister of Economy and Sustainable Development Genadi Arveladze and Deputy Minister of Labor Tamila Barkalaia. GSP Subcommittee. Public Hearing for U.S. Generalized System of Preferences (GSP) Review of Country Practices. January 30, 2020. <https://www.regulations.gov/document/USTR-2019-0020-0048>
- 31 U.S. Embassy- Tbilisi official. E-mail communication to USDOL official. March 22, 2019.
- 32 Government of Georgia. Report submitted by the Georgian authorities on measures taken to comply with Committee of the Parties Recommendation CP(2012)5 on the implementation of the Council of Europe Convention on Action against Trafficking in Human Beings. Strasbourg: Council of Europe, November 17, 2014. <https://www.refworld.org/docid/5858104f4.html>
- 33 Government of Georgia. Human Trafficking, Ministry of Internal Affairs. Cited: December 1, 2014. <http://police.ge/en/projects/you-are-not-for-sale>
- 34 Government of Georgia. Prosecutor's Office of Georgia: History. Website. Accessed March 18, 2020. <http://pog.gov.ge/en/history>
- 35 Government of Georgia. E-mail Communication to USDOL official. December 4, 2020.
- 36 Government of Georgia. Law on Rights of Responsibilities of the Labor Inspectorate. February 13, 2020. [https://matsne.gov.ge/document/view/4796359?publication=0&fbclid=IwAR0erNEOnwTCul3\\_sglRcOr9xuWeSi5IIRCP5fp1hj7cljxZwYTqGaS4uto](https://matsne.gov.ge/document/view/4796359?publication=0&fbclid=IwAR0erNEOnwTCul3_sglRcOr9xuWeSi5IIRCP5fp1hj7cljxZwYTqGaS4uto)
- 37 ILO. Strategies and Practice for Labour Inspection. November 2006: GB.297/ESP/3. Please see "Labor Law Enforcement: Sources and Definitions" in the Reference Materials section of this report. <http://www.ilo.org/public/english/standards/relm/gb/docs/gb297/pdf/esp-3.pdf>
- 38 ILO Labor Force Statistics (LFS) – Population and labour force. Accessed (January 25, 2022). <https://ilostat.ilo.org/data/> Labor force data is government-reported data collected by the ILO. Please see "Labor Law Enforcement: Sources and Definitions" in the Reference Materials section of this report.
- 39 U.S. Embassy- Tbilisi. Communication to USDOL official. February 18, 2021.
- 40 European Network of National Human Rights Institutions. Public Defender (Ombudsman) of Georgia. Accessed January 21, 2021. <http://ennhri.org/our-members/georgia/>
- 41 Government of Georgia. Public Defender of Georgia and UNICEF. Research and monitoring of the administration of justice on crimes of sexual abuse and sexual exploitation of children. August 4, 2021. <https://www.unicef.org/georgia/media/6446/file/Special Report on Child Abuse and Exploitation.pdf>
- 42 Parliament of Georgia. About Human Rights and Civil Integration Committee. Accessed January 21, 2021. <http://www.parliament.ge/en/saparlamento-saqmianoba/komitetebi/adamianis-uflebata-dacvisa-da-samoqalaqo-integraciis-komiteti/komitetis-shesaxeb>
- 43 Danielyan, Edita and Lidz, Lena Jedwab. Labor Safety Reforms in Georgia: Why CIPE and the Solidarity Center are Joining Forces to Tackle Compliance Challenges. Center for International Public Enterprise. November 20, 2020. <https://www.cipe.org/blog/2020/11/20/labor-safety-reforms-in-georgia-why-cipe-and-the-solidarity-center-are-joining-forces-to-tackle-compliance-challenges/>
- 44 U.S. Department of Labor. Strengthening Labor Law Enforcement. <https://www.dol.gov/agencies/ilab/strengthening-labor-law-enforcement>
- 45 UN Committee on the Rights of the Child. Concluding observations on the report submitted by Georgia under Article 12(1) of the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography. CRC/C/OPSC/GEO/CO/I. October 30, 2019. <https://undocs.org/en/CRC/C/OPSC/GEO/CO/I>
- 46 Interpressnews. According to the Public Defender, the inclusive educational process is flawed. December 10, 2020. <https://www.interpressnews.ge/ka/article/632885-saxalxo-damcvelis-shepasebit-inkluziuri-saganmanatleblo-procesi-xarvezebit-mimdinareobs>

In 2021, Ghana made moderate advancement in efforts to eliminate the worst forms of child labor. The government developed a Public-Private Partnership framework to address child labor in the cocoa industry. The government also drafted a new national plan of action to eliminate human trafficking, and the Ministry of Gender, Children, and Social Protection developed a communications strategy to guide outreach efforts on human trafficking issues for the years 2022–2026. However, children in Ghana are subjected to the worst forms of child labor, including in fishing and cocoa production and harvesting. Prohibitions related to the commercial sexual exploitation of children do not meet international standards because, while Ghana does criminally prohibit the use, procuring, and offering of a child for electronic performances, the law does not extend to live performances. 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. Lastly, 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. (1,2,3) In addition, NORC at the University of Chicago released a report detailing findings from a sectorally representative survey conducted in Ghana and Côte d'Ivoire 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 Ghana. Data on some of these indicators are not available from the sources used in this report.

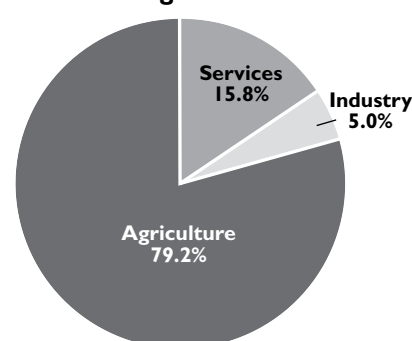
**Table 1. Statistics on Children's Work and Education**

Children	Age	Percent
Working (% and population)	5 to 14	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, 2022. (5)

Source for all other data: International Labor Organization's analysis of statistics from Ghana Living Standard Survey (GLSS), 2016–2017. (6)

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



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

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

Sector/Industry	Activity
Agriculture	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 (1-3,6-10)
	Production of palm oil and cotton, including weeding, and harvesting (11)
	Herding livestock, including cattle, hunting, and work in slaughterhouses (12)
	Fishing, including for tilapia; preparing bait, nets, and fishing gear; launching, paddling, and draining canoes; diving for fish; casting and pulling fishing nets and untangling them underwater; sorting, picking, cleaning, smoking, transporting, and selling fish; cleaning and repairing nets; and building and repairing boats (1-3,8,11,13,14)

## MODERATE ADVANCEMENT

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

Sector/Industry	Activity
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† (3,7,8,15)
	Manufacturing† (7,10)
	Construction and carrying heavy loads (1,7,10)
Services	Domestic work (2,3,9)
	Transporting heavy loads as <i>kayaye</i> † (3,16,17)
	Work in transportation† (10)
	Street work,† including begging, (3,7)
Categorical Worst Forms of Child Labor‡	Commercial sexual exploitation, sometimes as a result of human trafficking (1,3,9,12,18-20)
	Forced labor in begging; agriculture, including cocoa; herding; fishing; artisanal gold mining; domestic work; and street work, including vending and carrying heavy loads (1,3,12,19-23)
	Forced ritual servitude for girls known as <i>trokosi</i> , including in domestic work for priests (8,18,21)

† 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.







A majority of children subjected 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. (3,4,12,22-24) Children also use sharp tools and are exposed to agro-chemicals while working in the cocoa sector. (7) In addition, girls as young as age 13 from rural northern regions of Ghana travel to urban centers to work as *kayaye*, or female porters, carrying heavy loads on their heads in markets, are particularly vulnerable to sexual abuse and exploitation. (3,16,17)

According to the Constitution and the Education Act, primary education in Ghana is free from kindergarten through high school, though only compulsory through junior high school, and a birth certificate is not needed for enrollment. However, impoverished families often struggle to pay administrative fees and to purchase school supplies, as well as purchasing uniforms, though research found that students are not prevented from enrolling due to lack of a uniform. (25,26) 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. (16,27) Although this has significantly increased the overall number of children attending school, reports suggest that opportunities to attend vocational training 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. (1,6,8,18,19,28) 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. (1,3,6,8,21) 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, and lifting birth registration requirements for enrollment. (27,29) In addition, the government operates 14 national schools for visually and hearing impaired students. (26,28)

## 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	Section 89 and 92 of the Children's Act (30)
Minimum Age for Hazardous Work	Yes	18	Section 91 and 92 of the Children's Act (30)
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 (25,30-33)
Prohibition of Forced Labor	Yes		Articles 16.1 and 16.2 of the Constitution; Articles 116 and 117 of the Labor Act; Sections 1–3 and 42 of the Human Trafficking Act; Sections 1 and 2 of the Human Trafficking Prohibition Legislative Instrument (25,31,34,35)
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 (32,34,35)
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; Section 136 of the Electronic Transaction Act; Section 62-66 of the Cybersecurity Act. (32,36-38)
Prohibition of Using Children in Illicit Activities	No		
Minimum Age for Voluntary State Military Recruitment	Yes	18	Ghana Armed Forces General Eligibility (Recruits) (39)
Prohibition of Compulsory Recruitment of Children by (State) Military	Yes*		Ghana Armed Forces General Eligibility (Recruits) (39)
Prohibition of Military Recruitment by Non-state Armed Groups	No		
Compulsory Education Age	Yes	15‡	Article 2.2 of the Education Act (40)
Free Public Education	Yes		Article 25.1.a of the Constitution; Articles 1.1, 1.2, and 2.2 of the Education Act (25,40)

\* Country has no conscription (39)

‡ Age calculated based on available information (40)

While Ghana does criminally prohibit the use, procuring, and offering of a child for electronic pornographic performances, the law does not extend to live pornographic performances. 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. (1,29,32,41) In addition, the law also does not prohibit the use of children for illicit activities, including for the production and trafficking of drugs.



## MODERATE ADVANCEMENT

### III. ENFORCEMENT OF LAWS ON CHILD LABOR

The government has established institutional mechanisms for the enforcement of laws and regulations on child labor (Table 5). However, gaps exist within the operations of 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. (16) 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)
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. (1,29) Through social services subcommittees, enforce child labor provisions in the informal sector. (1,30)
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. (1,42) Through its Ghana Immigration Service, combats human trafficking through Anti-Human Smuggling and Trafficking Units. (1,43)
Ministry of Justice's Office of the Attorney General	Addresses 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. (44)
Ministry of Gender, Children, and Social Protection (MOGCSP)	Addresses child labor and leads government efforts to prevent 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. (8) Through its Human Trafficking Secretariat, oversees the creation, implementation, and review of human trafficking policies and ensures proper monitoring, evaluation, and data collection. (1) Organized 6 stakeholder consultative meetings and engagements to review and develop the New National Plan of Action (NPA); developed a communications strategy for the years 2022–2026 on human trafficking issues; and organized 4 capacity building trainings for over 200 law enforcement officers on human trafficking and irregular migration. (23)

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. (2,3)

The Office of the Attorney General is responsible for prosecuting child trafficking violations; however, there were an insufficient number of state attorneys designated to prosecute human trafficking crimes. A majority of cases were handled by the Ghana Police Service's police prosecutors, whose lack of advanced legal training may impede their ability to prosecute complex criminal cases. (26,45,46) 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)

#### Labor Law Enforcement

In 2021, labor law enforcement agencies in Ghana took actions to address 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 insufficient resource allocation.

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

Overview of Labor Law Enforcement	2020	2021
Labor Inspectorate Funding	Unknown (2)	Unknown (3)
Number of Labor Inspectors	62 (47)	48 (3)
Mechanism to Assess Civil Penalties	Yes (31)	Yes (31)
Initial Training for New Labor Inspectors	Yes (47)	Yes (3)
Training on New Laws Related to Child Labor	N/A (2)	N/A (3)
Refresher Courses Provided	Yes (2)	Yes (3)

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

Overview of Labor Law Enforcement	2020	2021
Number of Labor Inspections Conducted	213 (47)	749 (3)
Number Conducted at Worksite	Unknown (2,47)	749 (3)
Number of Child Labor Violations Found	8 (2,47)	0 (3)
Number of Child Labor Violations for Which Penalties Were Imposed	No (2,47)	N/A (3)
Number of Child Labor Penalties Imposed that Were Collected	No (2,47)	N/A (3)
Routine Inspections Conducted	Yes (47)	Yes (3)
Routine Inspections Targeted	Unknown (2)	Yes (3)
Unannounced Inspections Permitted	Yes (31)	Yes (31)
Unannounced Inspections Conducted	Yes (47)	Yes (3)
Complaint Mechanism Exists	Yes (47)	Yes (3)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (2,47)	Yes (3)

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. (1,3,26,48) 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. (49) 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. (1,2,29) 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 2021, criminal law enforcement agencies in Ghana took actions to address 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 allocation of financial resources.

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

Overview of Criminal Law Enforcement	2020	2021
Initial Training for New Criminal Investigators	Unknown (2,47)	Yes (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	119 (2)	Unknown (3)
Number of Violations Found	Unknown (2,47)	265 (3)
Number of Prosecutions Initiated	Unknown (2,47)	16 (3)
Number of Convictions	8 (2)	3 (3)
Imposed Penalties for Violations Related to the Worst Forms of Child Labor	Yes (2)	Unknown (3)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (2)	Yes (3)

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 Ghana Police Service's Marine Police Unit only recently acquired boats for patrol for forced labor in fishing. (19,50)

During the reporting period, the Government of the Republic of Ghana sponsored multiple training events to help address trafficking in persons. There were also improvements to communication procedures between several agencies that allowed rescuers to adequately prepare for the arrival of victims. (23)

The IOM developed a Trafficking in Persons Information System to improve case tracking. While several ministries, including 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, have committed to using this system, research shows limited use of the Trafficking in Persons Information System during the reporting period. (1)

## 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 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 address 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. (1,51) Led by MELR's Child Labor Unit, includes representatives from other ministries, employers' and workers' organizations, and civil society. (1,51-53) During the reporting period, the committee met on a quarterly basis and increased anti-trafficking prevention efforts. (23)
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. (1,26) Research was unable to determine the activities undertaken by this coordinating body during the reporting period.
Ministry of Employment and Labor Relations Child Labor Unit	Facilitates the development of policies and laws to prevent child labor, coordinates interventions to address child labor, and oversees child protection committees at the district level. (51,54) 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, the Ministry participated in the fifth global conference on the elimination of child labor. (55)
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. (26,23)

### 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 a lack of 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. (7,45,52) A new National Plan of Action has been developed to cover the period between 2022 to 2026 to eliminate human trafficking in Ghana, but has yet to be finalized. (56)
National Plan of Action for the Elimination of Human Trafficking in Ghana (2017–2021)	Aimed 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. (57) A new National Plan of Action for 2022–2026 has been developed to eliminate human trafficking in Ghana, but has yet to be finalized. (23)
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. (33,41) Research was unable to determine whether activities were undertaken to implement these policies during the reporting period.
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. (58–60) Provides resources and coordinates with key stakeholders on efforts to reduce the worst forms of child labor in cocoa-producing areas. (58,59) Ensures that all project efforts implemented under the Declaration and Framework align with Ghana's national action plans to promote coherence and sustainability. (58–60) During the reporting period, a Public-Private Partnership framework was developed to address child labor in the cocoa industry. In addition, USDOL-funded projects and some industry-funded projects carried out activities in support of this policy during the reporting period. (3,26)
Minerals and Mining Policy of Ghana	Prohibits child labor in mining and stipulates children who visit mining sites must be supervised. (61) 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. (42,63)

Over the first six months of 2021, the EU multi-stakeholder dialogue for sustainable cocoa level have had a series of roundtables, so-called Cocoa Talks, which delved into significant dimensions of sustainability which include efforts to address child labor. (64)

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. (19)

## VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2021, 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 inadequate funding and the inadequacy 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 address 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. (60) Research was unable to determine whether activities were undertaken to implement these social programs during the reporting period.
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; and the Sustainable Fisheries Management Project (2014–2020), a \$24 million USAID-funded project implemented by University of Rhode Island's Coastal Resource Center; a \$2.1 million USDOS funded project implemented by the International Justice Mission to Strengthening the Criminal Justice System's Response to Human Trafficking in Ghana (2019-2023). (16,56,65,66)
MOGCSP 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. (43,67) During the reporting period, technical and vocational skills trainings were provided by the Assist <i>Kayayei</i> program. (56)
Educational Programs‡	Ministry of Education-funded programs under the Free Compulsory Universal Basic Education aim to increase school attendance and enrollment. (68) MOGCSP'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. (67,69) During the reporting period, the program fed 3,448,065 pupils in 10,832 public basic schools. (56)
USDOL-Funded Projects	USDOL projects that aim to eliminate child labor. These projects include: MATE MASIE (2020-2024), a \$4 million project being implemented by Winrock; Adwuma Pa (2018–2022), a \$5 million project implemented by CARE; Combating Forced Labor and Labor Trafficking of Adults and Children in Ghana and Côte d'Ivoire (2017–2022), a \$3.4 million project implemented by Verité; and Assessing Progress in Reducing Child Labor in Cocoa-Growing Areas of Côte d'Ivoire and Ghana (2015–2021), a \$3.4 million project implemented by NORC at the University of Chicago, and the ILO Global Accelerator Project, a \$10 million project implemented by the ILO. (4) Additional information is available on the USDOL website.

† 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. (46,69,70,71)

Research indicates a lack of funding as one of the primary obstacles in implementing programs to address child labor. (1,3,43) 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. (1,21,26)

During the reporting period, the EU contributed \$27.1 million to the sustainability of cocoa in Côte d'Ivoire, Ghana, and Cameroon. The purpose of this project is to provide decent living income for farmers, reverse the effects of deforestation, and eliminate child labor. (72)

## MODERATE ADVANCEMENT

Although the government has worked closely with industry, NGOs, and international organizations to implement child labor programs in cocoa production, fishing, and mining, the breadth of these programs remains insufficient to address the scope of the problem. (3) In addition, other areas that required further government attention included provisioning shelters in more regions and districts and providing adequate funding and logistics for rescue operations and victim protection. (19)

## 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 – 2021
	Ensure that laws criminally prohibit all forms of commercial sexual exploitation of children including, use of children in live performances.	2009 – 2021
	Ensure that laws criminally prohibit the use of children in all illicit activities, including for the production and trafficking of drugs.	2016 – 2021
	Ensure that the law criminally prohibits the recruitment of children under age 18 by non-state armed groups.	2015 – 2021
	Update the hazardous work list for children to cover all hazardous types of work outlined in ILO C. 182.	2020 – 2021
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, and that these cases are prosecuted according to the law.	2015 – 2021
	Publish information on the amount of funding allocated to the labor inspectorate.	2009 – 2021
	Ensure that labor inspectors and criminal investigators have adequate resources, including office space, transportation, and supplies, to adequately carry out their mandates throughout the country.	2009 – 2021
	Ensure that labor inspectors receive adequate training.	2014 – 2021
	Publish data on number of child labor investigations conducted and penalties imposed.	2019 – 2021
	Significantly increase the number of labor inspectors to meet the ILO's technical advice.	2010 – 2021
	Strengthen and fully fund the mechanism to track cases of child labor for referral between law enforcement and social services providers.	2019 – 2021
	Improve communication and coordination among criminal enforcement agencies to prosecute cases of the worst forms of child labor and provide adequate victim support.	2015 – 2021
	Ensure that the Trafficking in Persons Information System is used and publish any related activities.	2020 – 2021
	Ensure that Criminal Enforcement agencies have the resources to properly monitor sectors in which the worst forms of child labor are known to occur.	2021
Coordination	Ensure that all coordinating bodies are active and able to carry out their intended mandates.	2013 – 2021
Government Policies	Ensure that activities are undertaken to implement government policies and that data on these activities are published during the reporting period.	2013 – 2021
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 – 2021
	Ensure that opportunities such as vocational training are available to secondary school students enrolled in the dual-track system.	2019 – 2021
	Ensure that social programs are active and receive sufficient funding to carry out their objectives.	2014 – 2021
	Expand the availability of government-supported shelter services for child victims and ensure that all shelters are operational.	2016 – 2021
	Replicate and expand effective models for addressing exploitative child labor in the cocoa, fishing, and mining sectors.	2009 – 2021



## REFERENCES

- 1 U.S. Embassy- Accra. Reporting. January 14, 2020.
- 2 U.S. Department of State. Reporting. February 25, 2021.
- 3 U.S. Embassy- Accra. Reporting. February 23, 2022.
- 4 NORC at the University of Chicago. Assessing Progress in Reducing Child Labor in Cocoa Growing Areas of Côte d'Ivoire and Ghana. October 2020. Source on File.
- 5 UNESCO Institute for Statistics. Gross intake ratio to the last grade of primary education, both sexes (%). Accessed March 3, 2022. For more information, please see "Children's Work and Education Statistics: Sources and Definitions" in the Reference Materials section of this report. <http://data.uis.unesco.org/>
- 6 ILO. Analysis of Child Economic Activity and School Attendance Statistics from National Household or Child Labor Surveys. Original data from Ghana Living Standard Survey (GLSS), 2016–2017. March 2022. Children's Work and Education Statistics: Sources and Definitions.
- 7 Government of the Republic of Ghana. National Plan of Action Phase II (NPA2) for the Elimination of the Worst Forms of Child Labour in Ghana (2017–2021): Toward Achieving Sustainable Development Goal (SDG) 8.7. 2016. <https://www.unicef.org/ghana/reports/national-plan-action-eliminate-worst-forms-child-labour>
- 8 UN Human Rights Council. Summary of Stakeholders' submissions on Ghana – Report of the Office of the United Nations High Commissioner for Human Rights. A/HRC/WG.6/28/GHA/3. August 8, 2017. <http://daccess-ods.un.org/access.nsf/Get?Open&DS=A/HRC/WG.6/28/GHA/3&Lang=E>
- 9 Ministry of Employment and Labour Relations, and COCOBOD. National Programme on the Elimination of the Worst Forms of Child Labour in Cocoa (NPECLC), 2017 – 2020. March 2017. Source on file.
- 10 Government of the Republic of Ghana. Living Standard Survey 7 Main Report. June 2019. [http://www.statsghana.gov.gh/gssmain/fileUpload/pressrelease/GLSS7MAINREPORT\\_FINAL.pdf](http://www.statsghana.gov.gh/gssmain/fileUpload/pressrelease/GLSS7MAINREPORT_FINAL.pdf)
- 11 Abromama, Nyarko. Child labor on the rise in fishing, oil palm sector despite decrease in cocoa sector – ICI. Ghana Web, November 9, 2018. <https://www.ghanamma.com/2018/11/09/child-labour-on-the-rise-in-fishing-oil-palm-sector-despite-decrease-in-cocoa-sector-ici/>
- 12 Nordic Consulting Group A/S, and JMK Consulting Ltd. "Growing Up Free" Baseline Report. February 14, 2017. Source on file.
- 13 Arkoh, Issac. More than 49,000 children trapped in child labour on Volta Lake. Ghana News Agency, July 29, 2018. <https://www.ghanamma.com/2018/07/29/more-than-49000-children-trapped-in-child-labour-on-volta-lake/>
- 14 CBS News. CBS News meets kids caught in the net of modern slavery. CBS Interactive Inc. October 12, 2021. <https://www.yahoo.com/now/cbs-news-meets-kids-caught-135117103.html>
- 15 Government of the Republic of Ghana. Ghana Living Standards Survey Round 6 (GLSS6) Main Report. August 2014. <https://www2.statsghana.gov.gh/glss6.html>
- 16 U.S. Embassy- Accra. Reporting. February 5, 2019.
- 17 Wemakor, Joseph Kobla. Ending woes of Kayayei in Ghana: A fight we must all strive to win. GhanaWeb, July 11, 2018. <https://www.ghanaweb.com/GhanaHomePage/features/Ending-woes-of-Kayayei-in-Ghana-A-fight-we-must-all-strive-to-win-667724#>
- 18 UN Human Rights Council. Compilation on Ghana - Report of the Office of the United Nations High Commissioner for Human Rights. A/HRC/WG.6/28/GHA/2. August 28, 2017. <http://daccess-ods.un.org/access.nsf/Get?Open&DS=A/HRC/WG.6/28/GHA/2&Lang=E>
- 19 U.S. Embassy- Accra Reporting. February 19, 2020.
- 20 U.S. Embassy- Accra. Reporting. March 19, 2021.
- 21 U.S. Department of State. Trafficking in Persons Report- 2018: Ghana. Washington, DC, June 28, 2018. <https://www.state.gov/wp-content/uploads/2019/01/282798.pdf>
- 22 The CNN Freedom Project. CNN exposes child slavery on Ghana's Lake Volta. 2019. <https://www.youtube.com/watch?v=mRcVU678UPs>
- 23 U.S. Embassy- Accra. TIP Reporting. February 7, 2022.
- 24 Government of the Republic of Ghana, Ministry of the Interior. National Migration Policy for Ghana. April 2016. [https://www.mint.gov.gh/wp-content/uploads/2017/06/National\\_Migration\\_Policy\\_for\\_Ghana.pdf](https://www.mint.gov.gh/wp-content/uploads/2017/06/National_Migration_Policy_for_Ghana.pdf)
- 25 Government of the Republic of Ghana. Constitution of the Republic of Ghana. Enacted: 1992. [https://www.constituteproject.org/constitution/Ghana\\_1996.pdf?lang=en](https://www.constituteproject.org/constitution/Ghana_1996.pdf?lang=en)
- 26 U.S. Embassy- Accra Official. E-mail communication to USDOL official. June 29, 2020.
- 27 U.S. Embassy- Accra. Reporting. January 29, 2018.
- 28 U.S. Department of State. Country Reports on Human Rights Practices- 2018: Ghana. Washington, DC, March 13, 2019. <https://www.state.gov/wp-content/uploads/2019/03/Ghana-2018.pdf>
- 29 U.S. Department of State. Country Reports on Human Rights Practices- 2019: Ghana. Washington, DC, March 11, 2020. <https://www.state.gov/reports/2019-country-reports-on-human-rights-practices/ghana>
- 30 Government of the Republic of Ghana. The Children's Act, Act 560. Enacted: September 24, 1998. <http://www.ilo.org/dyn/natlex/docs/WEBTEXT/56216/65194/E98GHA01.htm>
- 31 Government of the Republic of Ghana. Labour Act of 2003, Act 651. Enacted: March 31, 2004. <https://www.ilo.org/legacy/english/inwork/cb-policy-guide/ghanalabouract2003section109.pdf>
- 32 Government of the Republic of Ghana. Labour Regulations Arrangement of Regulations, L.I. 1833. Enacted: 2007. [http://www.ilo.org/dyn/travail/docs/1198/Labour\\_Regulations\\_2007.pdf](http://www.ilo.org/dyn/travail/docs/1198/Labour_Regulations_2007.pdf)
- 33 Government of the Republic of Ghana. Hazardous Child Labour Activity Framework for Ghana (HAF). Enacted: 2012. Source on file.
- 34 Government of the Republic of Ghana. Human Trafficking Act, Act 694. Enacted: December 5, 2005. <https://www.ilo.org/dyn/natlex/docs/ELECTRONIC/74422/101249/F630282635/GHA74422.pdf>
- 35 Government of the Republic of Ghana. Human Trafficking Prohibition (Protection and Reintegration of Trafficked Persons Regulations), L.I. 2219. Enacted: June 22, 2015. <https://www.warnathgroup.com/wp-content/uploads/2017/01/2015-Human-Trafficking-Prohibition-Regulations-L.I.-2219.pdf>
- 36 Government of the Republic of Ghana. Criminal Offenses (Amendment) Act, Act 849. Enacted: June 27, 2012. <http://www.refworld.org/pdfid/44bf823a4.pdf>
- 37 Government of the Republic of Ghana. Electronic Transaction Act. 2008. [https://www.researchicfrica.net/countries/ghana/Electronic\\_Transactions\\_Act\\_no\\_772:2008.pdf](https://www.researchicfrica.net/countries/ghana/Electronic_Transactions_Act_no_772:2008.pdf)
- 38 Government of the Republic of Ghana. Cybersecurity Act. 2020. <https://csdsafra.org/wp-content/uploads/2021/08/Cybersecurity-Act-2020-Act-1038.pdf>
- 39 Ghana Armed Forces. General Eligibility (Recruits). Accessed May 4, 2022. <https://ghanadmission.com/ghana-armed-forces-recruitments/>
- 40 Government of the Republic of Ghana. The Education Act, Act 778. Enacted: 2008. <https://www.ilo.org/dyn/natlex/docs/MONOGRAPH/83622/92463/F2061259086/GHA83622.pdf>
- 41 Government of the Republic of Ghana. Hazardous Child Labour Activity Framework for the Cocoa Sector. Enacted: June 2008. [https://www.cocoainitiative.org/sites/default/files/resources/hazardous\\_ghana\\_framework\\_2008.pdf](https://www.cocoainitiative.org/sites/default/files/resources/hazardous_ghana_framework_2008.pdf)
- 42 Government of the Republic of Ghana. Child and Family Welfare Policy. Accra: Ministry of Gender, Children and Social Protection, February 2015. Source on file.

## MODERATE ADVANCEMENT

- 43 Government of the Republic of Ghana. Trafficking in Persons (TIP) Report on Ghana - 2017 Responses. January 2018. Source on file.
- 44 U.S. Embassy- Accra. Reporting. February 14, 2017.
- 45 U.S. Embassy- Accra official. E-mail communication to USDOL official. July 11, 2019.
- 46 U.S. Embassy- Accra. Reporting. February 13, 2018.
- 47 Government of the Republic of Ghana. Response from the Child Labor Unit. March 3, 2021. Source on file.
- 48 CIA. The World Factbook. Accessed January 19, 2018. Please see "Labor Law Enforcement: Sources and Definitions" in the Reference Materials section of this report.  
<https://www.cia.gov/the-world-factbook/countries/ghana/>
- 49 UN. World Economic Situation and Prospects 2017 Statistical Annex. New York, 2017. Please see "Labor Law Enforcement: Sources and Definitions" in the Reference Materials section of this report.  
[http://www.un.org/development/desa/dpad/wp-content/uploads/sites/45/publication/2017wesp\\_full\\_en.pdf](http://www.un.org/development/desa/dpad/wp-content/uploads/sites/45/publication/2017wesp_full_en.pdf)
- 50 UNDOC. UNODC and Japan Donate Two Patrol Boats to Ghana. July 13, 2018.  
[https://www.unodc.org/westandcentralafrica/en/2018-07-13\\_patrol-boats-to-ghana.html#:~:text=Alligator boats donated to the, the country as a whole](https://www.unodc.org/westandcentralafrica/en/2018-07-13_patrol-boats-to-ghana.html#:~:text=Alligator boats donated to the, the country as a whole)
- 51 Government of the Republic of Ghana. Ghana Child Labour Monitoring System (GCLMS). Accra: Ministry Of Employment And Social Welfare. September 2010.  
[http://www.africanchildforum.org/clr/policy per country/ghana/ghana\\_labour\\_2010\\_en.pdf](http://www.africanchildforum.org/clr/policy per country/ghana/ghana_labour_2010_en.pdf)
- 52 Government of the Republic of Ghana. Minutes of the Fourth Quarter Meeting of the National Steering Committee on Child Labour (NSCCL) on Friday 8th December 2017 at the Conference Room of the Ministry of Employment and Labour Relations (MELR), December 8, 2017. Source on file.
- 53 Government of the Republic of Ghana, Ministry of Employment and Social Welfare. Institutional and Management Framework for the National Child Labour Elimination Programme: The National Steering Committee on Child Labour- Terms of Reference. 2010. Source on file.
- 54 Government of the Republic of Ghana, Ministry of Employment and Labour Relations. Pilot Report on Ghana Child Labor Monitoring System (GCLMS). July 2013. Source on file.
- 55 Government of the Republic of Ghana. GHANA PARTICIPATES IN THE 5TH GLOBAL CONFERENCE ON THE ELIMINATION OF CHILD LABOUR. May 26, 2022  
<https://melr.gov.gh/ghana-participates-in-the-5th-global-conference-on-the-elimination-of-child-labour-by-charlotte-hanson/>
- 56 USDOL. Official correspondence with USDOL. July 1, 2022 Source on File.
- 57 Government of the Republic of Ghana. National Plan of Action for the Elimination of Human Trafficking in Ghana (2017–2021). 2016.  
<https://www.unicef.org/ghana/media/1851/file/National Plan of Action for the Elimination of Human Trafficking in Ghana.pdf>
- 58 Senator Thomas Harkin, Congressman Eliot Engel, USDOL, Government of the Republic of Côte d'Ivoire, Government of the Republic of Ghana, and International Cocoa and Chocolate Industry. Framework of Action to Support Implementation of the Harkin-Engel Protocol. Abidjan, September 13, 2010.  
<https://www.dol.gov/sites/dolgov/files/ILAB/legacy/files/CocoaFrameworkAction.pdf>
- 59 Senator Thomas Harkin, Congressman Eliot Engel, USDOL, Government of the Republic of Côte d'Ivoire, Government of the Republic of Ghana, and International Cocoa and Chocolate Industry. Declaration of Joint Action to Support Implementation of the Harkin-Engel Protocol. Abidjan, September 13, 2010.  
<http://www.dol.gov/ilab/projects/summaries/GhanaSignedDeclaration.pdf>
- 60 Congressman Eliot Engel, USDOL, Government of the Republic of Côte d'Ivoire, Government of the Republic of Ghana, and the International Chocolate and Cocoa Industry. Child Labor Cocoa Coordinating Group (CLCCG) 2017 Annual Report. Washington, DC. 2017.  
<https://www.dol.gov/sites/default/files/documents/ilab/CLCCG2017AnnualReport.pdf>
- 61 Government of the Republic of Ghana. Minerals and Mining Policy of Ghana. Enacted: February 2016.  
<https://www.mincom.gov.gh/wp-content/uploads/2021/06/Mineral-and-Mining-Policy-Ghana.pdf>
- 62 Ministry of Fisheries and Aquaculture Development. Strategy on Anti-Child Labor and Trafficking in Fisheries. November 2016. Source on file.
- 63 Government of the Republic of Ghana, and Government of the Republic of Côte d'Ivoire. Joint Declaration of the First Ladies of the Republic of Côte d'Ivoire and the Republic of Ghana on the Fight Against Cross-Border Child Trafficking and the Worst Forms of Child Labour. Enacted: September 13, 2016. Source on file.
- 64 European Commission. EU multi-stakeholder dialogue for sustainable cocoa January 2021  
[https://knowledge4policy.ec.europa.eu/publication/cocoa-talks-eu-virtual-roundtables-sustainable-cocoa\\_en#:~:text=Publication | 25 January 2021 Cocoa Talks -,sustainable cocoa production in Côte d'Ivoire and Ghana.](https://knowledge4policy.ec.europa.eu/publication/cocoa-talks-eu-virtual-roundtables-sustainable-cocoa_en#:~:text=Publication | 25 January 2021 Cocoa Talks -,sustainable cocoa production in Côte d'Ivoire and Ghana.)
- 65 Ackon-Mensah, Joseph. US threatens to cut aid to Ghana over child labour menace. citifmonline, June 15, 2017.  
<http://citifmonline.com/2017/06/15/us-threatens-to-cut-aid-to-ghana-over-child-labour-menace/>
- 66 IOM Child Protection Compact Partnership - Ghana Washington, DC  
<https://www.state.gov/child-protection-compact-partnerships-ghana/>
- 67 Hamel, Reid. A Role for Social Protection Investments to Support Food and Nutrition Security: Lessons from Ghana. February 2018.  
<https://www.csis.org/analysis/role-social-protection-investments-support-food-and-nutrition-security>
- 68 Ministry of Employment and Labour Relations. National Employment Policy. November 2014.  
[https://www.ilo.org/wcmsp5/groups/public/---africa/---ro-abidjan/---ilo-abuja/documents/publication/wcms\\_373458.pdf](https://www.ilo.org/wcmsp5/groups/public/---africa/---ro-abidjan/---ilo-abuja/documents/publication/wcms_373458.pdf)
- 69 UN Human Rights Council. National report submitted in accordance with paragraph 5 of the annex to Human Rights Council resolution 16/21 - Ghana. A/HRC/WG.6/28/GHA/1. August 25, 2017.  
<http://daccess-ods.un.org/access.nsf/Get?Open&DS=A/HRC/WG.6/28/GHA/1&Lang=E>
- 70 IOM. IOM Ghana Holds Counter-Trafficking Workshops for Communities in Volta Region. November 10, 2017.  
<http://www.iom.int/news/iom-ghana-holds-counter-trafficking-workshops-communities-volta-region>
- 71 Safo, Juliet Akyaa and Daniel Oduro-Mensah. Accra Diocese of Anglican Church organises workshop on child trafficking. July 24, 2017.  
<http://www.graphic.com.gh/news/general-news/accra-diocese-of-anglican-church-organises-workshop-on-child-trafficking.html>
- 72 European Commission. EU boosts sustainable cocoa production in Côte d'Ivoire, Ghana and Cameroon January 26, 2021  
[https://ec.europa.eu/commission/presscorner/detail/pt/ip\\_21\\_193](https://ec.europa.eu/commission/presscorner/detail/pt/ip_21_193)

In 2021, 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 has not published data on labor inspectorate funding.

## I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Research found no evidence that child labor exists in Grenada. (1) Table 1 provides key indicators on children's work and education in Grenada. 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 (%)		123.0

Source for primary completion rate: Data from 2018, published by UNESCO Institute for Statistics, 2022. (2)

## 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 (3)
Minimum Age for Hazardous Work	No		
Identification of Hazardous Occupations or Activities Prohibited for Children	No		

## NO ADVANCEMENT

**Table 3. Laws and Regulations on Child Labor (Cont.)**

Standard	Meets International Standards	Age	Legislation
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 (3-5)
Prohibition of Child Trafficking	No		Articles 9–11 of the Prevention of Trafficking in Persons Act (5)
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 (5-7)
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	16	Articles 2 and 15 of the Education Act (8)
Free Public Education	No		Article 16 of the Education Act (8)

† Country has no standing military (9)

Grenada's Employment and Education Act allows holiday employment for children under age 16 under the supervision of their parents, but this Act does not meet international standards as it does not specify the minimum age, types of work, or number of hours permitted for such work. (1,3,10) Despite establishing heightened penalties for traffickers of children, the Prevention of Trafficking in Persons Act does not sufficiently prohibit the trafficking 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. (5) The Criminal Code, Electronic Crimes Bill, and Prevention of Trafficking in Persons Act do not comprehensively prohibit the commercial sexual exploitation of all children. (5,7) The government also has not established laws that prohibit the use of children in illicit activities, including drug production. Moreover, laws providing for free basic education do not meet international standards because they permit schools to levy fees for students who reside in Grenada but are not citizens. (8)

### III. ENFORCEMENT OF LAWS ON CHILD LABOR

The government has established institutional mechanisms for the enforcement of laws and regulations on child labor (Table 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 (RGPF)	Investigates crimes and enforces laws related to child labor. If child labor is confirmed, RGPF is notified and works with the Child Protection Authority (CPA) and Ministry of Social Development, Housing & Community Empowerment to have the child removed from the home (if needed) and bring charges against the offenders. (11) Helps CPA and the Ministry of Social Development, Housing & Community Empowerment provide emergency services to children. (1)
Child Protection Authority (CPA)	Enforces laws related to child labor by receiving and investigating reports of child abuse, including child labor. Investigations are conducted with RGPF and the Ministry of Social Development, Housing & Community Empowerment. Provides social and protective services to child victims, including by requesting court emergency protection orders. (1,11-13)
Ministry of Social Development, Housing & Community Empowerment	Oversees the Child Abuse Hotline and investigates reports of child abuse, including child labor. Refers child abuse cases to CPA and criminal cases to RGPF. (11-13) Enforces laws related to school attendance and provides programs to support school attendance. (13)
Public Prosecutor's Office	Represents the State of Grenada and is responsible for prosecuting criminal cases in lower and high courts. Authorized to institute, overtake, or discontinue criminal prosecutions. (1) Functions independently, with overarching oversight of all public prosecutions. (1)

### Labor Law Enforcement

In 2021, labor law enforcement agencies in Grenada took actions to address child labor (Table 5). However, gaps exist within the operations of enforcement agencies that may hinder adequate labor law enforcement, including insufficient financial resource and human resource allocation.

**Table 5. Labor Law Enforcement Efforts Related to Child Labor**

Overview of Labor Law Enforcement	2020	2021
Labor Inspectorate Funding	Unknown (14)	Unknown (1)
Number of Labor Inspectors	6 (14)	5 (1)
Mechanism to Assess Civil Penalties	Yes (3)	Yes (3)
Initial Training for New Labor Inspectors	N/A (14)	N/A (1)
Training on New Laws Related to Child Labor	N/A (14)	N/A (1)
Refresher Courses Provided	Unknown (14)	Unknown (1)
Number of Labor Inspections Conducted	76 (15)	54 (1)
Number Conducted at Worksite	76 (15)	54 (1)
Number of Child Labor Violations Found	0 (14)	0 (1)
Number of Child Labor Violations for Which Penalties Were Imposed	N/A (14)	N/A (1)
Number of Child Labor Penalties Imposed that Were Collected	N/A (14)	N/A (1)
Routine Inspections Conducted	Unknown (14)	Yes (1)
Routine Inspections Targeted	Unknown (14)	Yes (1)
Unannounced Inspections Permitted	Yes (3)	Yes (3)
Unannounced Inspections Conducted	Yes (14)	Yes (1)
Complaint Mechanism Exists	Yes (15)	Yes (1)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (14)	Yes (1)

The Labor Commission determines which inspections to conduct by generating a list of workplaces to inspect; labor officers then make unannounced visits to all workplaces on the list. (15) Although labor inspectors are not authorized to assess penalties, they inform the Royal Grenada Police Force (RGPF) if a child labor violation is found, and RGPF then conducts a criminal investigation. (14,16) The government did not provide complete data on its labor law enforcement efforts, including labor inspectorate funding and training. (14,17) Research indicates that labor inspection and enforcement agencies have limited financial and human resources. (14,16)

### Criminal Law Enforcement

In 2021, the government's criminal law enforcement agencies appeared to function adequately in addressing child labor (Table 6).

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

Overview of Criminal Law Enforcement	2020	2021
Initial Training for New Criminal Investigators	Unknown (14)	Yes (1)
Training on New Laws Related to the Worst Forms of Child Labor	Unknown (14)	N/A (1)
Refresher Courses Provided	Unknown (14)	No (1)
Number of Investigations	Unknown (14)	0 (1)
Number of Violations Found	Unknown (14)	N/A (1)
Number of Prosecutions Initiated	Unknown (14)	N/A (1)
Number of Convictions	Unknown (14)	N/A (1)
Imposed Penalties for Violations Related to the Worst Forms of Child Labor	Unknown (14)	N/A (1)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (14)	Yes (1)

The government releases annual reports on its criminal law enforcement efforts and crime statistics. If the RGPF finds sufficient evidence of a criminal violation, then the police may submit findings for possible prosecution by the Public Prosecutor's Office. (1) During the reporting period, there were no known or reported cases of child labor; therefore, no actions were taken by criminal law enforcement agencies. (1)



# Grenada

## NO ADVANCEMENT

### IV. COORDINATION OF GOVERNMENT EFFORTS ON CHILD LABOR

As there is no evidence of a problem, there appears to be no need for mechanisms to coordinate efforts to address child labor.

### V. GOVERNMENT POLICIES ON CHILD LABOR

As there is no evidence of a problem, there appears to be no need for policies to address child labor.

### 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 Grenada (Table 7).

**Table 7. Suggested Government Actions to Eliminate Child Labor**

Area	Suggested Action	Year(s) Suggested
Legal Framework	Determine by national law or regulation the types of hazardous work prohibited for children, after consultation with employers' and workers' organizations.	2009 – 2021
	Ensure that the minimum age for hazardous work is age 18.	2009 – 2021
	Prohibit the use of children in illicit activities, including drug production.	2011 – 2021
	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 – 2021
	Ensure that the law criminalizes all forms of child trafficking, including in cases that do not include the use of force, threats, abuse of power, or other forms of coercion.	2015 – 2021
	Enact legislation prohibiting the use, procuring, or offering of a child for all forms of commercial sexual exploitation.	2016 – 2021
	Ensure that the law criminally prohibits the recruitment of children under age 18 by non-state armed groups.	2016 – 2021
	Ensure that laws providing free basic education include all children in Grenada, including non-citizens.	2021
Enforcement	Provide sufficient funding and resources to allow agencies responsible for the enforcement of labor laws to fulfill their mission.	2015 – 2021
	Collect and publish labor law enforcement data, including information on inspectorate funding and refresher trainings.	2016 – 2021
	Ensure that labor inspectors and criminal investigators receive refresher trainings, including on the worst forms of child labor.	2015 – 2021
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 – 2021

## REFERENCES

- U.S. Embassy- Bridgetown. Reporting. January 18, 2022.
- UNESCO Institute for Statistics. Gross intake ratio to the last grade of primary education, both sexes (%). Accessed March 2022. For more information, please see "Children's Work and Education Statistics: Sources and Definitions" in the Reference Materials section of this report. <http://data.uis.unesco.org/>
- Government of Grenada. Employment Act, Act No. 14 of 1999. Enacted: 1999. <http://www.ilo.org/dyn/natlex/docs/WEBTEXT/53925/65176/E99GRD01.htm>
- Government of Grenada. Constitution, No. 2155 of 1973. Enacted: 1973. <http://pdba.georgetown.edu/constitutions/grenada/gren73eng.html>
- Government of Grenada. Prevention of Trafficking in Persons Act. Enacted: June 11, 2014. Source on file.
- Government of Grenada. Electronic Crimes Bill. Enacted: October 3, 2013. <https://nowgrenada.com/wp-content/uploads/2013/07/Electronic-Crimes-Bill.pdf?x65460>
- Government of Grenada. Criminal Code. Enacted: January 20, 1987. <http://www.ilo.org/dyn/natlex/docs/ELECTRONIC/95182/111978/F2077022491/GRD95182.PDF>
- Government of Grenada. Education Act, No. 21 of 2002. Enacted: 2002. [https://laws.gov.gd/index.php?option=com\\_edocman&view=category&id=717&Itemid=185](https://laws.gov.gd/index.php?option=com_edocman&view=category&id=717&Itemid=185)
- U.S. Department of State. Country Report on Human Rights Practices- 2020: Grenada. Washington, D.C., 2020. <https://www.state.gov/wp-content/uploads/2021/03/GRENADA-2020-HUMAN-RIGHTS-REPORT.pdf>

- 10 ILO Committee of Experts. Individual direct request concerning Minimum Age Convention, 1973 (No. 138) Grenada (ratification: 2003) Published: 2019. Accessed February 27, 2020.  
[https://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100\\_COMMENT\\_ID:3963296](https://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:3963296)
- 11 U.S. Embassy- Bridgetown official. E-mail communication to USDOL official. March 22, 2022.
- 12 UNICEF. Situation Analysis of Children in Grenada. September 2017.  
<https://www.unicef.org/easterncaribbean/reports/situation-analysis-children-grenada>
- 13 Government of Grenada. Ministry of Social Development. April 26, 2018. Source on file.
- 14 U.S. Embassy- Bridgetown. Reporting. February 12, 2021.
- 15 U.S. Embassy- Bridgetown official. E-mail communication to USDOL official. June 22, 2021.
- 16 U.S. Embassy- Bridgetown. Reporting. January 15, 2019.
- 17 U.S. Embassy- Bridgetown. Reporting. January 15, 2020.

In 2021, Guatemala made significant advancement in efforts to eliminate the worst forms of child labor. The government established the Mobile Units for the Prevention of Sexual Violence, Exploitation, and Human Trafficking Program in order to provide services and raise awareness on human trafficking in rural and remote communities. The Public Ministry also opened two new regional prosecutor's offices that will prosecute cases related to trafficking in persons, expanding access to justice for victims. Furthermore, the government amended legislation to increase the reach and budget of the school feeding program by 57 percent, making it available to all students enrolled in public school. Together with United Nations Children's Fund and Survivors' Foundation, the government launched three new tools aimed at protecting children online. Moreover, Guatemala signed a cooperation agreement with the Governments of El Salvador and Honduras to strengthen efforts against trafficking in persons. 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. An insufficient number of labor inspectors and resources limit the Ministry of Labor and Social Welfare's ability to combat 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. (1,2,3) Table I provides key indicators on children's work and education in Guatemala.

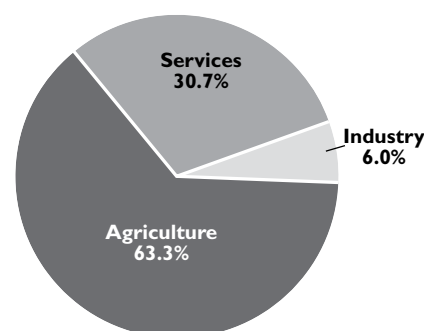
**Table I. Statistics on Children's Work and Education**

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 (%)		80.7

Source for primary completion rate: Data from 2020, published by UNESCO Institute for Statistics, 2022. (4)

Source for all other data: International Labor Organization's analysis of statistics from Encuesta Nacional de Empleo e Ingreso I (ENEI I), 2019. (5)

**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.

## SIGNIFICANT ADVANCEMENT

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

Sector/Industry	Activity
Agriculture	Planting and harvesting coffee, cacao, sugarcane, corn, broccoli, bananas, plantains, and flowers (1,2,6-10,11)
	Harvesting palm kernels and producing palm oil (6,10,12)
	Ranching, forestry, and fishing (1,13,14)
Industry	Mining,† including silver mining‡ (14,15)
	Construction (1,16)
	Production of garments, activities unknown (15)
	Manufacturing gravel (crushed stones)† and fireworks† (1,2,7,8,15,17)
Services	Domestic work and house-sitting† (8,10,18,19)
	Street work,† including vending,† performing,† cleaning windshields and windows,† begging, and shoe shining† (10,15,20,21)
	Making corn tortillas (2,8,10,16,22-24)
	Working as store clerks in small family-owned corner stores ( <i>abarroterías</i> ) (8,9,24)
	Vehicle and motorcycle repair (13,14)
	Garbage scavenging† and working in garbage dumps† (25)
	Working as servers in restaurants ( <i>comedores</i> ) (7)
Categorical Worst Forms of Child Labor‡	Forced labor in agriculture, production of garments, domestic work, street begging, making corn tortillas, and vending (1,2,3,20-22,24-28)
	Use in the production of pornography, sometimes as a result of human trafficking (1,15,21)
	Commercial sexual exploitation, sometimes as a result of human trafficking (1-3,10,13,20-22,27,28)
	Use in illicit activities, including drug trafficking, and stealing and transporting contraband as a result of criminal and gang recruitment, each sometimes as a result of human trafficking (2,13,15,20-22,24)

† 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.

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. (21,29) In agriculture, working conditions for children involve using machetes and other dangerous tools, including in the cultivation of sugarcane. (15,30) Children as young as age 5 also work in coffee fields picking and carrying heavy loads of coffee beans and mixing and applying pesticides. (31) In addition, 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. (21)

Children, both Guatemalan-born and from other countries, are victims of commercial sexual exploitation, including in sex tourism. (19,27) Guatemala is a destination country for child sex tourists from Canada, the United States, and Western Europe. (2,3) 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. (19) They are also forced to engage in street begging and vending in Guatemala City and along the border with Mexico. (3,28) Traffickers are increasingly using social media and online game applications to recruit children. (3,26) Multiple sources also indicate that children are recruited into gangs to serve as lookouts, couriers, and drug dealers, or to commit extortion. Moreover, criminal organizations, including gangs, exploit girls in sex trafficking. (1,19,21)

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. (32,33) Gangs target adolescent girls for forced commercial sex, causing them and sometimes their entire families to flee Guatemala in fear. (33) Once en route, however, girls and other children from Guatemala remain vulnerable to human trafficking and commercial sexual exploitation. (32,33)




Significant barriers to accessing education exist in Guatemala, particularly for girls, indigenous children, and children in rural areas. (1,15) Education is free in Guatemala, however, there is an insufficient number of primary and secondary schools. (21,34) A lack of teachers, schools, transportation, and sanitary facilities at public schools, all create barriers to education. (1,13,16,21) The Ministry of Education does not supply textbooks to most public schools. (16) Other barriers to education include sexual violence, insecurity, crime and violence in the school's surroundings, and the risk of suffering violence on their travel to school. (13) All these factors contribute to poor outcomes, high dropout rates, and high opportunity costs. (13,16) 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. (1,16,21,22) During the reporting period and as a result of the COVID-19 pandemic, an additional barrier to education was the students' lack of access to personal computers and Internet services. Some reports estimate that 106,000 children left school in 2020. (35) Research demonstrates that children who do not attend school are more vulnerable to child labor, including its worst forms. (36)

Reports indicate that there is a high degree of illiteracy among girls. (37,38) 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. (16,21,22) Indigenous children in general have lower enrollment rates compared to other children. There are not enough qualified teachers to provide instruction in the predominant native languages, and classroom materials available in these languages are insufficient. (15,38) According to information from the Ministry of Education, there are over one million bilingual students who speak one of the 24 national languages enrolled in public schools. The Ministry of Education reported that it developed self-learning educational materials in different Mayan languages, which were distributed as part of the virtual teaching program during 2020 and 2021. (13) In 2021, the government hired 21,321 new permanent teachers in the country, including filling vacant positions. (13)

## 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	14	Articles 31 and 148 of the Labor Code; Article 6 and 32 of Government Accord 112-2006; Ministerial Agreement Number 260-2019 (39-41)
Minimum Age for Hazardous Work	Yes	18	Article 148 of the Labor Code; Article 1 of Government Accord 250-2006 (39,42)



# Guatemala

## SIGNIFICANT ADVANCEMENT

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

Standard	Meets International Standards	Age	Legislation
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Article 4 of Ministerial Accord 154-2008 (43)
Prohibition of Forced Labor	Yes		Article 202 of the Penal Code; Article 51 of the Law of Integral Protection of Children and Adolescents; Decree 10-2015 (44-46)
Prohibition of Child Trafficking	Yes		Article 202 <i>bis</i> and <i>quater</i> of the Penal Code, as amended by Articles 47 and 48 of the Law against Sexual Violence, Exploitation, and Trafficking in Persons, No. 9-2009; Article 108 of the Migration Law (44,47,48)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Articles 36–42 of the Law against Sexual Violence, Exploitation, and Trafficking in Persons, No. 9-2009 (47)
Prohibition of Using Children in Illicit Activities	Yes		Article 27 of the Penal Code (44)
Minimum Age for Voluntary State Military Recruitment	Yes	18	Article 57 of the Law of Integral Protection of Children and Adolescents (45)
Prohibition of Compulsory Recruitment of Children by (State) Military	Yes		Articles 68 and 69 of the Constitutive Law of the Guatemalan Army (49)
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 (45,50)
Compulsory Education Age	Yes	15‡	Article 74 of the Constitution; Article 33 of the National Education Law; Ministerial Agreement 1055-2009 (50-52)
Free Public Education	Yes		Article 74 of the Constitution; Article 1 of Government Agreement 226-2008 (50,53)

‡ Age calculated based on available information (50,54)

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. (39) MTPS indicated that no such exceptions have been granted since 2016. (1,55)

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. (21,41) 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.

In September 2021, Congress passed amendments to a piece of 2017 legislation, increasing the budget allocation for the school feeding program by 57 percent starting in 2022. This amendment also allows the expansion of the school feeding program to initial school students (ages 3 to 5) and to secondary school students (ages 12 to 17) starting in 2023. (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 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. (21) Refers children found in child labor to government social services and refers complaints to the MTPS Adolescent Workers Protection Unit. (56,57) 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. (13)
National Civil Police	Investigates cases of child trafficking through the Trafficking in Persons and Forced Labor Unit located within the Special Investigation Police, and operates a hotline to receive reports of suspected child trafficking cases. Also conducts welfare inspections in child labor cases and refer cases to civil court. (13,21) In 2021, the National Civil Police (PNC) implemented the Specialized Unit Against Trafficking in Persons in Quetzaltenango which has jurisdiction in eight departments of the region, with the support of SVET and the technical-financial assistance of the U.S. Government, including the Bureau of International Narcotics and Law Enforcement and the Embassy of the United States in Guatemala. The PNC also developed and approved a Protocol for Police Action in the Investigation of Human Trafficking and Related Crimes, as a tool to improve its ability to investigate human trafficking crimes and support the work it carries out. (58)
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 Trafficking in Persons. (13) On September 29, 2021 the Public Ministry opened two new regional prosecutor's offices, expanding access to justice. One of these offices is located in the Northeast Regional Agency based in Chiquimula, this being the first prosecutor office in this Agency, while the other office is located in the Northern Regional Agency, based in Alta Verapaz. (58,92) These new Regional Prosecution Agencies will prosecute crimes related to trafficking in persons in its different forms, as well as carry out the necessary actions to identify, rescue, and attend to survivors of these crimes. (58,92)
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. (21)
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. (59,60)

### Labor Law Enforcement

In 2021, labor law enforcement agencies in Guatemala took actions to address child labor (Table 6). However, gaps exist within the operations of MTPS that may hinder adequate labor law enforcement, including insufficient inspection planning.

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

Overview of Labor Law Enforcement	2020	2021
Labor Inspectorate Funding	\$3.70 million (61)	\$4.96 million (93)
Number of Labor Inspectors	171 (16)	178 (13)
Mechanism to Assess Civil Penalties	Yes (39)	Yes (39)
Initial Training for New Labor Inspectors	No (16)	Yes (13)
Training on New Laws Related to Child Labor	N/A (16)	N/A (13)
Refresher Courses Provided	Yes (16)	Yes (13)
Number of Labor Inspections Conducted	Unknown (16,62)	Unknown (11,62)
Number Conducted at Worksite	Unknown (16,62)	Unknown (11,62)
Number of Child Labor Violations Found	14 (16)	16 (13)
Number of Child Labor Violations for Which Penalties Were Imposed	1 (16)	4 (13)
Number of Child Labor Penalties Imposed that Were Collected	0 (16)	0 (13)
Routine Inspections Conducted	Yes (16)	Yes (13)
Routine Inspections Targeted	Yes (16)	Yes (13)
Unannounced Inspections Permitted	Yes (39)	Yes (39)
Unannounced Inspections Conducted	Yes (16)	Yes (93)
Complaint Mechanism Exists	Yes (16)	Yes (13)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (16)	Yes (13)

# Guatemala

## SIGNIFICANT ADVANCEMENT

The number of labor inspections conducted during the reporting period is unknown, as the MTPS did not disaggregate their data by worksite inspections, desk audits, and conciliations. Additionally, reports indicate that there are significant issues in the way conciliations are carried out in the country. (62) In carrying out conciliations, inspectors take all allegations as true and issue remediation orders for employers without ever verifying facts. Moreover, reports indicate that in this process workers are effectively encouraged to agree to only part of the benefits owed to them, essentially relinquishing their labor rights. (11,62) In some cases, inspectors receive bribes from employers to steer workers towards settling. (62) Furthermore, inspectors don't conduct inspections in many cases, even when required to do so by law, and instead substitute conciliations for site inspections. (11,62)

In 2021, the General Labor Inspectorate conducted 2,778 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, agriculture, manufacturing and handling of explosive and pyrotechnic substances, marble shops, broccoli plantations, garbage extraction activities, manufacturing gravel (crushed stones), informal work, and other worst forms of child labor. (13) During the reporting period, 16 violations of child labor laws were found. As of November 2021, 18 children and adolescents had been removed from child labor as a result of inspections. (13)

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. (1,16,21,22) Some reports question the quality of inspections for child labor violations, particularly the scope and coverage across industries. (15) Civil society organizations state that, during worksite inspections, labor inspectors often meet only with business owners or supervisors and bypass conducting worker interviews. (6) Research indicates that labor inspectors are not appropriately trained to perform inspections for child labor. (1,7,9) 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)

In 2021, MTPS reported it purchased 28 vehicles for the labor inspectorate, as well as desks and filing cabinets for the different departmental delegations. (13) However, MTPS has indicated that the funding level is still 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 7.2 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 need to employ about 484 labor inspectors. (63,64) Even though Guatemala employs 178 labor inspectors, only about 80 labor inspectors were active during most of the reporting period. MTPS also indicated that while there are six inspectors designated to work on child labor cases in the Department of Guatemala, all labor inspectors throughout the country carry out specific child labor inspections. (13)

The government has a mechanism for filing complaints regarding child labor, but reports state that the mechanism is not efficient in responding to those complaints. (1,21,22) 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. (21) After the creation of the Inter-Institutional Coordinating Entity Against Labor Exploitation and Child Labor (CICELTI), 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) However, it is still a challenge for the government to provide services to children that are removed from child labor situations because of a lack of coordination between government agencies. (11) 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. Even though inspectors can now impose fines for labor violations, many of these fines are successfully challenged in court due to inspectors not carrying out site inspections even when required to do so by law, ultimately making the government unable to collect those fines. (62)

A comprehensive training plan for inspectors on human and labor rights started in November 2020, with support from the ILO, and concluded in November 2021. (13) Additionally, the United Nations Higher Commissioner Office of Human Rights in Guatemala provided training on "International Standards in Matters of Contemporary Slavery with Emphasis on the Agricultural Sector" in September and October of the reporting year. Some of the participants in this training included the general labor inspector, a deputy labor inspector, the departmental labor inspector delegate from Escuintla, the supervisor of Guatemala's departmental delegation, and the legal advisor from the labor inspectorate. (13)

### **Criminal Law Enforcement**

In 2021, criminal law enforcement agencies in Guatemala took actions to address child labor (Table 7). However, gaps exist within the operations of the National Civil Police 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	2020	2021
Initial Training for New Criminal Investigators	Yes (16)	Yes (13)
Training on New Laws Related to the Worst Forms of Child Labor	N/A (16)	N/A (13)
Refresher Courses Provided	Yes (16)	Yes (13)
Number of Investigations	Unknown (16)	201 (13)
Number of Violations Found	Unknown (16)	122 (13)
Number of Prosecutions Initiated	36 (16)	19 (13)
Number of Convictions	12 (16)	38 (13)
Imposed Penalties for Violations Related to the Worst Forms of Child Labor	Yes (16)	Yes (13)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (16)	Yes (13)

In 2021, the Public Ministry's prosecution office responsible for human trafficking crimes reported that it investigated 201 new cases related to the modalities of commercial sexual exploitation, pornographic performances and pornography, and labor exploitation. These cases could include one or more victims. (13) The government reported prosecuting 19 cases involving the worst forms of child labor. The Public Ministry noted that there could be one or more defendants involved in those cases. (13) There were 38 convictions related to child labor crimes, such as human trafficking, employment of minors in activities harmful for their wellbeing, and child pornography. (13)

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 survivors to serve as liaisons as they navigated proceedings and sought medical care. (2) However, communities in the interior of the country, particularly rural areas, continue to suffer from a lack of government services when compared to urban areas, including government assistance for survivors of the worst forms of child labor. (93)

In 2021, criminal law enforcement investigators received training on different criminal laws, including those related to labor exploitation and child labor. The Public Ministry reported that due to the pandemic it provided virtual training to new employees. (13) The government also reported providing workshops for Guatemala City municipal government and courts personnel about crimes related to trafficking in persons with the objective of improving the identification of cases and achieving effective criminal prosecution. The Special Prosecutor's Office Against Trafficking in Persons, especially the units against crimes related to Online Child Sexual Exploitation, received training on the use of the International Center for Missing and Exploited Children technological tool, to better address crimes related to children and adolescents online. (58) Through programs that cover the prevention and detection of trafficking in persons, as well as support for survivors, the government carried out trainings for 966 government employees, including professional and political staff from the Public Ministry, the Ministry of Foreign Affairs, Sexual Violence, Exploitation, and Trafficking in Persons (SVET), the Human Rights Ombudsman's office, and the Solicitor General's office. SVET was the largest implementer of training, carrying out most of the training for the 966 officials through standard instructional formats. (58)

# Guatemala

## SIGNIFICANT ADVANCEMENT

In order to increase the coordination of the Referral Network for victims of crime, the Public Ministry established a messaging system to support regular and direct communication between the different institutions that offer attention to survivors. (58) Additionally, 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)

In 2021, the Supreme Court of Justice instituted in the Department of Totonicapán a court for children and adolescents in conflict with the criminal law. This court is tasked with ensuring the superior well-being of children and adolescents subjected to criminal proceedings. (13,94) The Supreme Court of Justice also instituted a 24-hour first-instance criminal court with specific jurisdiction to hear offenses committed against children and adolescents that incorporates in its mission the Model for Comprehensive Care of Children and Adolescents (MAINA). (13)

Although 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. (1,22) Law enforcement agencies also lack sufficient vehicles, fuel, and criminal investigators, particularly outside Guatemala City. (15) MTPS has noted that resources are inadequate to carry out complex criminal investigations and to sufficiently address the different modalities of trafficking in persons crimes. (1,13) This concern 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 lack of coordination between agencies and civil society.

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

Coordinating Body	Role & Description
Specific Cabinet on Social Development (GEDS)	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. (21) During the reporting period, efforts included: launching the International Year for the Elimination of Child Labor; working in the construction of the National Strategy and Plan for the Prevention and Eradication of Child Labor and Protection of Adolescent Workers; and working in the construction of strategic lines of the Road Map 2021–2025 within the framework of the Alliance 8.7 of the Regional Initiative Latin America and the Caribbean Free of Child Labor. (13)
Departmental Committees for the Eradication of Child Labor (CODEPETI)	Coordinate 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. (13) In 2021, carried out regional workshops with the Ministry of Labor, civil society, cooperation agencies, representatives from the private and labor sector, and representatives from several Mayan communities. (13)
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. (13,65) 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. (65) Launched 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. (28,66) On July 30, 2021, presented its semi-annual work report for the first half of the year. This report highlighted the achievements and advances made by the government in their work to address human trafficking. (67) Together with UNICEF and Survivors' Foundation ( <i>Fundación Sobrevivientes</i> ), a civil society organization, launched three new tools aimed at protecting children online. (68) They are aimed at providing information on how to safely navigate the web to parents, caregivers, and the children and adolescent themselves. The tools consist of a youth consultation hotline, accessible through Facebook Messenger and WhatsApp, a website, and a phone app. (68)



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

Coordinating Body	Role & Description
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 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 2021, it continued to carry out coordinated work, and received 153 complaints through its platform, of which 34 were referred to Attorney General's Office and 60 to the Public Ministry; the remaining 59 were not related to labor exploitation or child labor. (13) The Attorney General's Office, Public Ministry, MTPS, and the Ministry of Health rescued 14 minors as of November 29, 2021 in the seven joint operations it carried out through the country. (13) Additionally, carried out activities to identify and combat labor exploitation in its different modalities. Some of the activities included meetings to support the fight against child labor in fireworks production with the mayors from San Juan Sacatepequez and San Raymundo of the department of Guatemala. (13) Met with the mayor from Coban, Alta Verapaz to support the encouragement of complaints to combat child labor in that municipality. (13)
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. (18) 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. (18) Worked on the creation of alerts of sexual offenders, including carrying out discussions on the operations and entities participating in the creation of the alert, as well as updated information on the creation of the sexual offender alert during the reporting period. (13) Strengthened the prevention mechanism for the identification of children and adolescents in sexual exploitation in travel and tourism. Additionally, established a communication strategy during the Easter period to inform people on prevention of sexual exploitation. (13) The strategy included social media messages, which reached 21,257 people. (13)

\* 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. (43,69)

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. 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, reporting indicates that SVET lacks political support from other parts of the government, even though it plays a significant role in combating human trafficking in Guatemala. (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 a lack of implementation of key national policies.

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

Policy	Description
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. (71,72) Research was unable to determine whether activities were undertaken to implement this policy in 2021.
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 human trafficking. (18,43,72) Research was unable to determine whether activities were undertaken to implement this policy in 2021.
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. Includes a National Plan of Strategic Action that directs the government's actions on preventing and combating human trafficking. (73) In 2021, MTPS, SVET, and the Ministry of Government with the endorsement of the Political Science School of the University of San Carlos coordinated with the Sub Directorate of Studies and Doctrine to carry out a training plan with the National Civil Police (PNC) on preventing and addressing exploitation, trafficking in persons, and the worst forms of child labor. (13) The training was on the prevention and elimination of exploitation, trafficking in persons, and the worst forms of child labor. During the reporting period, 60 PNC officers completed 12 eight-hour training sessions. (13)

# Guatemala

## SIGNIFICANT ADVANCEMENT

In 2021, the government of Guatemala signed a cooperation agreement with the governments of El Salvador and Honduras to increase efforts against trafficking in persons. This cooperation agreement strengthens the existing coordination with prosecutors in the region on investigations, search and rescue of victims, repatriation or return of nationals or foreign victims, legal protection of victims, and collection of evidence. (74,75)

Guatemala is a member of the global platform Alliance 8.7. As such, Guatemala is committed to achieve goal 8.7 for a world free of forced labor, modern slavery, and human trafficking. (13) In 2021, as part of inter-institutional coordination and with a tripartite approach, employers, workers, and government representatives held virtual meetings to monitor Guatemala's commitments as a pioneer country and to coordinate the strategic planning workshop as a basis for the fulfillment of those commitments. Participants in these meetings also reviewed and validated the report "The Strategic Lines for the Construction of a Roadmap to make Guatemala a Country Free of Child Labor and its Worst Forms 2021–2025." (13,76)

## VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2021, 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 inadequacy of efforts to address the problem in all sectors.

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

Program	Description
Ministry of Development's 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. (22) Conditional Cash Transfers for Food Assistance Program ( <i>Mi Bolsa Social</i> ) provides food assistance to poor families, with the requirement that their children attend school. (22,77) Social Dining Hall ( <i>Mi Comedor Social</i> ) provides access to food for people in situations of poverty, crisis, and emergency, including children. (16,77) Reports indicate all these programs remained active in 2021. (13)
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. (22,78) Goals include generating conditions to achieve competency in reading and writing, providing teacher training, conducting diagnostic evaluations, and supplying educational materials and pedagogical support. (78,79) Aims to serve 35,000 first grade students. (79) Relaunched in 2019 through Ministerial Accord 2669-2019 with a focus on improving indicators of success and conditions for learning for first graders. (80) Research was unable to determine whether actions were undertaken to implement this program during the reporting period.
Mobile Units for the Prevention of Sexual Violence, Exploitation and Human Trafficking (UNIVET)*	Established in October 2021 by SVET, with support from UNHCR. Consists of a fleet of seven vehicles that travel to areas in the country with little national government presence, with the aim of preventing and creating awareness about crimes related to exploitation, trafficking in persons, and sexual violence. (58,81,93) Carries out detection and awareness trainings on trafficking in persons within rural and often remote communities. Provides referral services to survivors of crimes of trafficking in persons. (58) Funded through bilateral and multilateral donors. (58) In the last four months of 2021, a total of 1,470 local government officials received training through the mobile training units. (58)
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. (82,83) Reports indicate this program was active in 2021, 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. (84) The nature of these adjustments is unknown. Held virtual meetings once a month during the reporting period. (84)

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

Program	Description
USDOL-Funded Projects	Projects that aim to reduce the incidence of child labor, including: Increasing Collective Action to Address Child Labor, Forced Labor, and Other Unacceptable Conditions of Work in El Salvador, Guatemala, and Honduras (2021–2026), a \$8.4 million project implemented by Pan American Development Foundation in El Salvador, Guatemala, and Honduras; and Measurement, Awareness-Raising, and Policy Engagement Project on Child Labor and Forced Labor (MAP 16) (2016–2022), a \$22.4 million global project implemented by ILO. The MAP 16 project has contributed to some efforts undertaken by Regional Initiative Latin America and the Caribbean Free of Child Labour (RILAC), which has developed the Child Labor Risk Identification Model (MIRTI). As a result of this, in 2021 the Government of Guatemala announced the creation of Comprehensive Care Centers for the Prevention and Eradication of Child Labor (CAIPETI) in all the departments of the country. (85,86) In this announcement the government highlighted that the aim is to open at least one of these centers in each department, while focusing first in establishing centers in the municipalities identified as the ones with the highest risk of child labor according to MIRTI. These centers have the objective of keeping children in high-risk communities in school, as well as return working children and adolescents to school and to provide them with comprehensive care. (85,86) Parents will also be able to leave their children at these centers while they work in order to prevent child labor. (86) Reporting indicates that they have begun opening these care centers in several areas of the country already. (85,86,87) Additional information is available on the USDOL website.

\* Program was launched during the reporting period.

† 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. (13,26,28,58,71)

Despite cessation of in-person educational programs due to the pandemic, the Ministry of Education spent about \$245.2 million to continue the school feeding program through the distribution of fresh and non-perishable food to 2.6 million public school students in 2021. It also continued funding for school textbooks and supplies, as well as the school health insurance program. (13) The Ministry of Education reported that the number of students enrolled in public schools increased from 2.5 million in 2020 to 2.6 million in 2021, due to the assistance of its support programs. However, given the scope and magnitude of the problem, the programs described are not sufficient to significantly reduce the incidence of child labor. (13) The Secretariat of Social Wellbeing continued strengthening existing social programs such as the specialized program for childhood and adolescence victims of sexual violence, exploitation, and human trafficking. (13)

Through SVET and the Office of the Human Rights Ombudsman, the government continuously carry out human trafficking awareness campaigns that aim to educate the public about trafficking in persons issues. (28) In 2021, as part of the Blue Heart (*Corazón Azul*) campaign new alliances were established with departmental governors, municipal mayors, and indigenous organizations and leaders, such as the President and Board of Directors of the Forty-Eight Cantons of Totonicapán. The campaign raises awareness about human trafficking and coordinates government and social responses to crimes related to trafficking in persons. (58)

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. (1,16,21) 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)

On June 21, 2021, a new law came into effect in Guatemala that requires NGOs to be registered, report their donations, and allow their financial accounts to be inspected. (88,89) Under certain circumstances, it would allow the government to control and monitor the NGOs, as well as dissolve them if their activities might "alter the public order". It also allows for the prosecution of the NGOs' directors. (88,89) Civil society organizations in Guatemala and international organizations have raised concerns about the significant negative impact this new law could have in the ability of civil society organizations, including those working on children's issues, to carry out their work. As such, this risk could also increase the vulnerability of children to exploitation. (88-90) Critics say the new law could serve as an opening to impose arbitrary limits on NGOs activities, and as a means to criminalize the activities of human rights defenders and civil society in general. (89)

# Guatemala

## SIGNIFICANT ADVANCEMENT

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. (28,37) In addition, the environment for the implementation of social programs that address child labor remains unsafe, and the government has done little to investigate or prevent further instances of threats, intimidation, and violence—such as the murders of individuals working on social programs, including NGO officials, human rights workers, judges, and labor activists. (91)

## 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 – 2021
	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 – 2021
	Clarify whether Ministerial Agreement 260-2019 raises the minimum working age to 15.	2019 – 2021
Enforcement	Strengthen the inspectorate to include more on-site investigations of worksites.	2021
	Ensure that conciliations are properly conducted and in accordance with the labor code.	2021
	Ensure that inspectors carry out inspections in the informal sector, an area in which child labor is known to occur.	2018 – 2021
	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 – 2021
	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 – 2021
	Provide sufficient funding and resources to the labor inspectorate to ensure operational needs are met.	2017 – 2021
	Increase the number of labor inspectors to meet the ILO's technical advice.	2015 – 2021
	Improve effectiveness of child labor complaint and referral mechanisms to ensure timely responses to complaints.	2018 – 2021
	Collect and report data on the total amount in fines collected in relation to child labor violations.	2019 – 2021
	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 – 2021
	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 – 2021
	Ensure that criminal investigators have sufficient resources and staff to conduct quality criminal investigations in all geographical areas of the country, such as assigning a budget specifically to the Special Prosecutor's Office Against Human Trafficking.	2009 – 2021
Coordination	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 – 2021
	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 – 2021
Government Policies	Ensure that activities are undertaken to implement the key policies related to child labor and that data on these activities to address child labor are published during the reporting period.	2017 – 2021
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, increasing security, providing textbooks to all public schools, and removing school fees and transportation costs.	2015 – 2021
	Ensure that students have access and equipment for remote education, when necessary.	2021
	Ensure that children removed from child labor and exploitation situations are provided with adequate social services.	2021
	Ensure that social programs are implemented, well-funded, able to carry out their objectives and reach populations outside urban centers, and report on yearly activities.	2018 – 2021
	Initiate social programs to address child labor in agriculture and domestic work, and for children who perform other types of hazardous work.	2009 – 2021

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

Area	Suggested Action	Year(s) Suggested
Social Programs	Regularly monitor the effectiveness and impact of social programs such as awareness campaigns beyond number of citizens reached.	2017 – 2021
	Ensure that civil society organizations and NGOs are able to carry out their work freely and independently.	2021
	Ensure high standards of safety and care for children in government-run shelters.	2016 – 2021
	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 – 2021

## REFERENCES

- 1 U.S. Embassy- Guatemala City. Reporting. February 28, 2019.
- 2 U.S. Department of State. Trafficking in Persons Report- 2020: Guatemala. Washington, DC, June 25, 2020. <https://www.state.gov/reports/2020-trafficking-in-persons-report/guatemala/>
- 3 U.S. Embassy- Guatemala City. Reporting. February 11, 2021.
- 4 UNESCO Institute for Statistics. Gross intake ratio to the last grade of primary education, both sexes (%). Accessed March 3, 2022. For more information, please see "Children's Work and Education Statistics: Sources and Definitions" in the Reference Materials section of this report. <http://data.uis.unesco.org/>
- 5 ILO. Analysis of Child Economic Activity and School Attendance Statistics from National Household or Child Labor Surveys. Original data from Encuesta Nacional de Empleo e Ingreso I (ENEI I), 2019. Analysis received March 2022. For more information, please see "Children's Work and Education Statistics: Sources and Definitions" in the Reference Materials section of this report.
- 6 PDH official. Interview with USDOL official. April 4, 2018.
- 7 NGO official. Interview with USDOL official (A). April 2, 2018.
- 8 Save the Children official. Interview with USDOL official. April 3, 2018.
- 9 UN Office of the High Commissioner for Human Rights official. Interview with USDOL official. April 6, 2018.
- 10 NGO official. Interview with USDOL official (B). April 2, 2018.
- 11 U.S. Embassy- Guatemala City official. E-mail communication to USDOL official. December 9, 2021.
- 12 Human Rights Ombudsman (PDH) official. Interview with USDOL official. April 4, 2018.
- 13 U.S. Embassy- Guatemala City. Reporting. January 13, 2022 (A).
- 14 U.S. Embassy- Guatemala City. Reporting. January 13, 2022 (B).
- 15 U.S. Embassy- Guatemala City. Reporting. February 7, 2017.
- 16 U.S. Embassy- Guatemala City. Reporting. January 15, 2021.
- 17 Arias, Rodrigo. Al menos 790 mil menores trabajan en Guatemala. El Siglo, June 12, 2017. <https://elsiglo.com.gt/2017/06/12/al-menos-790-mil-menores-trabajan-en-guatemala/>
- 18 U.S. Embassy- Guatemala City. Reporting. February 7, 2017.
- 19 U.S. Department of State. Trafficking in Persons Report- 2019: Guatemala. Washington, DC, June 20, 2019. <https://www.state.gov/reports/2019-trafficking-in-persons-report-2/guatemala/>
- 20 SVET official. Interview with USDOL official. April 3, 2018.
- 21 U.S. Embassy- Guatemala City. Reporting. February 10, 2020.
- 22 U.S. Embassy- Guatemala City. Reporting. January 18, 2018.
- 23 Agence France-Presse. Police rescue 22 children from forced labor in Guatemala. May 31, 2017. Source on file.
- 24 Special Prosecutor Against TIP official. Interview with USDOL official. April 3, 2018.
- 25 Government of Guatemala. IGT Realiza Operativos de Inspección para Eliminar Peores Formas de Trabajo Infantil en Basureros de la Zona 3 Capitalina y Villa Nueva. MTPS. November 9, 2021. <https://prensa.gob.gt/comunicado/igt-realiza-operativos-de-inspeccion-para-eliminar-peores-formas-de-trabajo-infantil-en>
- 26 U.S. Embassy- Guatemala City. Reporting. February 16, 2018.
- 27 U.S. Embassy- Guatemala City. Reporting. April 12, 2019.
- 28 U.S. Embassy- Guatemala City. Reporting. February 14, 2020.
- 29 Government of Guatemala. Annex I--ENEI Statistical Information on Child Labor 2015–2017. 2019. Source on file.
- 30 U.S. Embassy- Guatemala City official. E-mail communication to USDOL official. June 26, 2020.
- 31 Dispatches. Starbucks and Nespresso: The Truth about your Coffee. Channel 4 UK. March 2, 2020. <https://www.youtube.com/watch?v=h7R0lJ2aZo>.
- 32 UNICEF. Migración de Niñas, Niños y Adolescentes. Accessed May 27, 2021. <https://www.unicef.org/guatemala/migración-de-niñas-niños-y-adolescentes>
- 33 Ayala, Edgardo. Central America – Fertile Ground for Human Trafficking. Inter Press Service News Agency, November 8, 2019. <http://www.ipsnews.net/2019/11/central-america-fertile-ground-human-trafficking/>
- 34 Ministry of Education official. Interview with USDOL official. April 6, 2018.
- 35 Mahtani, Noor. El Trabajo que le Robó la Infancia a Óscar. El País, March 25, 2021. <https://elpais.com/planeta-futuro/2021-03-25/el-trabajo-que-le-robo-la-infancia-a-oscar.html>
- 36 Radfar, Amir; Asgharzadeh, Seyed Ahmad Ahmadi; Quesada, Fernando; and Filip, Irina. Challenges and Perspectives of Child Labor. Industrial Psychiatry Journal. 2018. <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC6198592/?report=printable>
- 37 Alianza Estrategica Mujeres CEDAW Guatemala. 8° y 9° Informe Alternativo. October 2017. Source on file.
- 38 Government of Guatemala. Guatemala Annual Report. May 2017. Source on file.
- 39 Government of Guatemala. Código de Trabajo de la República de Guatemala. Enacted: 1995. <http://www.lexadin.nl/wlg/legis/nofr/oeur/arch/gua/ct.pdf>
- 40 Government of Guatemala. Acuerdo Gubernativo No. 112-2006 (Protección Laboral de la Niñez y Adolescencia). Enacted: 2006. [http://www.ilo.org/dyn/travail/docs/2098/Protección laboral de la niñez y adolescencia.pdf](http://www.ilo.org/dyn/travail/docs/2098/Protección%20laboral%20de%20la%20niñez%20y%20adolescencia.pdf)
- 41 Government of Guatemala. Ministerial Agreement Number 260-2019. Guatemala City: Ministry of Labor and Social Welfare, June 21, 2019. Source on file. [https://www.mintrabajo.gob.gt/images/Documentacion/Acuerdos\\_Ministeriales/2019/Acuerdo\\_Ministerial\\_260-2019.pdf](https://www.mintrabajo.gob.gt/images/Documentacion/Acuerdos_Ministeriales/2019/Acuerdo_Ministerial_260-2019.pdf)
- 42 Government of Guatemala. Acuerdo Gubernativo No. 250-2006. Enacted: May 18, 2006. [http://www2.congreso.gob.pe/Sicr/Comisiones/2007/ComRevNinAdo.nsf/34069c3bb71c123b05256f470062fea7/04BDED74D31FD9F3052574640067D12D/\\$FILE/GuatemalaAcuerdoGubernativo250Convenio182.pdf](http://www2.congreso.gob.pe/Sicr/Comisiones/2007/ComRevNinAdo.nsf/34069c3bb71c123b05256f470062fea7/04BDED74D31FD9F3052574640067D12D/$FILE/GuatemalaAcuerdoGubernativo250Convenio182.pdf)
- 43 Government of Guatemala. Intrainstitutional Protocol, No. 154-2008. Enacted 2008. Source on file.
- 44 Government of Guatemala. Código Penal, Decreto No. 17-73. Enacted: 1973. [https://oig.cepal.org/sites/default/files/2005\\_gtm\\_d17-73.pdf](https://oig.cepal.org/sites/default/files/2005_gtm_d17-73.pdf)



## SIGNIFICANT ADVANCEMENT

- 45 Government of Guatemala. Ley de Protección Integral de la Niñez y Adolescencia. Enacted: 2003. Source on file.
- 46 Government of Guatemala. Decreto Número 10-2015. Enacted: December 8, 2015.  
<http://www.acnur.org/fileadmin/scripts/doc.php?file=fileadmin/Documentos/BDL/2016/10462>
- 47 Government of Guatemala. Ley contra la Violencia Sexual, Explotación y Trata de Personas, No. 9-2009. Enacted: March 20, 2009. Source on file.
- 48 Government of Guatemala. Ley de Migración, Decreto No. 95-98. Enacted: November 26, 1998.  
[https://www.oas.org/dil/Migrants/Guatemala/Decreto N° 95-98 -Ley de Migración de Guatemala.pdf](https://www.oas.org/dil/Migrants/Guatemala/Decreto%20N%2595-98-Ley%20de%20Migraci%2593n%20de%20Guatemala.pdf)
- 49 Government of Guatemala. Ley Constitutiva del Ejército de Guatemala, Decreto No. 72-90. Enacted: 1990.  
<https://archivos.juridicas.unam.mx/www/bjv/libros/5/2048/8.pdf>
- 50 Government of Guatemala. Constitución Política reformada por Acuerdo Legislativo No. 18-93 del 17 de Noviembre de 1993. Enacted 1985, Reformed: November 17, 1993.  
<http://pdpa.georgetown.edu/Constitutions/Guate/guate93.html>
- 51 Government of Guatemala. Decreto Legislativo No. 12-9, Ley de Educación Nacional. Enacted: January 12, 1991.  
[https://siteal.iiep.unesco.org/sites/default/files/sit\\_accion\\_files/siteal\\_guatemala\\_0739.pdf](https://siteal.iiep.unesco.org/sites/default/files/sit_accion_files/siteal_guatemala_0739.pdf)
- 52 Government of Guatemala. Acuerdo Ministerial 1055. 2009.  
<https://www.scribd.com/document/135515861/ACUERDO-1055-2009>
- 53 Government of Guatemala. Acuerdo Gubernativo 226-2008. Enacted: 2008. Source on file.
- 54 Ministerio de Educación. Sistema Nacional de Indicadores Educativos. February 2013. Source on file.
- 55 Ministry of Labor official. Interview with USDOL official. April 3, 2018.
- 56 Government of Guatemala. Acuerdo Ministerial 128-2009. Enacted: July 8, 2009.  
[http://www.ilo.org/dyn/travail/docs/2092/ACUERDO\\_Ministerio\\_128-2009.pdf](http://www.ilo.org/dyn/travail/docs/2092/ACUERDO_Ministerio_128-2009.pdf)
- 57 Government of Guatemala. Protocolos de Inspección Guatemala: Buenas Prácticas, Verificación, Investigación. 2008. Source on file.
- 58 U.S. Embassy- Guatemala City. Reporting. March 15, 2022.
- 59 Secretaría de Bienestar Social, ILO-IPEC, and ECPAT Guatemala. Protocolo para la detección y atención integral a niñas, niños, y adolescentes víctimas de explotación sexual comercial. January 4, 2007.  
<http://www.ilo.org/ipecinfo/product/viewProduct.do?productid=6621>
- 60 Government of Guatemala. "Quiénes somos?". Secretariat of Social Welfare. (n.d.)  
<http://www.sbs.gob.gt/quienes-somos/>
- 61 U.S. Embassy- Guatemala City official. E-mail communication to USDOL official. July 1, 2021.
- 62 U.S. Embassy- Guatemala City official. E-mail communication to USDOL official. February 25, 2022.
- 63 ILO Labor Force Statistics (LFS) – Population and labour force. Accessed (January 25, 2022). Labor force data is government-reported data collected by the ILO. Please see "Labor Law Enforcement: Sources and Definitions" in the Reference Materials section of this report.  
<https://ilostat.ilo.org/data/>
- 64 UN. World Economic Situation and Prospects 2021 Statistical Annex. New York, 2021. Please see "Labor Law Enforcement: Sources and Definitions" in the Reference Materials section of this report.  
<https://www.un-ilibrary.org/content/books/9789210054980/read>
- 65 Government of Guatemala. "Quiénes Somos?". Secretariat Against Sexual Violence, Exploitation, and Human Trafficking. (n.d.)  
<https://svet.gob.gt/quienes-somos/>
- 66 Government of Guatemala. Reunión de Alto Nivel Comisión Interinstitucional Contra la Trata de Personas. February 27, 2020. Source on file.
- 67 Villagrán, Gustavo. SVET Presenta Informe Semestral de Trabajo. Diario de Centro América. August 2, 2021.  
<https://dca.gob.gt/noticias-guatemala-diario-centro-america/svet-presenta-informe-semestral-de-trabajo/>
- 68 UNICEF La SVET, Fundación Sobrevivientes y UNICEF Lanzan Herramientas para Proteger a las Niñas, Niños y Adolescentes en Línea. October 26, 2021.  
[https://www.unicef.org/guatemala/comunicados-prensa/la-svet-fundación-sobrevivientes-y-unicef-lanzan-herramientas-para-proteger-las](https://www.unicef.org/guatemala/comunicados-prensa/la-svet-fundaci%2593n-sobrevivientes-y-unicef-lanzan-herramientas-para-proteger-las)
- 69 U.S. Embassy- Guatemala City official. E-mail communication to USDOL official. July 2, 2019.
- 70 Government of Guatemala. Hoja de Ruta Para Hacer de Guatemala un País Libre de Trabajo Infantil y Sus Peores Formas (2016–2020). December 12, 2016. Source on file.
- 71 U.S. Embassy- Guatemala City official. E-mail communication to USDOL official. April 25, 2018.
- 72 U.S. Embassy- Guatemala City official. E-mail communication to USDOL official. June 22, 2017.
- 73 Government of Guatemala. Política Pública contra la Trata de Personas y Protección Integral de las Víctimas (2014–2024). 2014. Source on file.
- 74 Government of El Salvador. Sign Important Agreement Against Human Trafficking. Ministry of Justice and Public Security. July 1, 2021.  
<https://www.seguridad.gob.sv/firman-importante-convenio-contra-la-trata-de-personas/>
- 75 Government of Guatemala. Firma de Convenio Interinstitucional Entre Guatemala, El Salvador y Honduras. July 1, 2021.  
<https://vicepresidencia.gob.gt/noticias/Jue-01072021-1255/Firma-de-Convenio-Interinstitucional-entre-Guatemala-El-Salvador-y>
- 76 Government of Guatemala. Mintrab Presenta Resultados de la Fase de Construcción de Plan para Prevención y Erradicación del Trabajo Infantil y Protección del Adolescente Trabajador. December 7, 2021.  
<https://prensa.gob.gt/comunicado/mintrab-presenta-resultados-de-la-fase-de-construccion-de-plan-para-prevencion-y>
- 77 MIDES official. E-mail communication to USDOL official. May 3, 2018.
- 78 Government of Guatemala—Ministry of Education. Estrategia Comprometidos con Primero. April 2017. Source on file.
- 79 Empresarios por la Educación. El MINEDUC "Comprometidos con primero". Accessed January 29, 2018.  
<http://www.empresariosporlaeducacion.org/content/mineduc-lanza-comprometidos-con-primero>
- 80 TN23 Todo Noticias. Mineduc crea programa para mejorar indicadores de éxito escolar en primero primaria. September 19, 2019.  
<https://www.tn23.tv/2019/09/19/mineduc-crea-programa-para-mejorar-indicadores-de-exito-escolar-en-primero-primaria/>
- 81 U.N. High Commissioner for Refugees. Guatemala: Con Unidades Móviles, Se Busca Prevenir la Violencia Sexual, Explotación y Trata de Personas. August 27, 2021.  
<https://www.acnur.org/noticias/press/2021/8/612930484/guatemala-con-unidades-moviles-se-busca-prevenir-la-violencia-sexual-explotacion.html>
- 82 Government of Guatemala. Annual Report on Child Labor. December 14, 2016. Source on file.
- 83 Cámara del Agro. Declaración del Compromiso de la Red Empresarial para la Prevención y Erradicación del Trabajo Infantil en Guatemala: "Los niños y las niñas a la Escuela". March 3, 2015.  
[https://www.camaradelagro.org/wp-content/uploads/sites/24/2017/12/Declaración-Red-Empresarial-Contra-el-Trabajo-Infantil.pdf](https://www.camaradelagro.org/wp-content/uploads/sites/24/2017/12/Declaraci%2593n-Red-Empresarial-Contra-el-Trabajo-Infantil.pdf)
- 84 Cámara del Agro. 2021 Cámara del Agro Guatemala Report. 2021. Source on file.
- 85 Government of Guatemala. Mintrab inaugura Centro de Atención Integral para la Prevención y Erradicación del Trabajo Infantil en Sacatepéquez. November 19, 2021.  
<https://prensa.gob.gt/comunicado/mintrab-inaugura-centro-de-atencion-integral-para-la-prevencion-y-erradicacion-del>

- 86 Government of Guatemala. Ministerio de Trabajo y Previsión Social Anuncia Diversas Acciones para la Prevención y Erradicación del Trabajo Infantil. June 17, 2021. <https://prensa.gob.gt/comunicado/ministerio-de-trabajo-y-prevision-social-anuncia-diversas-acciones-para-la-prevencion-y>
- 87 Government of Guatemala. Mintrab inaugura Centro de Atención Integral para la Prevención y Erradicación del Trabajo Infantil en Huité. December 3, 2021. <https://prensa.gob.gt/comunicado/mintrab-inaugura-centro-de-atencion-integral-para-la-prevencion-y-erradicacion-del-0>
- 88 Menchu, Sofia. Guatemala's Top Court Backs Controversial NGO Law, Overturns Past Ruling. Guatemala City: Reuters. May 12, 2021. <https://www.reuters.com/world/americas/guatemalas-top-court-backs-controversial-ngo-law-overturns-past-ruling-2021-05-13/>
- 89 Office of the United Nations High Commissioner for Human Rights. Guatemala: UN and OAS Experts Sound Alarm About 'Choking' NGO Law. July 1, 2021. <https://www.ohchr.org/en/press-releases/2021/07/guatemala-un-and-oas-experts-sound-alarm-about-choking-ngo-law>
- 90 Network in Solidarity with the People of Guatemala. Over 70 Organizations Express Concern Regarding Reforms to Guatemala's NGO Law. June 25, 2021. <https://nigua.org/70-org-concerns-guate-ngo-law/>
- 91 U.S. Department of State. Country Reports on Human Rights Practices-2017: Guatemala. Washington, DC, April 20, 2018. <https://www.state.gov/reports/2017-country-reports-on-human-rights-practices/guatemala/>
- 92 Government of Guatemala. Ministerio Público Fortalece el Combate Contra la Trata de Personas a Través de la Inauguración de dos Agencias Fiscales en Alta Verapaz y Chiquimula. September 29, 2021. <https://www.mp.gob.gt/noticia/ministerio-publico-fortalece-el-combate-contra-la-trata-de-personas-a-traves-de-la-inauguracion-de-dos-agencias-fiscales-en-alta-verapaz-y-chiquimula/>
- 93 U.S. Embassy- Guatemala City official. E-mail communication to USDOL official. July 8, 2022.
- 94 Valencia, Angélica. Inauguran Juzgado de la Niñez y Adolescencia y Adolescentes en Conflicto con la Ley Penal en Totonicapán. La Voz de Xela. November 18, 2021. <https://lavozdexela.com/noticias/inauguran-juzgado-de-la-ninez-y-adolescencia-y-adolescentes-en-conflicto-con-la-ley-penal-en-totonicapan/>

In 2021, Guinea made moderate advancement in efforts to eliminate the worst forms of child labor. For the first time, it provided a dedicated budget for the National Committee to Combat Trafficking in Persons and Similar Practices and set up a national hotline to report violations, including those related to labor and trafficking in persons. The government also issued an Emergency Action Plan, as a supplement to the 2020–2022 National Action Plan for Trafficking in Persons, to address the 11 priority recommendations highlighted in the 2021 U.S. Department of State Trafficking in Persons Report. 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. On September 5th, the military launched a coup, seized control of the state, and dissolved the Constitution. The coup and the resulting changes in government likely impacted the ability of the Government of Guinea to fully engage in addressing the worst forms of child labor.



## 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 (%)		59.4

Source for primary completion rate: Data from 2020, published by UNESCO Institute for Statistics, 2022. (4)

Source for all other data: International Labor Organization's analysis of statistics from the Multiple Indicator Cluster Survey 5 (MICS5), 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 cashews, cocoa, coffee, rubber, and palm oil (1,6,7)
	Herding livestock (1,2)
	Capturing and processing fish, sometimes with exposure to inclement weather, dangerous water surfaces, dangerous equipment, poor sanitation, and lack of fresh food and water (1,2,8)
Industry	Mining† granite, gold, and diamonds, including handling toxic chemicals, and quarrying gravel (1,2,9-14)
	Manufacturing, including soapmaking and dyeing, sometimes working with hazardous chemicals (2)
	Construction,† including carrying heavy loads, operating machinery, and fabricating construction materials, such as bricks (15-18)

# Guinea

## MODERATE ADVANCEMENT

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

Sector/Industry	Activity
Services	Street work, including vending, begging, petty trading, shoe shining, and porting in the transportation sector (2,9,10,16,19,20)
	Working in restaurants (2)
	Domestic work (1,2,9,10,21)
Categorical Worst Forms of Child Labor†	Forced labor in market vending, domestic work, artisanal mining, herding, fishing, and farming (1,2,15)
	Commercial sexual exploitation, sometimes as a result of human trafficking (1-3)
	Forced begging (1,15,22)

† 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.

Guinea is a source, destination, and transit country for child trafficking. Guinean girls are often subjected to domestic work and commercial sexual exploitation in various West African, Middle Eastern and European countries, while Guinean boys are subjected to forced labor in gold and diamond mines across West Africa. (1,23,24) Within Guinea, children are subjected to the worst forms of child labor in the artisanal gold and diamond mining sectors. (2,9,13,23,24) Children in the artisanal mining sector are subjected to forced labor and to hazardous conditions, including frequent collapses of open pit mines and use of dangerous chemicals. (2,19) Research indicated that during the COVID-19 pandemic, more children and families moved to the gold mining regions, and a rising number of children have been subjected to forced labor in gold mining. In addition, the commercial sexual exploitation of children is common in the capital city of Conakry and in the mining regions. (15,23) 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 for the children in exchange for housework. In practice, some of these children receive care and an education, but many are subjected to abuse, forced labor in domestic work, and forced begging. (12,25)




Children in Guinea are sometimes subjected to forced begging, and research indicates that albino children are particularly vulnerable. In certain cases, traffickers promised to enroll the children in school, but instead they subjected the children to forced begging in Conakry. (2,15,20,23) Families send their children to Koranic schools, where they are to receive education from teachers known as marabouts. Often the marabouts force the boys to beg on the street. (1,2,23)

Significant factors hinder access to education and therefore leave children vulnerable to child labor. Two out of five children do not attend school. (22) Barriers to education include the limited number of public schools, poor school infrastructure and sanitation, lack of transportation, and the lack of teachers (particularly in rural areas). (2,15,26) Guinean families must pay school fees and other indirect costs, which can be prohibitively expensive. (2,19) Girls sometimes leave school early due to cultural barriers, pregnancy, and sexual harassment at school. (26) Finally, since children are required to have birth registration to attend school, some unregistered children are unable to access education. (27,28) Since the passage of the revised Children's Code in March 2020, the government has carried out multiple birth registration campaigns to provide documentation to children. (2)

## 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	Articles 121.4 and 137.5 of the Labor Code; Article 919 of the Children's Code (29,30)
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 Children's Code (17,29,30)
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 Children's Code (17,29,30,31)
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 Children's Code (29,30,32)
Prohibition of Child Trafficking	Yes		Articles 195, 323, and 324 of the Penal Code; Articles 893–901 and 912 of the Children's Code (29,32)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Articles 346–348 and 355 of the Penal Code; Articles 820 and 852–856 of the Children's Code (29,32)
Prohibition of Using Children in Illicit Activities	Yes		Article 137.6 of the Labor Code; Article 890 of the Children's Code; Article 344 of the Penal Code (29,30,32)
Minimum Age for Voluntary State Military Recruitment	Yes	18	Article 941 of the Children's Code (29)
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 Children's Code (29,32)
Compulsory Education Age	Yes	16	Article 6, Title I of Education Decree 97 (33)
Free Public Education	No		

\* Country has no conscription (34)

The revised Children's Code and the Labor Code allow children between the ages of 12 and 14 to perform light work, which does not meet international standards as it applies to children under the age of 13. (29,30) 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. (29,30) The updated Constitution, enacted in 2020, stipulated free education up to the age of 16 under conditions provided by the law; however, the government



# Guinea

## MODERATE ADVANCEMENT

did not enact legislation to institute free basic education standards within Guinea's legal framework. During the September 2021 coup, the transitional government dissolved the Constitution. (35,36) On September 27, Colonel Mamady Doumbouya released the Transition Charter, which supersedes the Constitution and law until a new Constitution is promulgated. Guinea's penal and civil codes remain in force. (34,36)

### 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 Labor and Public Services	Enforces all labor laws, including those related to child labor, through its General Labor Inspectorate. (2,19,30) During the reporting period, the Ministry of Labor and Social Laws was reorganized as the Ministry of Labor and Public Services. (2)
Ministry of Security	Investigates violations of criminal law. Through its Office for the Protection of Gender, Children, and Morals (OPROGEM), investigates criminal cases related to the protection of minors, including the worst forms of child labor. (1,2,16,23,34,37) 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. (23,38)
Gendarmes Special Brigade for the Protection of Vulnerable People	Investigates criminal cases related to the protection of minors, including the worst forms of child labor in rural areas where there is less police presence. Housed under the Ministry of Defense. Formed in January 2020 with the aim of reducing pressure on OPROGEM and allowing OPROGEM to focus on urban areas. (34)
Ministry of Justice	Delivers judgements through its Juvenile Court on all cases involving children, including child labor cases. (2) 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. (2,15,16)

### Labor Law Enforcement

In 2021, labor law enforcement agencies in Guinea took actions to address child labor (Table 6). However, the exceptionally low number of worksite inspections conducted at the national level in Guinea may have impeded the enforcement of child labor laws.

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

Overview of Labor Law Enforcement	2020	2021
Labor Inspectorate Funding	Unknown (15)	\$11,500 (2)
Number of Labor Inspectors	200 (15)	167 (2)
Mechanism to Assess Civil Penalties	Yes (30)	Yes (30)
Initial Training for New Labor Inspectors	Yes (15)	No (2)
Training on New Laws Related to Child Labor	No (15)	No (2)
Refresher Courses Provided	No (15)	Yes (2)
Number of Labor Inspections Conducted	200 (15)	120 (2)
Number Conducted at Worksite	116 (15)	120 (2)
Number of Child Labor Violations Found	0 (15)	0 (2)
Number of Child Labor Violations for Which Penalties Were Imposed	N/A (15)	N/A (2)
Number of Child Labor Penalties Imposed that Were Collected	N/A (15)	N/A (2)
Routine Inspections Conducted	Yes (15)	Yes (2)
Routine Inspections Targeted	Yes (39)	Yes (2)
Unannounced Inspections Permitted	Yes (30)	Yes (30)
Unannounced Inspections Conducted	Yes (15)	Yes (2)
Complaint Mechanism Exists	Yes (15)	Yes (2)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	No (15)	No (2)

The labor inspectorate does not have a sufficient 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. (15,16,40,41) In 2021, the labor inspectorate conducted inspections in Conakry, Boke in Lower Guinea, and Mandiana in Upper Guinea, and sectors inspected included mines, quarries, and manufacturing. (2) The government did not conduct inspections in the agriculture sector, in which child labor is known to be present. (2)

### **Criminal Law Enforcement**

In 2021, criminal law enforcement agencies in Guinea took actions to address child labor (Table 7). However, gaps exist within the operations of the criminal enforcement agencies that may hinder adequate criminal law enforcement, including the insufficient allocation of financial resources.

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

Overview of Criminal Law Enforcement	2020	2021
Initial Training for New Criminal Investigators	N/A (15)	Yes (3)
Training on New Laws Related to the Worst Forms of Child Labor	N/A (15)	Unknown (2)
Refresher Courses Provided	Yes (15)	Yes (3)
Number of Investigations	2 (39)	Unknown (2)
Number of Violations Found	2 (39)	Unknown (2)
Number of Prosecutions Initiated	2 (39)	Unknown (2)
Number of Convictions	Unknown (15)	Unknown (2)
Imposed Penalties for Violations Related to the Worst Forms of Child Labor	Unknown (15)	Unknown (2)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (15)	Unknown (2)

In June 2021, Guinean criminal law enforcement authorities arrested a Sierra Leonean woman for trafficking in persons while she was attempting to travel to Nigeria with 11 children between the ages of 8 months and 11 years. The Office for the Protection of Gender, Children, and Morals Special Police Unit (OPROGEM) coordinated with INTERPOL's Sierra Leone office to return the children to Sierra Leone and begin prosecution of the woman arrested for trafficking in persons. (42) During the reporting period, the police academies trained 1,500 new cadets and the gendarmes academy trained 500 new cadets on anti-trafficking in persons enforcement as part of the standard curriculum. In addition, gendarmes and police officials also received refresher courses on trafficking in persons, including identifying and referring trafficking cases, providing support to survivors, and anti-trafficking coordination. (3) In October 2021, the Government of Guinea developed a standardized manual to guide government officials, including criminal law enforcement officials, in providing legal assistance and social welfare services to human trafficking survivors. (3) In addition, in December 2021, the gendarmes set up a national "Green line" hotline to receive calls concerning abuses, including labor violations and trafficking in persons. (3)

The Government of Guinea did not provide complete data on criminal law enforcement efforts for use in this report, including information on trainings for criminal law enforcement on new laws and data on the numbers of investigations, violations found, prosecutions initiated, convictions, and penalties imposed. (2) Research indicated that the OPROGEM 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. (1,2,16,19,25,37,43) While courts briefly closed following the September 5 coup d'état, they resumed their activities by September 19. (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 inadequate allocation of financial resources.

# Guinea

## MODERATE ADVANCEMENT

**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 (CNLTTPA)	Coordinates anti-trafficking efforts. Led by the Ministry of Social Action and Vulnerable People, includes representatives from OPROGEM, Ministry of Labor and Public Service, and other ministries. (1,43) Coordinates with civil society and foreign donors. Organized awareness campaigns for human trafficking prevention. (1) In the reporting year, CNLTTPA finalized a report evaluating and making recommendations on assistance and protection programs for trafficking victims. (2) CNLTTPA also organized a weeklong radio and television sensitization campaign on anti-trafficking work in Guinea, and in cooperation with OPROGEM, the Gendarmes, and the IOM, launched a bus campaign to educate bus riders about trafficking in persons. (2) During the reporting period, CNLTTPA organized a workshop with the IOM and Ministry of Justice to train judges and prosecutors on how to identify cases of trafficking in persons, including child trafficking. (2) In addition, in 2021, the Government of Guinea provided the CNLTTPA with dedicated funding for the first time, providing \$35,000 to acquire computers, office equipment, and fuel, and to fund communications efforts. (3)
Ministry of Women's Promotion, Children, and Vulnerable People	Provides protection and social services for survivors of child labor and human trafficking and is the lead agency for child protection. (1,2,19) During the reporting period, the Ministry of Social Action and Vulnerable People changed its name to the Ministry of Women's Promotion, Children, and Vulnerable People. (2) During the reporting period, the Ministry of Women's Promotion, Children, and Vulnerable people provided protection kits including masks, handwashing solution, and food to reception centers that serve human trafficking survivors. (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 Public Service. (37,39,44) 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). (45) 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 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. (1,19,25,37,46) 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. (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 covering all worst forms of child labor.

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

Policy	Description
National Action Plan for Trafficking in Persons (2020–2022)	Focuses on six strategies to address child trafficking, including strengthening the legal framework, reinforcing prevention devices, promoting assistance and support of survivors, strengthening cooperative partnerships, and improving monitoring and evaluation. (47,48) In 2021, the Government of Guinea conducted evaluations of existing protection and assistance programs, held trainings on trafficking in persons for judicial officials, and undertook public awareness campaigns. (2) In October, it also issued an Emergency Action Plan, as a supplement to the 2020–2022 National Action Plan, specifically to address the 11 priority recommendations highlighted in the 2021 U.S. Department of State Trafficking in Persons Report. (3)
Ten-Year National Education Plan for Guinea (2020–2029)	Launched under the third tier of the National Economic and Social Development Policy. Sets the goal of progressively providing free primary education in Guinea, and makes provisions to ensure vulnerable students such as orphans, disabled, and albino students have access to education. (49) Implemented by the Ministry of National Education and Literacy at the primary school level and published October 2019, covers the 10-year period from 2020–2029. (49) Research was unable to determine what activities were undertaken as part of this plan in the reporting year. (2)

The release of the 2021–2025 National Economic and Social Development Plan, to replace the prior plan that expired at the end of 2020, remains delayed due to the September 5th, 2021, coup. (2) 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. (8,16,41)

## VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2021, 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 inadequate efforts to address the problem in all sectors.

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

Program	Description
Guinea Project for Results in Early Childhood and Basic Education (2019–2024)	\$50 million World Bank project in Guinea that aims to increase access to quality early childhood and basic education and strengthen the capacity of the education system. (50) In 2021, the World Bank paused this program in response to the September 5th coup d'état, and the funding was not reinstated during the reporting period. (2)
UNICEF Rapid Response to COVID-19 Pandemic (2020–2021)	Worked 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 mobilized a back-to-school campaign, assisted in the safe reopening of schools through water, sanitation, and hygiene programs, and provided guidance to parents on school health. (51) This program continued during the reporting year. (52)

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. (2,53) In addition, reports indicate that social services available are not effective to meet the needs of the survivors, and, as a result, the government relied on NGOs to provide shelter and other basic services. Moreover, financial shortfalls still constrain services. (1,2,15,19,25,37)

## VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE CHILD LABOR

Based on the reporting above, suggested actions are identified that would advance the elimination of child labor in Guinea (Table 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 – 2021
	Ensure that all children are protected by law, including children working outside of a formal employment relationship and children who are self-employed.	2009 – 2021
	Establish by law free basic education.	2019 – 2021
Enforcement	Provide consistent training, including initial courses and training on new laws, for labor law officials.	2009 – 2021
	Establish a referral mechanism between the Ministry of Labor and Public Service and the Ministry of Women's Promotion, Children, and Vulnerable People to protect and rehabilitate children involved in child labor.	2016 – 2021
	Ensure the government conducts an adequate number of labor inspections.	2021
	Conduct labor inspections in the agricultural sector.	2021
	Ensure labor inspectors and criminal law enforcement officers receive adequate resources to enforce labor laws, including office supplies, fuel, and vehicles.	2020 – 2021
	Publish data on criminal law enforcement efforts to address the worst forms of child labor, including the numbers of investigations, violations found, prosecutions initiated, convictions, and penalties imposed.	2011 – 2021
	Provide criminal investigators with training on new laws on child labor.	2021
Coordination	Ensure all coordinating bodies receive sufficient funding to carry out their mandates.	2010 – 2021
	Ensure all coordinating bodies are active and able to carry out their intended mandates.	2018 – 2021
	Establish coordinating mechanisms to prevent and eliminate child labor.	2021
Government Policies	Adopt a policy that addresses all relevant worst forms of child labor.	2014 – 2021
	Adopt a National Economic and Social Development plan to replace the prior plan that expired in 2020 and incorporate efforts against child labor into the new plan.	2021

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

Area	Suggested Action	Year(s) Suggested
Social Programs	Enhance efforts to make education accessible for all children by eliminating fees and associated costs, improving school infrastructure, providing transportation, protecting students from sexual harassment in schools, ensuring pregnant students may continue their studies, and increasing school and teacher availability.	2010 – 2021
	Provide all children with access to birth registration	2020 – 2021
	Institute programs to address the worst forms of child labor, including in agriculture, domestic work, forced begging, mining, and street work.	2010 – 2021
	Ensure that social services are properly funded and adequately meet the needs of victims of the worst forms of child labor.	2010 – 2021
	Ensure that activities are undertaken to implement the Ten-Year Education Program for Guinea during the reporting period and make information about implementation measures publicly available.	2021

### REFERENCES

- U.S. Department of State. Trafficking in Persons Report- 2021: Guinea. Washington, D.C., 2021. <https://www.state.gov/reports/2021-trafficking-in-persons-report/guinea/>
- U.S. Embassy- Conakry. Reporting. January 27, 2022.
- U.S. Embassy- Conakry. Reporting. January 31, 2022.
- UNESCO Institute for Statistics. Gross intake ratio to the last grade of primary education, both sexes (%). Accessed March 3, 2022. For more information, please see "Children's Work and Education Statistics: Sources and Definitions" in the Reference Materials section of this report. <http://data.uis.unesco.org/>
- ILO. Analysis of Child Economic Activity and School Attendance Statistics from National Household or Child Labor Surveys. Original data from the Multiple Indicator Cluster Survey 5 (MICS5), 2016. Analysis received March 2022. For more information, please see "Children's Work and Education Statistics: Sources and Definitions" in the Reference Materials section of this report.
- U.S. Embassy- Conakry. Reporting. January 29, 2020.
- Sangbalamou, Jean Pierre. Exploitation des mineurs dans les plantations: un fléau très répandu à Diéké et Bignamou. Guinea News. August 28, 2021. <https://guineenews.org/exploitation-des-mineurs-dans-les-plantations-un-fléau-tres-repandu-a-diecke-et-bignamou>.
- ILO Committee of Experts. Individual Observation concerning the Minimum Age Convention, 1973 (No. 138) Guinea. 2019. [https://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100\\_COMMENT\\_ID:3958179](https://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:3958179)
- Bah, Fatoumata Dalanda. Exploitation des enfants en Guinée: Les tout-petits poussent leurs cris de cœur! Guinéenews, June 13, 2017. Source on file.
- Guinee7. Exploitation des enfants: la Région de Faranah enregistre le plus grand nombre d'enfants travailleurs. June 14, 2017. Source on file.
- Doré, Tokpanon. Kankan: l'UNOG crie haro sur le travail des enfants dans les mines d'or et fait un plaidoyer pour leur scolarisation. Guinea News. December 30, 2020. <https://guineenews.org/kankan-lunog-crie-haro-sur-le-travail-des-enfants-dans-les-mines-dor-et-fait-un-plaidoyer-pour-leur-scolarisation/>
- Dernière, Momou. "Confiance" et mobilité interne des enfants: impacts socioculturels et économiques (2e partie). Guinée News. July 5, 2021. <https://guineenews.org/confiance-et-mobilite-interne-des-enfants-impacts-socioculturels-et-economiques-2e-partie/>
- DW. L'orpaillage, un danger pour la santé et la scolarisation. February 12, 2020. <https://www.dw.com/fr/orpaillage-un-danger-pour-la-santé-et-la-scolarisation/a-52346708>.
- Guinée News le difficile quotidien des femmes dans les carrières de gravier à Weyakoré. October 23, 2021. <https://guineenews.org/lola-le-difficile-quotidien-des-femmes-dans-les-carrieres-de-gravier-a-weyakore/>
- U.S. Embassy- Conakry. Reporting. February 11, 2021.
- U.S. Embassy- Conakry. Reporting. February 7, 2019.
- Government of Guinea. Conditions de travail des salariés âgés de moins de 18 ans, Arrêté n°2791/MTASE/DNTLS/96. Enacted: April 22, 1996. <https://www.ilo.org/dyn/natlex/docs/WEBTEXT/44408/65028/F96GIN01.htm>
- U.S. Embassy- Conakry official. E-mail communication to USDOL official. May 31, 2019.
- U.S. Embassy- Conakry. Reporting. January 11, 2018.
- Diallo, Nenen Raby. Guinée: Les enfants albinos, entre mendicité et exploitation. La Voix des Jeunes, August 10, 2017. Source on file.
- ILO. Report of the Committee of Experts on the Application of Conventions and Recommendations. February 8, 2019. [https://www.ilo.org/wcmsp5/groups/public/-ed\\_norm/-relconf/documents/meetingdocument/wcms\\_670146.pdf](https://www.ilo.org/wcmsp5/groups/public/-ed_norm/-relconf/documents/meetingdocument/wcms_670146.pdf)
- ILO Committee of Experts. Individual Observation concerning Worst Forms of Child Labour Convention, 1999 (No. 182) Guinea (ratification: 2003). Published: 2019. [https://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100\\_COMMENT\\_ID:3958164:NO](https://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:3958164:NO)
- U.S. Embassy- Conakry. Reporting. March 15, 2021.
- ILO Committee of Experts. Direct Request concerning Worst Forms of Child Labour Convention, 1999 (No. 182) Guinea (ratification: 2003). 2019. [https://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100\\_COMMENT\\_ID:P11110\\_COUNTRY\\_ID:P11110\\_COUNTRY\\_NAME:P11110\\_COMMENT\\_YEAR:3958168,103018,Guinea,2018](https://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:P11110_COUNTRY_ID:P11110_COUNTRY_NAME:P11110_COMMENT_YEAR:3958168,103018,Guinea,2018)
- UN Committee on the Rights of the Child. Concluding observations on the report submitted by Guinea under article 12 (1) of the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography: Guinea. October 26, 2017: CRC/C/OPSC/GIN/CO/1. [http://tbinternet.ohchr.org/\\_layouts/treatybodyexternal/Download.aspx?symbolno=CRC/C/OPSC/GIN/CO/1&Lang=en](http://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=CRC/C/OPSC/GIN/CO/1&Lang=en)
- UN Committee on the Rights of the Child. Concluding observations on the combined third to sixth periodic reports of Guinea. February 28, 2019. [https://tbinternet.ohchr.org/\\_layouts/15/treatybodyexternal/Download.aspx?symbolno=CRC/C/GIN/CO/3-6&Lang=en](https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=CRC/C/GIN/CO/3-6&Lang=en)
- UNICEF. L'enregistrement des naissances pour chaque enfant d'ici à 2030: Ou en sommes-nous? December, 2019. <https://www.unicef.org/guinea/rapports/enregistrement-des-naissances-pour-chaque-enfant-dici-a-2030-ou-en-sommes-nous>
- UNHCR. Committee on the Rights of the Child: Guinea's Report. January 15, 2019. <https://www.ohchr.org/FR/NewsEvents/Pages/DisplayNews.aspx?NewsID=24081&LangID=F>
- Government of Guinea. Spécial Code de L'enfant. June 19, 2020. Source on file.



- 30 Government of Guinea. Special Code du Travail, L/2014/072/CNT. Enacted: January 10, 2014.  
<http://www.ilo.org/dyn/natlex/docs/MONOGRAPH/96583/114158/F200086881/GIN-96583.pdf>
- 31 Government of Guinea. Code Minier. Enacted: June 30, 1995.  
<https://rportal.net/library/content/frame/codeminier.doc>
- 32 Government of Guinea. Penal Code, 2016/059. Enacted: 2016. Source on file.
- 33 Government of Guinea. Decret D/97/196-/PRG/SGG. Enacted: July 30, 1997. Source on file.
- 34 U.S. Embassy-Conakry official. E-mail communication with USDOL official. May 10, 2022.
- 35 Government of Guinea. La Constitution De 2020. Enacted March 22, 2020.  
<https://guilaw.com/la-constitution-de-2020/>
- 36 Government of Guinea. Charte de la Transition. 2021. Source on file.
- 37 COLTE/CRC. Supplementary report on the implementation of the Optional Protocol to the Convention on the Trafficking of children, prostitution and child pornography in Guinea. June 2017.  
[http://tbinternet.ohchr.org/Treaties/CRC-OP-SC/Shared Documents/GIN/INT\\_CRC-OP-SC\\_NGO\\_GIN\\_28841\\_E.pdf](http://tbinternet.ohchr.org/Treaties/CRC-OP-SC/Shared Documents/GIN/INT_CRC-OP-SC_NGO_GIN_28841_E.pdf)
- 38 U.S. Embassy- Conakry. Reporting. February 18, 2020.
- 39 U.S. Embassy- Conakry official. E-mail communication to USDOL official. June 14, 2021.
- 40 U.S. Embassy- Conakry. Reporting. March 1, 2019.
- 41 U.S. Embassy- Conakry. Reporting. January 20, 2020.
- 42 U.S. Embassy-Conakry. Reporting. June 31, 2021.
- 43 U.S. Embassy- Conakry. Reporting. February 20, 2018.
- 44 U.S. Embassy- Conakry. Reporting. January 12, 2017.
- 45 U.S. Embassy- Conakry official. E-mail communication to USDOL official. March 23, 2021.
- 46 U.S. Embassy- Conakry. Reporting. December 9, 2019.
- 47 U.S. Embassy- Conakry. Reporting. March 15, 2021.
- 48 Government of Guinea. Plan d'Action du Comité National de Lutte contre la Traite des Personnes et Pratiques Assimilées. June 2020. Source on file.
- 49 Government of Guinea. Programme Décennal de l'Education en Guinée 2020–2029. October 3, 2019.  
<https://planipolis.iiep.unesco.org/en/2020/programme-décennal-de-l'education-en-guinée-2020-2029-7055>
- 50 World Bank. Project Information Document: Guinea Education Project for Results in Early Childhood and Basic Education (PI67478). March 20, 2019.  
<https://projects.worldbank.org/en/projects-operations/project-detail/PI67478>.
- 51 UNICEF. Position de la Guinée au Guichet de Financement Accélérés de la Riposte Contre le Covid-19 du GPE/PME. May 2020.  
<https://www.globalpartnership.org/fr/content/requete-de-financement-accelere-covid-19-et-document-de-programme-guinee-2020>
- 52 U.S. Embassy- Conakry official. E-mail communication with USDOL official. March 2, 2022.
- 53 U.S. Embassy- Conakry official. E-mail communication to USDOL official. June 24, 2020.

In 2021, Guinea-Bissau made moderate advancement in efforts to eliminate the worst forms of child labor.

The government finalized the Code of Integral Child Protection, which aims to harmonize child protection laws, including child labor laws, and serve as a comprehensive national regulation on the protection of children's rights. The National Institute for Women and Children collaborated with the International Organization for Migration, the United Nations Children's Fund, and other partners to develop a legal framework and policies necessary for the implementation of the Code of Integral Child Protection, and provided training and awareness raising

related to the new code to community leaders. In addition, the Institute identified and assisted 92 child victims of forced begging and 33 suspected child victims of sexual exploitation. However, children in Guinea-Bissau are subjected to the worst forms of child labor, including in forced begging. Children also engage in child labor in agriculture. Guinea-Bissau's legal framework does not sufficiently prohibit the commercial sexual exploitation of children and 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. Furthermore, 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. (1,2) Children also engage in child labor in agriculture. (1,3-5) 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. (4) 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	18.8 (Unavailable)
Attending School (%)	5 to 14	97.6
Combining Work and School (%)	7 to 14	20.6
Primary Completion Rate (%)		Unavailable

Primary completion rate was unavailable from UNESCO Institute for Statistics, 2022. (6)

Source for all other data: International Labor Organization's analysis of statistics from Multiple Indicator Cluster Survey 6 (MICS6), 2019. (7)

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

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

Sector/Industry	Activity
Agriculture	Farming, including the production of cashews (3-5,8)
	Fishing (4,5)
Industry	Construction (5)
Services	Domestic work (2-4,9,10)
	Street work, including shoe shining and vending (11)
	Working as mechanics, activities unknown (5)
	Working in nightclubs, including washing dishes and custodial work (5)
Categorical Worst Forms of Child Labor‡	Commercial sexual exploitation, sometimes as a result of human trafficking (1,12)
	Forced labor in domestic work, agriculture, and street work, including begging (1,2,10)

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

# Guinea-Bissau

## MODERATE ADVANCEMENT

In Guinea-Bissau, organized networks of human traffickers affiliated with Koranic schools force boys to beg within the country and in Senegal, and to a lesser extent in The Gambia, Guinea, and Mali. Although many Koranic school teachers provide religious education as traditionally intended, some force the students, known as *talibés*, to beg on the streets for money and food. (1,2,13,14) Most *talibés* originate from the areas of Bafatá and Gabú in the eastern region of the country. (1,13-15)







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. (1,2,5,8) Girls are subjected to forced labor in street vending and domestic work in Guinea-Bissau. Girls are also subjected to commercial sexual exploitation, including in sex tourism, in the Bijagós Archipelago of Guinea-Bissau and on mainland Guinea-Bissau in bars and hotels. (1,10,14)

During the reporting period, school closures due to the COVID-19 pandemic and teacher strikes limited children's access to education. Reports also indicate that during the cashew harvesting season, children assist their families and are less likely to attend school. (16) Other educational barriers included inadequate school infrastructure and long distances to schools, particularly in rural areas. (5)

## 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 (17)
Minimum Age for Hazardous Work	Yes	18	Articles 148 and 186 of the General Labor Law (17)
Identification of Hazardous Occupations or Activities Prohibited for Children	No		Article 148 of the General Labor Law (17)
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 (18,19)
Prohibition of Child Trafficking	Yes		Articles 2-4, and 15 of the Law to Prevent and Combat Human Trafficking (19)
Prohibition of Commercial Sexual Exploitation of Children	No		Articles 3–5 and 15 of the Law to Prevent and Combat Human Trafficking; Articles 134 and 136 of the Penal Code (18,19)
Prohibition of Using Children in Illicit Activities	Yes		Articles 3 and 7 of the Decree on Narcotic Substances (20)

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

Standard	Meets International Standards	Age	Legislation
Minimum Age for Voluntary State Military Recruitment	Yes	17	Article 31 of Law No. 4/99 (21)
Prohibition of Compulsory Recruitment of Children by (State) Military	Yes		Article 2 of Law No. 4/99 (21)
Prohibition of Military Recruitment by Non-state Armed Groups	No		
Compulsory Education Age	Yes	15‡	Articles 12 and 13 of the Education System Law (22)
Free Public Education	No		Article 12(2) of the Education System Law (22)

‡ Age calculated based on available information (22,23)

In 2021, the government finalized the Code of Integral Child Protection, which aims to harmonize child protection laws, including child labor laws, and to serve as a coherent national regulation that comprehensively protects children's rights. (5,24)

The law does not sufficiently prohibit commercial sexual exploitation because the use of children in prostitution is not criminally prohibited. 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. (17,23)

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. (22) Since the minimum age for work in Guinea-Bissau is currently lower than the compulsory education age, children may be encouraged to leave school before the completion of compulsory education. (17,22)

### 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
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). (5)
Ministry of the Interior's Public Order Police and National Guard	Enforce child trafficking laws and refer cases to IMC and NGOs. (5)
Judicial Police's Women and Children Brigade	Investigates cases involving the worst forms of child labor and refers them to IMC and NGOs. Comprising six officers. (5)

#### **Labor Law Enforcement**

In 2021, labor law enforcement agencies in Guinea-Bissau took actions to address 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 a lack of complaint and referral mechanisms.

# Guinea-Bissau

## MODERATE ADVANCEMENT

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

Overview of Labor Law Enforcement	2020	2021
Labor Inspectorate Funding	Unknown (9)	Unknown
Number of Labor Inspectors	28 (9)	33 (5)
Mechanism to Assess Civil Penalties	Yes (25)	Yes (25)
Initial Training for New Labor Inspectors	Yes (26)	Unknown
Training on New Laws Related to Child Labor	N/A	N/A (5)
Refresher Courses Provided	Unknown	No (5)
Number of Labor Inspections Conducted	Unknown	156 (5)
Number Conducted at Worksite	Unknown	156 (5)
Number of Child Labor Violations Found	Unknown	0 (5)
Number of Child Labor Violations for Which Penalties Were Imposed	Unknown	N/A
Number of Child Labor Penalties Imposed that Were Collected	Unknown	N/A
Routine Inspections Conducted	No (9)	Unknown
Routine Inspections Targeted	No (9)	No (5)
Unannounced Inspections Permitted	Yes (25)	Yes (25)
Unannounced Inspections Conducted	Yes (9)	Yes (5)
Complaint Mechanism Exists	No (9)	No (5)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	No (9)	No (5)

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 one vehicle being shared among all labor inspectors, with no budget for fuel) severely hinders the Ministry of Labor and Public Administration's ability to enforce child labor laws. (5) In addition, reports indicate that due to a lack of funding, inspectors respond mainly to complaints rather than initiating targeted inspections based on risk-prone sectors and patterns of serious incidents, and rely on their own personal means to perform labor inspections. In 2021, labor inspections were not conducted in sectors in which child labor is known to occur. (5) Reports also indicate that it is unknown whether any of the 156 labor inspections conducted during the reporting period were child-labor specific. (16)

### **Criminal Law Enforcement**

In 2021, criminal law enforcement agencies in Guinea-Bissau took actions to address child labor (Table 7). However, gaps exist within the operations of the criminal enforcement agencies that may hinder adequate criminal law enforcement, including insufficient allocation of financial resources.

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

Overview of Criminal Law Enforcement	2020	2021
Initial Training for New Criminal Investigators	No (9)	No (5)
Training on New Laws Related to the Worst Forms of Child Labor	N/A	No (5)
Refresher Courses Provided	No (26)	No (5)
Number of Investigations	8 (26)	0 (16)
Number of Violations Found	Unknown	0 (16)
Number of Prosecutions Initiated	Unknown	0 (5)
Number of Convictions	Unknown	0 (16)
Imposed Penalties for Violations Related to the Worst Forms of Child Labor	Unknown	N/A (5)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	No (9)	Yes (5)

In 2021, there were no cases of commercial sexual exploitation of children reported in the country. (16)

During the reporting period, eight National Guard agents, one from each of the eight regional posts across Guinea-Bissau, received training on child protection issues, including child trafficking. (5) The National Guard and Judicial Police refer cases of the worst forms of child labor, including child trafficking, to the National Institute for Women and Children for referral to social services providers. (5)



Reports indicate that criminal enforcement agencies 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. (5,9,26)

#### 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 lack of efficacy in accomplishing mandates.

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

Coordinating Body	Role & Description
Interministerial Commission to Fight Child Labor	Coordinates the government's efforts to prevent and eliminate child labor. Established in 2010. (27) Research was unable to determine whether the Interministerial Commission to Fight Child Labor was active during the reporting period.
Interministerial Committee to Prevent and Combat Trafficking in Persons	Coordinates government efforts to address human trafficking. Led by IMC. (27) During the reporting period, met regularly, but lack of funding limited its ability to accomplish its mandate. (16)
National Institute for Women and Children (IMC)	Coordinates with NGOs and other partner organizations to rehabilitate and reintegrate child victims of exploitation. (14) In 2021, collaborated with IOM, UNICEF, and other partners to develop the legal framework and policies necessary for the implementation of the Code of Integral Child Protection. In addition, the institute provided training and awareness raising related to the new code to community leaders. (5) During the reporting period, IMC also identified 92 child victims of forced begging and 33 suspected child victims of sexual exploitation, and assisted the victims with family identification, medical assistance, shelter and reintegration. (16)

#### V. GOVERNMENT POLICIES ON CHILD LABOR

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

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

Policy	Description
National Policy for the Protection of Children and Adolescents (2018–2030)	Guides the government's policies for addressing violence toward children, including child labor. (28)
National Emergency Plan for the Prevention and Combat of Trafficking in Persons (2020–2021)	Aimed 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 IMC with the collaboration of national and international NGOs and relevant government entities. (29)
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. (30)

Research was unable to determine whether activities were undertaken to implement key policies related to child labor in Guinea-Bissau during the reporting period.

#### VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2021, 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 inadequacy 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 Criança</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. (32) During the reporting period, contributed toward the drafting of the Code of Integral Child Protection, and conducted awareness-raising activities on human trafficking and gender-based violence throughout the country. (5)

† 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. (33)

# Guinea-Bissau

## MODERATE ADVANCEMENT

Reports indicate that due to funding constraints, services provided by shelters do not meet quality of care standards. (32) 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 – 2021
	Determine by national law or regulation the types of hazardous work prohibited for children, after consultation with employers' and workers' organizations.	2009 – 2021
	Ensure that laws criminally prohibit the use of a child for prostitution.	2021
	Ensure that the law criminally prohibits the recruitment of children under age 18 by non-state armed groups.	2016 – 2021
	Ensure that all 9 years of basic education are free.	2015 – 2021
	Raise the minimum age for work to the age up to which education is compulsory.	2018 – 2021
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 – 2021
	Ensure the government conducts an adequate number of labor inspections.	2021
	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 – 2021
	Establish referral mechanisms to ensure that children found during labor inspections and criminal investigations are referred to the appropriate social services providers.	2016 – 2021
	Publish information on labor inspectorate funding, initial training provided to new labor inspectors, and whether unannounced inspections were conducted.	2009 – 2021
Coordination	Ensure that the Interministerial Commission to Fight Child Labor is able to carry out its intended mandate.	2020 – 2021
	Ensure that the Interministerial Committee to Prevent and Combat Trafficking in Persons is provided sufficient funding to be able to carry out its intended mandate.	2021
Government Policies	Ensure that activities are undertaken to implement key policies related to child labor and publish results from activities implemented during the reporting period.	2017 – 2021
Social Programs	Significantly increase efforts to raise national awareness of human trafficking, including child trafficking.	2018 – 2021
	Ensure that facilities, including shelters, have adequate resources to assist victims of the worst forms of child labor.	2015 – 2021
	Expand existing programs to address the scope of the child labor problem.	2009 – 2021
	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 – 2021

## REFERENCES

- U.S. Department of State. Trafficking in Persons Report- 2021: Guinea-Bissau. Washington, D.C., July 1, 2021. <https://www.state.gov/reports/2021-trafficking-in-persons-report/guinea-bissau/>
- ILO Committee of Experts. Individual Direct Request concerning Worst Forms of Child Labour Convention, 1999 (No. 182) Guinea-Bissau (ratification: 2008). Published: 2019. [http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100\\_COMMENT\\_ID:3963425](http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:3963425)
- Government of Guinea-Bissau. Plano de Desenvolvimento Agrícola Regional de Quinara. (2017-2021). 2017. <https://docplayer.com.br/81261061-Ministerio-de-agricultura-e-desenvolvimento-rural.html>
- Institute National De Statistique, ILO-IPEC, UNICEF. RAPPORT FINAL: Enquête nationale sur le travail des enfants en Guinée-Bissau. March 15, 2014. Source on file.
- U.S. Embassy- Dakar. Reporting. February 3, 2022.
- UNESCO Institute for Statistics. Gross intake ratio to the last grade of primary education, both sexes (%). Accessed: March 3, 2022. For more information, please see "Children's Work and Education Statistics: Sources and Definitions" in the Reference Materials section of this report. <http://data.uis.unesco.org/>
- ILO. Analysis of Child Economic Activity and School Attendance Statistics from National Household or Child Labor Surveys. Original data from Multiple Indicator Cluster Survey 6 (MICS6), 2019. Analysis received March 2022. Please see "Children's Work and Education Statistics: Sources and Definitions" in the Reference Materials section of this report.

- 8 Sidibé, Alcene. Campanha de Caju e Fanado Aumentam a Taxa de Abandono Escolar na Região de Bafatá. Radio Jovem. January 13, 2018. Source on file.
- 9 U.S. Embassy- Dakar. Reporting. February 24, 2021.
- 10 Peyton, Nellie. Underpaid and abused, Guinea-Bissau's domestic workers seek protection. Reuters, February 22, 2019. <https://www.reuters.com/article/us-bissau-work-women/underpaid-and-abused-guinea-bissau-domestic-workers-seek-protection-idUSKCNIQB1DQ>
- 11 U.S. Embassy- Dakar. Reporting. (b) January 28, 2022.
- 12 Atlantic Federation of African Press Agencies. Tráfico de crianças/ Secretário Executivo da AMIC diz que o fenómeno é uma realidade na Guiné-Bissau. July 29, 2020. <http://www.faapa.info/blog/trafico-de-criancassecretario-executivo-da-amic-diz-que-o-phenomeno-e-uma-realidade-na-guine-bissau/>
- 13 Peyton, Nellie. Tradition or trafficking? Guinea-Bissau children suffer in Senegal's Islamic schools. March 5, 2019. <https://www.reuters.com/article/us-bissau-education-trafficking/tradition-or-trafficking-guinea-bissau-children-suffer-in-senegals-islamic-schools-idUSKCNIQN054>
- 14 U.S. Embassy- Dakar. Reporting. March 4, 2020.
- 15 Somos! Mais de 70 crianças guineenses resgatadas da mendicidade no Senegal. September 5, 2019. <http://somosportugues.com/70-criancas-guineenses-resgatadas-da-mendicidade-no-senegal/>
- 16 U.S. Embassy- Dakar official. E-mail communication to USDOL official. May 27, 2022.
- 17 Government of Guinea-Bissau. Lei Geral do Trabalho, Lei n.º 2/86. Enacted: April 25, 1986. [http://www.africanchildforum.org/clr/Legislation Per Country/guinea bissau/guineabissau\\_labour\\_1986\\_pr.pdf](http://www.africanchildforum.org/clr/Legislation%20Per%20Country/guinea%20bissau/guineabissau_labour_1986_pr.pdf)
- 18 Government of Guinea-Bissau. Código Penal, Lei n.º 4/93. Enacted: October 13, 1993. Source on file.
- 19 Government of Guinea-Bissau. Lei da prevenção e combate ao tráfico de pessoas, em particular mulheres e crianças, Lei n.º 12. Enacted: July 6, 2011. <https://www.ilo.org/dyn/natlex/docs/ELECTRONIC/95018/111703/F216767232/GNB95018.pdf>
- 20 Government of Guinea-Bissau. Legislação Relativa a Estupefacientes, Decreto-Lei n.º 2-B/93. Enacted: October 28, 1993. Source on file.
- 21 Government of Guinea-Bissau. Lei do Serviço Militar Obrigatório, Lei n.º 4/99. Enacted: September 7, 1999. Source on file.
- 22 Government of Guinea-Bissau. Lei de Bases do Sistema Educativo. Enacted: 2011. Source on file.
- 23 ILO Committee of Experts. Individual Direct Request concerning Minimum Age Convention, 1973 (No. 138) Guinea-Bissau (ratification: 2009). Published: 2019. [https://www.ilo.org/dyn/normlex/en/?p=1000:13100:0::NO:13100:13100\\_COMMENT\\_ID:3963299:NO](https://www.ilo.org/dyn/normlex/en/?p=1000:13100:0::NO:13100:13100_COMMENT_ID:3963299:NO)
- 24 Government of Guinea-Bissau. Código de Proteção Integral da Criança. July 25, 2021. <https://www.codigocriancagbmj.com/>
- 25 Government of Guinea-Bissau. Decreto n.º 24-A/90 – Aprova o Regulamento da Inspeção-Geral de Trabalho e da Segurança Social, anexo ao presente Decreto, do qual faz parte integrante. August 1, 1990. Source on file.
- 26 U.S. Embassy- Dakar. Reporting. March 11, 2021.
- 27 U.S. Embassy- Dakar. Reporting. February 14, 2019.
- 28 Government of Guinea-Bissau. Política Nacional de Proteção Integral da Criança e do Adolescente na Guiné-Bissau (PNPIC/GB) 2018 – 2030. January 2018. Source on file.
- 29 Government of Guinea-Bissau. Plano Nacional de Emergência de Prevenção e Combate ao Tráfico de Seres Humanos. February 2020. Source on file.
- 30 U.S. Embassy- Dakar. Reporting. February 6, 2017.
- 31 Bushayija, Gaston M. and Ucaim Gomes. Mid-Term Review Partnership Framework Between Guinea-Bissau And The United Nations. UN Partnership Framework, October 2018. Source on file.
- 32 U.S. Embassy- Dakar. Reporting. March 21, 2019.
- 33 World Food Programme. Guinea-Bissau Country Strategic Plan (2019–2024). June 10–14, 2019. <https://docs.wfp.org/api/documents/WFP-0000104701/download/?ga=2.152476409.1132749660.1583520148-844739849.1583520148>

In 2021, Guyana made minimal advancement in efforts to eliminate the worst forms of child labor. The government increased its number of inspectors from 17 to 22, exceeding the International Labor Organization's recommendation of 19 inspectors. Guyana also added \$250,000 to the country's national budget to fund a shelter that serves adults and children who are survivors of domestic violence and human trafficking. 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 perform dangerous tasks in mining. Guyana does not meet the international standard for hazardous work for children because it allows children ages 16 to 17 to conduct night work in industrial activities. In addition, law enforcement agencies have insufficient resources to conduct inspections in remote areas, including a lack of transportation and accommodation.



## 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 perform dangerous tasks in mining. (1-6) 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. (1) 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	10.1 (Unavailable)
Attending School (%)	5 to 14	96.9
Combining Work and School (%)	7 to 14	18.5
Primary Completion Rate (%)		97.4

Source for primary completion rate: Data from 2012, published by UNESCO Institute for Statistics, 2022. (2)

Source for all other data: International Labor Organization's analysis of statistics from Multiple Indicator Cluster Survey 6 (MICS 6), 2019-20. (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,† including the production of cabbage, cherries, limes, rice, squash, sugarcane, and charcoal (4,5,7-13)
	Forestry, including logging,† preservation of lumber, and work in sawmills† (1,5,7-9)
	Raising animals, including chickens (9)
	Fishing,† activities unknown (5,7-9,14)
Industry	Construction,† activities unknown (5,9,14)
	Mining,† including gold mining and bauxite mining (1,5,9)
Services	Domestic work (4,5,9)
	Welding† and working in scrap iron yards (4,5,9)
	Working in stores, bars, and restaurants (4,5,9)

## MINIMAL ADVANCEMENT

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

Sector/Industry	Activity
Services	Street work, including selling fruit, washing cars, and begging (4,5,9)
	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 (7-9,11,13-16)
	Use in illicit activities, including planting marijuana and smuggling drugs, weapons, and goods (4,9)

† 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 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. (6,9) In addition, children are engaged in informal, small-scale mining in which they wash gold, operate dangerous machinery, and are exposed to hazardous chemicals. (8-10)

Guyana has compulsory education for children ages 6 to 15 years. (5,17) During the reporting period, UNICEF reported that it worked with the Government of Guyana to collect data and review legislative measures for a child labor report. (5) However, 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. (4,8,10,18) 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. (5)

## 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 (17,19)
Minimum Age for Hazardous Work	No	18	Part 1, Article 2, and Part 2, Article 2 of the Employment of Young Persons and Children Act; Articles 17, 41, 46, and 75 of the Occupational Safety and Health Act (19,20)



**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		List of Hazardous Occupations and Processes in Guyana; Part I, Article 2 of the Employment of Young Persons and Children Act; Articles 17, 41, and 75 of the Occupational Safety and Health Act (19-21)
Prohibition of Forced Labor	Yes		Articles 2–3 and 8 of the Combating of Trafficking in Persons Act; Article 40 of the Constitution (22,23)
Prohibition of Child Trafficking	Yes		Article 3 of the Combating of Trafficking in Persons Act (23)
Prohibition of Commercial Sexual Exploitation of Children	No		Articles 2(e) and 3(2) of the Combating of Trafficking in Persons Act; Article 50(3) of the Protection of Children Act (23,24)
Prohibition of Using Children in Illicit Activities	No		Article 50(1) of the Protection of Children Act (24)
Minimum Age for Voluntary State Military Recruitment	Yes	18	Article 18 of the Defense Act and Defense Amendment Act (25,26)
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 (17)
Free Public Education	Yes		Article 27 of the Constitution (22)

\* Country has no conscription (7,27,28)

Guyana prohibits the employment of children under age 15, with an exception for work in family businesses, under the Employment of Young Persons and Children Act. Guyana allows work starting at age 15, such as office work, cashier, call center services, and labeling assistant positions at supermarkets. (19) However, Guyana does not meet the international standard for hazardous work for children because it allows children ages 16 to 17 to perform night work in industrial activities and does not adequately protect children from hazardous work that may jeopardize their health, safety, or morals. (19)

Although Article 50(1) of the Protection of Children Act and the Narcotic Drugs and Psychotropic Substance Act both prohibit 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. (16,24,29,30) In addition, Guyanese law does not sufficiently prohibit all commercial sexual exploitation of children because it does not prohibit the use of children for prostitution. (23)

A revision to the Combatting Trafficking in Persons Bill was drafted by the Government of Guyana in 2019, but as of the time that this report was written, it has still not been introduced into the National Assembly. (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.

## MINIMAL ADVANCEMENT

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

Organization/Agency	Role
Ministry of Labor	Investigates reports of child labor; conducts routine labor inspections, and refers children identified during labor inspections to Ministry of Human Services and Social Security's (MHSSS) Countering Trafficking in Persons Unit (C-TIP) and the Childcare and Protection Agency. (8,31) C-TIP, under the supervision of the Director of Public Prosecutions, prosecutes trafficking in persons cases. (8) Promotes public messaging on child labor. (27) During the reporting period, held an event with public stakeholders for World Day Against Child Labor. (32)
MHSSS	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 (staffed by five personnel) and the Childcare and Protection Agency, to which children identified during labor inspections are referred. (10,33) During the reporting period, held a training workshop in partnership with C-TIP on identifying cases of trafficking in persons. (14,34)
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, Ministry of Home Affairs (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)
MOHA	Leads enforcement of human trafficking laws, including the Guyana Police Force and Immigration Support Services. (6,35)

### Labor Law Enforcement

In 2021, labor law enforcement agencies in Guyana took actions to address child labor (Table 6). However, gaps exist within the operations of the enforcement agencies that may hinder adequate labor law enforcement, including lack of authorization for inspectors to assess civil penalties.

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

Overview of Labor Law Enforcement	2020	2021
Labor Inspectorate Funding	Unknown (8)	Unknown (5)
Number of Labor Inspectors	17 (8)	22 (5)
Mechanism to Assess Civil Penalties	Yes (19)	Yes (19)
Initial Training for New Labor Inspectors	Yes (8)	Yes (5)
Training on New Laws Related to Child Labor	N/A (8)	N/A (5)
Refresher Courses Provided	Yes (8)	Yes (5)
Number of Labor Inspections Conducted	736 (8)	860 (5)
Number Conducted at Worksite	736 (8)	860 (5)
Number of Child Labor Violations Found	2 (8)	0 (5)
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	Yes (8)	Yes (5)
Routine Inspections Targeted	Yes (8)	Yes (5)
Unannounced Inspections Permitted	Yes (36)	Yes (36)
Unannounced Inspections Conducted	Yes (8)	Yes (5)
Complaint Mechanism Exists	Yes (8)	Yes (5)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (8)	Yes (5)

During the reporting period, the government conducted routine inspections that were targeted at high-risk sectors. (5) In addition, the number of labor inspectors increased from 17 to 22, which exceeds the ILO technical recommendation of 19 inspectors for a country of Guyana's size. (5,9) Although not publicly available, research indicated that funding for the labor inspectorate was sufficient; however, inspectors have insufficient resources to conduct inspections in remote areas, including transportation and accommodation, which was exacerbated by the pandemic. (5,8) Moreover, 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. (37)

Inspectors are permitted to conduct unannounced inspections in all sectors, but they are not authorized by law to assess penalties for labor law violations. When general labor violations are found, the employer is informed of the labor violation(s) and is given a period to rectify the violation. (5) If inspectors find child labor violations, they may report the employer to the Chief Labor Officer or police for investigation. (5,19) The Chief Labor Officer can file a case against an offending employer with a magistrate judge, who may impose a civil penalty. The welfare and social service officers of the Ministry of Human Services and Social Security have the right to access private premises if there is a child labor investigation. (5)

### **Criminal Law Enforcement**

In 2021, criminal law enforcement agencies in Guyana took actions to address child labor (Table 7). However, gaps exist within the operations of enforcement agencies that may hinder adequate criminal law enforcement, including lack of data on violations and prosecutions of criminal law.

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

Overview of Criminal Law Enforcement	2020	2021
Initial Training for New Criminal Investigators	Yes (8)	Yes (5)
Training on New Laws Related to the Worst Forms of Child Labor	N/A (8)	N/A (5)
Refresher Courses Provided	Yes (8)	Yes (5)
Number of Investigations	2 (8)	8 (5)
Number of Violations Found	0 (8)	Unknown (5)
Number of Prosecutions Initiated	0 (8)	Unknown (5)
Number of Convictions	0 (8)	0 (5)
Imposed Penalties for Violations Related to the Worst Forms of Child Labor	No (8)	No (5)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (8)	Yes (5)

In 2021, authorities reported 9 instances of children in forced labor and 14 instances of young girls in commercial sexual exploitation. Guyana law enforcement agencies also reported five violations related to child labor, three of which were forced child labor violations and two commercial sexual exploitations. (5) The Guyana Police Force reported that 15 child survivors were removed from exploitation conditions and were referred to the Ministry of Human Services and Social Security. (5) In addition, in the first half of 2021, the Guyana Police Force reported 14 cases of trafficking in persons involving 49 survivors, the majority of whom were subject to commercial sexual exploitation. Of this group, 8 survivors were under the age of 18. (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 coordination among agencies.

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

Coordinating Body	Role & Description
National Steering Committee on Child Labor	Works with various government agencies to enforce laws on child labor. Chaired by the ministerial advisor for the Ministry of Labor. (5) 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. Re-instated in 2020. (5) Research was unable to determine whether activities were undertaken during the reporting period. (5,33)
Ministerial Task Force on Trafficking in Persons	Reports on the nature and magnitude of human trafficking in Guyana and documents the government's response. Divided into a ministerial arm and a technical arm, with six subcommittees. (39) Carries out public education campaigns and trainings, and promotes prevention measures. (7,10) Addresses commercial sexual exploitation of children and the use of children in illicit activities. (5,40) Co-chaired by MOHA and MHSS. (5,6) Also serves as the coordinating body for efforts to address the worst forms of child labor, and the management body for child labor referrals. (5) During the reporting period, the committee met monthly and drafted the 2021-2025 National Action Plan. (28,33) The committee also conducted additional consultation on the proposed Trafficking in Persons (TIP) bill, which was initially drafted in 2019. (28)

## MINIMAL ADVANCEMENT

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

Coordinating Body	Role & Description
Commission on the Rights of the Child	Protects and promotes children's rights in accordance with the UN Committee on the Rights of the Child, which includes addressing the worst forms of child labor. (8,44,45) Active during the reporting period, though it has not yet finalized its strategic plan. (5)

Guyana's Commission on the Rights of the Child is not represented on the Inter-Ministerial Taskforce on Combatting Trafficking in Persons. (5)

**V. GOVERNMENT POLICIES ON CHILD LABOR**

The government has established policies related to child labor (Table 9). However, policy gaps exist that hinder efforts to address child labor, including a lack of implementation of the National Child Labor Policy and National Action Plan for the Elimination of Child Labor.

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

Policy	Description
National Child Labor Policy and National Action Plan for the Elimination of Child Labor (2019–2025)	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 address child labor; and increases protections for vulnerable indigenous children in the hinterland. (8,46,47) However, research was unable to determine whether activities were undertaken to implement the plan during the reporting period.
Inter-Ministerial Task Force on Combatting Trafficking in Persons Action Plan (2021–2025)	Seeks to prevent and raise awareness about human trafficking, provide direct assistance to survivors, improve law enforcement's capacity to identify and respond to human trafficking, and strengthen inter-agency coordination and referral mechanisms. (7,48) With a budget of \$329,944, the plan also provides for the review and amendment of the Combatting Trafficking in Persons Act. (15,33) During the reporting year, drafted and began implementation of the plan, undertook inspections of brothels and bars, launched an information campaign, and held a consultation workshop with key stakeholders to discuss the national action plan for addressing human trafficking, noting the increase in exploitation of Venezuelan immigrants. (28,49)

‡ The government had other policies that may have addressed child labor issues or had an impact on child labor. (50)

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. (10,37,50)

**VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR**

In 2021, 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 inadequacy of programs 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)†	Aimed to improve working conditions and increase respect for international standards, social protection, economic opportunities, and social dialogue. Included conducting research and raising awareness on child labor; developing a national child labor policy, and establishing coordination mechanisms to prevent and respond to child labor and forced labor. (51) In 2021, launched a study of the socio-economic impact of the closure of four large sugar estates on workers. (52)
Shelter for Domestic Violence Victims‡	Two government-funded, NGO-run shelters. One shelter houses survivors of domestic violence and human trafficking, including children. (10) Provides services, including psychological counseling and practical skills training. The second shelter accommodates teenage girls under age 16 who are placed at the shelter at the request of the government's Childcare and Protection Agency. (10) During the reporting year, the government of Guyana added \$250,000 to the national budget to fund the shelters. (5)

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

Program	Description
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. 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. (7,8,13,53-55) Government-funded programs aim 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) During the reporting period, all students in public and private schools from nursery to secondary school were eligible to receive government-based vouchers valued at \$88 to purchase school uniforms, shoes, and backpacks when schools reopened in September. (5,33,55)
Child Advocacy Centers	Funded by private sector donations and UNICEF, and implemented by MHSSS, the United Nations Population Fund, and NGOs to provide services for abused children. (56) The MHSSS Childcare and Protection Agency oversees the centers and makes referrals. (56,57) Three additional centers were opened in 2021, increasing the number of centers to 12. (58)
Regional Initiative Latin America and the Caribbean Free of Child Labor	Initiated by an intergovernmental 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. (59) Research was unable to determine whether program activities were implemented during the reporting period.

† Program is funded by the Government of Guyana.

‡ The government had other social programs that may have included the goal of eliminating or preventing child labor. (5)

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. Suggested Government Actions to Eliminate Child Labor**

Area	Suggested Action	Year(s) Suggested
Legal Framework	Ensure that the law sufficiently prohibits all commercial sexual exploitation of children by prohibiting the use of children in prostitution.	2010 – 2021
	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 – 2021
	Ensure that the law criminally prohibits the recruitment of children under age 18 by non-state armed groups.	2016 – 2021
	Ensure that the law sufficiently prohibits children ages 16 to 17 from engaging in hazardous work that may jeopardize their health, safety, or morals.	2021
Enforcement	Publish information on the labor inspectorate's funding and the number of child labor violations for which penalties were imposed and collected, as well as the number of child labor violations and prosecutions by criminal law enforcement.	2015 – 2021
	Ensure that the labor inspectorate receives sufficient resources to monitor the interior, where child labor is most prevalent, and other remote areas.	2011 – 2021
	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 – 2021
Coordination	Permit the Commission on the Rights of the Child to join and participate in the Inter-Ministerial Taskforce on Combatting Trafficking in Persons.	2021
	Publish updates on activities undertaken by the National Steering Committee on Child Labor during the reporting period.	2021
Government Policies	Ensure that activities are undertaken to implement key policies.	2020 – 2021
	Ensure that child labor elimination and prevention strategies are included in the National Education Policy and the new 5-Year Strategic Plan for the Commission on the Rights of the Child.	2021



## MINIMAL ADVANCEMENT

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

Area	Suggested Action	Year(s) Suggested
Social Programs	Ensure that children are not prevented from attending school because of transportation costs and lack of infrastructure, and increase the number of qualified teachers, particularly in rural and interior areas.	2015 – 2021
	Collect and publish data on the extent and nature of child labor, including in fishing and construction, to inform policies and programs.	2020 – 2021
	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 – 2021
	Publish updates on activities implemented through social programs during the reporting period.	2021

## REFERENCES

- Bureau of Statistics, Ministry of Public Health and UNICEF. Guyana Multiple Indicator Cluster Survey 2014 Final Report. 2015. <https://microdata.worldbank.org/index.php/catalog/2731>
- UNESCO Institute for Statistics. Gross intake ratio to the last grade of primary education, both sexes (%). Accessed March 3, 2022. For more information, please see "Children's Work and Education Statistics: Sources and Definitions" in the Reference Materials section of this report. <http://data.uis.unesco.org/>
- ILO. Analysis of Child Economic Activity and School Attendance Statistics from National Household or Child Labor Surveys. Original data from Multiple Indicator Cluster Survey 6 (MICS 6), 2019-20. Analysis received March 2022. For more information, please see "Children's Work and Education Statistics: Sources and Definitions" in the Reference Materials section of this report.
- ILO-IPEC and Ministry of Labour Human Services and Social Security of Guyana. Guyana National Child Labour Rapid Assessment Survey 2011. 2013. Source on file.
- U.S. Embassy- Georgetown. Reporting (TDA). January 28, 2022.
- U.S. Department of State. Trafficking in Persons Report- 2021: Guyana. Washington, D.C., June 2021. <https://www.state.gov/reports/2021-trafficking-in-persons-report/guyana/>
- U.S. Embassy- Georgetown. Reporting. February 5, 2020.
- U.S. Embassy- Georgetown. Reporting. January 19, 2021.
- ILO Decent Work Team and Office for the Caribbean. Rapid Assessment of Child Labor in Guyana. 2017. [http://www.ilo.org/wcmsp5/groups/public/---americas/---ro-lima/---sro-report\\_of\\_spain/documents/publication/wcms\\_573539.pdf](http://www.ilo.org/wcmsp5/groups/public/---americas/---ro-lima/---sro-report_of_spain/documents/publication/wcms_573539.pdf)
- U.S. Embassy- Georgetown. Reporting. March 5, 2019.
- U.S. Embassy- Georgetown. Reporting. February 16, 2017.
- U.S. Embassy- Georgetown official. E-mail communication to USDOL official. May 18, 2018.
- U.S. Embassy- Georgetown. Reporting. February 12, 2018.
- UN Committee on the Protection of the Rights of All Migrant Workers and Members of Their Families. Concluding observations on the initial report of Guyana. May 22, 2018: CMW/C/GUY/CO/1. [https://tbinternet.ohchr.org/\\_layouts/treatybodyexternal/Download.aspx?symbolno=CMW/C/GUY/CO/1&Lang=En](https://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=CMW/C/GUY/CO/1&Lang=En)
- U.S. Embassy- Georgetown. Reporting. February 14, 2020.
- ILO Committee of Experts. Individual Direct Request concerning the Worst Forms of Child Labour, 1999 (No. 182) Guyana (ratification: 2001). Published: 2019. Accessed April 1, 2019. [https://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:PI3100\\_COMMENT\\_ID:3963431:NO](https://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:PI3100_COMMENT_ID:3963431:NO)
- Government of Guyana. Education Act, Chapter 39:01. Enacted: 1998. Source on file.
- Henry, Paulette. Child Neglect in Guyana. 2017. <https://bettercarenetwork.org/sites/default/files/Child-Neglect-Research-Final-Report.pdf>
- Government of Guyana. Employment of Young Persons and Children Act (Chapter 99:01) [consolidated up to 1973], No. 14. Enacted: 1933. [http://www.ilo.org/dyn/travail/docs/597/cap9901EmploymentofYoungPersonsandChildren\[1\].pdf](http://www.ilo.org/dyn/travail/docs/597/cap9901EmploymentofYoungPersonsandChildren[1].pdf)
- Government of Guyana. Occupational Safety and Health Act No. 32, Chapter 99:10. Enacted: 1997. <https://gcci.gy/wp-content/uploads/2013/07/Occupational-Health-and-Safety-cap9910.pdf>
- Government of Guyana. Labour Laws Primer. Primer. Ministry of Labor, Human Services and Social Security. April 21, 2015. Source on file.
- Government of Guyana. The Constitution of Guyana, 1980 with 1996 Reforms. Enacted: 1996. <http://pdba.georgetown.edu/Constitutions/Guyana/guyana96.html>
- Government of Guyana. Combating of Trafficking in Persons Act 2005. Enacted: 2005. [http://parliament.gov.gy/documents/acts/4653-act\\_no\\_2\\_of\\_2005.pdf](http://parliament.gov.gy/documents/acts/4653-act_no_2_of_2005.pdf)
- Government of Guyana. Protection of Children Act, No. 17. Enacted: 2009. Source on file.
- Government of Guyana. Defence Amendment Act. Enacted: 2011. Source on file.
- Government of Guyana. Defence Act. Enacted: 1998. <https://www.legal-tools.org/doc/96cb90/pdf/>
- U.S. Embassy- Georgetown. Reporting. February 12, 2021.
- U.S. Embassy- Georgetown. Reporting (TIP). January 28, 2022.
- ILO Committee of Experts. Individual Direct Request concerning the Worst Forms of Child Labour, 1999 (No. 182) Guyana (ratification: 2001). Published: 2022. Accessed April 15, 2022. [https://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:13100:0::NO:13100:PI3100\\_COMMENT\\_ID:4120467:NO](https://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:13100:0::NO:13100:PI3100_COMMENT_ID:4120467:NO)
- Government of Guyana. Narcotic Drugs and Psychotropic Substance Act. 1998. [https://parliament.gov.gy/documents/acts/8534-act\\_2\\_of\\_1988\\_narcotic\\_drug\\_psychotropic\\_substances\\_control.pdf](https://parliament.gov.gy/documents/acts/8534-act_2_of_1988_narcotic_drug_psychotropic_substances_control.pdf)
- Guyana Chronicle. Challenges for the newly established Ministry of Labour. November 10, 2020. <https://guyanachronicle.com/2020/11/10/challenges-for-the-newly-established-ministry-of-labour/>
- Government of Guyana. Labour, Human Services Ministers say stakeholders must partner to end child labour. June 11, 2021. <https://dpi.gov.gy/labour-human-services-ministers-say-stakeholders-partner-to-end-child-labour/>
- U.S. Embassy- Georgetown official. E-mail communication to USDOL official. April 8, 2022.
- News Room Guyana. Action plan to eliminate trafficking in persons being developed. March 22, 2021. <https://newsroom.gy/2021/03/22/action-plan-to-eliminate-trafficking-in-persons-being-developed/>
- Government of Guyana. List of Agencies. Ministry of Home Affairs. Accessed April 12, 2022. <https://moha.gov.gy/list-of-agencies/>
- Government of Guyana. Labour Act. Enacted: 1942. Source on file.

- 37 ILO Committee of Experts. Individual Observation concerning the Minimum Age Convention 1973 (No. 138) Guyana (ratification: 1998). Published: 2019. Accessed: March 28, 2019. [https://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:PI3100\\_COMMENT\\_ID:3963302:NO](https://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:PI3100_COMMENT_ID:3963302:NO)
- 38 Guyana Chronicle. 42 female sex trafficking cases recorded for 2021. July 31, 2021. <https://guyanachronicle.com/2021/07/31/42-female-sex-trafficking-cases-recorded-for-2021/>
- 39 Government of Guyana. 2021-2025 National Action Plan for the Prevention and Response to Trafficking in Persons in Guyana. July 2021. Source on file.
- 40 ILO Committee of Experts. Individual Direct Request concerning Forced Labour Convention, 1930 (No. 29) Guyana (ratification: 1966). Published: 2019. Accessed: March 28, 2019. [https://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:PI3100\\_COMMENT\\_ID:3960865:NO](https://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:PI3100_COMMENT_ID:3960865:NO)
- 41 U.S. Embassy- Georgetown. Reporting. February 17, 2016.
- 42 U.S. Embassy- Georgetown official. E-mail communication to USDOL official. June 30, 2016.
- 43 ILO. Decent Work Country Programme of Guyana (2012–2015). <http://www.ilo.org/public/english/bureau/program/dwcp/download/guyana.pdf>
- 44 UNICEF. Government of Guyana committed to protecting, promoting children's rights. December 4, 2020. <https://www.unicef.org/guyanasuriname/press-releases/government-guyana-committed-protecting-promoting-childrens-rights-president-says>
- 45 Stabroek News. Glaring lack of action by Rights of the Child Commission. November 20, 2020. <https://www.stabroeknews.com/2020/11/20/opinion/letters/glaring-lack-of-action-by-rights-of-the-child-commission/>
- 46 Government of Guyana. A National Policy Toward The Elimination Of Child Labor: 2018. Source on file.
- 47 Guyana Chronicle. Big blow to child labour. April 27, 2019. <https://guyanachronicle.com/2019/04/27/big-blow-to-child-labour>
- 48 Government of Guyana. National Plan of Action for the Prevention and Response to Trafficking in Persons for 2019–2020. June 2019. Source on file.
- 49 Government of Guyana. Guyana to boost efforts to fight TIP – Department of Public Information. March 22, 2021. <https://dpi.gov.gy/guyana-to-boost-efforts-to-fight-tip/>
- 50 Government of Guyana. National Development Strategy Chapter 20: Educational Policy. March 31, 2016. <http://www.guyana.org/NDS/chap20.htm>
- 51 Government of Guyana and ILO. Guyana Decent Work Country Program (2017 to 2021). December 15, 2017. Source on file.
- 52 United Nations. Guyana launches Study of the socio-economic impact of the closure of GUYSUCO sugar estates on workers. June 16, 2021. <https://guyana.un.org/en/132610-guyana-launches-study-socio-economic-impact-closure-guysuco-sugar-estates-workers>
- 53 U.S. Embassy- Georgetown official. E-mail communication to USDOL official. June 15, 2021.
- 54 Government of Guyana. 5B's in action. October 19, 2019. <https://dpi.gov.gy/5bs-in-action/>
- 55 U.S. Embassy- Georgetown official. E-mail communication to USDOL official. May 20, 2022.
- 56 News Room Guyana. Child Advocacy Centres now equipped to record child abuse digitally. January 27, 2019. <https://newsroom.gy/2019/06/27/child-advocacy-centres-now-equipped-to-record-child-abuse-digitally/>
- 57 Ramnarine, Telesha. Two more child advocacy centres for Region Six. Guyana Chronicle, February 22, 2021. <https://guyanachronicle.com/2021/02/22/two-more-child-advocacy-centres-for-region-six/>
- 58 U.S. Embassy- Georgetown official. E-mail communication to USDOL official. May 6, 2022.
- 59 ILO. Regional Initiative Latin America and the Caribbean Free of Child Labor. Accessed March 19, 2021. [https://www.ilo.org/caribbean/projects/WCMS\\_525556/lang--en/index.htm](https://www.ilo.org/caribbean/projects/WCMS_525556/lang--en/index.htm)

In 2021, Haiti made minimal advancement in efforts to eliminate the worst forms of child labor. The government adopted standard operating procedures that aim to coordinate the identification, aid, and reintegration of survivors of human trafficking, including children. 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 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 minimum age for domestic work and a list of hazardous occupations prohibited to children. Likewise, social programs to address 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. (1,2) Table 1 provides key indicators on children's work and education in Haiti. Data on some of these indicators are not available from the sources used in this report.

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

Children	Age	Percent
Working (% and population)	5 to 14	34.4 (815,993)
Attending School (%)	5 to 14	92.4
Combining Work and School (%)	7 to 14	34.9
Primary Completion Rate (%)		Unavailable

Primary Completion Rate was unavailable from UNESCO Institute for Statistics, 2022. (3)

Source for all other data: International Labor Organization's analysis of statistics from Enquête Mortalité, Morbidité et Utilisation des Services (EMMUS-V), 2012. (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	Raising livestock (5)
	Fishing (1,2,5,6)
Industry	Construction (1,2,6)
Services	Domestic work (2,7)
	Selling alcohol† and tobacco (1,5)
	Street work, including vending, begging, and washing cars (1,2,6-8)
Categorical Worst Forms of Child Labor‡	Forced labor in domestic work, agriculture, street vending, and begging (1,2,7-9)
	Use in illicit activities, including by criminal groups in drug trafficking, sometimes as a result of human trafficking (5,7,9,10)
	Commercial sexual exploitation, sometimes as a result of human trafficking (7,9,11)

† 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.

# Haiti

## MINIMAL ADVANCEMENT

A 2015 study found that there were approximately 286,000 child domestic workers younger than 15 years old in Haiti. (2,6,12) Moreover, many of Haiti's human trafficking cases involve children subjected to forced labor as domestic workers. These children, exploited in what is commonly referred to as the *restavèk* system, are often physically abused, sexually exploited, and uncompensated for their services. (2,13) Human traffickers use church, sport, or family networks to locate children from poor families and traffic them to families who subject them to a form of indentured servitude. (13) Many of these children flee and end up living on the streets, where they face the risk of being trafficked again. (2) 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. (7,14,15)

In addition, Haiti has over 750 orphanages that house over 30,000 children who may be vulnerable to human trafficking and child labor. (9) Only 129 of the 754 orphanages in the country are licensed. (75) 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 as domestic workers and are prevented from attending school. (12,17,18,19) Reports indicate that human traffickers also target children in private and NGO-sponsored residential care centers. (2) In the past few years, the government closed 160 unaccredited orphanages and focused on promoting child fostering as an alternative to prevent child labor in residential institutions. (17,18) However, due to the instability and insecurity in the country in the past year, closures and enforcement of closures of non-compliant institutions became very difficult. Therefore, the government has focused on the regularization of the orphanage system, which led to an increase in the number of licensed institutions during the reporting period. (75)

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. (20) Criminal gangs recruit children as young as age 10 and subject them to sexual exploitation and pornography. (20) Children displaced by the gang violence that took place in June 2021 and the August 14 earthquake were vulnerable to sexual exploitation, as many of them stayed in formal or informal internally displaced people camps while their parents went to work. (16) 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. (7,13) 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. (7) Some of the children illegally crossing the border are reunited with relatives in the Dominican Republic, while others are forced into commercial sexual exploitation, domestic work, agriculture, street vending, and begging. (1,6,21,22) In addition, Haiti is a destination country for child sex tourists, primarily from the United States and Europe. (13)

The Haitian Constitution guarantees a right to free primary education, which is also compulsory under the law. (30,31) Yet, because approximately 80 percent of all existing schools are private, most Haitian children are enrolled in private schools that charge tuition and other fees, making education prohibitively expensive to many families. (9,32,33) 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. (5) According to reports, approximately 30 percent of children ages 1 to 5 lack birth certificates or any other official documentation. Children born in rural communities are less likely to be documented than children in urban areas. (16)






There are significant barriers to education in Haiti, including the country's extreme poverty, security risks, teacher qualification levels, as well as dilapidated school premises and missing canteens. (32) Reports indicate that children, especially in rural areas, do not attend school due to the lack of school infrastructure and limited availability of teachers. (9) Children working in domestic labor have significantly lower school enrollment rates. (20) Additionally, estimates show that approximately 10 percent of students drop out of school before

grade six and 40 percent before the end of grade nine. (32) Out-of-school children are more vulnerable to child labor, including its worst forms. (34) Another factor limiting access to education is the Ministry of Education's recommendation 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. (30,35,36,37,38) However, research did not find evidence that schools provide instruction during the evening for special groups. Research also indicates that less than 14 percent of children with disabilities attend school, with only 3.5 percent of an estimated 120,000 children with disabilities attending school in Port-au-Prince. (16,20) Students with disabilities have less access to secondary education, with a majority of students with disabilities being integrated into general classes. (16)

## 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 that does not meet international standards.

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

Standard	Meets International Standards	Age	Legislation
Minimum Age for Work	No	16	Articles 2, 340, 513, and 515 of the Labor Code; Article 10 of the Law Organizing and Regulating Labor (39,40)
Minimum Age for Hazardous Work	Yes	18	Articles 10, 333–335, 513, and 515 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) (39,41)
Identification of Hazardous Occupations or Activities Prohibited for Children	No		Articles 333–336 of the Labor Code (39)
Prohibition of Forced Labor	No		Articles 4, 513, and 515 of the Labor Code; Article 2 of the Act of 2003; Articles 1.1, 11, and 21 of the Anti-Trafficking in Persons Law (39,41,42)
Prohibition of Child Trafficking	Yes		Article 2 of the Act of 2003; Articles 1.1, 11, 12, 15, and 21 of the Anti-Trafficking in Persons Law (41,42)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Article 2 of the Act of 2003; Article 281 of the Penal Code; Article 1.1, 11, 12, and 21 of the Anti-Trafficking in Persons Law (36,41,42)
Prohibition of Using Children in Illicit Activities	Yes		Articles 47–51 and 72 of the Law on the Control and Suppression of Illicit Drug Trafficking; Article 2 of the Act of 2003 (41,43)
Minimum Age for Voluntary State Military Recruitment	No		
Prohibition of Compulsory Recruitment of Children by (State) Military	Yes		Article 268 of the Constitution (30)



## MINIMAL ADVANCEMENT

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

Standard	Meets International Standards	Age	Legislation
Prohibition of Military Recruitment by Non-state Armed Groups	No		Article 70 of the Penal Code; Article 2 of the Act of 2003 (36,41)
Compulsory Education Age	Yes	15	Article 23 of the Decree on the Reorganization of the Haitian Education System (31)
Free Public Education	Yes		Articles 32.I and 33 of the Constitution (30)

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, a stipulation that does not conform to international standards requiring all children to be protected under the law establishing a minimum age for work. (39,44) 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. (31,39)

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. (39,41,44)

The Labor Code prohibits children under age 18 from working in establishments that sell alcohol and from working at night in industrial enterprises. (40,45) 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. (1,10,43-46) In 2021, 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 seventh consecutive year. (5) Haiti's failure to hold legislative elections in 2019 caused the parliament to lapse in January 2020; since then, in part due to repeated crises, the country has continued delaying carrying out elections, and without a functioning parliament, the Haitian Government is not fully operational and is not able to pursue legal reforms. (7,47)

Laws related to forced labor are not sufficient, as slavery is not criminally prohibited. The Anti-Trafficking in Persons Law criminalizes trafficking for forced labor, servitude, and debt bondage, but makes no mention of slavery. (42) Research could not find evidence of any other legal provision criminally prohibiting slavery.

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. (5,30,48,49)

### 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. (7,40,50) Develops and implements programs to raise awareness of child labor and provide social services to child victims of labor exploitation. 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. (7)
Brigade for the Protection of Minors (BPM)	Investigates crimes involving the worst forms of child labor, including child trafficking and commercial sexual exploitation. Submits investigations to judicial authorities for criminal prosecution and refers child victims to IBESR. (7) Housed within the Haitian National Police, maintains 22 offices around the country, including 2 offices along the Haiti-Dominican Republic border. (7)
POLIFRONT	Enforces Haiti's Customs Code and investigates transnational crimes, including child trafficking. (7) Is also responsible for referring cases of vulnerable migrants, including minors, to IBESR. Serves as the Border Police Unit of the Haitian National Police. (7) Cooperates with the Dominican Republic Border Police. (51,52) 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. (51,53,54)

### Labor Law Enforcement

In 2021, labor law enforcement agencies in Haiti took actions to address child labor (Table 6). However, the government did not provide sufficient data on its labor law enforcement efforts, which limits the ability to assess its efforts.

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

Overview of Labor Law Enforcement	2020	2021
Labor Inspectorate Funding	Unknown (7)	Unknown (9)
Number of Labor Inspectors	Unknown (7)	Unknown (9)
Mechanism to Assess Civil Penalties	No (39)	Yes (39)
Initial Training for New Labor Inspectors	Unknown (7)	Yes (9)
Training on New Laws Related to Child Labor	N/A (7)	N/A (9)
Refresher Courses Provided	Yes (7)	Yes (9)
Number of Labor Inspections Conducted	Unknown (7)	Unknown (9)
Number Conducted at Worksite	Unknown (7)	Unknown (9)
Number of Child Labor Violations Found	Unknown (7)	Unknown (9)
Number of Child Labor Violations for Which Penalties Were Imposed	Unknown (7)	Unknown (9)
Number of Child Labor Penalties Imposed that Were Collected	Unknown (7)	Unknown (9)
Routine Inspections Conducted	Unknown (7)	Yes (9)
Routine Inspections Targeted	Unknown (7)	Yes (9)
Unannounced Inspections Permitted	Yes (39)	Yes (39)
Unannounced Inspections Conducted	Unknown (7)	Yes (9)
Complaint Mechanism Exists	Yes (7)	Yes (9)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (7)	Yes (9)

The government provided limited information on its labor law enforcement efforts for inclusion in this report.

In 2021, in addition to operational challenges due to the COVID-19 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. This included IBESR's capacity to enforce child labor laws by conducting an adequate number of labor inspections. (1,5,7,9,10,55) IBESR reported that it was unable to conduct a single child protection inspection in 2021, 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. (9,75)

According to IBESR, inspectors received insufficient training on child labor issues overall. (9) While the number of labor inspectors in the country is unknown, according to the ILO's technical advice of a ratio approaching

# Haiti

## MINIMAL ADVANCEMENT

1 inspector for every 40,000 workers in less developed countries, Haiti would need to employ roughly 127 labor inspectors as its workforce consists of over 5 million workers. (56,57)

IBESR manages the “1-3-3” hotline that receives complaints about situations requiring child protection. (58) However, the hotline functions exclusively in Port-au-Prince, leaving rural areas without a mechanism to receive child labor complaints. The number of calls related to child labor received during 2021 is unknown. (75)

### **Criminal Law Enforcement**

In 2021, criminal law enforcement agencies in Haiti took actions to address child labor (Table 7). However, gaps exist within the operations of the criminal enforcement agencies that may hinder adequate criminal law enforcement, including insufficient allocation of financial and human resources.

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

Overview of Criminal Law Enforcement	2020	2021
Initial Training for New Criminal Investigators	N/A (7,59)	Yes (75)
Training on New Laws Related to the Worst Forms of Child Labor	N/A (7)	N/A (9)
Refresher Courses Provided	Unknown (7)	Unknown (9)
Number of Investigations	585 (7)	466 (9)
Number of Violations Found	424 (7)	190 (9)
Number of Prosecutions Initiated	35 (7)	24 (9)
Number of Convictions	Unknown (7)	Unknown (9)
Imposed Penalties for Violations Related to the Worst Forms of Child Labor	Unknown (59)	Unknown (9)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (7)	Yes (9)

In 2021, reports indicate that BPM continues to lack 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. (1,6,7,9,53,60) BPM reported that only a few investigators received training, and that of new employees only around 12 percent received initial training. BPM indicated it assisted more than 190 children, following its inspections, through legal assistance and medical and psychological referrals. (9)

A referral mechanism between BPM, IBESR, and NGOs is in place to provide reintegration services to victims of the worst forms of child labor. (5-7,9,60,75) BPM also manages the “1-8-8” hotline, which receives notifications of alleged violations related to the worst forms of child labor. (5) 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. (6,12)

## **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
National Tripartite Committee for the Elimination of the Worst Forms of Child Labor	Develops policies, approves programs, and coordinates, monitors, and evaluates efforts to address child labor in Haiti. (9,61,75) Chaired by MAST, includes representatives from the government, private sector, and unions. (9) Receives technical support from the ILO. (9,61) In June 2021, it raised awareness about child labor on the occasion of the World Day Against Child Labor. (9,75)
National Committee for the Fight Against Trafficking in Persons (CNLTP)	Coordinates actions against human trafficking and provides protection and rehabilitation services to victims. Chaired by IBESR, includes representatives from MAST, other ministries, and BPM. (7,12,42) Consists of task forces and sub-committees to address trafficking in persons. These are established in three provinces: South-East, North-East, and the Central Departments. (7) 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. (7) In July 2021, the CNLTP, with the support of IOM and LUMOS Foundation, adopted the “Standard Operating Procedures for the Identification and Accompaniment of Victims of Trafficking in Persons”, to coordinate the identification, aid, and reintegration of survivors of human trafficking in the country. It established identification mechanisms for children, children in domestic servitude, children in orphanages, and labor trafficking. (9,75) It also discusses support for and reintegration of survivors while specifying the procedures that should be used for minors. IBESR was consulted extensively during its drafting and under the framework holds primary protection responsibilities whenever the victim is a child, including in all instances of child labor. (9)
Child Protection Working Group	Implements, coordinates, and monitors efforts related to child protection, including protection for child domestic workers. Chaired by IBESR, comprises international and national non-governmental stakeholders and officials from various ministries. (62) It is intended to improve the coordination of issues related to child protection by providing a regular meeting forum. (9) Holds multi-stakeholder meetings attended by IBESR, BPM, and MAST, with additional participation by and technical support from UNICEF and other child protection partners. (5) In 2021, it continued to be used as a mechanism for collaborative dialogue. (9)

## V. GOVERNMENT POLICIES ON CHILD LABOR

The government has established a policy related to child labor (Table 9). However, policy gaps exist that hinder efforts to address child labor, including a lack of implementation of the key national policy.

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

Policy	Description
National Social Protection and Promotion Policy	Initiated under a safety net program called Kore Lavi and funded by USAID. Aims to build institutional resilience for social protection and promotion against economic shocks and health crises such as the current pandemic. (7,59) 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. (7) Efforts include the World Bank partnering with MAST and WFP to deliver cash transfers to targeted households, and IDB partnering with WFP and the Economic and Social Assistance Fund to deliver food and cash to vulnerable households in several departments of the country. (7,59) Research was unable to determine whether activities were undertaken to implement this policy during the reporting period.

## VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2021, 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 inadequacy 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. (64) 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. (65) 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. (66-68) Research was unable to determine whether activities were undertaken to implement this program during the reporting period.

## MINIMAL ADVANCEMENT

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

Program	Description
UNICEF Country Program (2017–2021)	UNICEF-funded program supporting the government's efforts to improve education, health, social inclusion, and protection for children in Haiti. (64,69,70,71,72) In 2021, distributed school materials to 82,582 students in eight departments of the country, as well as materials to 5,155 students who completed remedial activities in preparation for state exams. (76) It also rehabilitated work and school furniture in seven schools, and began construction of 66 semi-permanent classrooms in 11 schools in three of the departments affected by the 2021 earthquake. Lastly, it provided a tutoring and remedial program to prevent children and adolescents from dropping out of school that benefited 1,109 displaced students. (76)
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. (73) Research was unable to determine whether activities were undertaken to implement this program during the reporting period.

† 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. (59) 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. (6,7,74)

## 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 – 2021
	Clarify the minimum age for work, including for domestic work.	2009 – 2021
	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 – 2021
	Ensure that the law criminally prohibits slavery.	2021
	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 – 2021
	Ensure that the law criminally prohibits the recruitment of children under 18 by non-state armed groups.	2021
	Raise the compulsory education age so that it aligns with the minimum age for work.	2017 – 2021
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 and total penalties imposed and collected; and whether routine, targeted, and unannounced inspections were carried out.	2013 – 2021
	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 – 2021
	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 – 2021
	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 – 2021
	Ensure that IBESR conducts child protection inspections, including following up on reported incidents of child labor.	2020 – 2021
	Ensure the number of labor inspectors in Haiti meets the ILO's technical guidance.	2020 – 2021



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

Area	Suggested Action	Year(s) Suggested
Government Policies	Ensure that policies to prevent or address child labor are implemented.	2017 – 2021
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, child domestic workers, and children with disabilities; and ensuring that children who start their education late or repeat grades are allowed to transition to secondary school.	2009 – 2021
	Expand the National Child Protection Database, including by identifying displaced street children and children in domestic work.	2010 – 2021
	Expand existing social programs to address the scope of the child labor problem, particularly in domestic work, agriculture, and child trafficking.	2010 – 2021
	Ensure that all social programs are active and fulfilling their mandates as intended.	2019 – 2021
	Collect and publish data on the extent and nature of child labor to inform policies and programs.	2021

**REFERENCES**

- U.S. Embassy- Port-au-Prince. Reporting. April 2, 2018.
- U.S. Department of State. Trafficking in Persons Report- 2020: Haiti. Washington, DC, June 25, 2020. <https://www.state.gov/reports/2020-trafficking-in-persons-report/haiti/>
- UNESCO Institute for Statistics. Gross intake ratio to the last grade of primary education, both sexes (%). Accessed March 3, 2022. For more information, please see "Children's Work and Education Statistics: Sources and Definitions" in the Reference Materials section of this report. <http://data.uis.unesco.org/>
- ILO. Analysis of Child Economic Activity and School Attendance Statistics from National Household or Child Labor Surveys. Original data from Enquête Mortalité, Morbidité et Utilisation des Services (EMMUS-V), 2012. Analysis received March 2022. Please see "Children's Work and Education Statistics: Sources and Definitions" in the Reference Materials section of this report.
- U.S. Embassy- Port-au-Prince. Reporting. January 14, 2020.
- U.S. Embassy- Port-au-Prince. Reporting. February 13, 2018.
- U.S. Embassy- Port-au-Prince. Reporting. January 14, 2021.
- Gupta, Varsha. Child Labor in Haiti- How it came about and what is its nature? Haiti Now. Accessed April 29, 2017. <https://www.haiti-now.org/child-labor-haiti/>
- U.S. Embassy- Port-au-Prince. Reporting. March 29, 2022.
- U.S. Embassy- Port-au-Prince. Reporting. February 12, 2019.
- Agence France-Presse. Haiti: Dozens rescued, 12 arrested in human trafficking ring. February 6, 2017. Source on file.
- U.S. Embassy- Port-au-Prince. Reporting. March 15, 2019.
- U.S. Embassy- Port-au-Prince. Reporting. February 26, 2021.
- Better Work Port-au-Prince official. E-mail communication to USDOL official. April 20, 2018.
- Nofi. « Restaveks », les enfants esclaves d'Haiti. February 10, 2017. Source on file.
- U.S. Department of State. Country Reports on Human Rights Practices- 2021: Haiti. Washington, DC, April 12, 2022. <https://www.state.gov/reports/2021-country-reports-on-human-rights-practices/haiti/>
- AP Press. Haiti grapples with task of helping its vulnerable children. Honolulu Star-Advertiser, July 26, 2018. <https://www.staradvertiser.com/2018/07/26/breaking-news/haiti-grapples-with-task-of-helping-its-vulnerable-children/>
- Issac, Harold and Kirk Semple. Fire Kills 17 at Unaccredited Orphanage. New York Times, February 14, 2020. <https://www.nytimes.com/2020/02/14/world/americas/haiti-orphanage-fire.html>
- Cohen, Lisa. How traffickers exploit children in Haiti's orphanages. CNN. com, March 2, 2018. <https://www.cnn.com/2017/11/20/health/haiti-orphanages/index.html>
- U.S. Department of State. Country Reports on Human Rights Practices- 2020: Haiti. Washington, DC, March 30, 2021. <https://www.state.gov/reports/2020-country-reports-on-human-rights-practices/>
- U.S. Department of State. Trafficking in Persons Report- 2019: Haiti. Washington, DC, June 20, 2019. <https://www.state.gov/reports/2019-trafficking-in-persons-report-2/haiti/>
- U.S. Embassy- Port-au-Prince. Reporting. February 9, 2017.
- Diario Libre. Las Deportaciones y el Exodo de Haitianos Encarecen la Comida en República Dominicana. May 13, 2021. <https://www.diariolibre.com/actualidad/internacional/las-deportaciones-y-el-exodo-de-haitianos-encarecen-la-comida-en-republica-dominicana-KG26206518>
- U.S. Embassy- Santo Domingo. Reporting. February 18, 2022.
- EFE. La ONU Pide a República Dominicana Suspender las Deportaciones de Embarazadas. November 16, 2021. <https://www.efc.com/efe/america/sociedad/la-onu-pide-a-republica-dominicana-suspender-las-deportaciones-de-embarazadas/20000013-4677072>
- Coto, Dánica. Maltratos y Expulsiones de Haitianos de República Dominicana. AP News. December 5, 2021. <https://apnews.com/article/noticias-4997192833f6d9cf2b8923882789dd74>
- Listin Diario. Migración Anuncia Operativo Masivo de Deportaciones en Comunidades Pobladas de Haitianos. October 11, 2021. <https://listindiario.com/la-republica/2021/10/11/691813/migracion-anuncia-operativo-masivo-de-deportaciones-en-comunidades-pobladas-de-haitianos>
- Hasbun, Jessica. CNN. República Dominicana Detiene y Deportó Grupo de Haitianas Embarazadas y con Bebés Recién Nacidos en las Afueras de Hospital. November 12, 2021. <https://cnnespanol.cnn.com/2021/11/12/republica-dominicana-detiene-y-deporta-grupo-de-haitianas-embarazadas-y-con-bebes-recien-nacidos-en-las-afueras-de-hospital/>
- U.S. Department of State. Country Reports on Human Rights Practices- 2016: Haiti. Washington, DC, March 03, 2017. <https://www.state.gov/reports/2016-country-reports-on-human-rights-practices/haiti/>
- Government of the Republic of Haiti. Constitution of Haiti. Enacted: 1987. <http://pdba.georgetown.edu/constitutions/haiti/haiti1987.html>
- Government of the Republic of Haiti. Décret Organisant le Système Éducatif Haïtien en Vue D'offrir des chances égales à tous et de Réfléter la Culture Haïtienne. Enacted: March 30, 1982. Source on file.

## MINIMAL ADVANCEMENT

- 32 UNESCO International Institute for Educational Planning. Dropping Out of School: An Unwelcomed Trend in Haiti. October 26, 2020. <http://www.iiep.unesco.org/en/dropping-out-school-unwelcomed-trend-haiti-13528>
- 33 Paultre, Andre; and Marsh, Sarah. Haiti's Schools Re-open but Many Parents Now Can't Afford them. Reuters. August 20, 2020. <https://www.reuters.com/article/us-health-coronavirus-haiti-education/haitis-schools-re-open-but-many-parents-now-cant-afford-them-idUSKBN25G11Q>
- 34 Radfar, Amir; Asgharzadeh, Seyed Ahmad Ahmadi; Quesada, Fernando; and Filip, Irina. Challenges and Perspectives of Child Labor. *Industrial Psychiatry Journal*. 2018. <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC6198592/?report=printable>
- 35 UN Human Rights Council. Report of the Independent Expert on the situation of human rights in Haiti - Note by the Secretariat. March 8, 2017. Source on file.
- 36 Government of the Republic of Haiti. Code Pénal. Enacted: 1985. <https://www.refworld.org/docid/4c3440772.html>
- 37 Felicien, Marie Michelle. Haiti Bans Overage Students From Secondary Education, but One School Has a Solution. *Global Press Journal*. August 13, 2018. <https://globalpressjournal.com/americas/haiti/haiti-bans-overage-students-secondary-education-one-school-solution/>
- 38 USAID official. Email communication to USDOL official. April 22, 2019.
- 39 Government of the Republic of Haiti. Code du Travail. Enacted: 1984. <http://www.ilo.org/dyn/natlex/docs/ELECTRONIC/135/98545/F1595767852/HTI-135.pdf>
- 40 Government of the Republic of Haiti. Loi portant organisation et réglementation du travail sure la durée de vingt-quatre (24) heures répartie en trois (3) tranches de huit (8) heures. September 21, 2017. Source on file.
- 41 Government of the Republic of Haiti. Loi relative à l'interdiction et à l'élimination de toutes formes d'abus, de violences, de mauvais traitements ou traitements inhumains contre les enfants. Enacted: June 5, 2003. Source on file.
- 42 Government of the Republic of Haiti. Loi sur la Lutte contre la Traite des Personnes, Loi No CL/2014-0010. Enacted: June 2, 2014. Source on file.
- 43 Government of the Republic of Haiti. Loi relative au controle et la repression du trafic illicite de la drogue. *Le Moniteur*, October 4, 2001. [http://haitijustice.com/pdf/legislation/traffic\\_illicite\\_stupefiants\\_haiti.pdf](http://haitijustice.com/pdf/legislation/traffic_illicite_stupefiants_haiti.pdf)
- 44 ILO CEACR. Direct Request concerning Minimum Age Convention, 1973 (No. 138) Haiti (ratification: 2009). Published: 2019. [https://www.ilo.org/dyn/normlex/en/?p=1000:13100:0::NO:13100:PI3100\\_COMMENT\\_ID:3963306](https://www.ilo.org/dyn/normlex/en/?p=1000:13100:0::NO:13100:PI3100_COMMENT_ID:3963306)
- 45 ILO CEACR. Direct Request concerning Worst Forms of Child Labour Convention, 1999 (No. 182) Haiti (ratification: 2007). Published: 2019. [https://www.ilo.org/dyn/normlex/en/?p=1000:13100:0::NO:13100:PI3100\\_COMMENT\\_ID:3963434:NO](https://www.ilo.org/dyn/normlex/en/?p=1000:13100:0::NO:13100:PI3100_COMMENT_ID:3963434:NO)
- 46 ILO Port-au-Prince official. E-mail communication to USDOL official. January 06, 2017.
- 47 France 24. UN Security Council Accepts Haiti Election Delay to 2022. October 4, 2021. <https://www.france24.com/en/live-news/20211004-un-security-council-accepts-haiti-election-delay-to-2022>
- 48 U.S. Embassy- Port-au-Prince official. E-mail communication to USDOL official. June 17, 2019.
- 49 Government of the Republic of Haiti. Avis de recrutement d'une classe de soldats. Ministère de la Défense. Accessed July 12, 2019. <https://www.communication.gouv.ht/2018/10/avis-de-recrutement-dune-classe-de-soldats/>
- 50 U.S. Embassy- Port-au-Prince official. E-mail communication to USDOL official. May 15, 2017.
- 51 Haiti24.net. Haïti-Sécurité: POLIFRONT, une nouvelle entité de la PNH contrôle la frontière. December 28, 2017. <http://haiti24.net/haiti-securite-polifront-une-nouvelle-entite-de-la-pnh-controlle-la-frontiere/>
- 52 U.S. Embassy in Haiti. U.S. Ambassador Highlights U.S. Government Partnership with Haiti in the Northeast. August 14, 2018. <https://ht.usembassy.gov/u-s-ambassador-highlights-u-s-government-partnership-with-haiti-in-the-northeast/>
- 53 U.S. Department of State. Trafficking in Persons Report- 2018: Haiti. Washington, DC, June 28, 2018. <https://www.state.gov/reports/2018-trafficking-in-persons-report/haiti/>
- 54 U.S. Embassy- Port-au-Prince. Reporting. February 14, 2020.
- 55 ILO Committee of Experts. Individual Observation concerning Labour Inspection Convention, 1947 (No. 81) Haiti (ratification: 1952). Published: 2017. Accessed October 20, 2017. [http://www.ilo.org/dyn/normlex/en/?p=1000:13100:0::NO:13100:PI3100\\_COMMENT\\_ID:3295579:YES](http://www.ilo.org/dyn/normlex/en/?p=1000:13100:0::NO:13100:PI3100_COMMENT_ID:3295579:YES)
- 56 UN. World Economic Situation and Prospects 2021 Statistical Annex. New York, 2021. Please see "Labor Law Enforcement: Sources and Definitions" in the Reference Materials section of this report. <https://www.un-ilibrary.org/content/books/9789210054980/read>
- 57 ILO modelled estimates and projections (ILOEST) – Population and labour force. Accessed (January 25, 2022). Labor force data is modelled on a combination of demographic and economic explanatory variables by the ILO. Please see "Labor Law Enforcement: Sources and Definitions" in the Reference Materials section of this report. <https://ilostat.ilo.org/data/>
- 58 UN Human Rights Council. Report of the Working Group on the Universal Periodic Review - Haiti - Addendum - Views on conclusions and/or recommendations, voluntary commitments and replies presented by the State under review. March 13, 2017. Source on file.
- 59 U.S. Embassy- Port-au-Prince official. E-mail communication to USDOL official. June 30, 2021.
- 60 U.S. Department of State. Trafficking in Persons Report- 2017: Haiti. Washington, DC, June 27, 2017. <https://www.state.gov/reports/2017-trafficking-in-persons-report/haiti/>
- 61 National Commission for the Elimination of the Worst Forms of Child Labor. DRAFT: National Action Plan to Combat Child Labor. June 19, 2014. Source on file.
- 62 Government of the Republic of Haiti. Groupe de Travail Protection de l'Enfance Niveau National—Termes de Reference. 2014. Source on file.
- 63 Institut du Bien-Être Social et de Recherches (IBESR). Stratégie Nationale de Protection de l'Enfant. September 2015. [http://pdf.usaid.gov/pdf\\_docs/PA00M2GJ.pdf](http://pdf.usaid.gov/pdf_docs/PA00M2GJ.pdf)
- 64 UNICEF. Haiti Humanitarian Situation Report, Mid-Year 2018. June 30, 2018. [https://reliefweb.int/sites/reliefweb.int/files/resources/UNICEF\\_Haiti\\_Humanitarian\\_Situation\\_Report\\_Mid-Year\\_2018.pdf](https://reliefweb.int/sites/reliefweb.int/files/resources/UNICEF_Haiti_Humanitarian_Situation_Report_Mid-Year_2018.pdf)
- 65 Haiti Libre. Haïti- Éducation: Already 116 Million Arrears of Wages Paid on Nearly 800 Million. November 20, 2019. <https://www.haitilibre.com/en/news-29312-haiti-education-already-116-million-arrears-of-wages-paid-on-nearly-800-million.html>
- 66 UNESCO International Institute for Educational Planning. Improving school financing. 2018. [https://unesdoc.unesco.org/ark:/48223/pf0000246712\\_eng](https://unesdoc.unesco.org/ark:/48223/pf0000246712_eng)
- 67 Le Nouvelliste. Utilisation du FNE, la CSCCA Révèle des Chiffres Incompréhensibles. July 10, 2019. <https://lenouvelliste.com/article/204332/utilisation-du-fne-la-cscca-revele-des-chiffres-incomprehensibles>
- 68 Haiti Libre. Haïti- Éducation : Le FNE Discute de L'utilisation de la Subvention des Frais de Scolarité. July 17, 2019. <https://www.haitilibre.com/article-28258-haiti-education-le-fne-discute-de-l-utilisation-de-la-subvention-des-frais-de-scolarite.html>
- 69 UNICEF. Haiti Humanitarian Situation Report January–December 2020. 2020. <https://www.unicef.org/media/94046/file/Haiti-SitRep-December-2020.pdf>
- 70 UNICEF. Hurricane Matthew three months on: Life for Haiti's children. January 9, 2017. <https://www.unicef.org/stories/hurricane-matthew-three-months-life-haitis-children>

## MINIMAL ADVANCEMENT

- 71 UNICEF. Haiti- Annual Report 2017.  
[https://www.unicef.org/about/annualreport/files/Haiti\\_2017\\_COAR.pdf](https://www.unicef.org/about/annualreport/files/Haiti_2017_COAR.pdf)
- 72 Morin, Karine. Mettre fin au travail des enfants en Haiti. UNICEF Canada, February 24, 2017.  
<https://www.unicef.ca/fr/blog/mettre-fin-au-travail-des-enfants-en-haiti>
- 73 World Bank. Providing an Education of Quality in Haiti (PEQH) (P155191). August 10, 2017: Implementation Status & Results Report—Sequence 02.  
<http://documents.worldbank.org/curated/en/647071502404387101/pdf/ISR-Disclosable-P155191-08-10-2017-1502404378346.pdf>
- 74 American Institutes for Research. Alliance pour la Protection des Enfants-Haiti. 2017.  
<http://www.air.org/project/alliance-pour-la-protection-des-enfants-haiti>
- 75 U.S. Embassy- Port-au-Prince official. E-mail communication to USDOL official. July 8, 2022.
- 76 UNICEF. Haiti Humanitarian Situation Report January–December 2021. 2021.  
<https://www.unicef.org/media/115776/file/Haiti%20Humanitarian%20Situation%20Report,%2031%20December%202021.pdf>

In 2021, Honduras made significant advancement in efforts to eliminate the worst forms of child labor.

The government established a new legal protocol to improve local community coordination on child labor issues and increased penalties for forced labor under the Penal Code from 5 to 8 years' imprisonment to 10 to 15 years. The government also established the Roadmap for the Elimination of Child Labor in Honduras (2021–2025), which seeks to identify risk factors for vulnerability to child labor, raise awareness of child labor laws, and establish

a protocol for responding to child labor violations. Furthermore, government agencies conducted multiple joint inspections targeting child labor throughout the country, and the Ministry of Education launched a new learning management system to address gaps in education caused by the pandemic. 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, melons, and lobsters. Labor law enforcement agencies lack the financial and human resources necessary to fulfill their mandate. Additionally, social programs that address child labor in agriculture have not addressed the problem nationwide. The government also lacks similar programs to eliminate child labor in other sectors, including fishing, mining, domestic work, and forced begging.



## 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, melons, and lobsters. (1–4) Table 1 provides key indicators on children's work and education in Honduras.

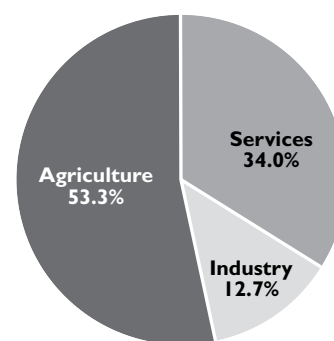
**Table 1. Statistics on Children's Work and Education**

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 (%)		80.2

Source for primary completion rate: Data from 2020, published by UNESCO Institute for Statistics, 2022. (5)

Source for all other data: International Labor Organization's analysis of statistics from Encuesta Permanente de Hogares de Propósitos Múltiples (EPHPM), 2019. (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 melon, coffee, corn, and okra (7–13)
	Harvesting shrimp† (10)
	Fishing,† including working as divers' assistants,† and diving for lobster† (4,14)
Industry	Production and sale of fireworks† (15,16)
	Artisanal mining† (4)
	Construction,† activities unknown (1,4,8,12–14)

# Honduras

## SIGNIFICANT ADVANCEMENT

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

Sector/Industry	Activity
Services	Washing car windows, begging, vending, and performing† on the streets for tips (1,17,18)
	Scavenging in garbage dumps† (17,19)
	Work in hotels, activities unknown (17)
	Domestic work† (8,12,13,17)
Categorical Worst Forms of Child Labor‡	Forced labor in fishing, mining, construction, and in the hospitality industry (4)
	Forced begging, street vending, and domestic service (4,12,13,20)
	Commercial sexual exploitation, sometimes as a result of human trafficking (4,12-14,21,22)
	Use in illicit activities, including by gangs in committing extortion, and selling and trafficking drugs, sometimes as a result of human trafficking (1,3,4,12-14)

† 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.

Children in Honduras are subjected to commercial sexual exploitation, sometimes by family members and friends. (4,12,14) Children are also forced to work as street vendors and domestic servants. Gangs force children to commit extortion, engage in prostitution, transport weapons, traffic drugs, and serve as lookouts. (4,12,14) In addition, Honduras is a destination country for child sex tourists from the United States and Canada. (4)

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. (12-14) These numbers do not incorporate estimates for children used by gangs. The Ministry of Labor and Social Security (SETRASS) noted that due to the COVID-19 pandemic and subsequent job losses, child labor has likely increased as adults have been unable to support their families, but has not updated official statistics. (13) Reports indicate that children from indigenous and Afro-descendant groups are particularly vulnerable to child labor, including its worst forms. (1,21,23) In particular, boys from the Miskito Afro-descendant community are vulnerable to forced labor in fishing, mining, construction, and hospitality industries. (4) 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. (21,22,24)

In 2021, barriers to education in the country continued due to pandemic-related school closures and children's lack of access to the Internet, cellphone coverage, or technical equipment required to attend virtual classes. (12,13) After a significant number of children left school in 2020, high rates of school dropouts persisted in 2021 as most schools continued to only provide distance education. (13) Poverty and lack of access to education increase the vulnerability of children to child labor and exploitation. (25) To help address gaps in access to education, USAID provided technical assistance and materials to launch the Ministry of Education's new learning management system, Learning Passport, benefitting over 1.6 million students in 2021. Additionally, USAID assisted in the distribution of education kits, which included printed textbooks, teacher guides, school supplies, and in some cases, connectivity packages, to support over 800,000 children and youth in 11 departments. (13)

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. (1,26) Reports indicate that in some regions of the country, especially in La Mosquitia, language barriers exist as the teachers do not speak local languages or dialects. (12,27) Violence originating from gang activity, including recruitment and territorial disputes, also presents barriers to access for both children and educators, causing some schools to drastically reduce their enrollment. (1,12-14) Additionally, children from indigenous and Afro-descendant groups face persistent difficulties in obtaining access to education. (27,28) Schools that serve their communities have deteriorating conditions, such as shortages of materials, personnel, and infrastructure. There is also a particularly high dropout rate among children of indigenous and African descent. (27,28) Finally, 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. (29) Other barriers to education access in






the country include deteriorating school infrastructure, a lack of sanitation and electricity in schools, a lack of transportation to school, and the cost of school fees, uniforms, and supplies. (12-14)

## 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 being lower than the compulsory education age.

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

Standard	Meets International Standards	Age	Legislation
Minimum Age for Work	Yes	18	Article 120 of the Code on Childhood and Adolescence; Article 15 of the Executive Agreement STSS-211-01; Article 32 of the Labor Code (30-32)
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 (30,31,33)
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 (30,33)
Prohibition of Forced Labor	Yes		Articles 2 and 10 of the Executive Agreement STSS211-01; Articles 221 and 222 of the Penal Code (30,34)
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 (30,34,35)
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 (30,31,34)
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 (30,31,35,36)
Minimum Age for Voluntary State Military Recruitment	Yes	18	Articles 2 and 12 of the Executive Agreement STSS211-01 (30)
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 (30)
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 (31,37)
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 (31,37,38)

\* Country has no conscription (30)

# Honduras

## SIGNIFICANT ADVANCEMENT

On October 7, 2021, the National Congress increased penalties for forced labor under the trafficking in persons article of the Penal Code from 5 to 8 years' imprisonment to 10 to 15 years, bringing the penalties in line with the penalties for other serious crimes, such as kidnapping. The reform, which reinstated the penalties that existed prior to 2020, entered into effect on November 1, 2021, after publication in the national register. (63) In addition, at the end of 2020, SETRASS issued Executive Order STSS 578-2020 Regulation of Protected Adolescent Work. (64) The Executive Order governs issuance of work permits to adolescents between the ages of 14 and 18, including determination of hours, conditions, and activities of work. (64)

## 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 (SETRASS)	Conducts labor inspections and enforces child labor laws through the General Directorate of Social Welfare and the General Directorate of Labor Inspections. Created by the Labor Inspection Law enacted in 2017 through Decree Num. 178-2016. (12,39,40)
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. (14,41) 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 survivors. (14,41) 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. (14) Through its Unit Against Trafficking in Persons, Commercial Sexual Exploitation and Illicit Human Smuggling (UTESCTP), coordinates with domestic and international enforcement agencies to carry out anti-trafficking in persons operations and prosecutions. (20,42)
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. (12)
Directorate of Childhood, Adolescence, and Family (DINAF)	Formulates, coordinates, and implements national plans concerning children, adolescents, and their families; monitors children's rights, including by investigating complaints of child labor and ensuring that survivors 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. (12,13,43-45) DINAF also carries out inspections throughout the country through its six regional offices, in conjunction with other Government of Honduras (GOH) agencies. (13)

## Labor Law Enforcement

In 2021, labor law enforcement agencies in Honduras took actions to address child labor (Table 6). However, gaps exist within the operations of the SETRASS that may hinder adequate labor law enforcement, including a lack of labor inspectors.

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

Overview of Labor Law Enforcement	2020	2021
Labor Inspectorate Funding	\$3,200,000 (12)	\$3,300,000 (13)
Number of Labor Inspectors	170 (13)	162 (13)
Mechanism to Assess Civil Penalties	Yes (32)	Yes (32)
Initial Training for New Labor Inspectors	Yes (12)	Yes (13)
Training on New Laws Related to Child Labor	Yes (12)	Yes (13)
Refresher Courses Provided	Yes (12)	Yes (13)
Number of Labor Inspections Conducted	8,267 (12)	14,299 (65)
Number Conducted at Worksite	7,318 (12)	Unknown (13)

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

Overview of Labor Law Enforcement	2020	2021
Number of Child Labor Violations Found	0 (12)	1 (13)
Number of Child Labor Violations for Which Penalties Were Imposed	N/A (12)	0 (13)
Number of Child Labor Penalties Imposed that Were Collected	N/A (12)	0 (13)
Routine Inspections Conducted	Yes (12)	Yes (13)
Routine Inspections Targeted	Yes (12)	Yes (13)
Unannounced Inspections Permitted	Yes (32)	Yes (32)
Unannounced Inspections Conducted	Yes (12)	Yes (13)
Complaint Mechanism Exists	Yes (12)	Yes (13)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (12)	Yes (13)

During the reporting period, SETRASS conducted 14,299 labor inspections, including 32 related directly to child labor. SETRASS conducted inspections in businesses in the commercial, service, and agricultural sectors. SETRASS reported it conducted inspections throughout the country in the language spoken by most workers in the workplace. (13,65) SETRASS uncovered one violation of child labor laws in 2021, however it could not provide additional details as the violation was still under review. SETRASS also uncovered one child working in a commercial business without the appropriate authorization. (13) While SETRASS confirmed there are children working in the agricultural sector, they did not find any when conducting their inspections during the reporting period. (13)

SETRASS 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. (1,12,13,26) Reports indicate that SETRASS conducts most inspections in the urban areas of Tegucigalpa and San Pedro Sula. Moreover, rural areas and indigenous communities, in which hazardous activities in agriculture, fishing, and diving are concentrated, have insufficient inspections to address the scope of the problem. (4,46) 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. (12,13)

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. (1,12,26) In 2021 the government allocated \$3.3 million to the labor inspectorate, which was a 3.1 percent increase over the budget of 2020. However, inspectors did not have enough access to transportation and travel funding to carry out inspections. (13,65) Furthermore, reports indicate that the Directorate of Childhood, Adolescence, and Family (DINAF) lacks sufficient resources to adequately carry out its mandate. (26)

The number of labor inspectors is likely insufficient for the size of Honduras' workforce, which includes more than 4.1 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 274 labor inspectors. (47,48) SETRASS also noted that the number of labor inspectors is insufficient. (12) New inspectors receive an initial training of six months, including training on child labor issues. During the reporting period, inspectors received virtual training on inspection protocols. (13) However, reports indicate that additional training on child labor issues is still needed for labor inspectors. (65)

### **Criminal Law Enforcement**

In 2021, criminal law enforcement agencies in Honduras took actions to address child labor (Table 7). However, gaps exist within the operations of the criminal enforcement agencies that may hinder adequate criminal law enforcement, including insufficient allocation of financial resources.

# Honduras

## SIGNIFICANT ADVANCEMENT

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

Overview of Criminal Law Enforcement	2020	2021
Initial Training for New Criminal Investigators	Yes (12)	Yes (13)
Training on New Laws Related to the Worst Forms of Child Labor	Yes (12)	N/A (13)
Refresher Courses Provided	Unknown (12)	Yes (13)
Number of Investigations	35 (12)	10 (13)
Number of Violations Found	Unknown (12)	4 (13)
Number of Prosecutions Initiated	Unknown (12)	12 (13)
Number of Convictions	Unknown (12)	Unknown (13)
Imposed Penalties for Violations Related to the Worst Forms of Child Labor	Unknown (12)	Unknown (13)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (12)	Yes (13)

In 2021, the Public Ministry reported the Special Prosecutor's Office for Children opened an investigation into forced child begging, carrying out 156 operations on a national level. (13) Related to these investigations, the office identified one perpetrator who has been linked to sexual assault against three children, aggravated rape against two children, and production of child pornography involving at least three child victims. The office continues to investigate to see if other victims can be identified. (13) The Unit Against Trafficking in Persons, Commercial Sexual Exploitation and Illicit Human Smuggling (UTESCTP) investigated six child trafficking cases linked to forced begging, three cases linked to child labor exploitation, and one case of forced labor involving three children as of December 2021. The government did not have final numbers on the number of violations related to forced child begging. (13) The Public Ministry reported three violations of child commercial sexual exploitation (child pornography) and one violation of child labor exploitation. (13) However, reports indicate that criminal law enforcement agencies in the country have a limited capacity to investigate trafficking in persons cases in most regions of Honduras due to staffing limitations. (49)

The Public Ministry reported the Special Prosecutor's Office for Children prosecuted two defendants for alleged child labor crimes. (13) In addition, UTESCTP prosecuted one defendant for child sexual exploitation, forced servitude, and slavery; two defendants for child labor exploitation; one defendant for forced begging; one defendant for forced labor, child abuse, and sexual assault; two defendants for child labor exploitation, aggravated sexual assault, aggravated rape, and aggravated child abuse; two defendants for aggravated rape and trafficking in persons resulting in forced servitude and slavery; and one defendant for trafficking in persons resulting in forced begging. (13) The Public Ministry reported the Special Prosecutor for Children rescued seven children who were victims of various crimes and removed 96 children from situations of begging. The Public Ministry transferred the children to DINAF to receive social support and services. (13)

During the reporting period, the Public Ministry's Special Prosecutor's Office for Children trained prosecutors and criminal investigators on child labor. (13) Additionally, UTESCTP conducted several trainings on prevention of trafficking in persons. These trainings benefitted police, prosecutors, judges, labor inspectors, teachers, students, health officials, victims services professionals, and migration officials. (49)

## 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 SETRASS and includes officials from eight government ministries, DINAF, the Supreme Court, and other government entities. (39,50) Oversees regional sub-commissions, led by SETRASS and DINAF officials, which implement national efforts at the local level. (39,50) The Commission met on June 17, 2021. The meeting focused on the creation of a strategic and operational plan for 2022–2026. On August 23, 2021, the Commission approved the 2021–2025 roadmap for the elimination of child labor. (13) During the reporting year, SETRASS coordinated joint actions for the prevention of child labor 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. (13)
Inter-Institutional Commission Against Sexual, Commercial, and Trafficking Exploitation (CICESCT)	Works to prevent trafficking in persons and sexual exploitation, as well as providing services to protect and support survivors and their families. (13) Coordinates at the national level the actions carried out by public and private institutions to sensitize, prevent, and provide services to survivors, as well as implement actions to address sexual exploitation and human trafficking. (51) CICESCT is made up of 20 government institutions and 12 civil society organizations. It supports local committees in each of the country's 18 departments. (13) Implements the Strategic Plan to Combat Commercial Sexual Exploitation and Human Trafficking, as well as manages a dedicated trafficking in persons hotline. (13,49) In 2021, CICESCT identified 35 child victims of exploitation, 10 of them were children used to produce pornographic material and 25 were girls used for sexual exploitation. CICESCT coordinated with DINAF to provide protection, food, health care, and psychological support to survivors. (13) CICESCT also conducted a series of trainings both online and in-person for government officials and representatives of non-governmental organizations. These trainings focused on prevention of trafficking in persons. (49) It also carried out information and raising awareness campaigns on human trafficking. (49)
Migration Task Force	Convenes several government ministries to collaborate on addressing irregular migration, including addressing the risks associated with trafficking in persons. (2) In 2021, it held various meetings to support and coordinate dignified returns of migrants and to provide services to them. (65)
Ministry of Social Development and Inclusion	Coordinates social protection policies and the provision of services to vulnerable populations. (52) Reports indicate it was active during 2021. (13,45)

On July 9, 2021, SETRASS published agreement STSS 177-2021 Protocol of Organization, Training, and Legalization of Child Labor Prevention Committees. This protocol aims to improve local community coordination on child labor issues. SETRASS will lead the initiative with the support of its regional offices and municipal councils. (13,66)

During the reporting period, the government also developed and approved a victim's assistance manual, which includes new standard operating procedures for preventing, detecting, and providing assistance to survivors of trafficking. It provided information on identifying trafficking risk factors and vulnerable groups, as well as outlining interagency coordination to support survivors. (49) Additionally, the government created an assistance plan outlining the basic and urgent needs of survivors, including assistance to support recovery from trauma. (49)

## V. GOVERNMENT POLICIES ON CHILD LABOR

The government has established policies related to child labor (Table 9).

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

Policy	Description
Roadmap for the Elimination of Child Labor in Honduras (2021–2025)†	Aims to eliminate all forms of child labor by 2025. Established on August 23, 2021, by the National Commission for the Gradual and Progressive Eradication of Child Labor. (13) It replaces the previous roadmap for the elimination of child labor that expired in 2020. (65) The lines of action include increased efforts to identify risk factors for vulnerability to child labor; the establishment of a common, integrated protocol for responding to child labor situations; and increased awareness of child labor laws and labor rights. Works at the national, regional, and sub-regional levels and addresses poverty, health, education, and social development. (13,53)
Strategic Plan to Combat Commercial Sexual Exploitation and Human Trafficking in Honduras (2016–2022)	Establishes national priorities to address 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. (54,65) 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. (13)



# Honduras

## SIGNIFICANT ADVANCEMENT

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

Policy	Description
Interinstitutional Strategy for Homeless Families and Children	Defines coordinating actions to confront the problem of family and child homelessness, including child begging. Finalized in 2020, it was developed partly in response to the pandemic and other factors contributing to increasing rates of homelessness. (12) In 2021, it supported activities carried out by the Program to Combat Child Forced Begging. (65)
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 SETRASS, enhancing enforcement activities, and increasing outreach efforts. (55) During the reporting period, USDOL and SETRASS continued activities and coordination under the plan. (13)

† 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. (56-59)

## VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2021, 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 inadequacy 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. (24,60) Reports indicate this program was active in 2021, and continued to provide cash transfers to reduce poverty. (65)
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. (46,61) In 2021, as part of this program the government conducted 106 operations as part of an investigation into forced child begging. These led to interactions with 112 family units through six DINAF regional offices, and resulted in the application of 13 protective measures, and the referral of seven cases for prosecution. (65)
Program for the Reintegration of Returned Unaccompanied Migrant Children†	Government program that assists unaccompanied migrant children who have been returned to Honduras. (12,13) 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 (COIPRODEN), the International Organization for Migration (IOM), and NGO Aldeas SOS. UNICEF and USAID, through IOM, provide financial support for the program. (13,65) Reports indicate it was still active and operational in 2021, especially in the Belen Child and Family Reception. (65)
Program to Prevent Sex Tourism Involving Children and Adolescents†	Government program that aims to raise awareness and provide training on preventing sex tourism for the tourism industry. Implemented by the Honduran Tourist Board, the Ministry of Tourism, and the Honduras Tourism Institute. (1) In 2021, the Honduran Institute of Tourism virtually participated in a workshop on preventing exploitation and trafficking in persons. Additionally, as part of the Implementation of the Integrated Central American System of Quality and Sustainability (SICCS) the theme of preventing child sex tourism was covered as part of the required modules for socially responsible business certifications. (67)
USDOL-Funded Projects	USDOL projects that aim to eliminate child labor through direct services to Honduran children and youth, capacity building with the Government of Honduras, and technical assistance to the private sector and civil society organizations. These projects include: \$8.4 million Increasing Collective Action to Address Child Labor, Forced Labor, and Other Unacceptable Conditions of Work in El Salvador, Guatemala, and Honduras (2021–2026); \$2 million Addressing Child Labor and Forced Labor in the Coffee Supply Chain in Honduras (2017–2022); \$17.2 million Youth Pathways Central America (2015–2021); and \$11.6 million Bright Futures (2014–2023). In 2021, Bright Futures provided several trainings to Child Labor Committees around the country on topics related to child labor, human trafficking, and labor rights. It also assisted in the elaboration of the Roadmap for the Elimination of Child Labor in Honduras (2021–2025), by helping to identify the main strategic lines of action. (62) In June 2021, launched the awareness campaign "Work over School", focused on raising awareness on the causes of child labor, the effects of the pandemic on children's access to education, the number of children working by gender and by geographic area in the country, and on the worst forms of child labor. It managed to reach a total of 44,431 people through social media. (62) Additional information is available on the USDOL website.

† Program is funded by the Government of Honduras.

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, domestic

work, and forced begging 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. (65)

## 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	Ensure that the age up to which education is compulsory is the same as the minimum age for work.	2021
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 hazardous activities.	2017 – 2021
	Ensure that labor and criminal law enforcement agencies have sufficient funding and resources to carry out their mandates nationwide.	2010 – 2021
	Increase the number of labor inspectors from 162 to 274 to meet the ILO's technical advice.	2010 – 2021
	Ensure that all labor inspectors receive sufficient training on child labor issues.	2014 – 2021
	Publish labor law and criminal law enforcement information on the number of labor inspections conducted at worksites, the number of convictions obtained, and penalties imposed related to the worst forms of child labor.	2015 – 2021
Social Programs	Increase access to education by increasing funding to schools; ensuring that teachers speak local languages or dialects; building more schools, particularly secondary schools, and schools in rural areas; enhancing efforts to protect students from gang recruitment and violence; and removing barriers such as school fees, costs for uniforms, and lack of transportation.	2014 – 2021
	Ensure that social programs reach the children who are most vulnerable to child labor, including children of African descent and indigenous children.	2017 – 2021
	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 – 2021

## REFERENCES

- U.S. Embassy- Tegucigalpa. Reporting. March 6, 2019.
- U.S. Embassy- Tegucigalpa. Reporting (TIP). March 18, 2019.
- U.S. Embassy- Tegucigalpa. Reporting. February 12, 2021.
- U.S. Department of State. Trafficking in Persons Report- 2020: Honduras. Washington, D.C., June 25, 2020. <https://www.state.gov/reports/2020-trafficking-in-persons-report/honduras/>
- UNESCO Institute for Statistics. Gross intake ratio to the last grade of primary education, both sexes (%). Accessed March 3, 2022. For more information, please see "Children's Work and Education Statistics: Sources and Definitions" in the Reference Materials section of this report. <http://data.uis.unesco.org/>
- ILO. Analysis of Child Economic Activity and School Attendance Statistics from National Household or Child Labor Surveys. Original data from Encuesta Permanente de Hogares de Propósitos Múltiples (EPHPM), 2019. Analysis received March 2022. Please see "Children's Work and Education Statistics: Sources and Definitions" in the Reference Materials section of this report.
- U.S. Embassy- Tegucigalpa. Reporting. November 7, 2017.
- UCW. Entendiendo las dinámicas del trabajo infantil en América Central y la República Dominicana. November 2017. Source on file.
- Government of Honduras, Secretaría de Trabajo y Seguridad Social. Desarrollan taller para erradicar trabajo infantil en Intibucá. March 7, 2017. <http://www.trabajo.gob.hn/desarrollan-taller-para-erradicar-trabajo-infantil-en-intibuca/>
- Diario El Heraldo. La Agricultura Promueve el Trabajo Infantil en el Sur de Honduras. Namasigue: June 11, 2019. <https://www.elheraldo.hn/pais/1292199-466/la-agricultura-promueve-el-trabajo-infantil-en-el-sur-de-honduras>
- Mejia, Alvaro. Niños viven atrapados por el trabajo infantil en Honduras. Tegucigalpa: Diario El Heraldo. June 10, 2019. <https://www.elheraldo.hn/pais/1291889-466/niños-viven-atrapados-por-el-trabajo-infantil-en-honduras>
- U.S. Embassy- Tegucigalpa. Reporting. January 22, 2021.
- U.S. Embassy- Tegucigalpa. Reporting. January 18, 2022.
- U.S. Embassy- Tegucigalpa. Reporting. February 19, 2020.
- HCH. Menor de 14 años resultó con serias quemaduras en una fabrica de pólvora en Copán (Previously online). August 25, 2017 (Accessed December 20, 2017). Source on file.
- La Tribuna. Madre e hija ingresan quemadas por pólvora al HEU. November 28, 2017. <http://www.latribuna.hn/2017/11/28/madre-e-hija-ingresan-quemadas-polvora-al-heu/>
- La Tribuna. Casi 400 mil niños víctimas de trabajo infantil. June 13, 2017. <http://www.latribuna.hn/2017/06/13/casi-400-mil-ninos-victimas-trabajo-infantil/>
- Zapata, David. Mas de 400,000 menores trabajan en Honduras. San Pedro Sula: La Prensa, August 7, 2019. <https://www.laprensa.hn/honduras/1308361-410/400000-menores-trabajan-honduras-organizacion-internacional-trabajo>

## SIGNIFICANT ADVANCEMENT

- 19 Government of Honduras, Secretaría de Trabajo y Seguridad Social. Regional de La Ceiba, realiza operativos para erradicar trabajo infantil. March 2017.  
<http://www.trabajo.gob.hn/regional-de-la-ceiba-realiza-operativos-para-erradicar-trabajo-infantil/>
- 20 U.S. Department of State. Trafficking in Persons Report- 2019: Honduras. Washington, D.C., June 20, 2019.  
<https://www.state.gov/reports/2019-trafficking-in-persons-report-2/honduras/>
- 21 Kids in Need of Defense. Neither Security nor Justice: Sexual and Gender-based Violence and Gang Violence in El Salvador, Honduras, and Guatemala. 2017.  
[https://supportkind.org/wp-content/uploads/2017/05/Neither-Security-nor-Justice\\_SGBV-Gang-Report-FINAL.pdf](https://supportkind.org/wp-content/uploads/2017/05/Neither-Security-nor-Justice_SGBV-Gang-Report-FINAL.pdf)
- 22 UN Human Rights Committee. Concluding observations on the second periodic report of Honduras. August 22, 2017: CCPR/C/HND/CO/2.  
[http://tbinternet.ohchr.org/\\_layouts/treatybodyexternal/Download.aspx?symbolno=CCPR/C/HND/CO/2&Lang=en](http://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=CCPR/C/HND/CO/2&Lang=en)
- 23 ILO Committee of Experts. Individual Observation concerning Worst Forms of Child Labour Convention, 1999 (No. 182) Honduras (ratification: 2001). Published: 2016. Accessed May 4, 2016. Source on file.
- 24 Government of Honduras. Discurso del Estaso de Honduras Segunda Informe Periodico de Honduras ante el Comite Derechos Humanos 120 Periodo de Sesión 5 Y 6 de Julio. July 6, 2017.  
[http://tbinternet.ohchr.org/\\_layouts/treatybodyexternal/Download.aspx?symbolno=INT/CCPR/STA/HND/28023&Lang=en](http://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=INT/CCPR/STA/HND/28023&Lang=en)
- 25 Radfar, Amir; Asgharzadeh, Seyed Ahmad Ahmadi; Quesada, Fernando; and Filip, Irina. Challenges and Perspectives of Child Labor. *Industrial Psychiatry Journal*. 2018.  
<https://www.ncbi.nlm.nih.gov/pmc/articles/PMC6198592/?report=printable>
- 26 U.S. Embassy- Tegucigalpa. Reporting. April 10, 2017.
- 27 UN Committee on the Elimination of Racial Discrimination. Concluding observations on the combined sixth to eighth periodic reports of Honduras. January 14, 2019. Source on file.
- 28 UN Human Rights Council. Compilation on Honduras- Report of the Office of the United Nations High Commissioner for Human Rights. March 3, 2020.  
<https://digitallibrary.un.org/record/3863092?ln=en>
- 29 U.S. Department of State. Country Reports on Human Rights Practices- 2020: Honduras. Washington, D.C., March 30, 2021.  
<https://www.state.gov/reports/2020-country-reports-on-human-rights-practices/honduras/>
- 30 Government of Honduras. Acuerdo Ejecutivo No. STSS-211-01, Reglamento sobre Trabajo Infantil en Honduras. Enacted: October 10, 2001. Source on file.
- 31 Government of Honduras. Código de la Niñez y de la Adolescencia, 73-96. Enacted: September 5, 1996. Source on file.
- 32 Government of Honduras. Código del Trabajo y sus Reformas, No. 189. Enacted: July 15, 1959.  
<http://www.ilo.org/dyn/natlex/docs/WEBTEXT/29076/64849/S59HND01.htm#t4>
- 33 Government of Honduras. Acuerdo No. STSS-441-2016. Enacted: December 7, 2016. Source on file.
- 34 Government of Honduras. Código Penal, Decreto 130-2017. Enacted: May 10, 2019.  
[https://www.tsc.gob.hn/web/leyes/Decreto\\_130-2017.pdf](https://www.tsc.gob.hn/web/leyes/Decreto_130-2017.pdf)
- 35 Government of Honduras. Decreto Legislativo No. 35-2013. Enacted: September 5, 2013.  
<http://www.lagaceta.hn/>
- 36 Government of Honduras. Ley Contra la Trata de Personas (Decreto 59-2012). Enacted: July 6, 2012.  
<http://www.ilo.org/dyn/natlex/docs/ELECTRONIC/90974/105243/F327431691/HND90974.pdf>
- 37 Government of Honduras. Ley Fundamental de Educación, No. 262-2011. Enacted: February 22, 2012. Source on file.
- 38 Government of Honduras. Constitución. Enacted: January 11, 1982.  
<http://pdba.georgetown.edu/Constitutions/Honduras/hond82.html>
- 39 Government of Honduras. Decreto Ejecutivo PCM-025-2017. Enacted: March 10, 2017. Source on file.
- 40 Government of Honduras. Ley de Inspección de Trabajo, Decreto num. 178-2016. Enacted: January 23, 2017. Source on file.
- 41 Government of Honduras. Acuerdo FRG-011-2016. May 9, 2016. Source on file.
- 42 U.S. Embassy- Tegucigalpa. Reporting. February 12, 2020. Source on file.
- 43 Government of Honduras. Decreto Ejecutivo PCM-27-2014. Enacted: June 6, 2014. Source on file.
- 44 U.S. Embassy- Tegucigalpa. Reporting (TIP). March 17, 2017.
- 45 U.S. Embassy- Tegucigalpa official. E-mail communication to USDOL official. July 7, 2021.
- 46 U.S. Embassy- Tegucigalpa official. E-mail communication to USDOL official. May 16, 2017.
- 47 ILO Labor Force Statistics (LFS) – Population and labour force. Accessed (January 25, 2022). Labor force data is government-reported data collected by the ILO. Please see "Labor Law Enforcement: Sources and Definitions" in the Reference Materials section of this report.  
<https://ilostat.ilo.org/data/>
- 48 UN. World Economic Situation and Prospects 2021 Statistical Annex. New York, 2021. Please see "Labor Law Enforcement: Sources and Definitions" in the Reference Materials section of this report.  
<https://www.un-ilibrary.org/content/books/9789210054980/read>
- 49 U.S. Embassy- Tegucigalpa. Reporting. February 11, 2022.
- 50 Government of Honduras. Planificación Estratégica - Honduras 2016–2020: Honduras, un País Libre de Trabajo Infantil y sus Peores Formas. Source on file.
- 51 Government of Honduras. Comisión Interinstitucional Contra la Explotación Sexual Comercial y Trata de Personas de Honduras – CICESCT. Accessed on March 4, 2022.  
<https://cicesct.gob.hn/sobre-nosotros/>
- 52 Government of Honduras, Secretaria de Desarrollo e Inclusión Social. Mision, Vision, Valores, y Objetivos Estrategicos Institucionales.  
<https://sedis.gob.hn/node/3>
- 53 International Labor Organization. Hoja de Ruta para hacer de Honduras un país libre de trabajo infantil y sus peores formas. June 1, 2011. Source on file.
- 54 Government of Honduras. Plan Estratégico contra la Explotación Sexual Comercial y Trata de Personas en Honduras, 2016–2022. 2016. Source on file.
- 55 Government of the United States and the Government of Honduras. Labor Rights Monitoring and Action Plan as Mutually Determined by the Government of the United States and the Government of Honduras. 2015. Source on file.
- 56 Governments of El Salvador, Guatemala, and Honduras. Plan of the Alliance for Prosperity in the Northern Triangle: A Road Map. September 2014.  
<http://idbdocs.iadb.org/wsdocs/getdocument.aspx?docnum=39224238>
- 57 Government of Honduras. Decreto Ejecutivo PCM-011-2011. Enacted: February 15, 2011. Source on file.
- 58 Government of Honduras. Decreto Ejecutivo PCM-056-2011. Enacted: August 23, 2011. Source on file.
- 59 Government of Honduras. Vision de País 2010–2038 y Plan de Nación 2010–2022. 2010. Source on file.
- 60 Navarro, Mayra. Según estudio presentado por el BID: Pobreza se redujo del 71.8% al 59.6% gracias al Bono Vida Mejor. *Aquí Honduras*, May 28, 2018. Source on file.
- 61 ILO Committee of Experts. Individual Observation concerning Worst Forms of Child Labour Convention, 1999 (No. 182) Honduras (ratification: 2001). Published: 2019.  
[https://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:13100:0::NO::P13100\\_COMMENT\\_ID:3959181](https://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:13100:0::NO::P13100_COMMENT_ID:3959181)

## SIGNIFICANT ADVANCEMENT

- 62 U.S. Department of Labor: Project to Reduce Child Labor and Improve Labor Rights and Working Conditions Futuros Brillantes (Bright Futures), Honduras. Technical Progress Report. October, 2021. Source on file.
- 63 Government of Honduras. Decreto No. 93-2021. Enacted: November 2, 2021. [https://www.tsc.gob.hn/web/leyes/Decreto\\_93-2021.pdf](https://www.tsc.gob.hn/web/leyes/Decreto_93-2021.pdf)
- 64 Government of Honduras. Acuerdo Ejecutivo STSS-578-2020. Enacted: October 1, 2020. Source on file.
- 65 U.S. Embassy- Tegucigalpa official. E-mail communication to USDOL official. July 8, 2022.
- 66 Government of Honduras. Acuerdo Ejecutivo STSS-177-2021. Enacted: July 10, 2021. Source on file.
- 67 U.S. Embassy- Tegucigalpa official. E-mail communication to USDOL official. July 11, 2022.

In 2021, India made moderate advancement in efforts to eliminate the worst forms of child labor. The State Government of Bihar issued the biggest recorded payout to survivors of the Muzaffarpur shelter home case, which involved the victimization of 44 girls between the ages of 7 and 17 for the purposes of commercial sexual exploitation. In addition, Indian authorities rescued 58,289 children from child labor during 2020-2021, an increase from previous years. In July 2021, the Anti-Human Trafficking Units in Telangana also rescued more than 2,500 children from child labor and streamlined the state's human trafficking prevention and rehabilitation processes. Although the government made meaningful efforts in all relevant areas during the reporting period, the government did not publicly release information on its labor law enforcement or criminal law enforcement efforts. Children in India are subjected to the worst forms of child labor, including commercial sexual exploitation, sometimes as a result of human trafficking. Children also perform dangerous tasks in garment production, stone quarrying, and brickmaking. Hazardous work prohibitions do not include all occupations in which children work for long periods in unsafe and unhealthy environments, and penalties for employing children are insufficient to deter violations. There are also serious concerns about widespread corruption among police and other government officials related to the enforcement of child labor crimes, actively impeding the investigation and prosecution of such offenses, and mistreating victims. In addition, children continue to be abused in shelter homes that operate without sufficient government oversight or accountability.



## I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in India are subjected to the worst forms of child labor, including commercial sexual exploitation, sometimes as a result of human trafficking. (1) Children also perform dangerous tasks in garment production, stone quarrying, and brickmaking. (1,2) Table 1 provides key indicators on children's work and education in India.

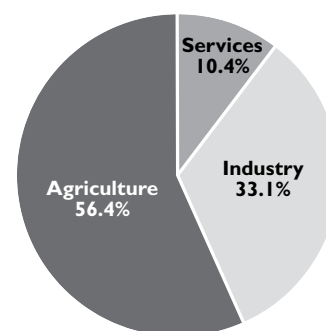
**Table 1. Statistics on Children's Work and Education**

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 (%)		94.6

Source for primary completion rate: Data from 2020, published by UNESCO Institute for Statistics, 2022. (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 ploughing land, producing hybrid cottonseed and hybrid vegetable seeds, cultivating cotton and rice, harvesting sugarcane, tea, coconut, eucalyptus, and ginger, and performing peripheral work, such as removing weeds (1,2,5-8)
	Processing sugarcane, cashew nuts,† and seafood (6,9,10)



## MODERATE ADVANCEMENT

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

Sector/Industry	Activity
Industry	Manufacturing garments, weaving silk fabric and carpets,† producing raw silk thread (sericulture), spinning cotton thread and yarn, and embellishing textiles with silver and gold ( <i>zari</i> )† (1,2,7,11,12)
	Manufacturing glass bangles,† imitation jewelry, locks,† and brassware,† and polishing gems† (2,7,13-15)
	Rolling cigarettes ( <i>bidis</i> )† and manufacturing incense sticks ( <i>agarbatti</i> ), fireworks,† and matches† (7,16)
	Manufacturing footwear and bags, producing leather goods and/or accessories,† fans, toys, and stitching soccer balls (7,17-20)
	Producing bricks,† quarrying and breaking sandstone† and granite,† and mining and collecting mica† and coal† (1,2,7,21-27)
Services	Domestic work† (2,7,28,29)
	Working in restaurants, hotels, food service, and tourism services (1,7,25,30,31)
	Street work, including scavenging, sorting garbage, selling trinkets, and organized begging (1,2,7,21,25,32,33)
	Working in automobile workshops, and vehicle repairs (1,7,21,34)
Categorical Worst Forms of Child Labor‡	Forced labor in agriculture, including producing hybrid cottonseed and harvesting sugarcane (1,2)
	Forced labor in producing bricks, quarrying stones, and in rice mills (25,35,36)
	Forced labor in producing garments and carpets, spinning cotton thread and yarn, and embroidering silver and gold into textiles ( <i>zari</i> ) (1,11,25,35)
	Forced labor in producing bangles, imitation jewelry, leather goods, toys, fans, plastic goods, footwear, and bags (2,14,15,19,20,37)
	Forced labor in domestic work and begging (2,7,19,32)
	Commercial sexual exploitation, sometimes as a result of human trafficking (1,2,7,32)
	Recruitment of children by non-state armed groups for use in armed conflict (1,2,38)
	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 (7,39,40)

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

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

India is a source and destination country for child trafficking, especially of girls and child sex tourism. (35) Human traffickers fraudulently recruit Nepali and Bangladeshi women and girls in significant numbers to India. Some Indian and Nepali girls are forced to work as "orchestra dancers" until girls are able to pay off debts that are usually fabricated. (35) Human traffickers also exploit European, Central Asian, and African girls in commercial sex. (35) Within India, children are trafficked for commercial sexual exploitation and forced labor in agriculture and domestic service. (1,2) Girls as young as 14 are trafficked from states such as Jharkhand and Chhattisgarh for commercial sexual exploitation. Human traffickers charter buses from the states of Andhra Pradesh, Rajasthan, and Karnataka to transport migrant laborers, including children, from Bihar. (41,42) To avoid suspicion, human traffickers often ask parents to accompany children to their destination. NGO's intercepted several human trafficking operations in 2021, during which they found many children carrying false identification cards as proof of being the legal working age. (41)

Most labor trafficking is internal to the country, with the states of Bihar, Jharkhand, Chhattisgarh, and Odisha being major sources of trafficked children. (1,21) 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. (25,35,43) Trafficked children are also employed on cotton farms and in home-based embroidery businesses, roadside restaurants, and brick kilns. (1) In addition, children are forced to work as bonded laborers in brick kilns and stone quarries to pay off family debts owed to moneylenders and employers. Children typically enter debt bondage along with their entire families. (1,2,21) Indian children are also used in forced labor, such as in mining and portering, by organized criminal groups and by their own families. (7)

Child survivors of commercial sexual exploitation and forced labor are more likely to be from marginalized groups, such as low-caste Hindus, members of tribal communities, and religious minorities. (1,2,44,45) Though banned in 1988, the *jogini* system, in which girls as young as age 12 and from the lower castes are married to

a local deity and used as sex slaves, is still prevalent in some parts of India. (1,46) Prevalence data for the *jogini* system are lacking in India, though authorities believe that many hidden cases exist throughout the country. (46) Human traffickers sometimes kidnap children from public places, such as railway stations, entice them with drugs, and force girls as young as age 5 engaged in sex trafficking to take hormone injections to appear older. Both registered and unregistered spas exploit girls in sex trafficking, and the government lacks sufficient oversight of such establishments. (2,47,48)

Non-state armed groups reportedly recruit children as young as age 14 for use in direct hostilities against the security forces of Jammu and Kashmir. (2,38,49) Children are also forced by non-state armed groups in the states of Chhattisgarh and Jharkhand to handle weapons, improvised explosive devices, and serve as spies, couriers, and soldiers. (2,50,51) Maoist groups sometimes used children as human shields in confrontations with security forces. (2,50) Recent reports have indicated that at least 70 percent of Maoist cadres are forcibly recruited as children, with 20 percent of these children being forcibly sterilized. (52) In addition, some female child soldiers reported that commanders of non-state armed groups recruited and used them in part for sexual exploitation, including practices indicative of sexual slavery. (2)

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*. (1,21) Furthermore, children from marginalized groups face additional barriers to accessing education. (1,21) Teachers sometimes subjected these children to discrimination and harassment. (1,53) Research has found that lower caste children in some schools are reportedly segregated in classrooms, sometimes resulting in higher dropout rates. (21,51) In addition, refugees who are not granted visas or provided identity cards by UNHCR often are not able to access education services. (21,25) Children up to the age of 14, rescued from child labor, can attend school, including the option to take vocational training. (32)

Restrictions to contain the COVID-19 pandemic required schools to remain closed until September 2021. Schools gradually reopened after an 18-month hiatus, but the damage to children's learning and educational experience has been significant and on par with global trends. (54,51) During the reporting period, classes were held online and the Government of India incorporated community radio stations and government-owned television to broadcast classes to children with connectivity issues to help increase accessibility to learning. (1,51) However, children from economically disadvantaged families and children in some rural areas were unable to attend classes due to a lack of Internet connectivity or lack of accessible devices. (1,55) Child advocates in India indicate an increase in child labor and child trafficking during the reporting period due to economic contractions related to the pandemic, with children dropping out of school to work in hazardous occupations. (34,56,51)

Between April 1 and May 25, 2021, at least 577 children lost both parents to the pandemic. (57,58) Children orphaned by the pandemic are vulnerable to exploitation for cheap labor and commercial sexual exploitation. Children are also at risk of being transported to smaller towns and rural areas, put up for scam adoption schemes, and recruited to work in factories, sometimes leading to situations of child labor or sex trafficking. (57)




The Government of India does not collect or publish data specifically on child labor, nor does it make available the raw data from the national census. (21,25)

## II. LEGAL FRAMEWORK FOR CHILD LABOR

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

## MODERATE ADVANCEMENT

**Table 3. Ratification of International Conventions on Child Labor**

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

The government 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 (59)
Minimum Age for Hazardous Work	Yes	18	Section 3A of the Child and Adolescent Labour (Prohibition and Regulation) Act (59)
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 (60,61)
Prohibition of Forced Labor	Yes		Sections 2(g), 4, and 16-19 of the Bonded Labour System (Abolition) Act; Sections 367-368, 370, 371, and 374 of the Penal Code; Section 79 of the Juvenile Justice (Care and Protection of Children) Act (62-64)
Prohibition of Child Trafficking	No		Sections 366A, 366B, 370, and 372 of the Indian Penal Code; Sections 2,5, and 5A-5B of the Immoral Traffic (Prevention) Act; Article 23 of the Constitution (63,65,66)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Sections 366A, 366B, 370A, 372, and 373 of the Indian Penal Code; Sections 4-6 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 (63,65-68)
Prohibition of Using Children in Illicit Activities	Yes		Sections 76, 78, and 83(2) of the Juvenile Justice (Care and Protection of Children) Act; Section 15-18, 20-23, and 32B(c) of the Narcotic Drugs and Psychotropic Substance Act (62,69)
Minimum Age for Voluntary State Military Recruitment	Yes	16	Codified Military Rules (70)
Prohibition of Compulsory Recruitment of Children by (State) Military	N/A*		
Prohibition of Military Recruitment by Non-state Armed Groups	No		Section 1(2) and 83 of the Juvenile Justice (Care and Protection of Children) Act (62)
Compulsory Education Age	Yes	15	Section 3 of the Right of Children to Free and Compulsory Education Act (71)
Free Public Education	Yes		Section 3 of the Right of Children to Free and Compulsory Education Act (71)

\* Country has no conscription (72)

The Parliament enacted the Occupational Safety, Health, and Working Conditions Code in September 2020. After delaying implementation through the reporting year, the new labor code was slated to take effect in 2022. (61) While the labor code stipulates that the central government will declare standards on a variety 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 only covers establishments with 10 or more employees, factories with 20 or more employees, and manufacturing facilities with 40 or more employees, leaving workers in smaller workplaces unprotected. (61) However, this code does not replace the Child Labor Act (CLA), which continues to remain a separate, enforced legislation that clearly prohibits employment of children. (51,60)

In June 2021, the Ministry of Women and Child Development (MWCD) released a draft of the Trafficking in Persons (Prevention, Care, and Rehabilitation) Bill 2021 for public comment. (51,73) A previous bill under the same name was initially drafted in 2018 and passed the House, but was never introduced in the Senate. The 2021 version of the bill expands the scope of the 2018 bill and provides care and rehabilitation to women and children, including Indian citizens outside of India and trans persons, and it addresses gaps in the previous version of the bill. (73,74) The 2021 bill would also establish a National Anti-Trafficking Committee, a body responsible for enforcing the provisions of this legislation at the federal level, as well as a rule requiring reported human trafficking crimes to be fully investigated within 90 days. (73,74) The bill was originally slated to be brought to parliament for a vote during the July- August 2021 session, but was delayed. (51,75)

While India's existing legal framework governing child labor meets international standards on the minimum age for work, it is lower than the compulsory education age and children may be encouraged to leave school before the completion of compulsory education. (59,71) Despite evidence that children work for long periods in unsafe and unhealthy environments in spinning mills, garment production, and carpet making, the regulations governing children ages 14 to 18 in hazardous labor do not include these sectors. (7,60,76) In addition, 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, but research could not pinpoint these criteria in Indian law or regulation. (77,78) The Juvenile Justice Act (2015) imposes imprisonment and fines on non-state actors recruiting child soldiers; however, the act does not apply to the territory of Jammu and Kashmir where such practices are known to occur. (62)

### 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	Conducts labor inspections, including inspections for child labor. Enforces child labor laws, including assessing penalties for violations found during inspections. (1) Refers children to Child Welfare Committees for protection and rehabilitation services. (62)
State and Local Police	Enforce laws pertaining to child labor and human trafficking. (76) Submit information to District Magistrates to determine whether a case should be prosecuted in District Court. (1) Refer children to Child Welfare Committees for protection and rehabilitation services. (62) The Criminal Investigation Department (CID) (also referred to as "Crime Branch") is a unit of the police force in each state. There are 36 CID's across India. (72,79)
Ministry of Home Affairs (MHA) – Anti-Trafficking Operations Division – State and District-Level Anti-Human Trafficking Units (AHTUs)	Investigate cases of domestic and international human trafficking. (35,41,76) Reports to district police chiefs. (2) There are a total of 696 AHTUs in various States and Union Territories across India.
Central Bureau of Investigation – Anti-Human Trafficking Units (AHTUs) and Anti-Human Trafficking Cells (AHTCs)	Investigate and prosecute cases involving the kidnapping and trafficking of women and children by professional gangs operating across multiple states at the district level. Take on cases by request of, or in agreement with, state governments. (2,80) Manage the 24-hour Helpline No. 011 for reporting cases of "Illegal Human Trafficking Especially Trafficking of Children & Women." (41,81) Similar to AHTUs, AHTCs provide intelligence gathering on human trafficking cases across the state. Each AHTC consists of an Assistant Commissioner of Police/Deputy Superintendent of Police officer, inspector, and sub-inspector. (51)
National Investigation Agency	Investigates terror-related cases. (25) Investigates and prosecutes trafficking in persons cases that have multiple state or international ramifications. (25,32,79,82)

# India

## MODERATE ADVANCEMENT

The Anti-Human Trafficking Units (AHTUs) function at the district level and work within the local police department. Research has found that some AHTUs are effective in conducting investigations, providing evidence for cases, and empowering survivors. (51) In the wake of the pandemic, the Ministry of Home Affairs (MHA) allocated \$13.3 million and directed the States and Union Territories to expedite the establishment of AHTUs covering all districts in India and upgrade the infrastructure of existing AHTUs to eliminate human trafficking. (83) State governments also dedicated financial resources to create and support fully functioning AHTUs in their jurisdictions. (51) India's largest state Uttar Pradesh had functional AHTUs in all 75 districts. In addition, the Odisha state government allocated a total of \$544,795 to strengthen the state's 37 integrated AHTUs, one in each of the 36 police districts and another in the headquarters of the state Crime Investigation Department. (51) Other funding allocation was also made for Anti-Human Trafficking Cells (AHTCs). (51)

However, a lack of resources and adequately trained staff has hindered the effectiveness of AHTUs across India. (2,84) Research was also unable to determine whether the AHTUs were set up and functional in all the states with allocated funding during the reporting period. (51) Reports show that the funding was mostly spent on infrastructure (e.g., offices, desks, buildings) and awareness programs, rather than human trafficking investigations. (2) During the reporting period, the state of Andhra Pradesh issued an order to establish 10 more AHTUs in the state, but NGO staff on the ground allege that no progress has not been made to set up AHTUs since the MHA's declaration. (85)

A distributional study from 2010-2019 conducted by an NGO based on Right to Information indicated that only about 27 percent of AHTUs across India were fully functional. (86-88) It also noted that 49 percent of India's AHTUs operate with significant funding deficits, and the remaining 32 percent (approximately 225) AHTUs as not operational and exist only on paper. (2,86-88) Police officers assigned to an AHTU unit reportedly sometimes view these positions as less favorable and these positions are sometimes occupied by near-retirees or officers with poor performance. (2,51)

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. (25)

In 2021, when some states sought approval from the national government to suspend labor laws to mitigate the economic downturn caused by the pandemic, the government mandated that child and bonded labor laws continue to be actively enforced. (89) In May 2021, the MHA re-issued the Standard Operating Procedures to strengthen law enforcement against the exploitation of women and children, and issued advisories to states to closely monitor human trafficking to ensure that the pandemic did not result in human trafficking expansion. (21,89) In December 2021, the National Committee to Protect Child Rights held a workshop attended by officials from state-level Commissions for the Protection of Child Rights, officers from AHTUs, NGOs, the Department of Labor, and other representatives to enhance coordination on child protection efforts, including rescuing children from human trafficking. (51)

### **Labor Law Enforcement**

In 2021, labor law enforcement agencies in India took actions to address 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	2020	2021
Labor Inspectorate Funding	Unknown (21)	Unknown (1)
Number of Labor Inspectors	Unknown (21)	Unknown (1)
Mechanism to Assess Civil Penalties	Yes (61)	Yes (61)



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

Overview of Labor Law Enforcement	2020	2021
Initial Training for New Labor Inspectors	Yes (21)	Yes (1)
Training on New Laws Related to Child Labor	Yes (21)	Yes (1)
Refresher Courses Provided	Yes (21)	Yes (1)
Number of Labor Inspections Conducted	Unknown (21)	Unknown (1)
Number Conducted at Worksite	Unknown (21)	Unknown (1)
Number of Child Labor Violations Found	Unknown (21)	Unknown (1)
Number of Child Labor Violations for Which Penalties Were Imposed	Unknown (21)	Unknown (1)
Number of Child Labor Penalties Imposed that Were Collected	Unknown (21)	Unknown (1)
Routine Inspections Conducted	Unknown (21)	Unknown (1)
Routine Inspections Targeted	Yes (21)	Yes (1)
Unannounced Inspections Permitted	Yes (61)	Yes (61)
Unannounced Inspections Conducted	Yes (21)	Yes (1)
Complaint Mechanism Exists	Yes (21)	Yes (1)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (21)	Yes (1)

The government did not publicly release information on its labor law enforcement efforts. While the number of labor inspectors is unknown, the number of labor inspectors is likely insufficient for the size of India's workforce, which includes over 471.3 million workers. (90) 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 31,420 labor inspectors. (90) The government also does not release disaggregated data on the specific budget for inspections, but government officials claim that inspectors have sufficient office facilities, transportation, fuel, and other necessities to carry out inspections. (21) 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. (1,25,91)

Yearly data on the number of inspections are not available. The Government of India's Ministry of Labor and Employment (MOLE) reported that during 2014-2020, 1.63 million inspections were carried out, resulting in 10,720 prosecutions and 4,153 convictions. (51) Due to the ongoing pandemic, NGOs claim that the number of labor inspections have further declined. (1) NGOs commended Rajasthan, Gujarat, and Tamil Nadu for proactive inspections, while noting that the response time is too long. Labor rights groups and trade unions alleged that inspections are often conducted ineffectively. (1) In 2021, labor inspectors received virtual training on laws relating to child labor. However, data on the number of inspectors who received training are not available. (1) In addition to not providing data on inspectors and training, the national government also failed to provide data on the number of inspections conducted, violations found, and the number of violations for which penalties were imposed and collected. (1,21)

Penalties under the 2016 Child Labor Act (CLA) include imprisonment for a minimum of 6 months up to 2 years and fines ranging from \$300 to \$700 for hiring children under the age of 14. (25,66,92) However, current available penalties and levels of enforcement are insufficient to deter employers from hiring children, as imprisonment is rare and maximum fines are infrequently levied. (1,59) While the CLA 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 as labor inspectors do not impose the maximum permissible penalty amount, even though there are no barriers to assessing penalties. (1)

State government labor inspectors plan and conduct labor inspections, which are generally targeted at specific sectors or geographical areas known to involve child labor. In 2019, under the Ease of Doing Business Reform Plan, the Ministry of Commerce and Industry established the State Reform Action Plan that included several reform points, including consolidating labor inspections with other types of business inspections. (51,93) While reforms do not apply to inspections under the CLA, states such as Telangana have since witnessed a decline in

# India

## MODERATE ADVANCEMENT

the number of inspections carried out to identify child labor. Reporting indicates that the decline is due to a lack of regular inspections of business establishments. (51,94)

During the reporting period, authorities continued to respond to corruption in labor inspections and enforcement primarily through state and local Anti-Corruption Bureaus (ACBs). In 2021, media reporting in Rajasthan highlighted work by the ACB to hold three labor officers responsible for accepting bribes. (51,95) In Karnataka, an ACB also conducted anti-corruption raids and investigations into the Bengaluru Labor Department. However, for both cases, research was unable to determine whether the labor officers were also responsible for enforcing child labor laws. (51)

### Criminal Law Enforcement

In 2021, criminal law enforcement agencies in India took actions to address 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 federal and 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	2020	2021
Initial Training for New Criminal Investigators	Unknown (21)	Yes (51)
Training on New Laws Related to the Worst Forms of Child Labor	N/A (21)	N/A (1)
Refresher Courses Provided	Unknown (21)	Yes (1)
Number of Investigations	Unknown (21)	Unknown (1)
Number of Violations Found	Unknown (21)	Unknown (1)
Number of Prosecutions Initiated	Unknown (21)	Unknown (1)
Number of Convictions	Unknown (21)	Unknown (1)
Imposed Penalties for Violations Related to the Worst Forms of Child Labor	Yes (96)	Unknown (1)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (96)	Unknown (1)

The Government of India did not respond to requests for information on its criminal law enforcement efforts for inclusion in this report. (1) During the reporting period, the Women Safety Wing of the Telangana state government streamlined the state's investigative process to prevent human trafficking and provide care for survivors. (97) On August 2, 2021, the Government of India confirmed an increase in the number of children rescued from illegal work in 2020-2021, from 54,894 to 58,289. (51) In July 2021, AHTUs in Telangana also rescued more than 2,500 children from forced child labor. (51,98) In January 2022, 1,801 children engaged in bonded labor in brick kilns, begging, street work, and other activities were rescued by the Telangana State Police under Operation Smile Phase 8. (99) In the state of Assam, police rescued 40 children who had recently been trafficked to Sikkim. Officials noted that in June and July of 2021, there were at least 107 women and children from Assam that had been rescued after human trafficking attempts. (100)

In late 2021, the National Investigation Agency filed charges against various international human trafficking rings across the country. Charges were brought against 13 Bangladeshi nationals in Bengaluru, 6 Indians from Tamil Nadu in Mangaluru with human trafficking connections in Sri Lanka, and 4 Bangladeshis for human trafficking-related offenses to the Rohingya community. All human trafficking charges included the smuggling of women and children into the country. (101,102) In March 2022, the sub-divisional magistrate in Narela helped rescue 73 child laborers from polishing, toy, and fan manufacturing factories in North Delhi. The children were trafficked from the neighboring state of Uttar Pradesh with promises of decent work and monthly pay. (20)

In addition, Telangana opened an online portal to curb human trafficking through public awareness and education. In 2021, the Telangana Women Safety Wing conducted training for all police personnel to create awareness of sex trafficking, child labor, "cyber trafficking", and the appropriate application of preventive detention for accused human traffickers. (51)

Even with apprehension and effective enforcement carried out by some district-level AHTUs, India's prosecution rate of suspected traffickers remains low with relatively few convictions. (51) AHTU members continue to express disappointment with unsuccessful prosecutions of accused human traffickers. (97) According to the most recent data available on human trafficking from the National Crime Records Bureau (NCRB), in 2020, 1,714 cases involving suspected human trafficking crimes were filed across India. In 2020, the government reported identifying 3,799 human trafficking victims, including 2,200 children under the age of 18, and 2,837 victims were registered under the Bonded System Abolition Act (BSA). (51) However, courts completed trials in only 27 percent of the cases and convicted a mere 10.6 percent of those charged with human trafficking crimes. (103) Research was unable to determine how many of these prosecutions involved child victims. (103) NCRB data indicate that convictions under the Child and Labor Law also remain low. (104) In 2020, the government completed prosecution in 463 trafficking in persons cases, convicted 101 human traffickers in 49 cases, and acquitted 715 suspects in 414 cases. During the reporting year, the acquittal rate for trafficking in persons cases was 89 percent. (51)

Research found apprehending child traffickers has become more challenging for law enforcement as human traffickers increasingly utilize technology to reach customers and to receive electronic payments, eliminating the need to be centrally located in physical locations, such as brothels. (35,32,41) Reports indicate that both registered and unregistered spas exploit girls in sex trafficking, and the government lacks sufficient oversight of such establishments. (2) In some cases, law enforcement officers do not apprehend human traffickers, including brothel owners, in exchange for bribes and sexual services from victims. (2) Recent reports allege that in states such as Assam, West Bengal, and Jharkhand, police are ordered by state officials to register human trafficking cases as kidnappings to reduce the official number of human trafficking survivors. (2) Government officials and police officers regularly accept bribes and sexual services from human traffickers in return for protection from prosecution, and reports of police refusing to register First Information Reports (FIRs) against accused officials and alerting human traffickers of forthcoming raids also continued during the reporting period. Tamil Nadu state authorities, for example, acknowledged that some local politicians benefited with impunity from child sex trafficking and forced begging rings. (2,32,35,79) In addition, victims of human trafficking faced mistreatment from the police; law enforcement authorities did not utilize existing procedures to screen for human trafficking survivors, and authorities arrested, fined, penalized, and deported some child trafficking survivors for crimes their human traffickers compelled them to commit. (2,105)

Although India banned bonded labor in 1976 with the (BSA), implementation of the law has been minimal and authorities continued to misidentify bonded labor crimes as labor law crimes or minimum wage violations. (2,21,79,106) Police did not always arrest suspects or file FIRs to officially register a complaint, including in at least half of national bonded labor cases. 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 on agricultural or brick kiln sites. (2) There continues to be a lack of victim identification, and a widespread tendency to handle bonded labor cases administratively in lieu of criminal prosecution and stall bonded labor prosecutions. (2,21,35,79) The number of convictions against bonded labor crimes is low, and when prosecutions for bonded labor crimes do occur, acquittals are common due to inadequate preparation, court backlogs, and a lack of case prioritization. (107,108) According to the latest data from the NCRB, as of 2020, over 1,500 bonded labor cases remained pending in court for up to 3 years. (109) In 2020, 2,933 total cases went to trial under the BSA; however, 2,875 cases were still pending at the end of the year. (116) Data show that among the 57 cases that completed trial in 2020, only 16 convictions were achieved, whereas 40 cases were acquitted. (110) Of India's 36 states and territories, 21 reported not identifying any bonded labor victims or filing any cases under the BSA in 2019, an increase from 17 states in either 2017 or 2018, despite NGO and media reports of bonded labor victims identified in some of those states. (2)

By the end of the reporting period, the Governments of the National Capital Territory and Delhi, Karnataka, and Tamil Nadu all issued standard operating procedures (SOPs) to cover survivors of bonded labor, child labor, begging, and sex trafficking. However, other state governments lacked similar procedures, sometimes

## MODERATE ADVANCEMENT

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. (2,32,111) When child bonded labor victims were identified, the penalties assessed to the convicted child traffickers were insufficient to deter violations. (2) Since 2016, a new policy has increased reparations for bonded labor survivors, but the government has failed to pay full compensation to anyone freed. (107) Rescued bonded laborers are currently entitled to \$4,458 (300,000 Rupees). (107) Reports indicate that employers trap more than 60 percent of survivors back in bonded labor after they are freed. (2)

While state police have primary responsibility for criminal law enforcement, access to training varies from state to state. States, in coordination with the national government, offered trainings for new and veteran law enforcement agents during the reporting period. Topics of these trainings included identification, rescue, and rehabilitation of child labor and bonded labor survivors. (51) Cases on the trafficking of minors for commercial sexual exploitation are heard in Protection of Children from Sexual Offences (POCSO) Act Courts. In 2018, the Department of Justice approved a scheme to establish 1,023 fast-track special courts (FTSCs) for rape and POCSO Acts. Among the FTSCs, 389 courts are exclusively dedicated to POCSO cases. (112) As of December 2021, 383 POCSO FTCs have been set up. (113) However, as of December 2020, 99 percent of cases under the POCSO Act were pending in court. (109) State authorities also report that judges and prosecutors at POCSO courts do not have training or expertise in POCSO crimes. To address this, the Madhya Pradesh police academy signed an MOU with an NGO that allowed for 1,900 police, prosecutors, and judicial officers to be trained on human trafficking. (35) In addition, four states have implemented child-friendly courtrooms or procedures, including some that allowed victims to testify via video conference. This improved victim participation in cases and helped to prevent the re-traumatization of child victims. (2) However, some victims have refused participation in the trials due to inadequate implementation of victim protection measures and legal assistance. (35)

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, operating illegally and with little oversight. (114) A dearth of investigations into human trafficking crimes and the sexual and physical abuse of human trafficking victims at government-run and private shelters has reportedly encouraged a sense of impunity for shelter employees. (2) Moreover, some human trafficking survivors remained in state-run shelters for an extended time due to a lengthy repatriation process. (2) In 2019, after the discovery of the Mazaffarpur shelter case, the National Commission for Protection of Child Rights (NCPCR) under the order of the Supreme Court conducted a state-level audit of shelter homes that housed 256,000 children. NCPCR found that at least 40 percent of all shelters lacked mechanism to protect children from physical and sexual abuse. (2,115) In addition, staff members lacked proper training to recognize signs of abuse and to alert the authorities. (2) Research was unable to determine whether any action has been taken since that time to train shelter staff and implement mechanisms to protect children from abuse.

In January 2022, the Government of Bihar issued record compensation to the survivors of the Muzaffarpur shelter home case, for which the government obtained numerous convictions in 2020 under the POCSO Act and Juvenile Justice Act related to the victimization of 44 girls between the ages of 7 and 17 for the purposes of commercial sexual exploitation. According to the statement released by the National Human Rights Commission, each girl was awarded between \$4,000 to \$12,000, which is the biggest recorded payout for sexual abuse survivors in India. (116) When the Muzaffarpur case came into light in 2018, the Central Bureau of Investigation (CBI) investigated 16 additional shelter homes in Bihar and concluded similar patterns, but only pursued court action against individuals associated with the Muzaffarpur shelter. In early 2022, the Supreme Court of India ordered the state of Bihar to submit a report on actions, if any, taken against state officers per the earlier recommendations of the CBI. (117) Research also found that that other illegal shelter homes continued to operate outside of Bihar during the reporting period. (118) In 2021, similar reports of sexual assault of minor girls in a shelter home run by a government-approved NGO emerged in Jharkhand, where girls as young as age 16 were found to be victims of psychological and sexual exploitation; 40 children from the shelter home

were relocated. (119,120,118) In Kolkata, police rescued 20 children from an adoption home, where 10 people were allegedly accused of running a child trafficking racket. (118,121) The adoption home was run by a top civil servant's family member, and a senior government official is also charged with abuse of children at the facility. (121,118)

#### 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 effective implementation of the Child and Adolescent Labor (Prohibition and Regulation) Act. Led by the Ministry of Labor and Employment (MOLE) and comprises 12 officials from the federal and state governments. (122) Met once during the reporting period, issuing instructions to all states to closely monitor child labor issues and ensure continued enforcement of the CLA, especially in the wake of pandemic-related economic distress. (1)
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 comprises 45 board members, including government officials and NGO representatives. (123) The board met once during the reporting period but research was unable to determine the outcome of the meeting. (1)
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. Conduct inquiries about child rights violations and failures to properly implement laws relating to child protection. (124) State Commissions for Protection of Child Rights have also been established in all 29 states and in 6 territories, including Delhi. (125) The NCPCR met several times during the reporting period to review issues related to child labor and the launch of a new online portal ( <i>Baalswaraj</i> ) used to track children engaged in street work and those that have been orphaned during the pandemic. (1)
National Human Rights Commission	Monitors implementation of the Bonded Labor System (Abolition) Act. Monitors state governments' actions to identify, release, and rehabilitate bonded laborers through quarterly submissions and exploratory and investigative missions. (126) During the reporting period, the Commission issued an advisory to all states on protecting child rights. (1)
Platform for Effective Enforcement for No Child Labor Portal	Allows government officials, NGOs, and law enforcement to share information and coordinate on child labor cases at the national, state, and local levels. Mole-operated online portal which attempts to improve enforcement of child labor laws and the implementation of the National Child Labor Project (NCLP) Scheme. (127) Allows citizens to submit child labor complaints online. (1,25) Incorporates a child tracking filing system to enhance enforcement of child labor laws. (1) Since the online platform was launched in 2017, 191,418 child laborers have been identified and 111,380 children removed from child labor and rehabilitated through STCs. Currently, 52,271 children are enrolled in STCs. (1)

During the reporting period, senior leadership from the Assam government, law enforcement, and political parties participated in an anti-trafficking in persons conclave in Guwahati. This event was organized by Shakti Vahini, a non-profit organization, and the U.S. Consulate General in Kolkata to raise awareness about human trafficking among lawmakers and political leadership at both the state and national level. (51,128)

Local-level Child welfare Committees are supported by the State Ministries of Women and Child Development. They advocate for care, protection, development, treatment, and rehabilitation of at-risk children, and provide basic needs and human rights protection. (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 a lack of action by some states to establish action plans to eliminate child labor.



## MODERATE ADVANCEMENT

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

Policy	Description
National Policy on Child Labor (NPCL)	Describes actions for addressing hazardous labor for children, including implementing legislation and providing direct assistance to children. (129) Implemented through programs operated by MOLE and the Ministry of Women and Child Development, including the National Child Labor Project (NCLP) Scheme, Grants in Aid, the Integrated Child Development Scheme (ICDS), the National Children's Fund, and the National Creche Scheme. (25,79,130,131) All NPCL schemes were functional during the reporting period. (70) The projects and schemes within the national policy helped rehabilitate thousands of children from child labor and provided group care to children of working parents. (1,70)
National Plan of Action for Children	Identifies priority actions for achieving the objectives set out in the National Policy for Children (NPC). (25,132,133) 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. (132,133) 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	Detail state governments' activities and programs to eliminate child labor. CLA plans are in place in only 11 states: Andhra Pradesh, Bihar, Delhi, Gujarat, Jharkhand, Karnataka, Meghalaya, Orissa, Punjab, Tamil Nadu, and Uttar Pradesh. (70,78,111,134-141) Research was unable to determine whether activities were undertaken to implement the national action plan during the reporting period.

According to reports, the budget for the National Child Labor Project under the National Policy of Child Labor (NPCL), which is meant to rescue and rehabilitate child laborers, has decreased for the second year in a row. From fiscal year 2018–2019 to fiscal year 2020–2021, the allocation for the project has been reduced by half- from \$12 million (Rs. 90 crore) to \$5.4 million (Rs. 41 crore)- impacting the provision of essential services for rescued children. (142) The NCLP scheme helps connect rescued child laborers to education and skills programs. (142)

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. (70,111,143,144)

## VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2021, 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 oversight of government-run, government-funded, and privately-run shelter homes that provide assistance to survivors of the worst forms of child labor.

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

Program	Description
National Child Labor Project (NCLP) Scheme† Integrated Child Development Scheme (ICDS)†	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. (7,130) Sets up and administers NCLP schools, mainstreams children into formal education, and provides them with stipends, meals, and health checkups. (130) Comprises approximately 3,000 NCLP Special Training Centers' (STCs) that accommodate approximately 120,000 children. (130) STCs are located across the country and provide children with a stipend, free meals, and vocational training, and bridge gaps in education for eligible children. Length of stay ranges from 6 to 18 months. (79) From April 2020 to March 31, 2021, the NCLP project removed and rehabilitated 58,219 children from child labor. (1) The National Crèche Scheme is running 5,705 crèches (child care centers). (70) Of children between the ages of 6 months and 6 years, 64.9 million have benefited from the ICDS scheme. (70)

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

Program	Description
Ministry of Women and Child Development (MWCD) Programs - Integrated Child Protection Scheme†, Childline†, TrackChild and Khoya-Paya†	Integrated Child Protection Scheme provides children in need of protection—including children withdrawn from hazardous work, forced labor, and human trafficking—with food and accommodations in government-run shelter homes and non-institutional care in foster homes and with adoptive families. (35,25,32,131) Provides rehabilitation and reintegration services to rescued children. (131) 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. (131) MWCD also operates ChildLine, a 24-hour toll-free emergency telephone service for children in distress in cities across India. (32,35,131,145,146) The telephone service connects children in need of assistance with hospitals, Child Welfare Committees, shelter homes, and police; 60 to 70 percent of received calls result in the rescue of a child. (32,79,131,146) By March 2021, ChildLine service was operating in 598 districts, including child helpdesks in 141 railway stations and 5 bus stops. (147) During the reporting period, Childline fielded 5 million calls and assisted 39 million children, including children who are survivors of child labor. (147) MWCD also operates TrackChild, 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. (35,25,131,148) TrackChild's <i>Khoya-Paya</i> (Lost and Found) website allows parents and the public to report and search for missing children. (25) Since the program's inception, the program has matched 279,692 children with their families. (149) The program was operational during the reporting period. (1)
Central Sector Scheme for Rehabilitation of Bonded Laborers†	MOLE program that rescues and rehabilitates adult and child bonded laborers. (25,130) Provides rescued bonded laborers with financial assistance and social protection services. (130) Supports funding of surveys at the district level on the prevalence of bonded labor and the rehabilitation of bonded laborers identified through the surveys. (150) From April 1, 2020, to March 31, 2021, MOLE distributed \$137,000 among 7 states for the rehabilitation of bonded laborers. (1) Research was unable to determine how the released funds were utilized on the state level.
Anti-Human Trafficking Activities†	MWCD-operated anti-human trafficking activities, in collaboration with NGOs and state governments. (151) Supports projects to help reintegrate, rehabilitate, and repatriate human trafficking survivors, including children, through the <i>Ujjwala</i> and <i>Swadhar Greh</i> schemes. (151) <i>Ujjwala</i> is a comprehensive scheme launched in 2007. Responds to trafficking in persons of women and children, including for commercial sexual exploitation. (35,151) Operates 104 shelters. (149) In addition, facilitates the rescue of survivors, places them in safe custody, provides rehabilitation services, facilitates reintegration of survivors, and facilitates repatriation of foreign survivors. (151) 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. (32,151) Operates 362 shelters. (149) For 2020–2021, the central government allocated \$1.6 million for the program, which is yet another decrease from the \$2.03 million allocated in the first 5 months of 2019–2020, and from \$3.18 million allocated to the program in the first 5 months of 2018–2019. (35,149) MWCD also allocated approximately \$13 million towards setting up and strengthening new AHTUs in all districts across the country. A total of approximately \$12.3 million of those funds have been released. (149)
Work in Freedom Project II (2018–2023)	Partnership program developed between the 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 human trafficking and forced labor of women and girls across migration pathways leading to the care sector and textiles, clothing, leather, and footwear industries. (152) 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. (152) For more information, see the ILO website.
Measurement, Awareness-Raising, and Policy Engagement (MAPI6) Project on Child Labor and Forced Labor	USDOL-funded project implemented by the ILO to conduct research and develop new survey methodologies, improve awareness, strengthen policies and government capacity, and promote partnerships to eliminate child labor and forced labor. (153) 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 reviewed approximately 55 schemes and programs and developed recommendations for bundling different benefit packages to specifically target families with children in child labor. (153) The program also raised awareness on child labor issues through campaigns and road shows. (154) For additional information, please see the USDOL website and the ILO website.

† Program is funded by the Government of India.

‡ The government had other social programs that may have included the goal of eliminating or preventing child labor

State governments in Telangana and Andhra Pradesh, two of the states where the *jogini* system is most prevalent, are making efforts to end the *jogini* practice. Telangana's State Commission for Scheduled Castes and Scheduled Tribes has identified the *jogini* system as a priority and requires district-level reporting on its prevalence while undertaking steps to expand support and rehabilitation services for its survivors. (51) NGOs report that Andhra Pradesh has made some progress in addressing the *jogini* system and supporting survivors. In addition, the state and national government funds research into the prevalence of the *jogini* system and support programs designed to rehabilitate survivors. (51)

## MODERATE ADVANCEMENT

The National Commission for the Protection of Child Rights launched the Baalswaraj Portal to track and assist children orphaned by the pandemic and street children. In June 2021, the Prime Minister announced government funding for children who lost parents and legal guardians to COVID-19, including higher education scholarships and monthly stipends. (51) In June 2021, the Ministry for Women and Child Development urged states to ensure children were brought under government safety nets including protecting children from child labor. (51)

Similar to government-run, government-funded shelter homes, both *Ujjwala* and *Swadhar Greh* homes, which are privately funded, have high rates of non-registration. Due to a reported loophole in the law, if the government did not act on a home's application in a prescribed timeframe, the organization applying would automatically gain licensure. (2) Research indicates that some corrupt officials purposely missed the licensing deadline to allow inadequate but politically-connected organizations to gain licensing. (2) Furthermore, audits of *Ujjwala* and *Swadhar Greh* homes documented that many homes violated minimum hygiene and safety standards, did not provide psychosocial support or educational opportunities, and operated without proper registration. (2) Moreover, in some instances the homes functioned as hostels and offered non-survivor residents for accommodations for a fee. Due to unsafe conditions coupled with alleged abuse by caretakers, authorities reported multiple instances in which children ran away. (2) Research was unable to determine whether the Government of India has taken action to close the loophole on the shelter homes' application timeframe and licensure.

The Central Sector Scheme for Rehabilitation of Bonded Laborers was updated during the reporting period. The updated scheme raises the limit of assistance from \$250 (Rs. 20,000) to \$380 (Rs. 30,000) and provides an option to include additional funds, up to \$1,200 (Rs. 1 Lakh), in annuity. (155) The new scheme was implemented on January 27, 2022. However, research was unable to determine whether the scheme has been effective in rehabilitating bonded laborers. (155) Recent media reports have suggested that as of April 2022, some rescued laborers have yet to receive compensation as part of the scheme. (156)

## 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 – 2021
	Ensure that the types of hazardous work prohibited for children under age 18 are prohibited, including in 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 – 2021
	Ensure that the law criminally that prohibits the recruitment of children under age 18 by non-state armed groups applies to all regions in India, including Jammu and Kashmir.	2016 – 2021
	Publish the legal instrument that establishes the minimum age for voluntary recruitment into India's armed forces.	2018 – 2021
Enforcement	Ensure that the number of labor inspectors in India 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.	2021
	Ensure that the Anti-Human Trafficking Units, including those pending in Andhra Pradesh, are fully established.	2021
	Ensure that all Anti-Human Trafficking Units are operational and receive sufficient funding and human resources to adequately perform their work. Make certain that funding extends beyond infrastructure reforms and is directed to anti-human trafficking efforts.	2019 – 2021
	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 – 2021

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

Area	Suggested Action	Year(s) Suggested
Enforcement	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 – 2021
	Enforce laws related to bonded labor and labor trafficking under the Bonded Labor System Abolition Act.	2021
	Ensure that bonded labor cases are fast tracked and that state governments are issuing release certificates and provide financial assistance for bonded labor victims, including full compensation for those freed from bonded labor.	2021
	Ensure that politically connected individuals on the local and state level face prosecution for holding agricultural and brick kiln workers in bonded labor.	2021
	Collect and publish national-level data from all state governments on criminal law enforcement efforts, including trainings for criminal investigators, the number of criminal investigations, the number of violations found, the number of prosecutions initiated, and the number of convictions.	2009 – 2021
	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.	2021
	Ensure law enforcement officials who mistreat human trafficking survivors or delay or jeopardize cases face proper disciplinary action.	2021
	Ensure that law enforcement officials investigate child labor crimes and register First Information Reports in a timely manner, including for cases involving bonded labor.	2021
	Consistently impose penalties that are sufficiently costly as to meaningfully deter child labor law violations.	2014 – 2021
	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 – 2021
	Ensure that there is implementation of survivor 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 – 2021
	Investigate suspected abuses and misconduct at government-run and government-funded, and privately-run shelter homes, and ensure that all shelter homes are registered and subject to adequate oversight, have mechanisms in place to protect children from physical and sexual abuse, and that all staff members receive adequate training on how to recognize and report signs of abuse.	2018 – 2021
	Ensure that law enforcement agencies have adequate technological and financial resources to respond to technological tools used by human traffickers.	2020 – 2021
	Increase prosecution rates for human trafficking cases and seek adequate sentencing following convictions.	2021
Coordination	Ensure coordination mechanisms exist between the local police and AHTUs, including for transferring human trafficking cases to the correct unit.	2021
Government Policies	Encourage states and territories that do not currently have action plans for the elimination of child labor to establish such plans.	2011 – 2021
	Ensure that activities are undertaken to implement National Plan of Action for Children and State Action Plan and publish results from activities implemented during the reporting period	2018 – 2021
Social Programs	Ensure equitable and broad access to education by providing adequate financial resources dedicated to remote learning assets and penalizing education officials who engage in discrimination and harassment of children.	2014 – 2021
	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.	2021
	Ensure that data on exploitative child labor are collected and findings made available to the public, including findings from district-level bonded labor surveys and raw data from the national census.	2009 – 2021
	Ensure that <i>Ujjwala</i> and <i>Swadhar Greh</i> shelter homes meet registration guidelines for gaining licensure, including by acting on applications within the prescribed timeframe.	2021
	Ensure that shelter homes are safe and not operating as hostels, including by providing accommodations to non-survivor guests.	2021

## MODERATE ADVANCEMENT

### REFERENCES

- 1 U.S. Embassy- New Delhi. Reporting. January 27, 2022.
- 2 U.S. Department of State. Trafficking in Persons Report 2021: India Washington D.C., June 2021  
<https://www.state.gov/reports/2021-trafficking-in-persons-report/india/>
- 3 UNESCO Institute for Statistics. Gross intake ratio to the last grade of primary education, both sexes (%). Accessed March 3, 2022. For more information, please see "Children's Work and Education Statistics: Sources and Definitions" in the Reference Materials section of this report.  
<http://data.uis.unesco.org/>
- 4 ILO. Analysis of Child Economic Activity and School Attendance Statistics from National Household or Child Labor Surveys. Original data from National Sample Survey Round 68 (NSS-R68), 2011–2012, Analysis received March 2022. Please see "Children's Work and Education Statistics: Sources and Definitions" in the Reference Materials section of this report.
- 5 Nagaraj, Anuradha. Indian sugar mill under scrutiny for using cane harvested by slaves. Reuters, November 14, 2017.  
<https://www.reuters.com/article/us-india-slavery-sugar/indian-sugar-mill-under-scrutiny-for-using-cane-harvested-by-slaves-idUSKBN1DE12E>
- 6 Oxfam. Human cost of sugar: A farm-to-mill assessment of sugar supply chain in Uttar Pradesh. October 2018.  
[https://www.oxfamindia.org/sites/default/files/2018-11/HUMAN COST OF SUGAR-A FARM TO MILLS ASSESSMENT OF THE SUGAR VALUE CHAIN IN U.P. 2\\_0.pdf](https://www.oxfamindia.org/sites/default/files/2018-11/HUMAN%20COST%20OF%20SUGAR-A%20FARM-TO-MILLS%20ASSESSMENT%20OF%20THE%20SUGAR%20VALUE%20CHAIN%20IN%20U.P.%20_0.pdf)
- 7 Srivastava, Rajendra N. Children at Work, Child Labor and Modern Slavery in India: An Overview. Indian Pediatrics Volume 56, August 15, 2019.  
[https://www.researchgate.net/publication/335435312\\_Children\\_at\\_Work\\_Child\\_Labor\\_and\\_Modern\\_Slavery\\_in\\_India\\_An\\_Overview](https://www.researchgate.net/publication/335435312_Children_at_Work_Child_Labor_and_Modern_Slavery_in_India_An_Overview)
- 8 Venkateswarlu, Davuluru. Sowing Hope. Hyderabad: ARISA, June 2020.  
<https://arisa.nl/wp-content/uploads/SowingHope.pdf>
- 9 Kataria, Sunil. India's Nobel Laureate Fears Upsurge in Child Labour as Pandemic Shrivels Economy. New Delhi: Reuters, September 20, 2020.  
<https://www.reuters.com/article/us-health-coronavirus-india-child-exploit/indias-nobel-laureate-fears-upsurge-in-child-labour-as-pandemic-shrivels-economy-idUSKCN26C01C>
- 10 Clark, Emily. Hidden agony behind our craze for cashews: How thousands of Indian nut processors on £2.15 a day are left with 'unbearable' burns from acid in the shells of the superfood. The Daily Mail, April 3, 2019.  
<https://www.dailymail.co.uk/news/article-6883233/Indian-cashew-processors-2-day-left-burns-shells-superfood-loved-vegans.html>
- 11 Hindustan Times. In Delhi jeans factory, children hit with hammer and made to work for 22 hours. March 2, 2017. Source on file.
- 12 Nagaraj, Anuradha. Rescue of 35 child workers triggers probe in India's garment factory hub. Reuters, August 9, 2020.  
<https://www.reuters.com/article/us-india-trafficking-children-trfn-idUSKCN25224D>
- 13 Srivastava, Roli. Nearly 200 more child workers freed as crackdown continues in south India. Reuters, January 17, 2017.  
<https://www.reuters.com/article/us-india-children-labour/nearly-200-more-child-workers-freed-as-crackdown-continues-in-south-india-idUSKBN1511TT>
- 14 TNN. 27 West Bengal kids rescued from jewelry unit. Times of India, March 28, 2018.  
<https://timesofindia.indiatimes.com/city/rajkot/27-wb-kids-rescued-from-jewellery-unit/articleshowprint/63494006.cms>
- 15 Safi, Michael. Indian police rescue 70 children working in 'inhuman condition'. The Guardian, April 9, 2017.  
<https://www.theguardian.com/law/2018/apr/09/indian-police-rescue-over-70-children-working-in-jewellery-manufacturing>
- 16 Sarwer, Masood. Burning both ends: Many young girls in Murshidabad are child labourers. The Hindu, July 7, 2018.  
<https://www.thehindu.com/news/national/other-states/burning-both-ends-many-young-girls-in-murshidabad-are-child-labourer/article24361585.ece/photo/5/>
- 17 India Committee of the Netherlands. Do Leather Workers Matter? Violating Labour Rights and Environmental Norms in India's Leather Production. Utrecht, March 2017.  
<http://www.indianet.nl/pdf/DoLeatherWorkersMatter.pdf>
- 18 TNN. 13 child labourers rescued in Kota. The Times of India, July 7, 2017.  
<https://timesofindia.indiatimes.com/city/jaipur/13-child-labourers-rescued-in-kota/articleshow/59480207.cms>
- 19 Srivastava, Roli. Children Stitch Shoes for Global Market in India's Tourist Magnet. Mumbai: Reuters December 19, 2017.  
<https://www.reuters.com/article/us-india-slavery-child-labour/children-stitch-shoes-for-global-market-in-indias-tourist-magnet-idUSKBN1ED1L7>
- 20 India Today. Delhi: 73 child labourers rescued from factories; children mostly from UP and Bihar New Delhi. March 4, 2022.  
<https://www.indiatoday.in/cities/delhi/story/delhi-73-child-labourers-rescued-from-factories-children-mostly-from-up-and-bihar-1920564-2022-03-04>
- 21 U.S. Embassy- New Delhi. Reporting. January 22, 2021.
- 22 Nagaraj, Anuradha. Nearly 200 children freed from south India brick kiln in one of biggest rescues. Reuters, January 4, 2017.  
<https://www.reuters.com/article/us-india-children-rescue-idUSKBN14O1IK>
- 23 Anti-Slavery International. Slavery in India's Brick Kilns and the Payment System. September 2017.  
<http://www.antislavery.org/wp-content/uploads/2017/09/Slavery-In-Indias-Brick-Kilns-The-Payment-System.pdf>
- 24 Stop Child Labour and India Committee of the Netherlands. The Dark Sites of Granite. India Committee of the Netherlands, August 2017.  
<http://www.indianet.nl/pdf/TheDarkSitesOfGranite.pdf>
- 25 U.S. Embassy- New Delhi. Reporting. January 8, 2020.
- 26 American Bar Association. Tainted Stones: Bonded Labor and Child Labor in the India-U.S. Sandstone Supply Chain. August 2020.  
[https://www.americanbar.org/groups/human\\_rights/reports/tainted-stones-bonded-labor-and-child-labor-in-the-india-u-s--s/](https://www.americanbar.org/groups/human_rights/reports/tainted-stones-bonded-labor-and-child-labor-in-the-india-u-s--s/)
- 27 Schipper, Irene and Roberta Cowan. GLOBAL MICA MINING AND THE IMPACT ON CHILDREN'S RIGHTS. Amsterdam: SOMO, March, 2018.  
<https://www.somo.nl/global-mica-mining/>
- 28 Kumar, Ashok. Haryana police shows zero tolerance towards human trafficking. The Hindu, May 11, 2018.  
<https://www.thehindu.com/news/cities/Delhi/haryana-police-shows-zero-tolerance-towards-human-trafficking/article23842722.ece>
- 29 U.S. Embassy- New Delhi. Reporting. November 13, 2019.
- 30 Srivastava, Roli. Crackdown and vigilance drive down number of child workers in Mumbai. Reuters, January 24, 2017.  
<https://www.reuters.com/article/us-india-childlabour/crackdown-and-vigilance-drive-down-number-of-child-workers-in-mumbai-idUSKBN1581W8>
- 31 Mendonca, George. 7 minors rescued, 4 booked in drive against child labour. The Times of India, March 5, 2017.  
<https://timesofindia.indiatimes.com/city/navi-mumbai/7-minors-rescued-4-booked-in-drive-against-child-labour/articleshow/57470075.cms>
- 32 U.S. Embassy- New Delhi. Reporting. February 14, 2020.
- 33 UN Environment Programme. Delhi's "No Child in Trash" safe spaces. August 10, 2018.  
<https://www.unep.org/news-and-stories/story/delhis-no-child-trash-safe-spaces>
- 34 Chaurasia, Manoj and Hannah-Ellis Peterson. Covid-19 prompts 'enormous rise' in demand for cheap child labour in India. The Guardian, October 13, 2020.  
<https://www.theguardian.com/world/2020/oct/13/covid-19-prompts-enormous-rise-in-demand-for-cheap-child-labour-in-india>
- 35 U.S. Department of State. Trafficking in Persons Report- 2020: India. Washington, D.C., June 16, 2020.  
<https://www.state.gov/reports/2020-trafficking-in-persons-report/india/>



- 36 Choudhry, Chetna. Pregnant woman, children among 63 rescued from forced labour by administration in Mewat. *The Times of India*, February 16, 2018.  
<https://timesofindia.indiatimes.com/city/gurgaon/pregnant-woman-children-among-63-rescued-from-forced-labour-by-administration-in-mewat/articleshow/62952643.cms>
- 37 International Justice Mission. Eleven boys and young men freed from a shoe factory. February 15, 2017.  
<https://www.ijm.org/news/eleven-boys-and-young-men-freed-from-a-shoe-factory/>
- 38 UN. Report of the Secretary-General on Children and Armed Conflict. May 6, 2021.  
[https://www.un.org/ga/search/view\\_doc.asp?symbol=S/2021/437&Lang=E&Area=UNDOC](https://www.un.org/ga/search/view_doc.asp?symbol=S/2021/437&Lang=E&Area=UNDOC)
- 39 Nigam, Chayyanika. Kids are being trafficked, handed over to crime rings in Delhi. *India Today*, January 18, 2018.  
<https://www.indiatoday.in/mail-today/story/kids-are-being-trafficked-handed-over-to-crime-rings-in-delhi-1148254-2018-01-18>
- 40 U.S. Embassy- New Delhi. Reporting. March 1, 2019.
- 41 U.S. Embassy- New Delhi. Reporting. February 26, 2021.
- 42 PTI. Traffickers find new mode to transport children– private buses with dark windows Read more at: [https://economictimes.indiatimes.com/news/india/traffickers-find-new-mode-to-transport-children-private-buses-with-dark-windows/articleshow/85365217.cms?utm\\_source=contentofinterest&utm\\_medium=text&utm\\_campaign=cppst](https://economictimes.indiatimes.com/news/india/traffickers-find-new-mode-to-transport-children-private-buses-with-dark-windows/articleshow/85365217.cms?utm_source=contentofinterest&utm_medium=text&utm_campaign=cppst) The Economic Times, August 16, 2021.  
<https://economictimes.indiatimes.com/news/india/traffickers-find-new-mode-to-transport-children-private-buses-with-dark-windows/articleshow/85365217.cms?from=mdr>
- 43 Nagaraj, Anuradha. Indian state to map cotton supply chain to stamp out child labor. *Reuters*, August 5, 2019.  
<https://www.reuters.com/article/us-india-slavery-cotton/indian-state-to-map-cotton-supply-chain-to-stamp-out-child-labor-idUSKCN1U0YOG>
- 44 U.S. Department of State. Trafficking in Persons Report- 2018: India. Washington, D.C., June 28, 2018.  
<https://www.state.gov/reports/2018-trafficking-in-persons-report/india/>
- 45 Thomson Reuters Foundation. Indian brothel owners get first life sentence for trafficking children. *The Strait Times*, March 28, 2018.  
<https://www.straitstimes.com/asia/south-asia/indian-brothel-owners-get-first-life-sentence-for-trafficking-children>
- 46 Sadam, Rishika. Banned in 1988, this 'religious' practice still forces Telangana's Dalit women into sex slavery. *Hyderabad: The Print*, November 22, 2020.  
<https://theprint.in/india/banned-in-1988-this-religious-practice-still-forces-telanganas-dalit-women-into-sex-slavery/538535/>
- 47 Ferrao, Ranjana. Sale and Sexual Exploitation of Children in the Context of Travel and Tourism in Goa. *Journal of Victimology and Victim Justice*; National Law University Delhi, July 23, 2020.  
<https://journals.sagepub.com/doi/pdf/10.1177/2516606920921152>
- 48 Ghosh, Dwaipayan. Most Minors are Trapped at Spas for Sex Trade in Kolkata. *Kolkata: Times of India*, July 30, 2019.  
<https://timesofindia.indiatimes.com/city/kolkata/most-minors-are-trapped-at-spas-for-sex-trade/articleshow/70441142.cms>
- 49 Fayyaz, Ahmed A. IN Exclusive: The "child soldiers" of Kashmir. *India Narrative*, April 16, 2021.  
<https://www.indianarrative.com/india-news/the-child-soldiers-of-kashmir-81298.html>
- 50 Sailendra, K.V. Police intensify combing ops for Maoists at Andhra-Odisha border and Chhattisgarh border. *The New Indian Express*, August 2, 2021.  
<https://www.newindianexpress.com/states/andhra-pradesh/2021/aug/02/policy-intensify-combing-ops-for-maoists-at-andhra-odisha-border-and-chhattisgarh-border-2338909.html>
- 51 U.S. Embassy- New Delhi official. E-mail communication to USDOL official. July 12, 2022.
- 52 Drolia, Rashmi. Kids snatched at 15 comprise 70% of Naxal cadre: Survey. *Raipur: Times of India*, September 29, 2021.  
<https://timesofindia.indiatimes.com/city/raipur/kids-snatched-at-15-comprise-70-of-naxal-cadre-survey/articleshow/86593994.cms>
- 53 Iqbal, Mohammed. Dalit children narrate heart-wrenching tales at public hearing. *The Hindu*, January 2, 2018.  
<http://www.thehindu.com/news/national/dalit-children-narrate-heart-wrenching-tales-at-public-hearing/article22347238.ece>
- 54 Al Jazeera. More schools in India cautiously reopen despite COVID fears. September 1, 2021.  
<https://www.aljazeera.com/news/2021/9/1/india-schools-reopen-covid-third-wave>
- 55 Parth M.N. and David Pierson. A Lost Generation: India's COVID Crisis Reverses Decades of Progress for Children. *Mumbai: The Los Angeles Times*, September 14, 2021.  
<https://www.latimes.com/world-nation/story/2021-09-14/india-covid-children-lost-generation>
- 56 DW. How coronavirus is affecting underprivileged children in India. October 7, 2020.  
<https://www.dw.com/en/how-coronavirus-is-affecting-underprivileged-children-in-india/a-54125032>
- 57 Rai, Saritha and Shwetha Sunil. Generation of Covid Orphans at Risk of Exploitation in India. *Bloomberg Businessweek*. May 26, 2021.  
<https://www.bloomberg.com/news/articles/2021-05-26/indians-flood-internet-with-pleas-to-help-covid-orphans-at-risk-of-exploitation>
- 58 Pandey, Vikas and Andrew Clarence. Coronavirus: The Indian children orphaned by Covid-19. *New Delhi: BBC News*, May 31, 2021.  
<https://www.bbc.com/news/world-asia-india-57264629>
- 59 Government of India. Child Labour (Prohibition and Regulation) Act (as amended), Act 61 and Act 35. Enacted: 1986, July 10, 2006 and July 30, 2016.  
[https://labour.gov.in/sites/default/files/THE CHILD LABOUR \(PROHIBITION AND REGULATION\) AMENDMENT ACT, 2016.pdf](https://labour.gov.in/sites/default/files/THE CHILD LABOUR (PROHIBITION AND REGULATION) AMENDMENT ACT, 2016.pdf)
- 60 Government of India. Schedule to the Child and Adolescent Labour (Prohibition and Regulation) Act. Enacted: August 30, 2017. Source on file.
- 61 Government of India. The Occupational Safety, Health and Working Conditions Code, 2020. Enacted: September 28, 2020.  
<http://164.100.47.193/BillsPDFFiles/Notification/2020-122-gaz.pdf>
- 62 Government of India. Juvenile Justice (Care And Protection Of Children) Act, 2015. Enacted: 2015.  
[http://cara.nic.in/PDF/JJ\\_act\\_2015.pdf](http://cara.nic.in/PDF/JJ_act_2015.pdf)
- 63 Government of India. The Indian Penal Code, 1860 (as amended). Enacted: October 6, 1860.  
[http://www.wipo.int/wipolex/en/text.jsp?file\\_id=201592](http://www.wipo.int/wipolex/en/text.jsp?file_id=201592)
- 64 Government of India. Bonded Labour System (Abolition) Act, 1976 (Act No. 19). Enacted: February 9, 1976.  
<https://www.ilo.org/dyn/natlex/docs/ELECTRONIC/27801/76810/F362017938/IND27801.pdf>
- 65 Government of India. The Immoral Traffic (Prevention) Act, 1956 (as amended). Enacted: 1956.  
[http://www.protectionproject.org/wp-content/uploads/2010/09/India\\_Acts\\_1986.pdf](http://www.protectionproject.org/wp-content/uploads/2010/09/India_Acts_1986.pdf)
- 66 Government of India. Seventh Schedule, The Constitution of India. Enacted: 1947.  
<https://www.mea.gov.in/Images/pdf1/S7.pdf>
- 67 Government of India. The Protection of Children from Sexual Offence Act, 2012. Enacted: 2012.  
<https://www.indiacode.nic.in/bitstream/123456789/2079/1/201232.pdf>
- 68 Government of India. The Information Technology (Amendment) Act 2008. Enacted: February 5, 2009.  
<https://www.casemine.com/act/in/5a979dcf4a93263ca60b7468>
- 69 Government of India. The Narcotic Drugs and Psychotropic Substances Act, No. 61. Enacted: 1985.  
<https://legislative.gov.in/sites/default/files/A1985-61.pdf>
- 70 U.S. Embassy- New Delhi. Reporting. March 2, 2022.

## MODERATE ADVANCEMENT

- 71 Government of India. The Right of Children to Free and Compulsory Education Act, 2009 (No. 35). Enacted: August 26, 2009. <http://eoc.du.ac.in/RTE - notified.pdf>
- 72 Government of India, and Ministry of Defense. Annual Report 2012–13. 2013. <http://ddpmod.gov.in/sites/default/files/Annual report 2012-2013.pdf>
- 73 Government of India: Ministry of Women and Child Development THE TRAFFICKING IN PERSONS (PREVENTION, CARE AND REHABILITATION) BILL, 2021. New Delhi, 2021. [https://wcd.nic.in/sites/default/files/DRAFT TRAFFICKING IN PERSONS \(PREVENTION, CARE AND REHABILITATION\) BILL 2021 \(1\).pdf](https://wcd.nic.in/sites/default/files/DRAFT TRAFFICKING IN PERSONS (PREVENTION, CARE AND REHABILITATION) BILL 2021 (1).pdf)
- 74 Dasgupta, Shravasti. What is draft anti-trafficking bill 2021 and how it is different from the 2018 bill. New Delhi: The Print, July 9, 2021. <https://theprint.in/theprint-essential/what-is-draft-anti-trafficking-bill-2021-and-how-it-is-different-from-the-2018-bill/692096/>
- 75 Roy, Esha. Human Trafficking Survivors Identify Gaps in Draft Bill, Seek Community-based Rehab. New Delhi: The Indian Express, December 3, 2021. <https://indianexpress.com/article/india/human-trafficking-survivors-gaps-draft-bill-community-based-rehab-7652974/>
- 76 Ministry of Home Affairs. Annual Report 2017–18. 2018. [https://www.mha.gov.in/sites/default/files/AnnualReport\\_17\\_18.pdf](https://www.mha.gov.in/sites/default/files/AnnualReport_17_18.pdf)
- 77 CIA. The World Factbook. Accessed March 03, 2019. Please see "Military Expenditures: Military Service Age and Obligation." in the Reference Materials section of this report. <https://www.cia.gov/the-world-factbook/countries/india/>
- 78 U.S. Embassy- New Delhi. Reporting. January 31, 2019.
- 79 U.S. Department of State official. E-mail communication with USDOL official. July 10, 2020.
- 80 Central Bureau of Investigation. About Us. Accessed December 3, 2018. <http://www.cbi.gov.in/aboutus/aboutus.php>
- 81 Central Bureau of Investigation. Join Us In Fighting Corruption. Accessed: March 25, 2021. <https://cbi.gov.in/Contact-Us>
- 82 Government of India. The National Investigation Agency (Amendment) Act, 2019. July 25, 2019. <http://egazette.nic.in/WriteReadData/2019/208281.pdf>
- 83 Bhardwaj, Deepika, MHA asks states to set up more anti-trafficking units in wake of Covid-19. New Delhi: The Hindu, July 15, 2020. <https://www.hindustantimes.com/india-news/mha-asks-states-to-set-up-more-anti-trafficking-units-in-wake-of-covid-19/story-rGcg5duSpfGVzvl4g27OK.html>
- 84 Government of India. Press Information Bureau. AHTUs ESTABLISHED IN THE COUNTRY. Ministry of Home Affairs, February 2, 2022. [https://pib.gov.in/PressReleaseDetail.aspx?PRID=1794796#:~:text=As per National Crime Records, and Union Territories \(UTs\).](https://pib.gov.in/PressReleaseDetail.aspx?PRID=1794796#:~:text=As per National Crime Records, and Union Territories (UTs).)
- 85 Express News Service. 10 Anti-Human Trafficking Units to be added to Andhra's existing three. Vijayawada: The New Indian Express, March 19, 2021. <https://www.newindianexpress.com/states/andhra-pradesh/2021/may/19/10-anti-human-trafficking-units-to-be-added-to-andhras-existing-three-2304548.html>
- 86 Singh, Shiv Sahay. Discrepancies bog down Anti Human Trafficking Units, study finds. Kolkata: The Hindu, August 8, 2020. <https://www.thehindu.com/news/national/discrepancies-bog-down-anti-human-trafficking-units-study-finds/article32305052.ece>
- 87 The CSR Journal. Only 27% of Anti-Human Trafficking Units are functional, August 19, 2020. <https://thecsrjournal.in/only-27-of-anti-human-trafficking-units-are-functional/>
- 88 Taftesh: In Search of Justice. AHTU Watch: A National Study on Status of Anti Human Trafficking Units in India (2010-2019) Sanjog India. 2020. [https://www.sanjogindia.org/wp-content/uploads/2021/04/AHTU Watch - A National Study on Status of Anti Human Trafficking Units in India \(2010 to 2019\).pdf](https://www.sanjogindia.org/wp-content/uploads/2021/04/AHTU Watch - A National Study on Status of Anti Human Trafficking Units in India (2010 to 2019).pdf)
- 89 Government of India. Ministry of Home Affairs. Advisory for Protection of Vulnerable Sections of Society. New Delhi, May 19, 2021. [https://www.mha.gov.in/sites/default/files/advisory\\_21052021.pdf](https://www.mha.gov.in/sites/default/files/advisory_21052021.pdf)
- 90 ILOSTAT. ILO Labor Force Statistics (LFS) - Population and labour force. Accessed (January 25, 2022). Labor force data is modelled on a combination of demographic and economic explanatory variables by the ILO. Please see "Labor Law Enforcement: Sources and Definitions" in the Reference Materials section of this report <https://ilostat.ilo.org/data/>
- 91 ILO CEACR. Individual Observation concerning Labour Inspection Convention, 1947 (No. 81) India (ratification: 1949). Published: 2020. [https://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0:NO:13100:P13100\\_COMMENT\\_ID:4022258](https://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0:NO:13100:P13100_COMMENT_ID:4022258)
- 92 Government of India. Ministry of Labour and Employment, Lok Sabha. Unstarred Question No. 1522 to be answered on 01.07.2019, child labour. June 26, 2019. <http://164.100.24.220/loksabhaquestions/annex/171/AU1522.pdf>
- 93 Government of India. Improvement in Ranking of States. Ministry of Commerce and Industry, February 3, 2021. <https://pib.gov.in/PressReleasePage.aspx?PRID=1694802#:~:text=Further, DPIIT has prepared a, various sectors in the country.>
- 94 Jose, Donita. Ease of Doing Business reforms affecting scrutiny of child labour? Hyderabad: The New Indian Express, May 18, 2019. <https://www.newindianexpress.com/cities/hyderabad/2019/may/18/eodb-reforms-affecting-scrutiny-of-child-labour-1978458.html>
- 95 The Times of India. Top labour officer, 2 others arrested by ACB while taking Rs 3L as bribe. June 26, 2021. <https://timesofindia.indiatimes.com/city/jaipur/top-labour-officer-2-others-arrested-by-acb-while-taking-rs-3l-as-bribe/articleshow/83858322.cms>
- 96 U.S. Department of State official. E-mail communication with USDOL official. June 25, 2021.
- 97 U.S. Consulate- Hyderabad. Reporting. January 22, 2022.
- 98 The New India Express. Telangana Police's Anti Human Trafficking Unit Helps Kids Find Their Way Home. Hyderabad, August 1, 2021. <https://www.newindianexpress.com/states/telegana/2021/aug/01/telegana-polices-anti-human-trafficking-unithelp-kids-find-their-way-home-2338520.html>
- 99 Newsmeter Network. 1,801 rescued from child labor in TS in first 20 days of 2022. Hyderabad: Newsmeter, January 23, 2022. <https://newsmeter.in/crime/1801-rescued-from-child-labour-in-ts-in-first-20-days-of-2022-690177>
- 100 Parashar, Utpal. Assam: 40 children and two adults trafficked to Sikkim, rescued Hindustan Times. July 24, 2021. <https://www.hindustantimes.com/india-news/assam-40-children-and-two-adults-trafficked-to-sikkim-rescued-101627096332502.html>
- 101 Sandhu, Kamaljit K. NIA files chargesheet against 4 Bangladeshis in human trafficking of Rohingyas case. Guwahati: India Today, October 22, 2021. <https://www.indiatoday.in/india/story/nia-chargesheet-bangladesh-human-trafficking-rohingyas-case-1868249-2021-10-22>
- 102 Dev, Arun. NIA files chargesheet against 13 for human trafficking from Bangladesh. Bengaluru; Hindustan Times, September 6, 2021. <https://www.hindustantimes.com/cities/bengaluru-news/nia-files-chargesheet-against-13-for-human-trafficking-from-bangladesh-101630952633137.html>
- 103 National Crime Records Bureau. Case Conviction Rates for Human Trafficking Crimes. Government of India, 2020. [https://ncrb.gov.in/en/crime-in-india-table-additional-table-and-chapter-contents?field\\_date\\_value\[value\]\[year\]=2020&field\\_select\\_table\\_title\\_of\\_crim\\_value=All&items\\_per\\_page=All](https://ncrb.gov.in/en/crime-in-india-table-additional-table-and-chapter-contents?field_date_value[value][year]=2020&field_select_table_title_of_crim_value=All&items_per_page=All)
- 104 National Crime Records Bureau. Disposal of Persons Arrested Under SLL Crimes: The Child Labour (Prohibition & Regulation) Act. 2020. Accessed May 23, 2022. [https://ncrb.gov.in/en/crime-in-india-table-additional-table-and-chapter-contents?field\\_date\\_value\[value\]\[year\]=2020&field\\_select\\_table\\_title\\_of\\_crim\\_value=48&items\\_per\\_page=All](https://ncrb.gov.in/en/crime-in-india-table-additional-table-and-chapter-contents?field_date_value[value][year]=2020&field_select_table_title_of_crim_value=48&items_per_page=All)

- 105 Burns et al. Pushing for the same thing on the same set of tracks: a qualitative study exploring the anti-trafficking response in Bihar and Uttar Pradesh. *Boston: BMC Public Health*, June 24, 2021. Source on file.
- 106 Nath, Damini. Low conviction rate, lack of awareness hinder bonded labour elimination. *The Hindu*, November 9, 2019.  
<https://www.thehindu.com/news/national/low-conviction-rate-lack-of-awareness-hinder-bonded-labour-elimination/article29926166.ece>.
- 107 Srivastava, Roli. India cracks down on bonded labor, but freed workers await compensation. *Mumbai: Reuters*, May 10, 2018.  
<https://www.reuters.com/article/us-india-slavery-compensation/india-cracks-down-on-bonded-labor-but-freed-workers-await-compensation-idUSKBN1IB2CM>
- 108 Shanmugasundaram, J. Bonded labour: When rescue does not mean release. *January 24, 2019*.  
<https://timesofindia.indiatimes.com/city/chennai/bonded-labour-when-rescue-does-not-mean-release/articleshow/67667881.cms>.
- 109 Outlook Web Desk. Study Says Trial In 99 Per Cent Of POCSO Cases Was Still Pending By December 2020. *Outlook*, November 26, 2021.  
<https://www.outlookindia.com/website/story/study-says-trial-in-99-per-cent-of-poco-cases-was-still-pending-by-december-2020/402620>
- 110 National Crime Records Bureau. Court Disposal of SLL Crime Cases (Crime Head-wise) - 2020. *Government of India*, 2021.  
[https://ncrb.gov.in/en/crime-in-india-table-additional-table-and-chapter-contents?field\\_date\\_value\[value\]\[year\]=2020&field\\_select\\_table\\_title\\_of\\_crim\\_value=All&items\\_per\\_page=All](https://ncrb.gov.in/en/crime-in-india-table-additional-table-and-chapter-contents?field_date_value[value][year]=2020&field_select_table_title_of_crim_value=All&items_per_page=All)
- 111 U.S. Embassy- New Delhi official. E-mail communication with USDOL official. *April 7, 2020*.
- 112 Government of India: Ministry of Law and Justice, Lok Sabha. Unstarred Question No: 1717: Fast Track Special Courts for Rape and POSCO Cases. *February 11, 2022*.  
<http://loksabha.nic.in/Questions/QResult15.aspx?qref=34230&lsno=17>
- 113 Business Standard. Poor infra, staff shortages: Here's what is slowing down fast-track courts. *December 11, 2020*.  
[https://www.business-standard.com/article/current-affairs/poor-infra-staff-shortages-here-s-what-is-slowing-down-fast-track-courts-120121100124\\_1.html](https://www.business-standard.com/article/current-affairs/poor-infra-staff-shortages-here-s-what-is-slowing-down-fast-track-courts-120121100124_1.html)
- 114 Srivastava, Roli. India's Bihar state takes over children's shelters after finding abuse. *Mumbai: Reuters*, September 3, 2018.  
<https://www.reuters.com/article/us-india-shelters-abuse/indias-bihar-state-takes-over-childrens-shelters-after-finding-abuse-idUSKCN1IJORD>
- 115 Madhavan, Ranjani. Social audit of shelter homes to begin soon. *The New Indian Express*, November 7, 2019.  
<https://www.newindianexpress.com/states/karnataka/2019/nov/07/social-audit-of-shelter-homes-to-begin-soon-2058322.html>
- 116 Raj, Suhasini and Emily Schmall. Record Payout Awarded to Sexual Abuse Victims in India. *New York: New York Times*, January 28, 2022.  
<https://www.nytimes.com/2022/01/28/world/asia/india-shelter-sexual-abuse.html>
- 117 Scroll Staff. Muzaffarpur sexual assault case: Supreme Court asks Bihar government to submit action-taken report *Scroll India*. *March 25, 2022*.  
<https://scroll.in/latest/1020242/muzaffarpur-sexual-assault-case-supreme-court-asks-bihar-government-to-submit-action-taken-report>
- 118 U.S. Embassy- New Delhi. Reporting. *March 2, 2022*.
- 119 Sarkar, Debashish. More girls may have been sexually abused at Jharkhand shelter home: Police. *Jamshedpur: The Hindustan Times*, June 9, 2021.  
<https://www.hindustantimes.com/india-news/more-girls-may-have-been-sexually-abused-at-j-khand-shelter-home-police-101623261969095.html>
- 120 The Tribune. Probe ordered into Jharkhand shelter home, after complaints of sexual assault, torture by minor girls Ranchi. *June 10, 2021*.  
<https://www.tribuneindia.com/news/nation/probe-ordered-into-jharkhand-shelter-home-after-complaints-of-sexual-assault-torture-by-minor-girls-266406>
- 121 Kumari, Sweetey. Kolkata 'child trafficking' case: Police press rape charge, say children were sexually abused. *Kolkata: The Indian Express*, November 22, 2021.  
<https://indianexpress.com/article/cities/kolkata/kolkata-child-trafficking-case-police-press-rape-charge-say-children-were-sexually-abused-7634646/>
- 122 Government of India. Constitution of Task Force for Ensuring Implementation of Child Labor Act. *July 31, 2018*.  
<https://labour.gov.in/sites/default/files/Constitution of Task Force dtd. 31.07.2018.pdf>
- 123 Government of India. Ministry of Labour and Employment Resolution. *January 20, 2017*.  
[https://labour.gov.in/sites/default/files/Gazette notification dtd. 24.01.2017\\_2.pdf](https://labour.gov.in/sites/default/files/Gazette notification dtd. 24.01.2017_2.pdf)
- 124 National Commission for the Protection of Child Rights. Homepage. *Accessed February 6, 2019*.  
<http://ncpcr.gov.in/>
- 125 National Commission for the Protection of Child Rights. State Commissions for Protection of Child Rights. *Accessed February 6, 2019*.  
<http://ncpcr.gov.in/index1.php?lang=1&level=0&linkid=100&lid=1309>
- 126 National Human Rights Commission. Human Rights Issues – Abolition of Bonded Labour. *New Delhi*, *Accessed June 1, 2018*. Source on file.
- 127 Ministry of Labour and Employment. Platform for Effective Enforcement of Child Labour. *Accessed February 8, 2019*.  
<https://pencil.gov.in>
- 128 U.S. Consulate- Kolkata Reporting. *February 4, 2022*.
- 129 Ministry of Labour and Employment. National Policy on Child Labour. 1987. Source on file.
- 130 Ministry of Labour and Employment. Annual Report of the Ministry of Labour and Employment 2017–2018. 2018.  
[https://labour.gov.in/sites/default/files/ANNUAL\\_REPORT\\_2017-18-ENGLISH.pdf](https://labour.gov.in/sites/default/files/ANNUAL_REPORT_2017-18-ENGLISH.pdf)
- 131 Ministry of Women and Child Development. Annual Report: 2017–18. Chapter 4: Child Protection and Welfare.  
<http://www.wcd.nic.in/sites/default/files/AR-2017-18 Chapter 4 to 7.pdf>
- 132 Ministry of Women and Child Development. The National Policy for Children. 2013.  
[http://wcd.nic.in/sites/default/files/npenglish08072013\\_0.pdf](http://wcd.nic.in/sites/default/files/npenglish08072013_0.pdf)
- 133 Ministry of Women and Child Development. National Plan of Action for Children. 2016.  
<http://wcd.nic.in/sites/default/files/National Plan of Action 2016.pdf>
- 134 Government of Jharkhand. State Action Plan for the Elimination of Child Labour. 2012. Source on file.
- 135 Government of Karnataka. Tate Resource Center on Child Labour. *Accessed March 7, 2014*. Source on file.
- 136 Government of Meghalaya. Meghalaya State Protocol on Child Labour. *May 2014*.  
<http://megpolice.gov.in/notification/Megh-state-protocol-child-labour.pdf>
- 137 Government of Andhra Pradesh. State Action Plan for the Elimination of Child Labour. 2008. Source on file.
- 138 Government of Gujarat. State Action Plan for the Elimination of Child Labour. 2008. Source on file.
- 139 Government of Bihar. State Action Plan for Elimination of Child Labour and Prohibitions and Regulation of Adolescent Labour. *June 2017*.  
<https://labour.gov.in/sites/default/files/Annex-8.pdf>
- 140 Government of Punjab. Punjab State Action Plan for the Total Elimination of Child Labour. *Accessed: July 7, 2020*.  
<https://pblabour.gov.in/Content/documents/Pdf/State Action Plan.pdf>
- 141 Rajitha, S. State action plan against child labour gets approval. *The New Indian Express*, *May 7, 2017*.  
<http://www.newindianexpress.com/cities/hyderabad/2017/may/07/state-action-plan-against-child-labour-gets-approval-1602053.html>
- 142 Mathur, Swati. Allocations under National Child Labour Project dip by less than half in 2 years *New Delhi: The Times of India*, *August 26, 2021*.  
<https://timesofindia.indiatimes.com/india/allocations-under-national-child-labour-project-dip-by-less-than-half-in-2-years/articleshow/85093540.cms>

## MODERATE ADVANCEMENT

- 143 ILO Committee of Experts. Individual Observation concerning Forced Labour Convention, 1930 (no. 29) India (ratification: 1954). Published: 2018. [http://ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100\\_COMMENT\\_ID:3958308:YES](http://ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:3958308:YES)
- 144 Asian News International. Covid-19 management causing delay in finalising policy related to sex workers, Delhi govt to NHRC. December 19, 2020. <https://in.news.yahoo.com/covid-19-management-causing-delay-175031070.html?guccounter=1>
- 145 U.S. Department of State. Country Reports on Human Rights Practices – 2019: India. Washington, D.C., March 11, 2020. <https://www.state.gov/reports/2019-country-reports-on-human-rights-practices/india/>
- 146 Childline India Foundation. Childline. Accessed February 8, 2019. <http://www.childlineindia.org.in/>
- 147 ChildLine India Foundation. Annual Report 2020-2021 [https://www.childlineindia.org/uploads/files/20220303075103\\_CHILDLINE-India-Foundation-\\_-Annual-Report\\_2020\\_21\\_-English.pdf](https://www.childlineindia.org/uploads/files/20220303075103_CHILDLINE-India-Foundation-_-Annual-Report_2020_21_-English.pdf)
- 148 Ministry of Women and Child Development, and TrackChild 2.0. National Tracking System for Missing and Vulnerable Children. <http://trackthemissingchild.gov.in/trackchild/index.php>
- 149 Ministry of Women and Child Development. Annual Report 2020-2021. 2021. Source on file.
- 150 Ministry of Labour and Employment. Annual Report of the Ministry of Labour and Employment 2018–2019. Accessed May 18, 2020. [https://labour.gov.in/sites/default/files/Final\\_AR\\_English\\_21-7-19.pdf](https://labour.gov.in/sites/default/files/Final_AR_English_21-7-19.pdf)
- 151 Ministry of Women and Child Development. Annual Report 2017–18. Chapter 2: Women Empowerment and Protection. [http://www.wcd.nic.in/sites/default/files/AR-2017-18 Chapter 1 & 2.pdf](http://www.wcd.nic.in/sites/default/files/AR-2017-18%20Chapter%201%20&%202.pdf)
- 152 ILO. Work in Freedom, Phase II – Fair recruitment and decent work for women migrant workers in South Asia and the Middle East. Accessed: April 6, 2021. [https://www.ilo.org/newdelhi/whatwedo/projects/WCMS\\_651634/lang--en/index.htm](https://www.ilo.org/newdelhi/whatwedo/projects/WCMS_651634/lang-en/index.htm)
- 153 USDOL. Measurement, Awareness-Raising, and Policy Engagement (MAP 16) Project on Child Labor and Forced Labor. Accessed February 8, 2019. <https://www.dol.gov/agencies/ilab/projects/MAP16>
- 154 ILO-IPEC. Map 16 Technical Progress Report. 2022. Source on file.
- 155 Sharma, Yogima Seth. Government Revamp Scheme for Rehabilitation of Bonded Laborers. The Economic Times, February 9, 2022. <https://economictimes.indiatimes.com/news/india/government-revamps-scheme-for-rehabilitation-of-bonded-labourers/articleshow/89452613.cms>
- 156 Express News Service. Pay interim relief to 33 rescued bonded labourers, says Madras HC. Madurai: The New Indian Express, April 2, 2022. <https://www.newindianexpress.com/states/tamil-nadu/2022/apr/02/pay-interim-relief-to-33-rescued-bonded-labourers-says-madras-hc-2437146.html>

In 2021, Indonesia made moderate advancement in efforts to eliminate the worst forms of child labor.

The Ministry of Women Empowerment and Child Protection launched a hotline to connect with child labor or child trafficking survivors requiring outreach, case management, shelter, mediation, and victim services. The government also issued Regulation No.

78/2021 on the Special Protection of Children, which

requires the central and regional governments to provide comprehensive protection to children who are survivors of the worst forms of child labor, as well as children from minority groups and with disabilities. In addition, the Ministry of Manpower employed 1,503 labor inspectors in 2021, up from 1,352 labor inspectors in 2020.

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 perform dangerous tasks in plantation agriculture, including in palm oil and tobacco production. The Ministry of Manpower continued to lack the financial resources and personnel necessary to fully enforce child labor laws throughout the country.



## 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 perform dangerous tasks in plantation agriculture, including in palm oil and tobacco production. (1-6) Table 1 provides key indicators on children's work and education in Indonesia.

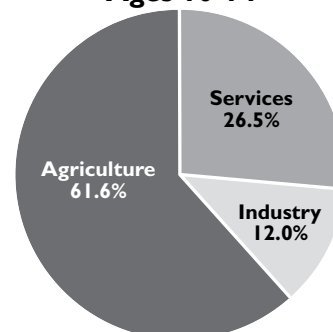
**Table 1. Statistics on Children's Work and Education**

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, 2022. (7)

Source for all other data: International Labor Organization's analysis of statistics from National Labor Force Survey (Sakernas), 2010. (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	Harvesting of palm oil, including growing, fertilizing, cutting, spraying, collecting, and loading palm oil fruits† (6,9-15)
	Planting, watering, harvesting, and applying fertilizer to tobacco, and curing, tying, and carrying tobacco leaves into storage units in the post-harvesting phase† (6,15-17)
	Production of rubber† (15)
	Fishing, including on fishing vessels, in processing facilities, and on offshore platforms† (3,6,15,18-20)
Industry	Mining,† including gold, tin, and sand (15,18,21)
	Construction,† activities unknown (4,6,16,18,19)
	Production of footwear, including sandals (12,16)
	Production of woven fabric, rattan-based bags, pottery, and other goods (17)
	Manufacturing pyrotechnics† (22,23)
Services	Street work, including working as sidewalk food vendors, begging, busking, and other unknown activities (20,21,24)
	Horse jockeying (6,15,25,26)
	Domestic work (15,18,19)



# Indonesia

## MODERATE ADVANCEMENT

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

Sector/Industry	Activity
Categorical Worst Forms of Child Labor†	Commercial sexual exploitation, including use in the production of pornography, sometimes as a result of human trafficking (3,5,6,27)
	Forced domestic work, fishing, and mining (4,6,16,18,19,21)
	Use in illicit activities, including the sale, production, and trafficking of drugs, each sometimes as a result of human trafficking (3,6,16)

† 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.

The Ministry of Women Empowerment and Child Protection (MoWECP)'s 2020 Indonesian Children's Profile report, with data on working children between ages 10 and 17, is the most recent source of government child labor data. (15) The report cites data from the 2019 National Labor Force Survey, which indicate that the percentages of working children below the minimum age for work are 1.87 percent for ages 10 to 12 and 5.14 percent for ages 13 to 14. (28) In 2019, there were 2.35 million children ages 10 to 17 who were working—38 percent in the agriculture sector, 43 percent in the service sector, and 18 percent in the industrial sector. However, data are still missing for child laborers ages 5 to 10. (15,28) In addition, the 2019 National Labor Force Survey data are not used consistently across ministries. For instance, to inform its programs, the Ministry of Manpower (MoM) continues to use outdated and inaccurate estimates of child labor and its worst forms from the 2009 survey. (15)

Children are subjected to forced domestic work and commercial sexual exploitation, particularly in Batam, Bali, Jakarta, Riau Islands, Puncak district in Bogor, and near mining operations in Maluku, Papua, and Jambi provinces. (6,15,27) Abroad, children, mostly girls, are also subjected to forced domestic work and commercial sexual exploitation, primarily in Malaysia, Taiwan, and the Middle East. (6,19,21) Data from MoWECP's SIMFONI PPA (*Sistem Informasi Online Perlindungan Perempuan dan Anak*), a national information management system that tracks cases of violence against women and children across Indonesia, indicate that, from January to September 2021, of 9,428 reported cases involving children, 165 were cases of sexual exploitation and 256 were cases of human trafficking. (15) Through the COVID-19 pandemic, Indonesia closed its borders to foreign tourists and limited domestic tourism, which may have had an effect on reducing the prevalence of commercial sexual exploitation by Indonesians and foreigners. (15) A prominent network of civil society organizations that monitors child sexual exploitation also recorded no cases of child sex tourism in 2021. (27) Meanwhile, perpetrators are increasingly using online and social media platforms to recruit victims of commercial sexual exploitation and human trafficking. (6) The pandemic kept many children at home with no access to school services, during which traffickers might have used this opportunity to target minors with access to the Internet and more unsupervised time. (27) During the reporting period, a prominent civil society consortium that monitors child sexual exploitation conducted media monitoring and recorded 49 cases of commercial sex, 42 cases of online prostitution, and 50 cases related to child pornography. (27)

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, carry heavy weight, and work in extreme heat, among other activities. (1,15,17,29,30) Children working on agricultural plantations, including palm oil, coffee, and rubber plantations, collect fallen palm fruitlets and plants, and spray toxic herbicides. (10,31) 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. (9,11,13–15) Children in the city of Bima, on the island of Sumbawa, 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. (25,26),

Although the Act on the National Education System mandates free education, research indicates that schools impose additional fees on students to cover school activities and educational items, such as books, uniforms,

transportation, and other non-tuition costs. (32,33) These added expenses may hinder students' ability to attend school, particularly for students from low-income families. Refugee children, and Indonesian children without proper birth documentation or a government-sponsored identification card, face a barrier to accessing education, because Indonesia's formal education system is only accessible to citizens and individuals with officially granted residency. (33,34) Children in rural areas are less likely to have a birth certificate than those in urban areas. (28) In addition, children with disabilities and children whose parents do not have a birth certificate also report high rates of non-registration. According to the 2019 National Socioeconomic Survey, 86 percent of children in Indonesia have birth certificates. (35) Through the formulation of the Sustainable Development Goals Roadmap and Medium-Term National Development Plan 2020–2024, the government has set an explicit target to increase birth certificate coverage to 100 percent through its strategy of strengthening civil registration and other vital statistics. (28) In addition, 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. (34,36)







The pandemic severely affected Indonesia's education system and children's access to schooling. In response to the pandemic, the government closed public schools and moved much of its learning online. (37) Lack of technology and access to high-speed Internet resulted in many students in rural and poorer areas having unequal access to education. (38) Children's presence at home during normal school hours also increased the likelihood that family members may have pressured them to engage in family-based employment to supplement the family's income during the pandemic. However, many schools returned to in-person classes in late 2021. (38)

In addition, Indonesia's National Disaster Management Agency reported 1,441 natural disasters, with 493 fatalities, from January to June 2021. (15) Children who are orphaned, separated from their families, displaced, or become homeless as a result of natural disasters are at high risk of child labor, forced labor, and human trafficking. (6,35)

## 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.

# Indonesia

## MODERATE ADVANCEMENT

**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 (39,40)
Minimum Age for Hazardous Work	Yes	18	Article 74 of the Manpower Act; Article 2 of Ministerial Decree No. 235 (40,41)
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 (41)
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 (40,42,43)
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 (42,43)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Article 74 of the Manpower Act; Articles 81 and 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 (40,43–46)
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 (40,43)
Minimum Age for Voluntary State Military Recruitment	Yes		Article 28 of Law No. 34/2004 on the Indonesian National Armed Forces (47)
Prohibition of Compulsory Recruitment of Children by (State) Military	Yes		Article 28 of Law No. 34/2004 on the Indonesian National Armed Forces (47)
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 (48)
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 (32,43)
Free Public Education	No		Articles 12, Section 2(b), and 34 of the Act on the National Education System (32)

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. (3,49)

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. (42,43) However, judicial officials at the national and provincial level continued to assert that the law implicitly established that force, fraud, or coercion was not required to constitute child sex trafficking and that this, therefore, was not a barrier to successfully prosecuting and obtaining convictions in child sex trafficking cases. (6)

Although Indonesia does specify the conditions in which light work may be undertaken and limits 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. (41) In addition, Article 12, Section 2(b) of the Act on the National Education System permits schools to charge fees. Although 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. (32)

### 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).

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

Organization/Agency	Role
Ministry of Manpower (MoM), Directorate General of Labor Development and Supervision and Directorate of Norms Supervision of Women and Child Workers	MoM's Directorate General of Labor Development and Supervision enforces the country's labor laws relating to child labor 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. (50) MoM's Directorate of Norms Supervision of Women and Child Workers responds to complaints of child labor by telephone, fax, or e-mail. 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, coordinated by the Ministry of Women Empowerment and Child Protection (MoWECP) and the Ministry of Social Affairs (MoSA). (15)
Indonesian National Police, including Women and Children's Service Unit	Handle investigations involving child trafficking. (15) Conduct inspections and raids, and make arrests in response to crimes, including those related to the worst forms of child labor. (2)

#### Labor Law Enforcement

In 2021, labor law enforcement agencies in Indonesia took actions to address child labor (Table 6). However, gaps exist within the operations of the MoM that may hinder adequate labor law enforcement, including insufficient human resource allocation.

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

Overview of Labor Law Enforcement	2020	2021
Labor Inspectorate Funding	\$13.5 million (21)	\$12.2 million (15)
Number of Labor Inspectors	1,352 (21)	1,503 (15)
Mechanism to Assess Civil Penalties	No (40,51)	No (40,51)
Initial Training for New Labor Inspectors	Yes (21)	Yes (15)
Training on New Laws Related to Child Labor	N/A	N/A
Refresher Courses Provided	Yes (21,36)	Yes (15)
Number of Labor Inspections Conducted	10,007† (21)	12,419‡ (15)
Number Conducted at Worksite	10,007† (21)	12,419‡ (15)
Number of Child Labor Violations Found	0 (21)	0 (15)
Number of Child Labor Violations for Which Penalties Were Imposed	1 (52)	N/A (15)
Number of Child Labor Penalties Imposed that Were Collected	N/A (21)	N/A (15)
Routine Inspections Conducted	Yes (21)	Yes (15)
Routine Inspections Targeted	Yes (21)	Yes (15)
Unannounced Inspections Permitted	Yes (51)	Yes (51)
Unannounced Inspections Conducted	Yes (21)	Yes (15)
Complaint Mechanism Exists	Yes (21)	Yes (15)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (21)	Yes (15)

† Data are from January 2020 to September 2020.

‡ Data are from January 2021 to September 2021.

During the reporting period, the government decreased labor inspection funds to \$12.2 million in 2021 from \$13.5 in 2020 due to budget reallocations to support the pandemic response. Officials noted that funds are insufficient to cover office infrastructure, transportation, and fuel for vehicles, which hampered labor inspectors' ability to carry out inspections. (15)

Despite the budget decrease, MoM employed 1,503 labor inspectors in 2021, up from 1,352 labor inspectors in 2020. (15) However, the number of labor inspectors is likely insufficient for the size of Indonesia's workforce,

# Indonesia

## MODERATE ADVANCEMENT

which includes approximately 139 million workers. According to the ILO's technical advice of a ratio approaching 1 inspector for every 15,000 workers in developing economies, Indonesia would need to employ roughly 9,278 labor inspectors. (53,54)

Officials at MoM disclosed that there are insufficient inspectors to cover all formal workplaces, and MoM continued to rely on community-based monitors and neighborhood chiefs to report incidences of child labor. (15,21,34) As of September 2021, MoM conducted 12,419 inspections in 12,820 workplaces in the formal sector, including 11,440 routine inspections. Although MoM reported no instances of child labor, ILO and MoM officials suspect that child labor violations occur. (15) MoWECP, which coordinates the provision of social services to children, responds to reports of child labor in the informal sector. (12)

In 2021, MoM conducted a training, held in person and virtually, to 25 labor inspectors in North Sulawesi province and 50 companies in Manado on the Socialization of Child Workers norms, as well as trainings on child labor in Jakarta, Banten, and West Java. (15,38) In previous years, government officials noted that the amount of refresher training was insufficient, given the total number of labor inspectors. (2)

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. (40,51) 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. (21)

### **Criminal Law Enforcement**

In 2021, criminal law enforcement agencies in Indonesia took actions to address 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	2020	2021
Initial Training for New Criminal Investigators	No (21,36)	No (15)
Training on New Laws Related to the Worst Forms of Child Labor	Yes (21)	N/A
Refresher Courses Provided	No (21,36)	No (15)
Number of Investigations	Unknown (21)	3 (27)
Number of Violations Found	Unknown (21)	Unknown (27)
Number of Prosecutions Initiated	Unknown (21)	Unknown (27)
Number of Convictions	Unknown (21)	2 (27,38)
Imposed Penalties for Violations Related to the Worst Forms of Child Labor	Unknown (21)	2 (27)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (21)	Yes (15)

During the reporting period, the High Court of Kendari, Southeast Sulawesi, upheld a decision during an appeal from the former Deputy Regent of North Buton who was convicted in June 2020 under Indonesian child protection laws for the sexual exploitation of a minor. The court extended his sentence to 13.5 years, up from 6.5 years, and increased his fine to \$71,429 from \$7,042. (6,27) In August 2021, the Mojokerto District Court, East Java sentenced a trafficker under Indonesia's anti-trafficking in persons laws to 10 years in prison and imposed a fine of \$14,286 for subjecting 36 minors between ages 14 to 16 to online commercial sexual exploitation. In October 2021, the Sigli District Court, Aceh, convicted a trafficker to 6.5 years in prison and imposed a fine of \$7,143 for subjecting 2 minors to commercial sexual exploitation. (27)

The Indonesian National Police's Criminal Investigation Division maintains an informal database of cases involving child trafficking. However, these statistics are not comprehensive of all child trafficking crimes or other worst forms of child labor, and the number of violations found and prosecutions initiated do not specify whether they were for worst forms of child labor offenses or human trafficking offenses. (27) In addition, the government does



not have a centralized system of aggregating information on criminal law enforcement information related to child labor and its worst forms. (15) Although data for these crimes may exist at the local level, the government lacks the resources to consolidate data in a central database. (27) The decentralized nature of criminal law enforcement data and voluntary reporting by precincts may have contributed to the underreporting of criminal law enforcement information related to the worst forms of child labor.

No training on child labor and its worst forms was held for criminal law enforcement during the reporting period due to pandemic-related restrictions and reprioritization of funds. (15) Research found training on current child labor-specific regulations to be inadequate. (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
MoWECP	Coordinates among relevant ministries at the national and provincial levels on child protection efforts, including child labor. Collaborates with MoM, which enforces child labor laws, and MoSA to ensure that all children who were removed from child labor are provided with appropriate social services, such as rehabilitation at shelters, before enrolling them in school. (15) Coordinates with the Ministry of Communication to maintain a Children's Helpline to receive complaints on child labor. During the reporting period, MoWECP launched a hotline to connect with survivors of child labor or child trafficking requiring outreach, case management, shelter, mediation, and victim services. (15,38) This hotline is in addition to SEJIWA ( <i>Sehat Jiwa</i> ), another hotline that supports women and children during the COVID-19 pandemic. Also in 2021, MoWECP recognized 17 stakeholders who worked toward the elimination of child labor in Indonesia. (15) These stakeholders included local governments, businesses, and organizations. (15)
Indonesian Child Protection Commission (KPAI)	Monitors the implementation of the Child Protection Law and child protection policies; and provides recommendations on child protection framework to the President of Indonesia. (43) Includes MoWECP; MoSA; the Ministry of Education, Culture, Research, and Technology; the Ministry of Health; the Ministry of Agriculture; the Ministry of Law and Human Rights; the Indonesian National Police; and the National Narcotics Agency. (55) During the reporting period, KPAI held a press conference on the status of its supervision of 35 cases of child victims of sexual exploitation and child labor from January to April 2021. (56)
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. Led by the Ministry of Home Affairs. (57) Indonesia has provincial-level task forces in 32 provinces and 194 district-level committees. During the reporting period, the provincial-level and district-level committees continued their activities. (15)
National Anti-Trafficking in Persons Task Force	Coordinates anti-human trafficking efforts across 21 ministries and government agencies, including MoM and MoWECP; advocates, disseminates information, conducts trainings, and builds national and international cooperation; monitors protection systems for survivors of human trafficking; develops law enforcement practices related to human trafficking; and evaluates and reports to the President on the Task Force's work. Co-chaired by the Coordinating Ministry of Human Development and Culture and the Coordinating Ministry of Political, Legal, and Security Affairs. (27) During the reporting period, the Anti-Trafficking Task Force continued to work on the National Action Plan on Preventing Human Trafficking, which expired in 2019. (27) Research found coordination between the National Anti-Trafficking Task Force and its provincial and local-level counterparts to be insufficient to translate national government policies into nationwide implementation. (6)
Provincial-Level and District-Level Anti-Trafficking in Persons Task Forces	Coordinate prevention and anti-trafficking efforts at the local level. Commonly chaired by the local Integrated Service Center for Women and Children or the local Office of Social Affairs. Operate in 32 provinces and 251 out of 438 districts and municipalities. (27) During the reporting period, the local chair of the Anti-Trafficking in Persons Task Force in Nunukan Regency, North Kalimantan province, led workshops to raise awareness on anti-trafficking in persons strategies, which were attended by 41 local government officials. In addition, in July 2021, the Aceh Provincial Women Empowerment and Child Protection Agency organized a "Regional Trafficking Issues Networking and Mapping" meeting to strengthen the regency- or city-level Anti-Trafficking in Persons Task Force networks. (27)

# Indonesia

## MODERATE ADVANCEMENT

The government eliminated the National Action Committee for the Elimination of the Worst Forms of Child Labor in 2014 to streamline its bureaucracy and transferred the committee's responsibilities to MoM. MoM serves as the lead agency for coordinating the work of partner ministries and sub-national entities in implementing the National Plan of Action for the Elimination of the Worst Forms of Child Labor (2002–2022). (15)

Some Provincial and District Task Forces lack sufficient funding to conduct investigations and mechanisms to incorporate anti-trafficking in persons national policies and recommendations into their policy priorities. Although the Indonesian National Police's Criminal Investigative Division received dedicated funding for anti-human trafficking activities, provincial police did not receive dedicated funding for human trafficking cases and funded investigations through their general crimes budget. (6)

## V. GOVERNMENT POLICIES ON CHILD LABOR

The government has established policies related to 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, including its worst forms. (58) Specific activities conducted during the third phase of the NPA include developing a set of recommendations with international and local NGOs, increasing awareness-raising and advocacy efforts, and integrating child labor in formulating sectoral policies and regulations. Established a program to create a series of industrial zones free of child labor, as well as the National Movement for the Elimination of the Worst Forms of Child Labor to integrate the issue of child labor as the government develops sectoral policies and programs. (15) During the reporting period, MoM distributed anti-child labor booklets to companies and agencies, and held trainings for labor inspectors in Jakarta, Banten, and West Java. (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. (59) During the reporting period, MoM held a virtual event on the Declaration of Indonesian Palm Oil Sector Free of Child Labor, in which the Minister of Manpower was a keynote speaker and 287 companies in 35 regencies/cities in 7 provinces throughout Indonesia attended. (36)

‡ The government had other policies that may have addressed child labor issues or had an impact on child labor. (19,21)

## VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2021, 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 to attend school.

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

Program	Description
Child Trafficking Services‡	Provide social rehabilitation and shelter services for child survivors of human trafficking. Led by MoSA and other government agencies. (19) The government continued to provide shelter and rehabilitation services for child trafficking survivors during the reporting period. (6)
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 the Smart Indonesia Program ( <i>Kartu Indonesia Pintar</i> , 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; 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; and the Family Home Program ( <i>Program Keluarga Harapan</i> , PKH), which provides conditional cash transfers for children's education to the poorest 5 percent of households. (2,34,35) In 2021, the government provided KIP cards to 17.9 million students from poor families. (15) In response to the pandemic, PKH's budget was reduced to \$2.04 billion in 2021 from \$2.67 billion in 2020, yet it still provided services to 10 million beneficiaries in 2021. (15)

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

Program	Description
Education Programs†	School Operation Assistance ( <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. (15) In 2021, the government allocated \$3.66 billion to the fund. (15) 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. (60) Community Learning Centers provide education for children of migrant palm oil workers. (19) Reducing Child Labor to Support the Family Hope Program (PPA-PKH) provides special education services to prepare children who dropped out of school to work so they can return to school, and aims to reduce child labor among targeted households. (15,34)

† 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. (16,21,35)

During the reporting period, the government issued Regulation No. 78/2021 on the Special Protection of Children, which requires the central and regional governments to provide comprehensive protection to children who are survivors of forced labor, slavery or practices similar to slavery, commercial sexual exploitation (including child pornography), and human trafficking, and to children from minority groups and with disabilities. (15) Comprehensive protection provisions include providing physical, psychological, and social treatment and rehabilitation services, social assistance for children from economically disadvantaged families, and protection and assistance in judicial proceedings. (61)

As Indonesia's poorest families continue to cope with financial effects of the pandemic, the government provided 100 million Indonesians with the Indonesia Health Card (KIS) designed to aid those who are struggling to meet basic needs, thereby reducing the risk of child labor. The budget for KIS in 2021 remained unchanged from 2020 at \$3.43 billion. (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 – 2021
	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.	2019 – 2021
	Ensure that the law's light work provisions specify the activities in which light work may be permitted.	2020 – 2021
	Establish by law free basic public education by removing provisions that permit schools to charge fees.	2020 – 2021
Enforcement	Ensure that labor inspectorate funding is sufficient to cover infrastructure, transportation, and fuel requirements to enable labor inspectors to carry out inspections.	2018 – 2021
	Significantly increase the number of labor inspectors to meet the ILO's technical advice to provide adequate coverage of the workforce.	2010 – 2021
	Ensure that labor inspectors conduct inspections for child labor violations in all relevant workplaces, including the informal sector.	2018 – 2021
	Ensure that all labor law and criminal law enforcement personnel receive adequate training on child labor regulations, including refresher trainings.	2017 – 2021
	Collect and publish national criminal law enforcement data on the number of child labor violations, including the worst forms of child labor.	2021
	Publish criminal law enforcement information, including the number of violations found and prosecutions initiated for crimes relating to child labor, including its worst forms.	2009 – 2021
	Sufficiently fund Provincial and District Task Forces and require them to incorporate national anti-trafficking in persons policies and recommendations into their policy priorities on the elimination of trafficking of women and children.	2016 – 2021

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

Area	Suggested Action	Year(s) Suggested
Social Programs	Conduct research to determine the types of labor activities carried out by children, including in construction and street work sectors, to inform social policies and programs.	2014 – 2021
	Collect and publish prevalence data on child laborers ages 5 through 10.	2019 – 2021
	Enhance efforts to eliminate barriers to education, including ensuring that all children are able to obtain a government-issued student identification number so they can attend school.	2016 – 2021

### REFERENCES

- Lamb, Kate. 'I've been sick in the chest': Tobacco fields take toll on Indonesian children. *The Guardian*. June 26, 2018. <https://www.theguardian.com/world/2018/jun/26/tobacco-indonesia-child-labour-harvest>
- U.S. Embassy- Jakarta. Reporting. January 28, 2020.
- ILO CEACR. Observation concerning Worst Forms of Child Labour Convention 1999 (No. 182) Indonesia (ratification: 2000). 2019. Source on file.
- U.S. Embassy- Jakarta. Reporting. March 25, 2020.
- The Jakarta Post. Interpol, FBI to help investigate pedophile group. March 16, 2017. <http://www.thejakartapost.com/news/2017/03/16/interpol-fbi-to-help-investigate-pedophile-group.html>
- U.S. Department of State. Trafficking in Persons Report- 2021: Indonesia. Washington, D.C., July 1, 2021. <https://www.state.gov/reports/2021-trafficking-in-persons-report/indonesia/>
- UNESCO Institute for Statistics. Gross intake ratio to the last grade of primary education, both sexes (%). Accessed March 3, 2022. For more information, please see "Children's Work and Education Statistics: Sources and Definitions" in the Reference Materials section of this report. <http://data.uis.unesco.org/>
- ILO Analysis of Child Economic Activity and School Attendance Statistics from National Household or Child Labor Surveys. Original data from National Labor Force Survey (Sakernas), 2010. Analysis received March 2022. Please see "Children's Work and Education Statistics: Sources and Definitions" in the Reference Materials section of this report.
- Gottwald, Eric. Certifying Exploitation: Why "Sustainable" Palm Oil Production is Failing Workers. *New Labor Forum*, 2018. Source on file.
- Mason, Margie, and Robin McDowell. Palm oil labor abuses linked to world's top brands, banks. *Associated Press*, September 24, 2020. <https://apnews.com/article/virus-outbreak-only-on-ap-indonesia-financial-markets-malaysia-7b634596270cc6aa7578a062a30423bb>
- Mason, Margie, and Robin McDowell. Rape, abuses in palm oil fields linked to top beauty brands. *Associated Press*, November 18, 2020. <https://apnews.com/article/palm-oil-abuse-investigation-cosmetics-2a209d60c42bf0e8fcc6f8ea6daa11c7>
- U.S. Embassy- Jakarta. Reporting. January 17, 2017.
- Transnational Palm Oil Labour Solidarity. Labour Rights Violation in the Global Supply Chain of the Palm Oil Industry. November 26, 2020. <https://palmoillabour.network/labour-rights-violation-in-the-global-supply-chain-of-the-palm-oil-industry-2/>
- McDowell, Robin, and Margie Mason. Child labor in palm oil industry tied to Girl Scout cookies. *Associated Press*, December 30, 2020. [https://apnews.com/article/palm-oil-forests-indonesia-scouts-83b01f2789e9489569960da63b2741c4?utm\\_source=Twitter&utm\\_medium=AP&utm\\_campaign=SocialFlow&fbclid=IwAR2uNLgXdj8owo3aj6rFIQrCTQg5pBRPMhfL\\_mwfRe2xNs2Y1aeEV9Hnvs](https://apnews.com/article/palm-oil-forests-indonesia-scouts-83b01f2789e9489569960da63b2741c4?utm_source=Twitter&utm_medium=AP&utm_campaign=SocialFlow&fbclid=IwAR2uNLgXdj8owo3aj6rFIQrCTQg5pBRPMhfL_mwfRe2xNs2Y1aeEV9Hnvs)
- U.S. Embassy- Jakarta. Reporting. January 10, 2022.
- U.S. Embassy- Jakarta. Reporting. January 16, 2018.
- Andrina, Michelle, et. al. Baseline Study on Child Labour in Tobacco-Growing Areas in Indonesia. Jakarta: The SMERU Research Institute, June 2020. <https://smeru.or.id/en/publication/baseline-study-child-labour-tobacco-growing-areas-indonesia>
- UN Committee on the Protection of the Rights of All Migrant Workers and Members of their Families. Concluding observations on the initial report of Indonesia, CMW/C/IDN/CO/1. October 19, 2017. [http://tbinternet.ohchr.org/\\_layouts/treatybodyexternal/Download.aspx?symbolno=CMW/C/IDN/CO/1&Lang=en](http://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=CMW/C/IDN/CO/1&Lang=en)
- U.S. Embassy- Jakarta. Reporting. February 24, 2021.
- Yulisman, Linda. Covid-19 pandemic pushes more into child labour in Indonesia. Jakarta: *The Straits Times*, March 9, 2021. <https://www.straitstimes.com/asia/se-asia/covid-19-pandemic-pushes-more-into-child-labour-in-indonesia>
- U.S. Embassy- Jakarta. Reporting. January 22, 2021.
- Putri, Restidia, and Richard C. Paddock. Out of Sixth Grade, and Straight to the Factory She Died In. *New York Times*. October 30, 2017. <https://www.nytimes.com/2017/10/30/world/asia/indonesia-fireworks-fire-underage.html>
- Hawley, Samantha. Tanzil was paid just \$6 a day to work in a fireworks factory which became an inferno. *Australian Broadcasting Corporation*, November 18, 2017. <http://www.abc.net.au/news/2017-11-18/jakarta-factory-fire-shines-light-on-unsafe-workers-conditions/9157262>
- Gettleman, Jeffrey, and Suhasini Raj. As Covid-19 Closes Schools, the World's Children Go to Work. *Tumakuru, India: New York Times*, September 27, 2020. <https://www.nytimes.com/2020/09/27/world/asia/covid-19-india-children-school-education-labor.html>
- Noren, Nicole, and Van Zeller, Mariana. The world of Sumbawa's child jockeys. *ESPN.com*, June 7, 2019. [https://www.espn.com/horse-racing/story/\\_/id/26788616/the-world-sumbawa-child-jockeys](https://www.espn.com/horse-racing/story/_/id/26788616/the-world-sumbawa-child-jockeys)
- Dean, Adam. For Indonesia's Child Jockeys, Time to Retire at 10, After 5 Years of Racing. *The New York Times*, August 24, 2019. <https://www.nytimes.com/2019/08/24/world/asia/indonesia-sumbawa-child-jockeys-horse-racing.html>
- U.S. Embassy- Jakarta. Reporting. February 14, 2022.
- Government of Indonesia, Ministry of Women Empowerment and Child Protection. Indonesian Children's Profile. Jakarta: February 17, 2021. <https://www.kemenpppa.go.id/index.php/page/read/25/3056/profil-anak-indonesia-tahun-2020>
- Human Rights Watch. World Report 2018: Indonesia. January 16, 2018. <https://www.hrw.org/world-report/2018/country-chapters/indonesia>
- Wurth, Margaret. Did a Child Get Sick Farming the Tobacco in Your Cigarette? *Human Rights Watch*. February 9, 2017. <https://www.hrw.org/news/2017/02/09/did-child-get-sick-farming-tobacco-your-cigarette>
- U.S. Embassy- Jakarta official. E-mail communication to USDOL official. June 26, 2019.
- Government of Indonesia. National Education System Act, No. 20. Enacted: 2003. Source on file.

- 33 U.S. Department of State. Country Reports on Human Rights Practices-2020: Indonesia. Washington, D.C., March 30, 2021. <https://www.state.gov/reports/2020-country-reports-on-human-rights-practices/indonesia/>
- 34 U.S. Embassy- Jakarta. Reporting. February 6, 2019.
- 35 UNICEF. The State of Children in Indonesia. May 2020. [https://www.unicef.org/indonesia/media/5041/file/The State of Children in Indonesia.pdf](https://www.unicef.org/indonesia/media/5041/file/The%20State%20of%20Children%20in%20Indonesia.pdf)
- 36 U.S. Embassy- Jakarta official. E-mail communication to USDOL official. February 12, 2021.
- 37 Human Rights Watch. World Report 2021: Indonesia. 2021. <https://www.hrw.org/world-report/2021/country-chapters/indonesia>
- 38 U.S. Embassy- Jakarta official. E-mail communication to USDOL official. February 8, 2022.
- 39 Government of Indonesia. Act of the Republic of Indonesia No. 20 of 1999 on Ratification of ILO Convention 138 concerning Minimum Age for Admission to Employment. Enacted: May 7, 1999. <http://fsipku.tripod.com/ipec/uuno20.htm>
- 40 Government of Indonesia. Act of the Republic of Indonesia No. 13, Concerning Manpower. Enacted: 2003. [http://www.ilo.org/dyn/travail/docs/760/Indonesian Labour Law - Act 13 of 2003.pdf](http://www.ilo.org/dyn/travail/docs/760/Indonesian%20Labour%20Law%20-%20Act%2013%20of%202003.pdf)
- 41 Government of Indonesia. Concerning Jobs that Jeopardize the Health, Safety or Morals of Children, Ministerial Decree 235. Enacted: 2003. Source on file.
- 42 Government of Indonesia. The Eradication of the Criminal Act of Trafficking in Persons, No. 21. Enacted: 2007. Source on file.
- 43 Government of Indonesia. Child Protection Act, No. 23. Enacted: 2002. Source on file.
- 44 Government of Indonesia. On the Ratification of the Optional Protocol to the Convention on the Rights of the Child on the Sale of Children, Child Prostitution and Child Pornography, No. 10/2012. Enacted: 2012. Source on file.
- 45 Government of Indonesia. Law on Anti-Pornography, No. 44/2008. Enacted: 2008. Source on file.
- 46 Government of Indonesia. Penal Code. Enacted: 1999. Source on file.
- 47 Government of Indonesia. Law No. 34/2004 on the Indonesian National Armed Forces. Enacted: 2004. Source on file.
- 48 Government of Indonesia. Law No. 9/2012 on Ratifying the Optional Protocol to the Convention on the Rights of the Child on the Involvement of Children in Armed Conflict. Enacted: 2012. Source on file.
- 49 Government of Indonesia. Draft Domestic Workers Protection Bill (translated). 2010. Source on file.
- 50 ILO. Labour Inspection Structure and Organization. [http://www.ilo.org/labadmin/info/WCMS\\_153136/lang--en/index.htm](http://www.ilo.org/labadmin/info/WCMS_153136/lang--en/index.htm)
- 51 Government of Indonesia. Ministerial Regulation on Labor Supervision Procedures, No. 33/2016. Enacted: November 17, 2016. Source on file.
- 52 U.S. Embassy- Jakarta official. E-mail communication to USDOL official. February 22, 2022.
- 53 UN. World Economic Situation and Prospects 2021: Annex. 2021. <https://www.un-ilibrary.org/content/books/9789210054980c007>
- 54 ILO modelled estimates and projections (ILOEST) – Population and labour force. Accessed: January 25, 2022. <https://ilostat.ilo.org/data/> Labor force data is modelled on a combination of demographic and economic explanatory variables by the ILO. Please see "Labor Law Enforcement: Sources and Definitions" in the Reference Materials section of this report.
- 55 Indonesian Child Protection Commission (KPAI). Beranda | Komisi Perlindungan Anak Indonesia. Accessed: 2021. <https://www.kpai.go.id/>
- 56 Indonesian Child Protection Commission (KPAI). Hasil pengawasan KPAI tentang perlindungan anak korban eksploitasi seksual dan pekerja anak bulan Januari s.d. April: dari 35 kasus yang dimonitor KPAI, 83% kasus prostitusi, jumlah korban mencapai 234 anak. Jakarta: May 5, 2021. <https://www.kpai.go.id/publikasi/hasil-pengawasan-kpai-tentang-perlindungan-anak-korban-eksploitasi-seksual-dan-pekerja-anak-bulan-januari-s-d-april-dari-35-kasus-yang-dimonitor-kpai-83-kasus-prostitusi-jumlah-korban-mencapai-234>
- 57 Government of Indonesia. Concerning Guidelines for the Formation of Regional Action Committees, the Establishment of Regional Action Plans, and the Empowerment of Communities in the Elimination of the Worst Forms of Child Labor, No. 6. Enacted: 2009. Source on file.
- 58 Government of Indonesia. The Decision of the President of the Republic of Indonesia, No. 59 of the Year 2002 on the National Plan of Action for the Elimination of the Worst Forms of Child Labor. Enacted: 2002. Source on file.
- 59 Government of Indonesia. Roadmap Towards a Child Labour-Free Indonesia in 2022. 2014. [http://www.ilo.org/wcmsp5/groups/public/---asia/---ro-bangkok/---ilo-jakarta/documents/publication/wcms\\_377170.pdf](http://www.ilo.org/wcmsp5/groups/public/---asia/---ro-bangkok/---ilo-jakarta/documents/publication/wcms_377170.pdf)
- 60 Government of Indonesia. Ministerial Regulation on Minimum Service Standard for Basic Education Program in the Municipality/Regency Level, No. 23/2013. Enacted: March 21, 2013. Source on file.
- 61 Government of Indonesia. Government Regulation on the Special Protection of Children, No. 78/2021. Enacted: August 10, 2021. <https://peraturan.bpk.go.id/Home/Details/175276/pp-no-78-tahun-2021>



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

In 2021, Iraq made minimal advancement in efforts to eliminate the worst forms of child labor. The Ministry of Labor and Social Affairs launched a campaign with the International Labor Organization to raise awareness about child labor among students, families, and employers in sectors in which child labor is present. However, despite new initiatives to address child labor, Iraq is assessed as having made only minimal advancement because it continued to implement a practice that delays advancement to eliminate child labor. During the reporting period, Iraqi and Kurdistan Regional Government authorities may have inappropriately detained or punished children allegedly affiliated with ISIS—some of whom were victims of forcible recruitment and use. Children in Iraq 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. The government did not provide information on its labor or criminal law enforcement efforts for inclusion in this report. It also continues to lack social 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 commercial sexual exploitation, sometimes as a result of human trafficking, and in forced begging. (1-4) Household surveys, such as the 2018 Multiple Indicator Cluster Survey (MICS) administered in Iraq, are not designed to capture the labor performed by IDPs living in camps and, therefore, do not capture the children within this population who are 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, 2022. (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 (7,8)
	Fishing, activities unknown (7)
Industry	Construction† (9)
	Making bricks, including transporting bricks and working in kilns (3,7,10)
	Working in factories, producing glass, household cleaners, paint, steel, garments and textiles, perfume, electrical materials, and recycling plastic (3,10)
Services	Street work, including selling goods, pushing carts, cleaning cars, and begging (3,11-15)
	Working at gas stations† and auto repair and other shops (3)
	Working in landfills, scavenging and collecting garbage† and scrap metal (10,13,16)

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

Sector/Industry	Activity
Services	Domestic work (3)
	Working in hotels, restaurants, bars, nightclubs,† and brothels (3,11,12)
Categorical Worst Forms of Child Labor‡	Use in illicit activities, including cross-border smuggling and drug and weapons trafficking, sometimes as a result of human trafficking (3,4,7,11,12,17,18)
	Forced domestic work (3)
	Forced begging (2,4,7,19-21)
	Commercial sexual exploitation, sometimes as a result of human trafficking (1-4,7,19-23)

† 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.

Throughout the country, some girls are subjected to commercial sexual exploitation through temporary marriages, including girls living in IDP camps. (17,23) Iranian-backed Popular Mobilization Forces (PMF)-affiliated militias Asaib Ahl al-Haq (AAH) and Harakat Hezbollah al-Nujaba (HHN) profit from and protect "marriage offices" operated by clerics who facilitate commercial sexual exploitation of children through temporary marriages. (2,17,20) 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. (17) 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. (19)

Children in Iraq face numerous barriers to education, including displacement, the lack of local schools, the use of schools as shelters by IDPs, costs of transportation and school supplies, and lack of sufficient educational facilities. (7,9,12) Sources report severe teacher shortages in Sinjar district as the result of teachers being displaced. (7) Insufficient access to transportation and destruction of schools during the conflict with ISIS also continue to limit access to education; according to UNICEF, over half of the schools in Iraq require repairs. (7) In addition, children of parents whose marriages were considered to be informal due to the woman being a minor, some displaced persons and refugees, and some children with suspected ties to ISIS lack identification documents required for school enrollment. (7,25,26) As of March 2021, 1.34 million people remained internally displaced with poor access to education, with 2.6 million children in need of humanitarian assistance. (27)




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 pandemic-related school closures due to reduced access to mobile devices, the Internet, and parental support. (7) Secondary and higher education systems sometimes refuse to accept students who previously studied at schools that used the Latin rather than Arabic alphabet; many of these students drop out as a result. (7) Children with special needs had limited access to education due to a lack of specialized teachers and school infrastructure. (7) UNICEF reports 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. (28)

## II. LEGAL FRAMEWORK FOR CHILD LABOR

Iraq 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 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 (29)
	Kurdistan Region	Yes	15	Article 90.1 of the 1987 Labor Law (30)
Minimum Age for Hazardous Work	Iraq	Yes	18	Article 95 of the 2015 Labor Law (29)
	Kurdistan Region	Yes	18	Articles 90.2 and 91.1 of the 1987 Labor Law (30)
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 (29,31)
	Kurdistan Region	Yes		Article 91.2 of the 1987 Labor Law; Ministry of Labor's Instruction 19 of 1987 (30,31)
Prohibition of Forced Labor	Iraq	Yes		Articles 9 and 11.2 of the 2015 Labor Law (29)
	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 (30,32)
Prohibition of Child Trafficking	Iraq	No		Articles 1 and 6 of the Law to Combat Human Trafficking (32)
	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 (30,32)
Prohibition of Commercial Sexual Exploitation of Children	Iraq	No		Articles 399 and 403 of the Penal Code (33)
	Kurdistan Region	Yes		Articles 91.3(b), 91.4, and 97 of the 1987 Labor Law (30)
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 (30)
Minimum Age for Voluntary State Military Recruitment	Iraq and Kurdistan Region	Yes	18	Section 6(2) of the CPA Order 22 (34)
Prohibition of Compulsory Recruitment of Children by (State) Military	Iraq and Kurdistan Region	N/A*		
Prohibition of Military Recruitment by Non-state Armed Groups	Iraq and Kurdistan Region	No		
Compulsory Education Age	Iraq	No	12‡	Articles 8.1.1 and 11.1 of the Education Law; Article 1.3 of the Law on Compulsory Education (35,36)
	Kurdistan Region	Yes	15	Articles 6 and 10 of the Kurdistan Regional Government Ministry of Education Law (37)

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

Standard	Related Entity	Meets International Standards	Age	Legislation
Free Public Education	Iraq	Yes		Article 34.2 of the Constitution; Article 9 of the Education Law (35,38)
	Kurdistan Region	Yes		Article 10 of the Kurdistan Regional Government Ministry of Education Law (37)

\* Country has no conscription (34)

‡ Age calculated based on available information (35,36)

Article 117 of the Constitution of Iraq recognizes Kurdistan, which comprises the provinces of Dohuk, Erbil, Sulaimaniya, and Halabja, as a federal region. (38-41) Article 121 grants the Kurdistan Region the right to exercise legislative, executive, and judicial powers. (38) The Iraqi Kurdistan Parliament must endorse any laws that the Government of Iraq passed after 1991 for such laws to enter into force in the Iraqi Kurdistan Region. (39-41)

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 sex trafficking, which is inconsistent with international standards, including Article 3 of the Palermo Protocol. (32) 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. (42)

Iraq's laws do not prohibit the use of children in prostitution and do not clearly prohibit the use, procuring, and offering of children for the production of pornography or pornographic performances. (33) 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. (35,36) This leaves 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)
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. (42)

#### **Labor Law Enforcement**

In 2021, labor law enforcement agencies in Iraq took actions to address child labor (Table 6). However, gaps exist within the operations of the Ministry of Labor and Social Affairs (MOLSA) and the KRG's Ministry of Labor and Social Affairs (KMOLSA) that may hinder adequate labor law enforcement, including an insufficient number of labor inspectors.

## 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	2020	2021
Labor Inspectorate Funding	Unknown	Unknown (3)
Number of Labor Inspectors	Unknown	Unknown (3)
Mechanism to Assess Civil Penalties	Yes (29)	Yes (29)
Initial Training for New Labor Inspectors	No (7)	Yes (3)
Training on New Laws Related to Child Labor	N/A	N/A
Refresher Courses Provided	No (7)	Yes (3)
Number of Labor Inspections Conducted	Unknown	Unknown (3)
Number Conducted at Worksite	Unknown	Unknown (3)
Number of Child Labor Violations Found	Unknown	Unknown (3)
Number of Child Labor Violations for Which Penalties Were Imposed	Unknown	Unknown (3)
Number of Child Labor Penalties Imposed that Were Collected	Unknown	Unknown (3)
Routine Inspections Conducted	Yes (7)	Unknown (3)
Routine Inspections Targeted	Yes (7)	Unknown (3)
Unannounced Inspections Permitted	Yes (29)	Yes (29)
Unannounced Inspections Conducted	Unknown	Unknown (3)
Complaint Mechanism Exists	Yes (7)	Yes (3)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (7)	Yes (3)

In August 2021, the director of MOLSA's Child Labor Unit publicly reported that the Ministry carried out 20 inspection visits per month on average in its efforts to expose and enforce child labor violations, and its teams recorded 70 child labor violations in the first half of 2021. (3) All 70 cases resulted in a fine, temporary shutdown, or full shutdown of the workplace. (43) However, MOLSA officials stated that enforcement of child labor laws remains weak and ineffective. (3)

Sources indicate that, during the reporting period, KMOLSA and the KRG's Ministry of Interior (KMOI) were responsive to complaints of child labor in the Kurdistan region but would only conduct child labor inspections in response to a complaint. (3)

Although the number of labor inspectors is unknown, research indicates that the number of labor inspectors is likely insufficient for the size of Iraq and the Kurdistan Region's workforce, which includes over 10.7 million workers. According to the ILO's technical advice of a ratio approaching 1 inspector for every 15,000 workers in developing economies, Iraq and the KRG would need to employ roughly 715 labor inspectors. (3,44)

When inspectors identify child labor violations, they can issue warnings and instructions, or refer cases to court. (45) KMOLSA indicated that funding is insufficient to carry out its duties. (7)

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

### **Criminal Law Enforcement**

In 2021, criminal law enforcement agencies in Iraq took actions to address 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	2020	2021
Initial Training for New Criminal Investigators	Unknown	Unknown (3)
Training on New Laws Related to the Worst Forms of Child Labor	N/A	N/A
Refresher Courses Provided	Unknown	Unknown (3)
Number of Investigations	Unknown	Unknown (3)
Number of Violations Found	Unknown	Unknown (3)



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

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

Overview of Criminal Law Enforcement	2020	2021
Number of Prosecutions Initiated	Unknown	Unknown (3)
Number of Convictions	Unknown	Unknown (3)
Imposed Penalties for Violations Related to the Worst Forms of Child Labor	Unknown	Unknown (3)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (7)	Yes (3)

In 2021, authorities may have inappropriately detained or punished children allegedly affiliated with ISIS—some of whom were victims of forcible recruitment and use by armed groups. (17, 24,46-49)

Although the Ministry of Interior (MOI) reported that it investigated 12 police officers for involvement in sex trafficking, research indicates that security and camp management personnel in IDP camps continue to be complicit in the sexual exploitation and trafficking of girls. (3,4) The government did not investigate or hold anyone criminally accountable for allegations of unlawful recruitment and use of child soldiers. (17,21) Some victims of human trafficking, including children who were forcibly recruited and used, are punished for unlawful acts their traffickers compelled them to commit. (17,41,55) Research indicates that children are sentenced to up to 8 years in prison for prostitution, rather than being treated as victims of trafficking or commercial sexual exploitation of children. (43) 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. (11,17)

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 lack of coordination among agencies to effectively process cases of children suspected of having ties with ISIS or children who are victims of human trafficking.

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

Coordinating Body	Related Entity	Role & Description
Interministerial Committee on Child Labor	Iraq	Coordinates overall government efforts to address child labor, researches policies regarding child labor, and designs and manages projects. Members include representatives from MOLSA and four other ministries. (11) Active in 2021. (3)
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 human trafficking. Led by MOI, and includes representatives from five ministries, KMOI, and two other state entities. (11,50) Active in 2021. (4)
Interministerial 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 Divan at the Ministry of Interior, it also includes 17 members from several ministries and services. (20) The Interministerial Committee on Trafficking in Persons met at least once in 2021. (43)
KRG Council of Ministers	Kurdistan Region	Coordinates KMOI and KMOLSA actions 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 17 government ministries. (4,11) Specific activities are unknown. (51) 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 all worst forms of child labor.

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

**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. (12,52) The policy does not specifically cover other worst forms of child labor present in Iraq, including forced begging and commercial sexual exploitation. (52) 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 address 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. (53) Active in 2021. (21)

Research was unable to identify any child labor policies in the Kurdistan Region. (3)

## VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2021, 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 inadequacy of programs to address the full scope of the problem.

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

Program	Related Entity	Description
Informal Education†	Iraq	Government-supported informal education systems, including evening school programs and 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 2021 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 2021, MOLSA continued to provide cash assistance to low-income families to send their children to school. (3)
Shelters for Human Trafficking Victims†	Iraq	MOLSA-operated shelter in Baghdad for human trafficking victims, including children involved in the worst forms of child labor; other facilities are in Basra, 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. (20) In addition, shelters are reportedly unable to house child survivors, sending them to MOLSA orphanages instead, due to a lack of funding and suitable accommodations. (21,43)

† Program is funded by the Government of Iraq.

In 2021, MOLSA launched a campaign with the ILO to raise awareness about child labor among students, families, and employers of sectors in which child labor is present. (54) The campaign hopes to reach 10,000 children, families, teachers, and others and is conducted in schools. The campaign will also include awareness-raising activities, such as television and radio programs. (54)

Efforts by the Government of Iraq and the KRG to provide protection services to demobilized child soldiers of ISIS or the PMF are insufficient. Failing to reintegrate former child soldiers leaves them vulnerable to re-victimization or re-recruitment into armed groups. (17) 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).

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

**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 – 2021
	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 – 2021
	Ensure that the law in Iraq criminally prohibits the use of children in illicit activities, including in the production and trafficking of drugs.	2015 – 2021
	Ensure that the law criminally prohibits the recruitment of children under age 18 by non-state armed groups.	2013 – 2021
	Increase the age of compulsory schooling in Iraq to at least age 15, the minimum age for work.	2009 – 2021
Enforcement	Publish labor law enforcement information, such as the funding of the labor inspectorate, number of inspectors, inspections, and violations.	2011 – 2021
	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 – 2021
	Ensure children picked up by authorities for begging are screened for trafficking indicators.	2021
	Ensure that children who are victims of trafficking or commercial sexual exploitation are not imprisoned and are granted access to social services providers and humanitarian assistance.	2021
	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 – 2021
	Publish information on criminal law enforcement on the worst forms of child labor in Iraq and the Iraqi Kurdistan Region.	2013 – 2021
	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 – 2021
	Ensure that armed groups that recruit and use children are held criminally accountable.	2016 – 2021
	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 – 2021
Coordination	Ensure that all coordinating bodies meet and are able to carry out their intended mandates.	2017 – 2021
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 – 2021
Social Programs	Implement programs to ensure that children are discouraged from enlisting in armed groups and receiving military training.	2015 – 2021
	Ensure that universal access to education is consistent with international standards, including for refugee and internally displaced children and children with special needs, 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 – 2021
	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 survivors.	2009 – 2021

## REFERENCES

- Pasha-Robinson, Lucy. 'I was raped everyday': Yazidi girl speaks of horrors of being held as ISIS sex slave. Independent. July 24, 2017. <http://www.independent.co.uk/news/world/middle-east/isis-sex-slave-yazidi-girl-northern-iraq-rape-sexual-abuse-experiences-a7857246.html>
- U.S. Embassy- Baghdad. Reporting. April 3, 2021.
- U.S. Embassy- Baghdad. Reporting. February 3, 2022.
- U.S. Department of State. Trafficking in Persons Report- 2021: Iraq. Washington, D.C., July 1, 2021. <https://www.state.gov/reports/2021-trafficking-in-persons-report/iraq/>
- UNESCO Institute for Statistics. Gross intake ratio to the last grade of primary education, both sexes (%). Accessed March 2022. For more information, please see "Children's Work and Education Statistics: Sources and Definitions" in the Reference Materials section of this report. <http://data.uis.unesco.org/>
- ILO. Analysis of Child Economic Activity and School Attendance Statistics from National Household or Child Labor Surveys. Original data from Multiple Indicator Cluster Survey 6 (MICS 6), 2018. Analysis received March 2022. Please see "Children's Work and Education Statistics: Sources and Definitions" in the Reference Materials section of this report.
- U.S. Embassy- Baghdad. Reporting. January 5, 2021.
- U.S. Embassy- Baghdad. Reporting. May 24, 2021.
- U.S. Embassy- Baghdad. Reporting. January 17, 2018.
- Ben Hamad, Fatma. 'Some die at work': The appalling conditions of Iraq's child labourers. July 29, 2021. <https://observers.france24.com/en/iraq-child-labour-brick-factory>
- U.S. Embassy- Baghdad. Reporting. February 18, 2020.
- U.S. Embassy- Baghdad. Reporting. January 9, 2019.
- Baghdad Post. As corruption goes rampant, Iraq children eat from garbage. July 31, 2017. Source on file.

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

- 14 Hartleib, Elisabeth. Child Labor in Iraq. Deutsche Welle, June 12, 2017. <http://www.dw.com/en/child-labor-in-iraq/av-39210131>
- 15 Menmy, Dana Taib. Coronavirus: Iraq's 'Covid-19 generation' faces forced labour, lack of school. August 22, 2020. <https://www.middleeasteye.net/news/coronavirus-iraq-covid-19-generation-forced-labour-education-school>
- 16 Westcott, Tom. Donors talk big on Iraq reconstruction, but Mosul residents go it alone. The New Humanitarian (formerly IRIN News), February 15, 2018. <https://www.irinnews.org/feature/2018/02/15/donors-talk-big-iraq-reconstruction-mosul-residents-go-it-alone>
- 17 U.S. Department of State. Trafficking in Persons Report- 2020: Iraq. Washington, D.C., June 16, 2020. <https://www.state.gov/reports/2020-trafficking-in-persons-report/iraq/>
- 18 Radio Farda. Many Children Working As Porters Die On Iran-Iraq Border. December 22, 2019. <https://en.radiofarda.com/a/children-working-as-porters-killed-by-guards-on-iran-iraq-border/30338407.html>
- 19 U.S. Department of State. Trafficking in Persons Report- 2019: Iraq. Washington, D.C., June 20, 2019. <https://www.state.gov/reports/2019-trafficking-in-persons-report-2/iraq/>
- 20 U.S. Embassy- Baghdad. Reporting. March 30, 2020.
- 21 U.S. Embassy- Baghdad. Reporting. March 24, 2022.
- 22 The New Arab. The Iraq Report: Children bought and sold in 'sex markets' by Baghdad Mafia. August 16, 2017. <https://www.alaraby.co.uk/english/indepth/2017/8/16/the-iraq-report-child-trafficking-by-baghdad-mafia-exposed>
- 23 Hassan, Sanar. When one of the women refuses, she is threatened... Displaced women in Iraqi camps are victims of sexual and political exploitation. July 2, 2020. <https://raseef22.net/article/1079076>
- 24 United Nations Security Council. Annual Report of the Secretary-General on Children and armed conflict. June 21, 2021: S/2021/437. <https://childrenandarmedconflict.un.org/document/annual-report-of-the-secretary-general-on-children-and-armed-conflict-2/>
- 25 Amnesty International. The Condemned: Women and Children Isolated, Trapped, and Exploited in Iraq. April 2018: MDEI4/8196/2018. <https://www.amnesty.org/download/Documents/MDEI481962018ENGLISH.PDF>
- 26 International Crisis Group. Exiles in Their Own Country: Dealing with Displacement in Post-ISIS Iraq. October 19, 2020. [https://d2071andvip0wj.cloudfront.net/b079-post-isis-iraq\\_0.pdf](https://d2071andvip0wj.cloudfront.net/b079-post-isis-iraq_0.pdf)
- 27 UNICEF. Iraq Humanitarian Situation Report, January-March 2021. April 2021. <https://www.unicef.org/documents/iraq-humanitarian-situation-report-january-march-2021>
- 28 UNICEF. Deep inequality continues to shape the lives of children in Iraq. November 19, 2018. <https://www.unicef.org/press-releases/deep-inequality-continues-shape-lives-children-iraq>
- 29 Government of Iraq. Labor Law No. 37 of 2015. Enacted: October 15, 2015. [http://www.ilo.org/dyn/natlex/natlex4.detail?p\\_lang=en&p\\_isn=96652&p\\_country=IRQ](http://www.ilo.org/dyn/natlex/natlex4.detail?p_lang=en&p_isn=96652&p_country=IRQ)
- 30 Government of Iraq. Labor Code, Law No. 71 of 1987, as amended by Coalition Provisional Authority Order 89 of May 30, 2004. [http://www.ilo.org/dyn/travail/docs/751/Coalition Provisional Authority Order No.89.pdf](http://www.ilo.org/dyn/travail/docs/751/Coalition%20Provisional%20Authority%20Order%20No.89.pdf)
- 31 Government of Iraq. Minister of Labor and Social Affairs' Instructions No. 19 of 1987 on Works Prohibited for Children. Enacted: November 9, 1987. Source on file.
- 32 Government of Iraq. Law to Combat Human Trafficking, No. 28 of 2012. Enacted: April 4, 2012. [https://www.ilo.org/dyn/natlex/natlex4.detail?p\\_lang=en&p\\_isn=94253&p\\_country=IRQ&p\\_count=232&p\\_classification=04&p\\_classcount=6](https://www.ilo.org/dyn/natlex/natlex4.detail?p_lang=en&p_isn=94253&p_country=IRQ&p_count=232&p_classification=04&p_classcount=6)
- 33 Government of Iraq. Penal Code, Law No. 111 of 1969. Enacted: July 19, 1969. <http://www.ilo.org/dyn/natlex/docs/ELECTRONIC/57206/110681/F-1289690696/IRQ57206.pdf>
- 34 Government of Iraq. Coalition Provisional Authority Order 22 on the Creation of A New Iraqi Army. Enacted: August 6, 2003. <http://www.refworld.org/docid/468d0ae62.html>
- 35 Government of Iraq. Law No. 22 of the Ministry of Education. Enacted: September 13, 2011. Source on file.
- 36 Government of Iraq. Compulsory Education Law No. 118 of 1976. Enacted: 1976. [http://www.iraq-ig-law.org/ar/webfm\\_send/233](http://www.iraq-ig-law.org/ar/webfm_send/233)
- 37 Kurdistan Regional Government. Law No 27 of 2007, Third Amendment to the Law of the Ministry of Education No. Act, 1992. Enacted: December 10, 2007. <http://www.presidency.krd/docs/EducationMlnistryAmendemnt3-34-2007-ar.pdf>
- 38 Government of Iraq. Constitution of Iraq. Enacted: 2005. <http://www.washingtonpost.com/wp-dyn/content/article/2005/10/12/AR2005101201450.html>
- 39 U.S. Embassy- Baghdad official. E-mail communication to USDOL official. May 4, 2018.
- 40 Kurdistan Regional Government. The Kurdistan Region in Brief. (n.d.) Source on file.
- 41 U.S. Consulate- Erbil and U.S. Embassy- Baghdad officials. E-mail communication to USDOL official. July 10, 2019.
- 42 U.S. Embassy- Baghdad. Reporting. February 13, 2019.
- 43 U.S. Embassy- Baghdad. Official communication to USDOL official. June 30, 2022.
- 44 ILO modelled estimates and projections (ILOEST) – Population and labour force. Accessed February 16, 2022. [https://ilostat.ilo.org/data/Labor force data is modelled on a combination of demographic and economic explanatory variables by the ILO. Please see "Labor Law Enforcement: Sources and Definitions" in the Reference Materials section of this report.](https://ilostat.ilo.org/data/Labor%20force%20data%20is%20modelled%20on%20a%20combination%20of%20demographic%20and%20economic%20explanatory%20variables%20by%20the%20ILO.%20Please%20see%20%E2%80%9CLabor%20Law%20Enforcement%20Sources%20and%20Definitions%E2%80%9C%20in%20the%20Reference%20Materials%20section%20of%20this%20report.)
- 45 U.S. Consulate- Erbil. Reporting. January 13, 2019.
- 46 United Nations Security Council. Report of the Secretary-General on Children and Armed Conflict in Iraq. December 23, 2019: S/2019/984. [https://www.un.org/ga/search/view\\_doc.asp?symbol=S/2019/984&Lang=E&Area=UNDOC](https://www.un.org/ga/search/view_doc.asp?symbol=S/2019/984&Lang=E&Area=UNDOC)
- 47 Human Rights Watch. Everyone Must Confess: Abuses against Children Suspected of ISIS Affiliation in Iraq. March 6, 2019. <https://www.hrw.org/report/2019/03/06/everyone-must-confess/abuses-against-children-suspected-isis-affiliation-iraq>
- 48 UN. Reporting. 2022.
- 49 UN General Assembly. Children and Armed Conflict: Report of the Secretary-General. July 11, 2022: A/76/871–S/2022/493. <https://undocs.org/en/S/2022/493>
- 50 U.S. Embassy- Baghdad. Reporting. January 13, 2017.
- 51 U.S. Embassy- Baghdad. Reporting. February 12, 2018.
- 52 Government of Iraq. Child Protection Policy. Enacted: 2017. Source on file.
- 53 Government of Iraq. National Plan on Combating Human Trafficking in Iraq. March 2019. Source on file.
- 54 ILO. Iraq launches activities to combat child labour as part of nationwide campaign. December 19, 2021. [https://www.ilo.org/beirut/media-centre/news/WCMS\\_832439/lang--en/index.htm?fbclid=IwAR3U8e5hkjvOs0kb\\_x6MrGpFDMxnLPUDhwYy20Fy-qlwTKnknLjpDZo\\_fv4](https://www.ilo.org/beirut/media-centre/news/WCMS_832439/lang-en/index.htm?fbclid=IwAR3U8e5hkjvOs0kb_x6MrGpFDMxnLPUDhwYy20Fy-qlwTKnknLjpDZo_fv4)
- 55 U.S. Department of State. Trafficking in Persons Report- 2022: Iraq. Washington, D.C., July 1, 2022. <https://www.state.gov/reports/2022-trafficking-in-persons-report/iraq/>

In 2021, Jamaica made moderate advancement in efforts to eliminate the worst forms of child labor. The government amended its Trafficking in Persons Act by removing the option of fines as punishment for certain severe offenses, such as commercial sexual exploitation of children, and increasing the maximum fine for other offenses. It also launched a 211 hotline to replace the previous 888-PROTECT line, making it easier for the public to report child labor cases. Moreover, 150 justices were trained on how to identify and report suspected cases of trafficking, including child trafficking and child labor violations. 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 perform dangerous tasks in agriculture and street work. Although the government made meaningful efforts in all relevant areas during the reporting period, its laws do 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. Moreover, the number of labor inspectors is insufficient for the size of Jamaica's workforce.



## 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) Children also perform dangerous tasks in agriculture and street work. (2) Table 1 provides key indicators on children's work and education in Jamaica.

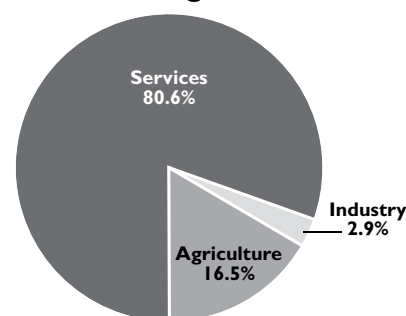
**Table 1. Statistics on Children's Work and Education**

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 (%)		76.9

Source for primary completion rate: Data from 2019, published by UNESCO Institute for Statistics, 2022. (3)

Source for all other data: International Labor Organization's analysis of statistics from Jamaica Youth Activity Survey (SIMPOC), 2016. (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, <sup>†</sup> activities unknown (1,2,5)
	Fishing, activities unknown (2,6)
Industry	Construction <sup>†</sup> (7,8)
Services	Working in shops and markets (1,5,9)
	Domestic work (1,5,9,10)
	Street work, including begging <sup>†</sup> and vending (5,10-12)
	Wholesale and retail (2)
Categorical Worst Forms of Child Labor <sup>‡</sup>	Commercial sexual exploitation, sometimes as a result of human trafficking (1,5,10,14)
	Forced domestic work (5,11,15,16)
	Use in illicit activities, including executing financial scams and serving as drug and gun couriers (1,9,10,14,17,18)

<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.



# 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. (1,5) Cases typically involved young girls from poor urban and rural households trafficked to engage in commercial sexual exploitation in brothels, nightclubs, massage parlors, and strip clubs. Recently, victims were lured by social media or false jobs in popular newspaper advertisements. (1) 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. (11,15) Many of the LGBTQI+ youth were minors fleeing their families or communities in fear of persecution or bullying. (11)

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. (1,16) 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. (16) Reports showed that forced child labor across sectors increased during the reporting year due to the economic downturn and school closures as a result of the COVID-19 pandemic. (1)




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 68.6 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. (2) 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. (2)

Moreover, the cost for transportation, food, books, and uniforms creates barriers to education for some children. (19,20) Government officials and education professionals in Jamaica reported a significant divide between traditional and non-traditional schools, in which the latter purportedly left students without adequate education, training, and certification, perpetuating a cycle of poverty. (1) The government closed schools due to the pandemic from March 2020 to November 2021, with some schools closed through the end of 2021. The Ministry of Education, Youth and Information reported that approximately 120,000 students disengaged from school during the pandemic. (1,21)

## 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 a lack of 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	Articles 34(1) and 36 of the Child Care and Protection Act (22)
Minimum Age for Hazardous Work	Yes	18	Articles 34(3) and 36 of the Child Care and Protection Act (22)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Articles 34(3)(b), 39, and 41 of the Child Care and Protection Act; 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 (22-25)
Prohibition of Forced Labor	Yes		Sections 2, 4, and 4A of the Trafficking in Persons (Prevention, Suppression and Punishment) Act; Section 2 of the Trafficking in Persons (Prevention, Suppression and Punishment) (Amendment) Act, 2021 (26,27)
Prohibition of Child Trafficking	Yes		Section 10 of the Child Care and Protection Act; Sections 2, 4, and 4A of the Trafficking in Persons (Prevention, Suppression and Punishment) Act; Section 2 of the Trafficking in Persons (Prevention, Suppression and Punishment) (Amendment) Act, 2021 (22,26,27)
Prohibition of Commercial Sexual Exploitation of Children	No		Sections 2, 4, and 4A of the Trafficking in Persons (Prevention, Suppression and Punishment) Act; Sections 18, 21 and 36 of the Sexual Offences Act; Sections 3–4 of the Child Pornography (Prevention) Act (26-29)
Prohibition of Using Children in Illicit Activities	No		Section 4 of the Criminal Justice (Suppression of Criminal Organizations) Act (28)
Minimum Age for Voluntary State Military Recruitment	Yes	18	Section 18(2) of the Defense Act (29)
Prohibition of Compulsory Recruitment of Children by (State) Military	N/A*		
Prohibition of Military Recruitment by Non-state Armed Groups	No		
Compulsory Education Age	Yes	16	Sections 28 and 89 of the Child Care and Protection Act(22)
Free Public Education	No		Section 13(k) of the Jamaican Charter of Fundamental Rights and Freedoms (30)

\* Country has no conscription (26)

Jamaica does not meet the international standard for free public education as free education is only guaranteed for Jamaican citizens, thereby leaving those without citizenship vulnerable to child labor. (30)

In November 2021, the government amended its Trafficking in Persons (Prevention, Suppression and Punishment) Act, which removed the option of fines as punishment for certain severe offenses such as commercial sexual trafficking and increased maximum fines for other offenses. (1) Jamaica prohibits a child below the age of 13 from engaging in work for economic gain; however, it allows children ages 13 to 14 to engage in some limited forms of light work involving fewer hours or less physically intensive labor. Jamaica allows for formal employment beginning from age 15. (1,22)

Jamaican laws do not sufficiently prohibit commercial sexual exploitation because the law does not criminalize use of a child for prostitution. Additionally, the laws related to use of children in illicit activities do not specifically include higher penalties for perpetrators who use, procure, or offer a child for the production and distribution of drugs. (22,31) Moreover, 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. It is anticipated that the bill, if passed, will specify light work activities that are permitted for children ages 13 and 14. (11,32)

### 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 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. (7) Minister for Labor Karl Samuda represented Jamaica in ILO's International Year for the Elimination of Child Labor launch event, which included an online poster competition to raise awareness of child labor concerns. (1)
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. (19) Receives complaints of child abuse, child labor, child trafficking, and commercial sexual exploitation of children through a hotline and refers suspected cases of child abuse to law enforcement. (7,19,33) During the reporting year, launched a new 211 hotline to replace the previous 888-PROTECT line for reporting child trafficking and abuse. (1) Also established an internal child trafficking technical advisory committee that oversaw the piloting and launch of the National Referral Mechanism on Child Trafficking (launched December 2021) and a screening tool, which includes agency-specific child trafficking indicators for identifying child trafficking victims locally, an intake and biodata form, and case management forms. Moreover, trained 83 members of its personnel, including Registration/Intake Officers, Investigators Officers, and Supervisors and launched a Trafficking in Persons Handbook designed to increase knowledge of trafficking in persons across ministries, departments, and agencies. (33)
Office of the Children's Advocate	Investigates reports of child abuse and partners with other agencies, including CPFSA and the police, to promote protection of children and address child labor. (7)
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, forced child labor, commercial sexual exploitation, and the use of children in illicit activities in which trafficking is involved. 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. (7)
Office of the Director of Public Prosecutions	Prosecutes cases involving the worst forms of child labor. Protects and promotes human rights for all citizens. (34)
Office of the National Rapporteur on Trafficking in Persons	Monitors government efforts to protect human trafficking survivors, prosecute cases, and implement preventative measures. (11) As a commission of parliament, holds a unique position in analyzing regulations, observing compliance, and compiling data for official reports back to the legislative branch of the government. These reports are, in turn, considered by parliament for amendments or new bills. (1)
Ministry of Justice Victim Services Division	Provides emotional support, crisis management, and special intervention projects for children and adults. Assists child crime survivors through the Children in Court Program, which offers survivors access to social workers and counselors. (35)

In 2021, the Child Protection and Family Services Agency (CPFSA) identified 25 cases of suspected child trafficking and referred them to the Jamaica Constabulary Force for investigation. Of these cases, 14 were received through the child abuse hotline. (33)

#### Labor Law Enforcement

In 2021, labor law enforcement agencies in Jamaica took actions to address 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 lack of a mechanism to assess civil penalties.

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

Overview of Labor Law Enforcement	2020	2021
Labor Inspectorate Funding	\$3,144,000 (36)	\$3,200,000 (1)
Number of Labor Inspectors	39 (37)	39 (37)
Mechanism to Assess Civil Penalties	Yes (22,38)	Yes (22,38)
Initial Training for New Labor Inspectors	N/A (36)	N/A (1)
Training on New Laws Related to Child Labor	N/A (36)	N/A (1)
Refresher Courses Provided	Yes (1,5,36)	Yes (1)

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

Overview of Labor Law Enforcement	2020	2021
Number of Labor Inspections Conducted	2,669 (36)	2,328 (1)
Number Conducted at Worksite	1,821 (36)	1,679 (1)
Number of Child Labor Violations Found	6 (36)	0 (1)
Number of Child Labor Violations for Which Penalties Were Imposed	0 (36)	N/A (1)
Number of Child Labor Penalties Imposed that Were Collected	N/A (36)	N/A (1)
Routine Inspections Conducted	Yes (5)	Yes (1)
Routine Inspections Targeted	Yes (5)	Yes (1)
Unannounced Inspections Permitted	Yes (38)	Yes (38)
Unannounced Inspections Conducted	Yes (36)	Yes (1)
Complaint Mechanism Exists	Yes (5)	Yes (1)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (5,36)	Yes (1)

Labor inspectors engage in annual awareness raising sessions focused on child labor, human trafficking, and standard operating procedures. (36)

The number of labor inspectors is insufficient for the size of Jamaica's workforce, which includes approximately 1,263,000 workers. According to the ILO's technical advice of a ratio approaching 1 inspector for every 15,000 workers in developing economies, Jamaica would need to employ 84 labor inspectors. (39) Inspectors are not allowed to enter and inspect private residences; however, labor inspectors may coordinate visits with social workers who are allowed to enter private residences and are trained to watch for indicators of child labor. (1) Inspectors do not have authority to assess penalties, but if a labor inspector observes a suspected child labor violation during an inspection, the case is referred to the MLSS Child Labor Unit for investigation and possible referral for legal action through the courts. Fines and penalties can be levied or collected upon summary conviction in court. (1,5,22,38)

Though there are reports of increased prevalence of child labor during the reporting period, inspectors identified no child labor violations. The MLSS developed a new General Compliance Inspection Form during the reporting period to enable greater volume and standardization of inspections, which will be implemented in 2022. (1)

### **Criminal Law Enforcement**

In 2021, 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	2020	2021
Initial Training for New Criminal Investigators	Yes (5,36)	Yes (1)
Training on New Laws Related to the Worst Forms of Child Labor	N/A (5,36)	N/A (1)
Refresher Courses Provided	Yes (36)	Yes (1)
Number of Investigations	28 (36)	28 (1)
Number of Violations Found	8 (36)	6 (1)
Number of Prosecutions Initiated	2 (36)	3 (1)
Number of Convictions	1 (36)	2 (1)
Imposed Penalties for Violations Related to the Worst Forms of Child Labor	N/A (36)	Yes (1)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (5,36)	Yes (1)

During the reporting period, the Child Protection Compact Partnership (CPC Partnership), USDOS, and Jamaica's Ministry of National Security jointly launched Jamaica's first child-friendly space in Falmouth, which focuses on delivering a multidisciplinary and trauma-informed response, including examination, interviews and referrals for appropriate care and services. The space aims to serve children who are removed from human trafficking (domestic servitude, commercial sexual exploitation, forced labor and forced illicit activity by gangs)

## MODERATE ADVANCEMENT

or other serious crimes. (33) Additionally, the government reported that 75 percent of criminal investigators assigned to the Anti-Trafficking in Persons Unit (A-TIP) of the Jamaica Constabulary Force received virtual training on child labor and child trafficking. (1)

In 2021, A-TIP conducted 25 investigations in response to reports of potential child trafficking, as well as 36 proactive surveillance operations of high-risk locations (truck stops, construction sites, and resorts) for trafficking or exploitation of children. (1,33) Jamaica Constabulary Force's Counter Terrorism and Organized Crime Investigations Branch also investigated eight reports of commercial sexual exploitation of children. (1) During the reporting period, the government identified six children as victims of sex trafficking, after which it provided them services. (33) Moreover, the government prosecuted four individuals in three cases under the Trafficking in Persons (TIP) Act in 2021, which resulted in two convictions. In particular, the government entered into a plea agreement with two defendants from a 2010 child sex trafficking case, allowing two nightclub owners to pay fines of \$13,132 and \$5,252, respectively, in lieu of prison time for forcing a girl they brought from Guyana to dance and have sex with patrons in their facility. (33)

Jamaica's National Rapporteur on Trafficking in Persons and Child Advocate reported that it had discovered anecdotal evidence suggesting complicity of police officers in sexual exploitation rings operating under the guise of massage parlors. The government did not investigate these allegations during the reporting period. (33)

## 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. (36,40) During the reporting period, supported a data visualization and vulnerability mapping project using the ILO's Child Labor Risk Identification model. (37)
National Task Force Against Trafficking in Persons (NATFATIP)	Facilitates information exchanges between government agencies and external stakeholders and creates momentum for counter-trafficking efforts. Led by the Ministry of National Security, includes ministries and agencies across the government. (7,41) Oversees implementation of the country's National Plan of Action to Combat Human Trafficking. (33) Meets regularly with the Jamaica Constabulary Force, the Director of Public Prosecutions, and relevant ministries. (6,7) With the support of the U.S.-Jamaica Child Protection Compact, 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. (40) Held bi-monthly coordination sessions virtually during 2021. (33) Various agencies that are members of NATFATIP executed an MOU designed to provide more a comprehensive system to regularly share data among stakeholders. (1) During the reporting period, held public awareness campaigns, which included sensitization trainings at local high schools, and a weekly public service announcement on reporting human trafficking. In addition, increased partnership with the Radio Jamaica Cross Country Invasion program by conducting radio and television interviews, distributing materials at broadcast locations and publishing in newspapers. (33)
National Steering Committee on Child Labor	Provides leadership, shares information, and guides the development of policies and programs geared toward eliminating the worst forms of child labor, including the National Plan of Action. (36,37,42) The committee was functioning during 2021, but no activities were reported. (37)

During the reporting period, 150 Justices of the Peace from Manchester and St. Andrew parishes were trained on how to identify and report suspected cases of human trafficking, including child trafficking and child labor violations. (1)

Although the Child Protection and Family Services Agency has assumed coordinating functions between various agencies charged with protecting children, the organization is not mandated or fully resourced to play this role. Jamaica lacks an effective central agency to coordinate efforts to address the challenges posed by child labor, human trafficking, and other child-related issues. (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 mainstreaming child labor issues into relevant policies.

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

Policy	Description
National Plan of Action for Combatting Trafficking in Persons (2018–2021)	Identifies objectives, actions, and responsible agencies to prevent and eliminate trafficking in persons, including commercial sexual exploitation of children and forced child labor, through prevention, protection, prosecution, and partnerships. (19,43) During the reporting period, conducted 9 sensitization sessions and 10 outreach workshops. Sessions were provided for MLSS officials, union representatives, and other relevant stakeholders, as well as the broader community in Kingston to sensitize members of the public to child labor and trafficking in persons concerns. (1) Sessions included discussions of international child labor standards and conventions, trafficking in persons, child labor statistics in Jamaica, and the role of government agencies in addressing child trafficking and labor violations. (1)
National Plan of Action for an Integrated Response to Children and Violence (NPACV)	Provides a coordinated and structured approach to addressing the key issues and challenges pertaining to children as victims, perpetrators, and witnesses of acts of violence and abuse. (33) 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) During the reporting period, the plan was revised. (33)

The Ministry of National Security sponsored and hosted public awareness campaigns, including virtual discussions on child labor with the Jamaica Constabulary Force and MLSS, radio conversations on child protection during the pandemic, and social media discussions on how to safeguard children against human trafficking with CPFSA. The Ministry of National Security also conducted trainings on identifying potential survivors of trafficking in persons and available referral mechanisms for approximately 60 customs officers. (1)

During the reporting period, the government hired consultants to create vulnerability maps for various parishes and constituencies using the ILO's Child Labor Risk Identification model. The government intends to use this information to proactively identify and provide services to children and families at risk of becoming victims of trafficking in persons. (1)

While there are some policies in place, research indicates that existing policies do not fully address the scope and magnitude of the problem, including the worst forms of child labor. (1, 11)

## VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2021, 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 inadequacy 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†	Government of Jamaica and World Bank-funded conditional cash transfer program launched in 2002 that helps reduce child labor by requiring participants to attend school at least 85 percent of the academic days in a month. (1,7,44,45) Expanded funding during the reporting period to \$34 million and provided support to about 200,000 children during the reporting period. (1) Provided nutritional support for children who previously received subsidized meals at school and provided back-to-school stipends for school-aged children beginning in September 2021. (1)
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. (1,7) Research was unable to determine whether activities were undertaken to implement the Trafficking in Persons Club in School Program during the reporting period. (1)

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

Program	Description
Regional Initiative Latin America and the Caribbean Free of Child Labor (2022–2025)	Developed as an intergovernmental cooperation platform made up of 30 countries, with active participation of employers' and workers' organizations. (46) Seeks to declare Latin America and the Caribbean as the first developing region free of child labor by 2025. (47) Drawing on the knowledge, experience, and accumulated capacity of key public and private actors, aims to address the persistence of child work. During the reporting period, reestablished multi-sectoral, national steering committee and continued to pursue training and capacity building actions to augment the coordinated planning and practical interventions to address the social and economic root causes of child labor. (47)
U.S.-Jamaica Child Protection Compact Partnership (CPC 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 address child trafficking. Commits Jamaica to providing staff and resources to fulfill the project's objectives. (15) Formally launched in 2019 with implementing partners Warnath, Winrock, IOM, and Encompass, and began activities and training across the island. (7) Launched a handbook on human trafficking in December 2021 that explains human trafficking, discusses indicators and red flags, and provides a screening tool for use by ministries or other stakeholders. (1) Funding increased through July 2023. (47)

† 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. (48-50)

The Ministry of National Security hosted activities during World Day Against Trafficking in Persons that included sensitization sessions with the Jamaica Hotel and Tourist Association, radio and television interviews, and a virtual town hall that was streamed on social media platforms. (33)

During the reporting period, CPFSA finalized a Study of Children Living and Working on the Streets of Jamaica, which was produced as part of the USDOL-funded CLEAR II initiative. (1) The Ministry of Education, Youth and Information also signed an MOU with the IOM to support a study on the prevalence of child trafficking in Jamaica, conducted under the CPC Partnership. (33)

The National Children's Registry hotline received approximately 4,700 calls during the reporting period, 329 of which were specifically related to child labor. The registry referred 366 reports of potential child labor violations to CPFSA for further investigation. (1)

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. (11) 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 – 2021
	Ensure that the law criminally prohibits the recruitment of children under age 18 by non-state armed groups.	2016 – 2021
	Ensure that legislation criminally prohibits the use of a child for prostitution.	2021
	Ensure that the age up to which education is compulsory is defined in law and is the same as the minimum age for work.	2021
	Establish by law that free basic public education is available to all children, regardless of citizenship.	2021
	Pass legislation that will determine the specific light work activities and hours permissible for children ages 13 and 14 to facilitate enforcement.	2014 – 2021
	Ensure enforcement of child labor laws for hazardous work, particularly in domestic work, agriculture, fishing, construction, wholesale, and retail sectors.	2021
	Increase the number of labor inspectors to meet the ILO's technical guidance.	2021

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

Area	Suggested Action	Year(s) Suggested
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 – 2021
	Publish and make publicly available activities undertaken by coordinating bodies to implement key policies related to child labor during the reporting period.	2021
Government Policies	Increase the integration of child labor elimination and prevention strategies into existing and future policies.	2021
Social Programs	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, particularly in rural areas.	2013 – 2021
	Ensure that school costs, such as uniforms, books, food, and transportation, do not diminish access to free public education.	2017 – 2021
	Implement a program to report, identify, and find missing children who may have been forced into child labor.	2020 – 2021
	Publish activities undertaken to implement key programs related to child labor, including the Trafficking in Persons Club in School Program.	2021
	Ensure all students, including those at traditional and non-traditional schools, receive a high-quality education.	2021
	Conduct research to determine the activities carried out by children working in farming and fishing to inform policies and programs.	2021

**REFERENCES**

- U.S. Embassy- Kingston. Reporting. January 28, 2022.
- International Labor Organization and the Statistical Institute of Jamaica. Report: Jamaica Youth Activity Survey, 2016. 2018. [https://www.ilo.org/ipec/Informationresources/WCMS\\_IPEC\\_PUB\\_30058/lang--en/index.htm](https://www.ilo.org/ipec/Informationresources/WCMS_IPEC_PUB_30058/lang--en/index.htm)
- UNESCO Institute for Statistics. Gross intake ratio to the last grade of primary education, both sexes (%). Accessed March 3, 2022. For more information, please see "Children's Work and Education Statistics: Sources and Definitions" in the Reference Materials section of this report. <http://data.uis.unesco.org/>
- ILO. Analysis of Child Economic Activity and School Attendance Statistics from National Household or Child Labor Surveys. Original data from Jamaica Youth Activity Survey (SIMPOC), 2016. Analysis received March 2022. For more information, please see "Children's Work and Education Statistics: Sources and Definitions" in the Reference Materials section of this report.
- U.S. Embassy- Kingston. Reporting. February 17, 2021.
- U.S. Embassy- Kingston. Reporting. January 26, 2017.
- U.S. Embassy- Kingston. Reporting. February 28, 2020.
- International Labour Organization. Child Labour and the Youth Decent Work Deficit in Jamaica. 2018. [https://www.ilo.org/wcmsp5/groups/public/---ed\\_norm/---ipsec/documents/publication/wcms\\_651781.pdf](https://www.ilo.org/wcmsp5/groups/public/---ed_norm/---ipsec/documents/publication/wcms_651781.pdf)
- Government of Jamaica, Office of the Children's Registry official. Interview with USDOL consultant. December 12, 2017.
- Government of Jamaica, Office of the Children's Advocate and TIP Rapporteur official. Interview with USDOL consultant. December 12, 2017.
- U.S. Embassy- Kingston. Reporting. February 15, 2019.
- Government of Jamaica, Permanent Secretaries of Labor and Social Security, Justice, Foreign Affairs and Education official. Interview with USDOL consultant. December 13, 2017.
- U.S. Embassy- Kingston. Reporting. January 29, 2018.
- UNICEF Country Representative. Interview with USDOL consultant. December 11, 2017.
- U.S. Embassy- Kingston. Reporting. March 5, 2019.
- U.S. Department of State. Trafficking in Persons Report- 2021: Jamaica. Washington, D.C., June 26, 2022. [https://www.state.gov/reports/2021-trafficking-in-persons-report/jamaica\\_\\_trashed/](https://www.state.gov/reports/2021-trafficking-in-persons-report/jamaica__trashed/)
- USAID official. Interview with USDOL consultant. December 11, 2017.
- Government of Jamaica, Office of the Director of Public Prosecutions official. Interview with USDOL consultant. December 13, 2017.
- U.S. Embassy- Kingston. Reporting. February 8, 2018.
- Jamaica Observer. Holness says no child should be denied education due to fees. August 15, 2019. <https://www.jamaicaobserver.com/latest-news/holness-says-no-child-should-be-denied-education-due-to-fees/>
- Smith, Alecia. Education Minister Announces National School Learning And Intervention Plan. Jamaica Information Service, June 30, 2021. <https://jis.gov.jm/education-minister-announces-national-school-learning-and-intervention-plan/>
- Government of Jamaica. Child Care and Protection Act. Enacted: March 26, 2004. <https://moj.gov.jm/laws/child-care-and-protection-act>
- Government of Jamaica. The Factories Act: The Docks (Safety, Health, and Welfare) Regulations, 1968, 31 5/69. Enacted: May 27, 1968. <https://moj.gov.jm/laws/factories-act>
- Government of Jamaica. The Factories Act: The Building Operations and Works of Engineering Construction (Safety, Health, and Welfare) Regulations, 1968. Enacted: May 27, 1968. <https://moj.gov.jm/laws/factories-act>
- Government of Jamaica. Mining Act. Enacted: October 13, 1947. <http://moj.gov.jm/sites/default/files/laws/Mining Act.pdf>
- Government of Jamaica. Trafficking in Persons (Prevention, Suppression and Punishment) Act. Enacted: March 1, 2007. [http://www.cda.gov.jm/sites/default/files/content/Trafficking in Persons \(Prevention, Suppression and Punishment\)-I.pdf](http://www.cda.gov.jm/sites/default/files/content/Trafficking in Persons (Prevention, Suppression and Punishment)-I.pdf)
- Government of Jamaica. The Trafficking in Persons (Prevention Suppression and Punishment) (Amendment) Act 2021. Enacted: November 19, 2021. Source on file.
- Government of Jamaica. Criminal Justice (Suppression of Criminal Organizations) Act. Enacted: 2014. Source on file.

## MODERATE ADVANCEMENT

- 29 Government of Jamaica. The Defence Act. Enacted: July 31, 1962. <http://moj.gov.jm/laws/defence-act>
- 30 Government of Jamaica. Charter of Fundamental Rights and Freedoms (Constitutional Amendment) Act, 2011. Enacted: April 8, 2011. [http://tbinternet.ohchr.org/Treaties/CCPR/Shared Documents/JAM/INT\\_CCPR\\_NGO\\_JAM\\_I03\\_9245\\_E.pdf](http://tbinternet.ohchr.org/Treaties/CCPR/Shared%20Documents/JAM/INT_CCPR_NGO_JAM_I03_9245_E.pdf)
- 31 Government of Jamaica. The Dangerous Drugs Act. Enacted: April 15, 1948. <https://moj.gov.jm/laws/dangerous-drugs-act>
- 32 Government of Jamaica. Federal Register Notice Response to the Findings on the Worst Forms of Child Labor Report. January 31, 2018. Source on file.
- 33 U.S. Embassy- Kingston. Reporting. April 4, 2022.
- 34 Government of Jamaica, Office of the Director of Public Prosecutions. The Role of the Office of the Director of Public Prosecutions. 2018. <http://dpp.gov.jm/>
- 35 Government of Jamaica, Ministry of Justice. The Victim Services Division. Accessed March 23, 2020. <https://moj.gov.jm/victim-support-unit>
- 36 Government of Jamaica official. E-mail communication with USDOS official. 2021.
- 37 U.S. Embassy- Kingston official. E-mail communication to USDOL official. May 11, 2022.
- 38 Government of Jamaica. Labour Officers (Powers) Act. Enacted: April 29, 1943. Source on file.
- 39 ILO. Labor Force Statistics (LFS) – Population and labour force. Accessed (January 25, 2022). <https://ilostat.ilo.org/data/>
- 40 U.S. Embassy- Kingston. Reporting. March 1, 2021.
- 41 U.S. Embassy- Kingston official. Written communication to USDOL official. June 11, 2020.
- 42 Government of Jamaica, Ministry of Labour and Social Security. Annual Performance Review (2019–2020). July 2020. Source on file.
- 43 Government of Jamaica. National Plan of Action 2018-2022 for Combatting Trafficking In Persons. n.d. Source on file.
- 44 Government of Jamaica, Ministry of Labour and Social Security. PATH: "What is PATH?". 2006. Source on file.
- 45 Government of Jamaica. PATH. Accessed April 8, 2022. <https://www.mlss.gov.jm/departments/path/>
- 46 ILO. COVID-19 could set back 10 years of progress against child labour in Latin America and the Caribbean. October 28, 2020. [https://www.ilo.org/caribbean/newsroom/WCMS\\_759377/lang--en/index.htm](https://www.ilo.org/caribbean/newsroom/WCMS_759377/lang--en/index.htm)
- 47 ILO. "Eyes on the Prize...Act Now!" Working in the Caribbean to eliminate Child Labour in all its forms by 2025. June 30, 2021. [https://www.ilo.org/caribbean/newsroom/WCMS\\_809328/lang--en/index.htm](https://www.ilo.org/caribbean/newsroom/WCMS_809328/lang--en/index.htm)
- 48 ILO Committee of Experts. Individual Direct Request concerning Worst Forms of Child Labour Convention, 1999 (No. 182) Jamaica (ratification: 2003). Published: 2016. [http://www.ilo.org/dyn/normlex/en/?p=1000:13100:0::NO:13100:P13100\\_COMMENT\\_ID:3254812:YES](http://www.ilo.org/dyn/normlex/en/?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:3254812:YES)
- 49 Government of Jamaica, Office of the Children's Registry. Child Abuse Statistics. 2015. Source on file.
- 50 ILO Committee of Experts. Individual Direct Request concerning Worst Forms of Child Labour Convention, 1999 (No. 182) Jamaica (ratification: 2003). Published: 2020. [https://www.ilo.org/dyn/normlex/en/?p=1000:13100:0::NO:13100:P13100\\_COMMENT\\_ID:4000687](https://www.ilo.org/dyn/normlex/en/?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:4000687)

In 2021, Jordan made significant advancement in efforts to eliminate the worst forms of child labor. The government enacted several amendments to the Law on the Prevention of Human Trafficking, including adding organized begging to the categories of trafficking crimes, and launched a new website for the public to submit labor complaints, which includes a dedicated channel for child soldiers. The government also amended the National Framework to Combat Child Labor to reflect the Ministry of Social Development's responsibility to protect working children as specified in Juvenile Law No. 32 of 2014. Additionally, it established a new program—Addressing the Worst Forms of Child Labor in the Agriculture Sector—that aims to reduce child labor in agriculture in rural and remote parts of Mafraq and the Jordan Valley. Moreover, the government formed an interagency committee to update the National Strategy to Combat Child Labor; the committee met six times and agreed on a draft updated strategy. However, children in Jordan are subjected to the worst forms of child labor, including in forced begging and commercial sexual exploitation, sometimes as a result of human trafficking. Children also perform dangerous tasks in agriculture. Moreover, 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, the scope of government programs is insufficient to fully address the extent of child labor, including in construction and street vending.



## 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, 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.

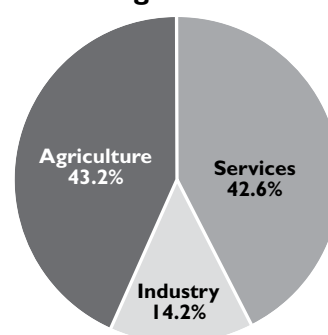
**Table 1. Statistics on Children's Work and Education**

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 (%)		81.6

Source for primary completion rate: Data from 2020, 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.



## SIGNIFICANT ADVANCEMENT

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

Sector/Industry	Activity
Agriculture	Farming, including weeding, planting, and harvesting tomatoes and olives (8-10,13-16)
Industry	Mining† and quarrying† (9,16)
	Construction,† including building and painting homes (9,10,15,16)
	Manufacturing, activities unknown (9,16,17)
Services	Maintenance and repair of motor vehicles† (8,9,15,17)
	Driving animals to transport tourists (18)
	Street work,† including selling items and washing cars (8,17,19,20)
	Scavenging scrap metal and waste† (16,21-23)
	Begging (1,8,19)
	Domestic work† (17)
	Food services, including working in restaurants and bakeries (9,16,17)
	Hotel services† (9,16,17)
	Working in retail, including cleaning shops (8,9,16,24)
Categorical Worst Forms of Child Labor‡	Use in illicit activities, including drug trafficking (25,26)
	Forced begging (1,3,8,19,27)
	Commercial sexual exploitation, sometimes as a result of human trafficking (4-7,28)

† 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.

In 2021, child labor in Jordan continued to increase and COVID-19 pandemic-related barriers to education have persisted. (23,26,29) 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 the Internet and devices prevented many students from taking advantage of these resources during school shutdowns. (26,29) The learning loss associated with school closures and insufficient online learning made children more likely to drop out, increasing their vulnerability to child labor and other forms of exploitation. (29) Worsening living situations and lack of access to education led to increases in child labor, including in hazardous tasks such as collecting and processing scrap metal. (23) Additionally, an influx of students switching from private schools to public schools exacerbated capacity problems in public schools. (8)

Non-Jordanian children, including Syrian refugees and refugees from other countries including Iraq, Yemen, Sudan, and Somalia face higher barriers to education than Jordanians. (30) In addition, children of Jordanian mothers and non-Jordanian fathers and non-Jordanian children not belonging to refugee groups lack access to public education. (26) While Syrian children are granted access to Jordanian public schools, UNICEF also notes that Syrian refugee children drop out of school at a higher rate than Jordanian children do. (30) These children face barriers to education, including bullying and harassment, and the costs of transportation, uniforms, and school materials. In addition, they are often unprepared for their appropriate grade level because of interruptions in their early years of schooling. (2,8,10,23,31,32) Sources indicate that, rather than attending school, Syrian refugee children are sometimes forced to work alongside their families in agriculture and the services industries, as well as being forced to peddle goods and beg. (2,3,15)




In 2021, Jordan waived a requirement for identity documentation to expand access to education for Syrian children for the 2021–2022 school year. (33) The government provided double-shift schools to address overcrowding. (2,8,29,34,35) At these double-shift schools, Jordanian children attended in the morning and Syrian children attended in the afternoon. However, Jordanian and Syrian children attending double-shift schools were vulnerable to child labor because the school hours are considerably shorter, and fewer school hours leave more time for work. (36)

Non-Syrian refugees in Jordan, primarily from Iraq, Yemen, Sudan, and Somalia, also faced barriers to education due to the lack of identity documentation. (26)

## 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 (37)
Minimum Age for Hazardous Work	Yes	18	Article 74 of the Labor Code; Article 2 of the Ministerial Order of 2011 (37,38)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Article 2 of the Ministerial Order of 2011 (38)
Prohibition of Forced Labor	Yes		Articles 3(a) and 3(b) of the Law on the Prevention of Human Trafficking (39)
Prohibition of Child Trafficking	Yes		Articles 3(a) and 8–11 of the Law on the Prevention of Human Trafficking (39)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Articles 298, 299, 306, 310, 311, 315, and 319 of the Penal Code; Articles 3(a) and 3(b) of the Law on the Prevention of Human Trafficking (39,40)
Prohibition of Using Children in Illicit Activities	Yes		Article 8 of the Narcotic Drugs and Psychotropic Substances Act (41)
Minimum Age for Voluntary State Military Recruitment	Yes	16	Article 5(b) of the Military Service act; Article 13(b) of the Officer's Service Act (42,43)
Prohibition of Compulsory Recruitment of Children by (State) Military	Yes		Article 3(a) of the National Service Act (44)
Prohibition of Military Recruitment by Non-state Armed Groups	No		Article 141 of the Penal Code (40)
Compulsory Education Age	Yes	16	Articles 7(a.2) and 10(b) of the Education Act (45)
Free Public Education	Yes		Article 10(a) of the Education Act; Article 20 of the Constitution (45,46)

In 2021, the government enacted several amendments to its anti-trafficking law, including adding organized begging to the types of trafficking crimes. The new law also increases penalties for trafficking crimes, includes a directive to name special trafficking prosecutors and judges, and guarantees victims' rights including temporary residence in Jordan and suitable housing, legal aid and translation services, and compensation for "material and moral harm." (47) At the close of the reporting period, the government was still drafting regulations for the implementation of the new trafficking law amendments. (27)

Also in 2021, the government issued the Agricultural Workers Regulation No. 19, which includes an article prohibiting the employment of children under the age of 16 in the agriculture sector and prohibiting

## SIGNIFICANT ADVANCEMENT

the employment of children under the age of 18 in hazardous tasks in the agriculture sector. It also issued corresponding instructions for labor inspection in the agricultural sector. (8)

### III. ENFORCEMENT OF LAWS ON CHILD LABOR

The government has established institutional mechanisms for the enforcement of laws and regulations on child labor (Table 5). However, gaps exist within the 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), Central Inspection Directorate	Enforces labor laws, including those on child labor. 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) Maintains a hotline, website, and mobile app to receive labor-related complaints, including complaints of child labor. (21,26) 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. (49,50) The phone number is difficult to locate and, based on available information, operators rarely responded to voicemails left after working hours. (49,50) In 2021, MOL launched a new website to submit labor complaints, <a href="http://www.hemayah.jo">www.hemayah.jo</a> , which includes a dedicated channel for child labor. The platform received 101 child labor complaints during the reporting period, of which only 4 were unresolved. (8,51)
MOL Child Labor Section	Coordinates government campaigns against child labor; conducts training, and raises awareness about child labor issues. (16) 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. (21,52)
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, when needed, to repatriate foreign workers. (2)

### Labor Law Enforcement

In 2021, labor law enforcement agencies in Jordan took actions to address child labor (Table 6). However, gaps exist within the operations of the Ministry of Labor (MOL) that may hinder adequate labor law enforcement, including insufficient financial resource allocation.

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

Overview of Labor Law Enforcement	2020	2021
Labor Inspectorate Funding	\$353,000 (26)	\$353,107 (8)
Number of Labor Inspectors	136 (26)	170 (8)
Mechanism to Assess Civil Penalties	Yes (37)	Yes (37)
Initial Training for New Labor Inspectors	Yes (26)	Yes (8)
Training on New Laws Related to Child Labor	N/A	Yes (8)
Refresher Courses Provided	Yes (26)	Yes (8)
Number of Labor Inspections Conducted	90,723 (15)	71,686 (8)
Number Conducted at Worksite	5,402 (26)	71,686 (8)
Number of Child Labor Violations Found	503 (15)	923 (8)
Number of Child Labor Violations for Which Penalties Were Imposed	79 (15)	97 (8)
Number of Child Labor Penalties Imposed that Were Collected	Unknown	Unknown (8)
Routine Inspections Conducted	Yes (15)	Yes (8)
Routine Inspections Targeted	Yes (26)	Yes (8)
Unannounced Inspections Permitted	Yes (26)	Yes (8)
Unannounced Inspections Conducted	Yes (26)	Yes (8)
Complaint Mechanism Exists	Yes (26)	Yes (8)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (26)	Yes (8)

When a labor inspector identifies a child laborer, the inspector issues a warning, may issue a fine, and requires the employer to send the child home while the inspector is still present. (36) The inspector also enters the child's information into the child labor database. (26) A warning requires the employer to sign a pledge declaring that they will cease employing children. Without the pledge, MOL can close the business. 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. (53) If a child labor violation is identified, the labor inspector conducts unannounced follow-up inspections at the worksite to ensure compliance. (36) MOL and MOSD may also conduct a joint visit. (26) 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. (26,36,54) During the reporting period, 268 children were removed from the labor market and received social services, including education. (8) MOSD additionally referred 1,000 children to social services as part of its anti-vagrancy campaign. (27)

In 2021, MOL conducted 71,686 inspections, 25,338 of which focused on child labor. (8) 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, MOL reported that inspections in the agricultural sector were insufficient to meet the demands of Agricultural Workers Bylaw No. 19. (8) Moreover, sources report that the inspectorate has insufficient financial resources to effectively fulfill its mandate. (8)

The number of labor inspectors is likely insufficient for the size of Jordan's workforce, which includes over 2.9 million workers. According to the ILO's technical advice of a ratio approaching 1 inspector for every 15,000 workers in developing economies, Jordan would need to employ roughly 196 labor inspectors. (8,55,56)

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 2021, criminal law enforcement agencies in Jordan took actions to address 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 information on its criminal law enforcement efforts.

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

Overview of Criminal Law Enforcement	2020	2021
Initial Training for New Criminal Investigators	Yes (26)	Unknown
Training on New Laws Related to the Worst Forms of Child Labor	N/A	Yes (27)
Refresher Courses Provided	Yes (26)	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 (26)	Unknown
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (26)	Yes (27)

In 2021, Jordanian criminal law enforcement agencies took action to combat forced begging following on the anti-vagrancy campaign launched in 2020. (19,57) The Judicial Council appointed 41 specialized trafficking judges and prosecutors ensuring that all 12 governorates had at least one specialized judge and prosecutor. (27) In September 2021, three girls found begging were referred to social services as potential trafficking victims. (58) Later in the month, the MOSD announced that the father, mother, and uncle of the three girls had been charged with human trafficking under the newly amended anti-trafficking law. (57) However, a trial judge subsequently decided that a non-trafficking begging charge was more appropriate, and, as a result, the case never reached a specialized trafficking judge. (27,59) Sources indicate that the forthcoming regulations clarifying the amendments to the anti-trafficking law could lead to more trafficking prosecutions. (27)

## SIGNIFICANT ADVANCEMENT

The government did not provide complete 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 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. (60) The National Committee on Child Labor did not meet during the reporting period and has been inactive for several years. (61)
National Committee to Combat Trafficking (NCCT)	Coordinates government efforts to combat human trafficking. Chaired by the Ministry of Justice; other members include representatives from 10 state agencies, including the Counter Trafficking Unit (CTU), which is in charge of human trafficking investigations. (62) CTU is operated jointly by the Public Security Directorate and MOL. (49) In 2021, NCCT met five times and members participated in several conferences and trainings. (27) In addition, NCCT began publishing quarterly reports online to increase transparency. (27)

In 2021, the government formed an *ad hoc* interagency committee to update the National Strategy to Combat Child Labor. The committee met six times and agreed on a draft updated strategy, and continued working into 2022. (8)

Although Jordan has a National Committee for the Prevention of Human Trafficking to coordinate efforts to address trafficking in persons, it does not have functioning coordinating mechanisms to address other forms of child labor, including street and farm work. (63)

### 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 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. (64) In 2021, the framework was amended to reflect the MOSD's responsibility to protect children who work as specified in Juvenile Law No. 32 of 2014. (8) MOSD completed a draft manual on children working in street work and begging and sent it to the Prime Minister's office for review. (8)
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. (65) In 2021, the government updated the response plan, extending it to 2022, and continued to offer double-shifted schools for Syrian refugee children. (15,26)
Plan of Action to Eliminate Child Labor in Tourism in Petra	Employs counselors to respond to children at risk of truancy, raise children's awareness of the hazards of child labor and the significance of education, incorporate child labor prevention strategies into mainstream programs for legally employed children ages 16 and older, and inform students about high-quality employment in the tourism sector. (66) The government has yet to implement the plan since passing it in 2015.

### VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2021, 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 inadequacy 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. (67) Provides services to children engaged in child begging through centers in Madaba and Deleil (Zarqa). (50) Active in 2021. (27)
Addressing the Worst Forms of Child Labor in the Agriculture Sector*†	Aims to reduce child labor in the agriculture sector, taking into consideration vulnerabilities of children and their families, with field visits by joint teams of MOL inspectors and behavior monitors from MOSD and the Family Healthcare Institute of the Noor Al Hussein Foundation. (51) Works in informal tented settlement communities in rural and remote parts of Mafraq and the Jordan Valley that have not received child labor protection support. (8) Established in 2021. (8)
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. (68)
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. (21)
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. (36,69) Targets children ages 13 and older who have been out of school for 3 years and are ineligible to enroll in public schools. (70) Upon completion of the curriculum, students receive a certificate indicating the equivalency of grade 10 education. (69)

\* 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. (21,26,73,74)

Although Jordan has programs that target child labor, the scope of these programs does not fully address the extent of the problem, including child labor in construction and street vending.

## VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE CHILD LABOR

Based on the reporting above, suggested actions are identified that would advance the elimination of child labor in 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 – 2021
Enforcement	Improve the quality of the Ministry of Labor's hotline by making it easier to locate and ensuring that operators, including those who speak foreign languages, are available outside of business hours, and all messages are addressed.	2018 – 2021
	Publish the number of labor law penalties imposed that were collected.	2015 – 2021
	Increase the number of labor inspectors to meet the ILO technical advice.	2020 – 2021
	Ensure that criminal investigations are conducted on the worst forms of child labor, including the commercial sexual exploitation of children.	2015 – 2021
	Publish information on criminal law enforcement efforts, including the number of investigators, violations, prosecutions, and convictions.	2019 – 2021
	Ensure that the labor inspectorate has sufficient resources to fulfill its mandate.	2021
	Ensure that the number of inspections conducted per labor inspector affords inspectors enough time to adequately identify and remediate labor law violations.	2019 – 2021
Coordination	Establish coordinating mechanisms to eliminate all worst forms of child labor and other forms of child labor, including street and farm work.	2018 – 2021
Government Policies	Implement the Plan of Action to Eliminate Child Labor in Tourism in Petra.	2018 – 2021
Social Programs	Continue to expand access to education for all children including Syrian and non-Syrian refugees, ensuring that students have transportation, are able to purchase supplies and uniforms, students are not bullied or harassed, and school hours are extended.	2013 – 2021
	Institute programs to address the worst forms of child labor in construction and street vending.	2013 – 2021

### REFERENCES

- 1 U.S. Embassy- Amman. Reporting. February 24, 2020.
- 2 U.S. Embassy- Amman. Reporting. March 9, 2020.
- 3 U.S. Department of State. Trafficking in Person Report- 2020: Jordan. Washington, D.C., June 25, 2020.  
<https://www.state.gov/reports/2020-trafficking-in-persons-report/jordan/>
- 4 U.S. Department of State. Trafficking in Person Report- 2017: Jordan. Washington, D.C., June 27, 2017.  
<https://www.state.gov/reports/2017-trafficking-in-persons-report/jordan>
- 5 U.S. Department of State. Trafficking in Person Report- 2019: Jordan. Washington, D.C., June 20, 2019.  
<https://www.state.gov/reports/2019-trafficking-in-persons-report-2/jordan/>
- 6 Abu Hasnah, Baha. Authorities working to address sexual exploitation of underage girls. The Jordan Times, February 9, 2016.  
<http://www.jordantimes.com/news/local/authorities-working-address-sexual-exploitation-underage-girls>
- 7 Chynoweth, Sarah. "We Keep it in Our Heart" Sexual Violence against Men and Boys in the Syria Crisis. UNHCR, October 2017.  
[https://data2.unhcr.org/es/documents/download/60864#\\_ga=2.94088981.900380568.1512674280-1884466359.1507823747](https://data2.unhcr.org/es/documents/download/60864#_ga=2.94088981.900380568.1512674280-1884466359.1507823747)
- 8 U.S. Embassy- Amman. Reporting. January 13, 2022.
- 9 Center for Strategic Studies, University of Jordan. National Child Labour Survey 2016 of Jordan – Summary Report on Main Findings. August 2016.  
[https://www.ilo.org/beirut/publications/WCMS\\_510520/lang--en/index.htm](https://www.ilo.org/beirut/publications/WCMS_510520/lang--en/index.htm)
- 10 Human Rights Watch. "We're Afraid for Their Future" Barriers to Education for Syrian Refugee Children in Jordan. August 16, 2016.  
<https://www.hrw.org/report/2016/08/16/were-afraid-their-future/barriers-education-syrian-refugee-children-jordan>
- 11 UNESCO Institute for Statistics. Gross intake ratio to the last grade of primary education, both sexes (%). Accessed March 2022. For more information, please see "Children's Work and Education Statistics: Sources and Definitions" in the Reference Materials section of this report.  
<http://data.uis.unesco.org/>
- 12 ILO. Analysis of Child Economic Activity and School Attendance Statistics from National Household or Child Labor Surveys. Original data from the National Child Labour Survey (SIMPOC), 2016. Analysis received March 2022. Please see "Children's Work and Education Statistics: Sources and Definitions" in the Reference Materials section of this report.
- 13 ILO. Decent Work and the Agriculture Sector in Jordan. October 2018.  
[https://www.ilo.org/wcmsp5/groups/public/---arabstates/---ro-beirut/documents/publication/wcms\\_646170.pdf](https://www.ilo.org/wcmsp5/groups/public/---arabstates/---ro-beirut/documents/publication/wcms_646170.pdf)
- 14 Tamkeen Fields for Aid Center. Women in the Agricultural Sector. 2017. Source on file.
- 15 U.S. Embassy- Amman. Reporting. February 11, 2021.
- 16 Terre des Hommes. Situation Analysis of Child Labour in Jordan. 2019.  
[https://www.tdh.ch/sites/default/files/situational\\_analysis\\_of\\_child\\_labour\\_in\\_jordan.pdf](https://www.tdh.ch/sites/default/files/situational_analysis_of_child_labour_in_jordan.pdf)
- 17 U.S. Embassy- Amman. Reporting. January 14, 2019.
- 18 UNICEF. Child Labor Rapid Assessment presentation. August 2018. Source on file.
- 19 Kayed, Maram. Social Development Ministry launches anti-vagrancy campaign. October 20, 2020.  
<https://www.jordantimes.com/news/local/social-development-ministry-launches-anti-vagrancy-campaign>
- 20 Omeri, Raed. Child labor rises in Jordan as pandemic adds to economic woes. June 24, 2021.  
<https://www.arabnews.com/node/1882186/middle-east>
- 21 U.S. Embassy- Amman. Reporting. January 16, 2018.
- 22 Cuthbert, Olivia. Broken glass and needles: the waste pickers scraping a living at Jordan's landfills. The Guardian, August 27, 2016.  
<https://www.theguardian.com/sustainable-business/2016/aug/27/jordan-waste-pickers-syria-refugees-recycling>
- 23 Davis, Hanna. Child labour on the rise among Jordan's most vulnerable. Al Jazeera. November 18, 2021.  
[https://www.aljazeera.com/news/2021/11/18/child-labour-on-rise-among-jordans-most-vulnerable#:~:text="If the living conditions worsen,of Statistics \(DoS\) website.](https://www.aljazeera.com/news/2021/11/18/child-labour-on-rise-among-jordans-most-vulnerable#:~:text=)
- 24 Nagesh, Ashitha. Children who fled the war in Syria are forced to work 13-hour days for £2. Metro. July 12, 2017.  
<http://metro.co.uk/2017/07/12/children-who-fled-the-war-in-syria-are-forced-to-work-13-hour-days-for-2-6774272/>
- 25 Al Rai. Child beggars selling drugs. December 30, 2020.  
<http://alrai.com/article/10569871/>
- 26 U.S. Embassy- Amman. Reporting. February 25, 2021.
- 27 U.S. Embassy- Amman. Reporting. January 26, 2022.
- 28 U.S. Department of State. Trafficking in Person Report- 2021: Jordan. Washington, D.C., July 1, 2021.  
<https://www.state.gov/reports/2021-trafficking-in-persons-report/jordan/>
- 29 UNICEF. Schools should be 'last to close, first to open' Multilateral agencies in Jordan call for continued prioritization of education during COVID-19. January 20, 2022.  
<https://reliefweb.int/report/jordan/schools-should-be-last-close-first-open-multilateral-agencies-jordan-call-continued>
- 30 UNICEF. Jordan: Country Report on Out of School Children. December 2020.  
<https://www.unicef.org/jordan/media/4886/file/Out of School Children Study .pdf>
- 31 Government of Jordan - Ministry of Planning and International Cooperation. Jordan Response Plan for the Syria Crisis 2016–2018. 2016.  
<https://reliefweb.int/report/jordan/jordan-response-plan-syria-crisis-2016-2018>
- 32 Baslan, Dina and Izza Leghtas. We Need to Help Jordan's Other Refugees. October 11, 2018.  
<https://www.newsdeeply.com/refugees/community/2018/10/11/we-need-to-help-jordans-other-refugees>
- 33 UNHCR. Education: Latest Updates. September 7, 2021.  
<https://help.unhcr.org/jordan/en/helpful-services-unhcr/education-services-unhcr/>
- 34 Van Esveld, Bill. A Good Move by Jordan for Syrian Children. Human Rights Watch, October 3, 2017.  
<https://www.hrw.org/news/2017/10/03/good-move-jordan-syrian-children>
- 35 Their World. Jordan to open its schools to Syrian refugee children who don't have official IDs. September 27, 2017.  
<http://theirworld.org/news/jordan-lets-undocumented-syrian-refugees-in-state-schools>
- 36 U.S. Embassy- Amman official. E-mail communication to USDOL official. May 10, 2017.
- 37 Government of Jordan. Labor Code and Amendments, No. 8 of 1996 (last amended under the interim Labor Code, Law No. 51 of 2002). Enacted: March 2, 1996.  
[https://www.ilo.org/dyn/natlex/docs/ELECTRONIC/45676/84920/F-1672011876/JOR45676\\_Eng.pdf](https://www.ilo.org/dyn/natlex/docs/ELECTRONIC/45676/84920/F-1672011876/JOR45676_Eng.pdf)
- 38 Government of Jordan. Order of Minister of Labor concerning Occupations that are Dangerous, Tiring or Harmful to the Health of Youth, related to the Provisions of Article 74 of Labor Code, Law No. 8 of 1996 and its Amendments. Enacted: June 16, 2011.  
[http://www.ilo.org/dyn/natlex/natlex4.detail?p\\_lang=en&p\\_isn=90849&p\\_country=JOR&p\\_classification=04](http://www.ilo.org/dyn/natlex/natlex4.detail?p_lang=en&p_isn=90849&p_country=JOR&p_classification=04)
- 39 Government of Jordan. Law No 9 of 2009 on the Prevention of Human Trafficking. Enacted: February 9, 2009.  
<http://www.protectionproject.org/wp-content/uploads/2010/09/Jordan-Anti-Trafficking-Legislation-2009-and-TIP-Law-2008.pdf>
- 40 Government of Jordan. Penal Code, Law No 16 of 1960 (as amended). Enacted: 1960. Source on file.

- 41 Government of Jordan. Narcotic Drugs and Psychotropic Substances Act and its Amendments, Law No. 11 of 1988. Enacted: 1988. Source on file.
- 42 Government of Jordan. Officer's Service Act, Law No. 35 of 1966. Enacted: 1966. Source on file.
- 43 Government of Jordan. Military Service Act, Law No. 2 of 1972. Enacted: 1972. Source on file.
- 44 Government of Jordan. National Service Act, Law No. 23 of 1986. Enacted: May 7, 1986. Source on file.
- 45 Government of Jordan. Education Law No. 3 of 1994 and its amendments. Enacted: 1994. [https://www.ilo.org/dyn/natlex/natlex4.detail?p\\_lang=en&p\\_isn=43445&p\\_country=JOR&p\\_count=146](https://www.ilo.org/dyn/natlex/natlex4.detail?p_lang=en&p_isn=43445&p_country=JOR&p_count=146)
- 46 Government of Jordan. The Constitution of The Hashemite Kingdom of Jordan. Enacted: 1952. <http://www.refworld.org/pdfid/3ae6b53310.pdf>
- 47 U.S. Embassy- Amman. Reporting. May 10, 2021.
- 48 ILO. Jordan pilots National Framework to Combat Child Labour. June 11, 2013. [http://www.ilo.org/beirut/media-centre/news/WCMS\\_215622/lang--en/index.htm](http://www.ilo.org/beirut/media-centre/news/WCMS_215622/lang--en/index.htm)
- 49 U.S. Embassy- Amman. Reporting. February 28, 2019.
- 50 U.S. Embassy- Amman official. E-mail communication to USDOL official. July 7, 2019.
- 51 U.S. Embassy- Amman official. E-mail communication to USDOL official. April 12, 2022.
- 52 U.S. Department of State. Trafficking in Person Report- 2021: Jordan. Washington, D.C., July 1, 2021. <https://www.state.gov/reports/2020-trafficking-in-persons-report/jordan/>
- 53 U.S. Embassy- Amman. Reporting. January 20, 2016.
- 54 U.S. Embassy- Amman official. E-mail communication to USDOL official. March 28, 2017.
- 55 ILO Labor Force Statistics (LFS) – Population and labour force. Accessed March 1, 2022. <https://ilostat.ilo.org/data/> Labor force data is government-reported data collected by the ILO. Please see "Labor Law Enforcement: Sources and Definitions" in the Reference Materials section of this report.
- 56 ILO. Strategies and Practice for Labour Inspection. November 2006: (GB.297/ESP/3). <http://www.ilo.org/public/english/standards/relm/gb/docs/gb297/pdf/esp-3.pdf> Please see "Labor Law Enforcement: Sources and Definitions" in the Reference Materials section of this report.
- 57 Ammon News. Human trafficking charge levelled in 'Mecca street girls case'. September 9, 2021. <https://en.ammonnews.net/article/52527>
- 58 U.S. Embassy- Amman. Reporting. November 2, 2021.
- 59 U.S. Embassy- Amman official. E-mail communication. June 12, 2022.
- 60 U.S. Embassy- Amman official. E-mail communication to USDOL official. April 2, 2015.
- 61 U.S. Embassy- Amman official. E-mail communication to USDOL official. June 23, 2021.
- 62 U.S. Embassy- Amman. Reporting. February 15, 2017.
- 63 U.S. Embassy- Amman. Reporting. September 26, 2018.
- 64 National Committee for Child Labor. National Framework for Combating Child Labor: Jordan. 2011. <http://essaydocs.org/national-framework-for-combating-child-labor-jordan-2011-conte.html>
- 65 Government of Jordan. Ministry of Planning and International Cooperation. Jordan Response Plan for the Syria Crisis 2018–2020. 2018. <http://www.jrp.gov.jo/>
- 66 ILO and Petra Development and Tourism Region Authority. Plan of Action to Eliminate Child Labor in Tourism in Petra. April 23, 2015. [http://www.ilo.org/ipec/Informationresources/WCMS\\_IPEC\\_PUB\\_26595/lang--en/index.htm](http://www.ilo.org/ipec/Informationresources/WCMS_IPEC_PUB_26595/lang--en/index.htm)
- 67 Government of Jordan. Ministry of Social Development. Terms of reference and administrative and functional description of the Child Labor Unit. 2015. Source on file.
- 68 UNICEF. UNICEF launches programme to end child labour in Zarqa and Amman. September 28, 2020. <https://www.unicef.org/jordan/press-releases/unicef-launches-programme-end-child-labour-zarqa-and-amman>
- 69 U.S. Embassy- Amman. Reporting. January 19, 2015.
- 70 USAID. Increasing Access to Quality Education: Jordan. July 2020. [https://www.usaid.gov/sites/default/files/documents/Increasing\\_Access\\_to\\_Quality\\_Education\\_en.pdf](https://www.usaid.gov/sites/default/files/documents/Increasing_Access_to_Quality_Education_en.pdf)
- 71 ILO. MAP 16 Project Summary. 2017. <https://www.dol.gov/agencies/ilab/projects/MAP16>
- 72 ILO. MAP 16 Project activities in Jordan. February 2021. <https://www.ilo.org/ipec/projects/global/map16/jordan/lang--en/index.htm>
- 73 Roya News. 192 human trafficking victims find refuge in Jordan. May 22, 2018. <https://en.royanews.tv/news/14298/192-human-Trafficking-victims-find-refuge-in-Jordan>
- 74 Stop Child Labour. New programme "Work: No Child's Business" launched to help eliminate child labour. Accessed March 15, 2022. <https://stopchildlabour.org/new-program-work-no-childs-business-launched-to-help-eliminate-child-labor/>

## MINIMAL ADVANCEMENT – EFFORTS MADE BUT REGRESSION IN LAW THAT DELAYED ADVANCEMENT

In 2021, Kazakhstan made minimal advancement in efforts to eliminate the worst forms of child labor. The government approved dedicated funding for agencies to address the trafficking of children, increased penalties for sex crimes against children, and included child labor identifiers on labor inspection checklists. In addition, it adopted a new national action plan to combat trafficking in persons for 2021–2023 and published a number of reports on current action plans to address human trafficking and child labor. However, despite new initiatives to address child labor, Kazakhstan is assessed as having made



only minimal advancement because it implemented a law that delays advancement to eliminate child labor. On December 30, 2021, the President of Kazakhstan signed a law significantly restricting the circumstances under which unannounced inspections can be performed. The new law, which will come into effect on January 1, 2023, codifies and expands the government's existing practice since January 2020. Under the newly revised Entrepreneurial Code, unannounced inspections will be prohibited in all cases except in the presence of compelling grounds and supporting evidence enclosed to such a complaint, or if an inspection is mandated by judicial or tax authorities. The lack of unannounced inspections may leave potential violations of child labor laws and other labor abuses undetected in workplaces. 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. (I-3) 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, 2022. (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	Farming, including harvesting vegetables, weeding, and harvesting cotton and tobacco† (1,6-9)
	Herding cattle (6)
Industry	Construction† and road repair, activities unknown (1,6,10)
Services	Working in markets and on the streets, including transporting and selling items (1,2,6,8,11,12)
	Domestic work, including childcare (1,6,10,13)
	Working in gas stations (1,8)

# Kazakhstan

## MINIMAL ADVANCEMENT – EFFORTS MADE BUT REGRESSION IN LAW THAT DELAYED ADVANCEMENT

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

Sector/Industry	Activity
Services	Car washing (1,2,8,12)
	Working in restaurants† as waiters (1,2,8,12,14)
Categorical Worst Forms of Child Labor‡	Commercial sexual exploitation, sometimes as a result of human trafficking (1,3,8)
	Forced begging (3,10)
	Use in illicit activities, including selling drugs (1,3)

† 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 construction, services, or the cultivation of cotton or other forms of agriculture), the nature of their work, or the hazards involved. (2)

Migrant children from the Kyrgyz Republic, some of whom may be unaccompanied, are reported to engage in work in Kazakhstan. (6) 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. (6,15) 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. (6)

The government has continued its efforts to repatriate and reintegrate Kazakhstani children from conflict zones in Syria and Iraq. Seven children, who had been living with male relatives or other adults who were participating in armed conflict in Syria, were repatriated and provided with rehabilitation services in February 2021. (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. (16,17) Some of these undocumented migrant children fall victim to forced child labor and commercial sexual exploitation in Kazakhstan. (3,6,7) Although Kazakhstan guarantees free education regardless of migration status, migrant children face barriers to accessing education. Some school officials refuse to enroll or award diplomas to 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. (1,6,16) Landlords often do not register migrant tenants, which prevents migrant children from enrolling in local schools. (17) In 2021, the COVID-19 pandemic further exacerbated barriers to migrant and other vulnerable children's education. Reports indicate that some migrants in Kazakhstan who were awaiting return to their home countries did not enroll their children in school. (1,2) 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. (1)

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. (17,18) 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. (13) Disabled children who are unable to access mainstream or inclusive education are at greater risk of being sent to such state institutions. (18)







## II. LEGAL FRAMEWORK FOR CHILD LABOR

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



## MINIMAL ADVANCEMENT – EFFORTS MADE BUT REGRESSION IN 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 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 (15)
Minimum Age for Hazardous Work	No	18	Article 26.1(2) of the Labor Code; Article 153 of the Criminal Code (15,19)
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 (15,20)
Prohibition of Forced Labor	Yes		Article 7 of the Labor Code; Articles 3, 128, and 135 of the Criminal Code (15,19)
Prohibition of Child Trafficking	Yes		Article 135 of the Criminal Code (19)
Prohibition of Commercial Sexual Exploitation of Children	No		Articles 134, 135, and 312 of the Criminal Code (19)
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 (15,19)
Minimum Age for Voluntary State Military Recruitment	Yes	19	Article 38.1(2) of the Military Service Act (21)
Prohibition of Compulsory Recruitment of Children by (State) Military	Yes		Article 31 of the Military Service Act (21)
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 (19,22)
Compulsory Education Age	Yes	17‡	Article 30 of the Constitution; Articles 12 and 30 of the Law on Education (23,24)
Free Public Education	Yes		Article 30 of the Constitution (23)

‡ Age calculated based on available information (25,26)

In 2021, Law No. 393-VI entered into force, which amended the criminal code to increase penalties for sexual offenses against minors, including the involvement of children into commercial sexual exploitation by means of coercion and the production or distribution of child pornography. These offenses now carry increased prison terms, and those convicted are barred from the possibility of early release and precluded from working in jobs which involve contact with children. (19,27) On December 30, 2021, the President of Kazakhstan signed a law significantly restricting the circumstances under which unannounced inspections can be performed, which will come into effect on January 1, 2023. The revised Entrepreneurial Code will prohibit unannounced inspections in all cases except in the presence of compelling grounds and supporting evidence enclosed to such a complaint, or if an inspection is mandated by judicial or tax authorities. (28,29) These restrictions will severely impact the ability of the labor inspectorate to identify and prosecute child labor offenses.

# Kazakhstan

## MINIMAL ADVANCEMENT – EFFORTS MADE BUT REGRESSION IN LAW THAT DELAYED ADVANCEMENT

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. 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. (15)

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. No law clearly criminalizes the users (clients) of prostitution involving children. (19) However, government officials report that any users identified in the course of a prostitution investigation involving minors will be charged under Article 122, which criminalizes adult sexual relations with persons under the age of 16. (30)

### III. ENFORCEMENT OF LAWS ON CHILD LABOR

The government has established institutional mechanisms for the enforcement of laws and regulations on child labor (Table 5). However, gaps exist within the operations of 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 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 survivors of human trafficking, including child survivors. (1,2)
Ministry of Education and Science (MOES)	Coordinates child protection activities, including response to child labor complaints. (1,2) An official from the regional-level Department of Education responds to reports of child labor and determines whether law enforcement should investigate the case. (31) 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 survivors of the worst forms of child labor and makes referrals to appropriate government services or NGOs for further assistance. (31)
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. (1,2)
Prosecutor General's Office	Provides oversight of police operations related to child labor crimes to ensure compliance with all relevant protocols and legal requirements. (1,2)
Child Protection Hotlines	Receive reports of illegal child labor. There are three hotlines: one run by the MOES Child Protection Committee, one run by the Ombudsman for Children's Rights, and one run by a local NGO. (8,27)

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. (32)

### Labor Law Enforcement

In 2021, labor law enforcement agencies in Kazakhstan took actions to address 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	2020	2021
Labor Inspectorate Funding	\$3.1 million (1.3 billion KZT) (2)	Unknown
Number of Labor Inspectors	274 (2)	256 (1)
Mechanism to Assess Civil Penalties	Yes (15,33)	Yes (15,33)
Initial Training for New Labor Inspectors	Yes (2)	No (1)
Training on New Laws Related to Child Labor	N/A	No (1)
Refresher Courses Provided	Yes (2)	Yes (1)

## MINIMAL ADVANCEMENT – EFFORTS MADE BUT REGRESSION IN LAW THAT DELAYED ADVANCEMENT

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

Overview of Labor Law Enforcement	2020	2021
Number of Labor Inspections Conducted	3,982 (2)	4,300 (1)
Number Conducted at Worksite	228 (2)	4,300 (1)
Number of Child Labor Violations Found	5 (2)	9 (1)
Number of Child Labor Violations for Which Penalties Were Imposed	5 (2)	9 (1)
Number of Child Labor Penalties Imposed that Were Collected	5 (2)	9 (1)
Routine Inspections Conducted	Yes (2)	Yes (1)
Routine Inspections Targeted	Yes (2)	No (1)
Unannounced Inspections Permitted	Yes (32,34)	Yes (34)
Unannounced Inspections Conducted	Yes (2)	Yes (1)
Complaint Mechanism Exists	Yes (2)	Yes (1)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (2)	Yes (1)

In 2021, the MLSP conducted periodic recertification of labor inspectors, requiring competence in all facets of labor inspection, including child labor. Labor inspectors also participated in training organized by international donors. (1) Article 143, which regulates labor inspection checklists, was amended in December 2021 to include identifiers for forced and child labor. (27) However, the number of labor inspectors is likely insufficient for the size of Kazakhstan's workforce, which includes more than 9.18 million workers. (35) According to the ILO's technical advice of a ratio approaching 1 inspector for every 20,000 workers in transitional economies, Kazakhstan would need to employ about 459 labor inspectors. (36,37)

A moratorium on labor inspections in small enterprises remained in effect during the reporting period. (1) 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. (38,39) Small enterprises include businesses with fewer than 100 employees and average revenue below a government-determined threshold. (34) Under the newly revised Entrepreneurial Code, beginning in 2023, all small businesses will be exempt from inspections in their first 3 years after registration. (29,34)

Moreover, additional restrictions will come into force in 2023 that prohibit unannounced inspections unless suspected violations are supported by compelling evidence or the inspection is mandated by judicial or tax authorities. (29) This law officially codifies what has been standard practice since 2020, and is in part a response to complaints from business owners that labor inspectors use unannounced inspections as a pretext to solicit bribes. (30) Under current law, labor inspectors generally must notify entities at least 1 full day prior to a site visit or inspection unless the Entrepreneurial Code provides for an exception to this notice requirement. (1,34) 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. (2,34) Labor inspectors are also currently 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. (1,2,34) In addition, labor inspectors can conduct routine inspections on the basis of risk assessment reports. (1,34)

The government also works with NGOs to conduct raids to detect child labor violations during annual, interministerial campaigns to raise awareness about, detect, and address incidences of child labor. These campaigns are widely publicized, limited in duration, and occur at approximately the same time each year. (1,2) 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. There is also no indication of any inspections or raids specifically targeted at agriculture, which remains a high-risk sector for child labor. (6) From June 1 to 12, 2021, the Ministry of Education and Science (MOES) cooperated with other government agencies and NGOs to conduct more than 6,500 raids at more than 9,500 sites to detect child

# Kazakhstan

## MINIMAL ADVANCEMENT – EFFORTS MADE BUT REGRESSION IN LAW THAT DELAYED ADVANCEMENT

labor as part of the government's annual "Twelve Days Against Child Labor" campaign. (1,27) Raids were targeted at locations with a high risk for child labor, including markets, gas stations, and construction sites. As a result of these checks, 14 children were found to be engaged in child labor in construction and in restaurants, and their employers were fined for violations of labor legislation. (1)

### **Criminal Law Enforcement**

In 2021, criminal law enforcement agencies in Kazakhstan took actions to address child labor (Table 7). However, gaps exist within the operations of criminal law enforcement agencies that may hinder adequate criminal law enforcement, including insufficient allocation of human resources.

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

Overview of Criminal Law Enforcement	2020	2021
Initial Training for New Criminal Investigators	Yes (2)	Yes (1)
Training on New Laws Related to the Worst Forms of Child Labor	N/A	Yes (1)
Refresher Courses Provided	Yes (2)	Yes (1)
Number of Investigations	19 (2)	2 (1)
Number of Violations Found	19 (2)	2 (1)
Number of Prosecutions Initiated	4 (2)	1 (1)
Number of Convictions	3 (2)	0 (1)
Imposed Penalties for Violations Related to the Worst Forms of Child Labor	Yes (2)	No (1)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (2)	Yes (1)

In 2021, the Anti-Trafficking in Persons Training Center at the Ministry of Internal Affairs (MOIA) Legal Academy in Karaganda trained 168 police officers on identification of victims of human trafficking. Of those, 68 were from juvenile police units specifically trained on countering the trafficking of minors into the worst forms of child labor, including commercial sexual exploitation and use in illicit activities. (1) The MOIA employs 42 operational officers who work specifically on trafficking in persons, including cases involving minors. However, reports indicated that the number of officers may be insufficient to adequately enforce criminal prohibitions against the worst forms of child labor in Kazakhstan. (2)

During the reporting period, police identified and initiated prosecution of two cases of minors being coerced into commercial sexual exploitation, for which one individual was sentenced to 3.6 years in prison. Additionally, three individuals were sentenced to no fewer than 5 years in prison for trafficking minors into commercial sexual exploitation in prosecutions that were initiated in previous years. (27) During 4 anti-trafficking operations throughout the year, police uncovered an additional 10 cases of coercing minors into commercial sexual exploitation. (27) While there were no reports of minors being used for the production or trafficking of drugs, 13 minors between the ages of 16 and 17 were detained in 2021 for the sale and possession of drugs. (1)

All children identified in the worst forms of child labor in 2021 were removed from the exploitative situations and referred to NGOs and government-run shelters for social services and other assistance. The government also approved designated funding for government agencies to eliminate child trafficking. (1)

## **IV. COORDINATION OF GOVERNMENT EFFORTS ON CHILD LABOR**

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

## MINIMAL ADVANCEMENT – EFFORTS MADE BUT REGRESSION IN LAW THAT DELAYED ADVANCEMENT

**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. (40) In May 2021, the Council met to discuss implementation of NAP and developed recommendations for improving prevention efforts. In February, the Council also published a report on the results of implementation activities under NAP in 2020. (1)
Interagency Trafficking in Persons Working Group	Coordinates efforts to eliminate human trafficking and recommends improvements to anti-human trafficking legislation, prevention strategies, protection of survivors, and prosecution of offenders. (41) Chaired by MOIA and MLSP on a 2-year rotational basis, its members include state bodies, international organizations, and NGOs. (41) In 2021, the working group met three times, during which it adopted a new NAP on trafficking in persons for 2021–2023 and discussed media monitoring to identify trafficking, including child pornography. (1,27)
Committee for the Protection of Children's Rights	Works to protect children from exploitation. Operates under MOES at province-level departments of education. (8) In 2021, the Committee for the Protection of Children's Rights published a report on the status of children's rights in Kazakhstan during the previous year. (1,42)
The Institute of the Ombudsperson for Children's Rights	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. (1,43) In 2021, the agency received and responded to 334 complaints about violations of children's rights. (1)

**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 eliminate 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; and (c) raising awareness about the worst forms of child labor. (40) During the reporting period, the government published a report on activities undertaken in 2020 to implement the National Action Plan. (1)
National Action Plan to Counter Trafficking in Persons (2021–2023)†	The Interagency Trafficking in Persons Working Group of MLSP adopted a new National Action Plan for 2021–2023 in February 2021. The new National Action Plan includes legislation improvements to provide shelter assistance to non-citizen survivors, align the legal definition of human trafficking with international standards, and improve identification procedures for front-line officials. (1) Some of the planned activities specifically target the worst forms of child labor, including efforts to prevent forced child labor, including the exploitation of child labor on cotton and tobacco fields and at construction sites; monitor and exchange data between competent agencies on advertisements of human trafficking and child pornography; and conduct human trafficking prevention and awareness campaigns for children. (1)

† Program was adopted during the reporting period.

‡ The government has other policies that may have addressed child labor issues or had an impact on child labor. (2,44)

**VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR**

In 2021, 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 inadequacy to address the problem in all sectors.

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

Program	Description
Juvenile Care Centers†	MOES-run centers for minors located throughout Kazakhstan. Provide temporary shelter and assistance to vulnerable children, including child survivors of the worst forms of child labor, and street children. (2,41) Research was unable to determine whether the centers were active during the reporting period.
Shelters for Trafficking Victims†	Funded by the government and operated by NGOs, provide legal, psychological, medical, and educational services to survivors of human trafficking, including minors, in seven provinces and two cities, including Almaty. (41,45) In 2021, the government provided funding for nine shelters for survivors of human trafficking and forced labor, and passed legislation to make shelter services available to non-citizens. (1)



# Kazakhstan

## MINIMAL ADVANCEMENT – EFFORTS MADE BUT REGRESSION IN LAW THAT DELAYED ADVANCEMENT

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

Program	Description
Awareness-Raising Campaigns†	Raise public awareness on child labor issues, including the annual "Twelve Days Against Child Labor" campaign, which in 2021 included thousands of social media posts and online events to raise awareness about child labor and child assistance hotlines. (1,2)
Camps for School-aged Children‡	Funded by the Government of Kazakhstan, camps provide services for children during school breaks across 13,000 recreational organizations. In 2021, the program received a budget of \$8.8 million and reportedly benefited 2 million children, including 500,000 vulnerable children. (1)

† 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. (46)

The government continued to take steps to identify and provide assistance to vulnerable children as a part of its 2020–2023 Roadmap to Strengthen the Protection of the Rights of Children, Counter Domestic Violence and Address Suicide among Adolescents. The MOES Committee for Children's Rights initiated changes to laws and regulations related to inclusive education, social protection of vulnerable of children, and strengthening the institution of the family. (1) More than 7,000 teachers and psychologists assisted around 2 million children and their parents and helped to resolve 150,000 crisis situations. (1)

The government also hosted a nationwide series of events dedicated to the World Children's Day and the 30th anniversary of the Independence of Kazakhstan in October and November 2021. The events focused on reaching vulnerable children, including orphans, children left without parental care due to labor migration, and children with special educational needs. (1)

Although the Government of Kazakhstan implemented programs in 2021 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 agriculture or service sectors.

## 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 – 2021
	Criminally prohibit and penalize the use of a child for prostitution.	2019 – 2021
	Ensure that the law's light work provisions specify the activities and conditions in which children may engage in light work.	2020 – 2021
Enforcement	Strengthen the labor inspection system by eliminating barriers for onsite and unannounced inspections.	2020-2021
	Publish information on the labor inspectorate's funding and provide trainings for new labor inspectors as well as trainings on new labor laws.	2021
	Increase the number of labor inspectors to meet the ILO's technical advice.	2014 – 2021
	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 – 2021
	Strengthen detection of child labor by ensuring that targeted enforcement efforts, such as raids and labor inspections, are undertaken throughout the year and in all sectors in which children are vulnerable to child labor, including in agriculture.	2020 – 2021
	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 – 2021
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 – 2021
	Remove barriers that prevent migrant children who are above the minimum age for work to obtain work permits.	2021

## MINIMAL ADVANCEMENT – EFFORTS MADE BUT REGRESSION IN LAW THAT DELAYED ADVANCEMENT

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

Area	Suggested Action	Year(s) Suggested
Social Programs	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 – 2021
	Ensure that Juvenile Care Centers continue to operate, and publicize information on activities undertaken during the reporting period.	2021
	Institute programs to address child labor, particularly in the agriculture and service sectors.	2014 – 2021

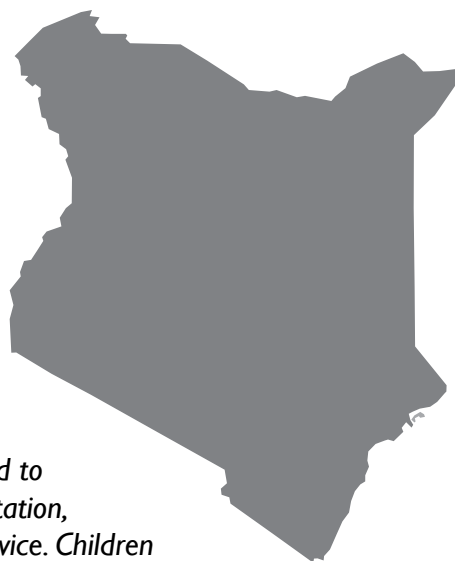
## REFERENCES

- U.S. Embassy- Nur-Sultan. Reporting, January 31, 2022.
- U.S. Embassy- Nur-Sultan. Reporting, January 15, 2021.
- U.S. Department of State. Trafficking in Persons Report- 2021: Kazakhstan. Washington, D.C., June 20, 2021. <https://www.state.gov/reports/2021-trafficking-in-persons-report/kazakhstan/>
- UNESCO Institute for Statistics. Gross intake ratio to the last grade of primary education, both sexes (%). Accessed March 3, 2022. Please see "Children's Work and Education Statistics: Sources and Definitions" in the Reference Materials section of this report. <http://data.uis.unesco.org/>
- ILO. Analysis of Child Economic Activity and School Attendance Statistics from National Household or Child Labor Surveys. Original data from Multiple Indicator Cluster Survey 3 (MICS 3), 2006. Analysis received March 2022. Please see the "Children's Work and Education Statistics: Sources and Definitions" in the Reference Materials section of this report.
- International Federation for Human Rights (FIDH). Invisible and exploited in Kazakhstan: the plight of Kyrgyz migrant workers and members of their families. June 2018. [https://www.fidh.org/IMG/pdf/kyrgyz\\_migrant\\_workers\\_in\\_kazakhstan.pdf](https://www.fidh.org/IMG/pdf/kyrgyz_migrant_workers_in_kazakhstan.pdf)
- ILO CEACR. Individual Observation concerning Worst Forms of Child Labor Convention, 1999 (No. 182) Kazakhstan (ratification: 2003). Published: 2019. [https://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100\\_COMMENT\\_ID:3959489:NO](https://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:3959489:NO)
- U.S. Embassy- Nur-Sultan. Reporting, January 15, 2020.
- Dilara Isa. A month in the fields to earn money for internet. Schoolchildren in the cotton fields. Radio Azattyk, October 2020. <https://rus.azattyq.org/a/kazakhstan-turkestan-region-child-labour-in-cotton-fields/30894173.html>
- U.S. Embassy- Astana. Reporting, January 19, 2018.
- Askhat Akmetbekov. Schoolchildren worked at markets in Almaty. Azattyk Ryhy, October 23, 2020. <https://rus.azattyq-ruhy.kz/incidents/16562-shkolniki-rabotali-na-rynakh-v-almaty>
- KazInform. Cases of illegal child labor uncovered in Kazakhstan. September 27, 2019. [https://www.inform.kz/ru/fakty-nezakonnogo-detskogo-truda-vyyavili-v-kazahstane\\_a3570117](https://www.inform.kz/ru/fakty-nezakonnogo-detskogo-truda-vyyavili-v-kazahstane_a3570117)
- Human Rights Watch. Kazakhstan: Children in Institutions Isolated, Abused. July 17, 2019. <https://www.hrw.org/news/2019/07/17/kazakhstan-children-institutions-isolated-abused>
- Zakon.kz. Schoolchildren who died in a Zhanaozen cafe were from single-parent families. November 27, 2019. <https://www.zakon.kz/4996527-umershie-v-kafe-zhanaozena-shkolniki.html>
- Government of Kazakhstan. Labor Code of the Republic of Kazakhstan, No. 414-V. Enacted: November 23, 2015. [http://online.zakon.kz/Document/?doc\\_id=38910832](http://online.zakon.kz/Document/?doc_id=38910832)
- Nazgul Abzhekenova. Unseen Children: In Astana, concerns about rights of migrants' children. Caravan.kz, October 19, 2018. <https://www.caravan.kz/gazeta/detinevidimki-v-astane-ozabotilis-pravami-detejj-migrantov-490132/>
- UNICEF. A situation analysis of children in Kazakhstan. 2019. <https://www.unicef.org/kazakhstan/en/reports/situation-analysis-children-kazakhstan>
- Human Rights Watch. "On the Margins": Education for children with disabilities in Kazakhstan. March 2019. [https://www.hrw.org/sites/default/files/report\\_pdf/kazakhstan0319\\_web3.pdf](https://www.hrw.org/sites/default/files/report_pdf/kazakhstan0319_web3.pdf)
- Government of Kazakhstan. The Criminal Code of the Republic of Kazakhstan, No. 226-V, as amended. Enacted: July 3, 2014. [http://online.zakon.kz/Document/?doc\\_id=31575252](http://online.zakon.kz/Document/?doc_id=31575252)
- Government of Kazakhstan, Minister of Health and Social Development. Decree No. 944 of December 8, 2015, effective January 1, 2016. (The previous list of hazardous work for minors, Decree No. 391 of 2015 was repealed by Decree 971 of 2015, effective January 1, 2016. There are no substantive changes between Decree 944 and Decree 391.) Enacted: December 8, 2015. [http://online.zakon.kz/Document/?doc\\_id=35844164](http://online.zakon.kz/Document/?doc_id=35844164)
- Government of Kazakhstan. Law No. 561-IV on Military Service and the Status of Military Personnel, as amended. Enacted: February 16, 2012. [http://online.zakon.kz/Document/?doc\\_id=31130640](http://online.zakon.kz/Document/?doc_id=31130640)
- Government of Kazakhstan. Law No. 345-II on Children's Rights (as amended). Enacted: August 8, 2002. [https://online.zakon.kz/m/Document/?doc\\_id=1032460](https://online.zakon.kz/m/Document/?doc_id=1032460)
- Government of Kazakhstan. Constitution of the Republic of Kazakhstan. Enacted: August 30, 1995. [http://online.zakon.kz/Document/?doc\\_id=1005029#sub\\_id=100000](http://online.zakon.kz/Document/?doc_id=1005029#sub_id=100000)
- Government of Kazakhstan. Law No. 319-III On Education (as amended). Enacted: July 27, 2007. [http://online.zakon.kz/Document/?doc\\_id=30118747](http://online.zakon.kz/Document/?doc_id=30118747)
- U.S. Embassy- Nur-Sultan official. E-mail communication to USDOL official. May 14, 2019.
- Organization for Economic Co-operation and Development (OECD). Education Policy Outlook: Kazakhstan. 2018. <http://www.oecd.org/education/Education-Policy-Outlook-Country-Profile-Kazakhstan-2018.pdf>
- U.S. Embassy- Nur-Sultan. Reporting, February 7, 2022.
- Morgan Lewis. Latest Amendments to Kazakhstan's State Inspections Regulations. January 19, 2022. <https://www.morganlewis.com/pubs/2022/01/latest-amendments-to-kazakhstan-state-inspections-regulations>
- Government of Kazakhstan. Law of the Republic of Kazakhstan dated December 30, 2021 No. 95-VII. [https://online.zakon.kz/Document/?doc\\_id=39403356](https://online.zakon.kz/Document/?doc_id=39403356)
- U.S. Embassy- Nur-Sultan official. Communication to USDOL official. June 14, 2022.
- U.S. Embassy- Astana. Reporting, February 19, 2019.
- ILO CEACR. Direct Request concerning Minimum Age Convention, 1973 (No. 138) Kazakhstan (ratification: 2001). Published: 2019. [https://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100\\_COMMENT\\_ID:3959486:NO](https://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:3959486:NO)

- 33 Government of Kazakhstan. Code of the Republic of Kazakhstan on Administrative Rights Violations. Enacted: 2014.  
[https://online.zakon.kz/Document/?doc\\_id=31577399#pos=0;36144](https://online.zakon.kz/Document/?doc_id=31577399#pos=0;36144)
- 34 Government of Kazakhstan. The Entrepreneurial Code of the Republic of Kazakhstan, No. 375-V. As Amended: January 11, 2020.  
[https://online.zakon.kz/Document/Document.aspx?doc\\_id=38259854](https://online.zakon.kz/Document/Document.aspx?doc_id=38259854)
- 35 ILO Labor Force Statistics (LFS) – Population and labour force. Accessed (January 25, 2022). <https://ilostat.ilo.org/data/> Labor force data is government-reported data collected by the ILO. Please see "Labor Law Enforcement: Sources and Definitions" in the Reference Materials section of this report.
- 36 ILO. Strategies and Practice for Labour Inspection. November 2006: GB.297/ESP/3. Please see "Labor Law Enforcement: Sources and Definitions" in the Reference Materials section of this report.  
<http://www.ilo.org/public/english/standards/relm/gb/docs/gb297/pdf/esp-3.pdf>
- 37 UN. World Economic Situation and Prospects 2017, Statistical Annex. 2017. Please see "Labor Law Enforcement: Sources and Definitions" in the Reference Materials section of this report.  
[https://www.un.org/development/desa/dpad/wp-content/uploads/sites/45/publication/2017wesp\\_full\\_en.pdf](https://www.un.org/development/desa/dpad/wp-content/uploads/sites/45/publication/2017wesp_full_en.pdf)
- 38 Government of Kazakhstan. Order on the introduction of a moratorium on conducting inspections and preventive control and oversight involving visits in the Republic of Kazakhstan. Enacted: December 2019.  
<http://adilet.zan.kz/rus/docs/U1900000229>
- 39 Government of Kazakhstan. Information on the realization of ILO recommendations regarding the fulfilment of provisions of Convention 87 "Freedom of Association and Protection of the Right to Organize Convention," as well as pertaining to questions raised during the September 28, 2020 online meeting. December 28, 2020. Source on file.
- 40 Government of Kazakhstan. Ministry of Labor and Social Protection Decree no. 428 on the introduction of changes in the Decree of the Ministry of Labor and Social Protection of the Republic of Kazakhstan of 31 March 2006 No. 73-p, "On the creation of the National Coordination Council for Combating the Worst Forms of Child Labor" and approval of the National Action Plan for the Elimination of the Worst Forms of Child Labor 2020–2022, in accordance with the Convention on the Elimination of the Worst Forms of Child Labor. Enacted: August 14, 2019. Source on file.
- 41 U.S. Embassy- Nur-Sultan. Reporting, February 11, 2021.
- 42 Government of Kazakhstan. Ministry of Education and Science, Committee on the Rights of Children. Доклад о положении детей в Республике Казахстан за 2020 год. 2021.  
<https://www.gov.kz/memleket/entities/bala/documents/details/211957?lang=ru>
- 43 Government of Kazakhstan, Ombudsman for Children's Rights. Status and Authorities. Accessed February 17, 2021.  
<https://bala-ombudsman.kz/ombudsman/functions/>
- 44 Government of Kazakhstan. Decree No. 156 on Approval of the Roadmap for strengthening protection of the rights of the child, countering domestic violence, and solving the problem of suicide among adolescents for 2020–2023. Enacted: March 30, 2020.  
[https://online.zakon.kz/Document/?doc\\_id=33721914#pos=1;-53](https://online.zakon.kz/Document/?doc_id=33721914#pos=1;-53)
- 45 U.S. Department of State. Trafficking in Persons Report- 2020: Kazakhstan. Washington, D.C., June 2020.  
<https://www.state.gov/reports/2020-trafficking-in-persons-report/kazakhstan/>
- 46 Government of Kazakhstan. Ministry of Education and Science. State Program of Education Development in the Republic of Kazakhstan for 2011–2020. December 7, 2010.  
[www.akorda.kz/upload/SPED.doc](http://www.akorda.kz/upload/SPED.doc)

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

In 2021, Kenya made minimal advancement in efforts to eliminate the worst forms of child labor. Local child labor officers in Nairobi facilitated trainings for police officers and users of the court system related to key laws protecting children from the worst forms of child labor. In addition, the government published updated information on child labor prevalence in Kenya. However, Kenya is assessed as having made only minimal advancement because it continued to implement a practice that delays advancement to eliminate child labor. Elements within the Kenyan Defense Forces provided various forms of in-kind support—including harboring, training, intelligence-gathering, and payment of salaries—to a Somali federal member state that is strongly implicated in the recruitment and use of child soldiers. Children in Kenya are subjected to the worst forms of child labor, including in commercial sexual exploitation, sometimes as a result of human trafficking, and forced domestic service. Children also perform dangerous tasks in agriculture. Key coordinating committees related to elimination of child labor lack adequate resources to carry out their mandates and the labor inspectorate does not have sufficient financial and human resources, affecting its ability 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 commercial sexual exploitation, sometimes as a result of human trafficking, and forced domestic service. Children also perform dangerous tasks in agriculture. (1,2) During the reporting period, the government published and validated analysis of its 2019 Household Budget Survey to generate up-to-date data on child labor in Kenya; according to the new data, agriculture and services are the sectors in which child labor most frequently occurs. (3) Table 1 provides key indicators on children's work and education in Kenya.

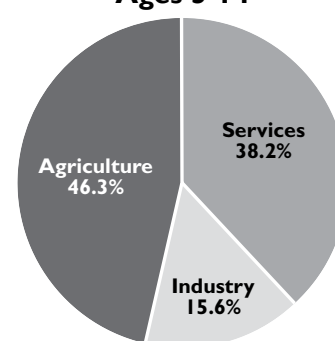
**Table 1. Statistics on Children's Work and Education**

Children	Age	Percent
Working (% and population)	5 to 14	11.6 (1,468,203)
Attending School (%)	5 to 14	93.9
Combining Work and School (%)	7 to 14	11.5
Primary Completion Rate (%)		99.7

Source for primary completion rate: Data from 2016, published by the UNESCO Institute for Statistics, 2022. (4)

Source for all other data: International Labor Organization's analysis of statistics from Household Budget Survey (HBS), 2019. (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	Farming,† including the production of tea, coffee, khat ( <i>miraa</i> ),† rice, sisal, sugarcane, tobacco, corn, flowers, and cotton (6-15)
	Herding livestock† (3,11,12,16,17)
	Fishing,† including for tilapia, sardines, Nile perch, and other fish (3,16,18-20)
	Cutting trees and burning wood to produce charcoal (12,20,21)

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

Sector/Industry	Activity
Industry	Construction,† including carrying bricks and heavy loads (11,16)
	Quarrying,† including crushing rocks and stones, and harvesting coral (11,14,18)
	Harvesting sand‡ (3,11,18,22-24)
	Making bricks† (12,18)
	Mining† for gold, gemstones, and salt (1,16,25-27)
Services	Domestic work,† including caregiving (1,19,27-29)
	Street work, including vending (1,3,11,28)
	Transporting goods and people by bicycle,† motorcycle,† and handcart† (11,18,27,28)
	Garbage scavenging,† including for scrap materials (15,27,30-32)
	Begging† (16,27,33)
Categorical Worst Forms of Child Labor‡	Commercial sexual exploitation, sometimes as a result of human trafficking (12,27,33-39)
	Use in illicit activities, including in drug trafficking, intelligence gathering to plan for criminal operations, and providing security for criminal operations (15,27,40-43)
	Forced labor in slaughterhouses, sand harvesting, begging, street vending, domestic work, herding livestock, fishing, and agricultural work (2,15,28,34,39,44-46)

† 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.

Human traffickers exploit Kenyan children in forced labor, including in domestic work, and commercial sexual exploitation, sometimes as a result of human trafficking, both within and outside the country. (39,45,46) Both boys and girls are subjected to commercial sexual exploitation in tourism-heavy areas on the Kenyan coast, and in Nairobi and Kisumu. (35,36,39,47,48) 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. (38) 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. (27,37-39,49) 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, particularly in commercial sexual exploitation, including online sexual exploitation, and forced begging. (15,22,31,39,50,51)

Traffickers exploit children from neighboring East African countries and South Sudan to forced labor in domestic work, slaughterhouses, agriculture, and in commercial sexual exploitation. (15,52) Children with LGBTQI+ identities, moreover, are vulnerable to sexual abuse and commercialized sexual exploitation. Refugee children who identify as LGBTQI+ are particularly vulnerable to these forms of exploitation. (39,48) Moreover, traffickers increasingly exploit children with disabilities from Tanzania and other neighboring countries in forced labor, including begging. (39)

Children work at informal gold mining sites in western Kenya, using pickaxes and other dangerous tools, working underground, and carrying heavy loads. (1,25,26,53) In some instances, children working at mining sites have been trapped in collapsed mines, suffocated, or exposed to mercury poisoning. (25-27) In addition, children working in domestic work are subjected to long work hours and physical and sexual abuse. (45) Research indicates rising cases of children working in the harvesting of sand, which sometimes involves exploitation under criminal syndicates. (15,23,24) Furthermore, children participate in the harvesting and processing of khat (*miraa*), an addictive stimulant. (1,10)

Local elements of the Kenyan Defense Forces (KDF) maintain ongoing support of Jubbaland Security Forces (JSF), a federal member state group in Somalia, that the UN and other organizations report as recruiting and using children in armed conflict. Such support has included training, provision of transportation (including armed vehicles), intelligence sharing, payment of salaries of JSF combatants, and allowing JSF regiments to garrison in northern Kenya, near the border with Somalia, during the early months of 2021. (54-57) The UN verified at



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




least 21 separate cases of child soldiers within the ranks of the JSF, in addition to 165 cases of child soldier use and recruitment reported from 2016 to 2020. (58-60) Local NGOs and community leaders in both northern Kenya and Jubbaland have likewise observed recruitment by the JSF, sometimes even occurring on the Kenyan side of the border, with some KDF elements providing direct training to child recruits. (57,61) Research cannot identify any screening or mitigation procedures within the KDF to ensure that children recruited by the JSF and their respective units are not benefiting from Kenyan training and other forms of tactical support. Reports also indicate that criminals involved in terrorist organizations lure children in Kenya to Somalia for use in armed conflict. (39)

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. (62-64) Kenya law mandates free basic education and prohibits schools from charging tuition fees. (37,62,65) However, the cost of unofficial fees levied by local schools, and the cost of books and uniforms, prevents some children from attending school, particularly at the secondary level. (66-69) Long travel distances, teacher and staff shortages, 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. (16,70-73) 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. (39,74) These camps have an insufficient number of schools and existing facilities lack sufficient teachers, textbooks, electricity, and latrines. (2,27,75,76) These conditions likely contribute to heightened vulnerabilities of refugee children to the worst forms of child labor, including commercial sexual exploitation and human trafficking. (39,45,74) 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. (74,77) In early 2021, schools fully reopened, following closures in response to the pandemic. Research, however, indicates that many children, particularly girls, have not returned to school. (78) As of October 2021, nearly 1.8 million children in Kenya were not accounted for in the school system. (79)

**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. However, during the reporting period, ratification of the Optional Protocol was formally introduced for consideration by the National Assembly, marking a significant step towards ratification. (15)

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 (65,80,81)
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 (65,80)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Section 12 and the Fourth Schedule of the Employment Act (General) Rules (81)
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 (65,80,82-85)
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 (65,80,83-85)
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 (65,80,83)
Prohibition of Using Children in Illicit Activities	Yes		Sections 2 and 53.1 of the Employment Act; Section 16 of the Children Act (65,80)
Minimum Age for Voluntary State Military Recruitment	Yes	18	Section 10.2 of the Children Act; Article 243 (1) of the Kenya Defense Forces Act (65,86)
Prohibition of Compulsory Recruitment of Children by (State) Military	N/A*		Article 243 (1) of the Kenya Defense Forces Act (86)
Prohibition of Military Recruitment by Non-state Armed Groups	Yes		Article 3 of the Counter-Trafficking in Persons Act (85)
Compulsory Education Age	Yes	18	Sections 28 and 30 of the Basic Education Act (62)
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 (65,62,82)

\* Country has no conscription (86)

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. (81) 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. (62,80,81,87) 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. (62)

The government is currently undertaking a review of regulations identifying hazardous forms of work for children under age 18. The updated list intends to highlight emerging hazardous work conditions that affect children, especially as a result of the pandemic and other situational factors. (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 child labor laws.

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

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

Organization/Agency	Role
Ministry of Labor (MOL)	Conducts labor inspections and enforces labor laws, including those related to child labor. (1) Directs activities to promote awareness and withdraw children from child labor through its Child Labor Division. (1,15,88)
National Police Service	Investigates and enforces laws related to the worst forms of child labor, in coordination with MOL and the Office of the Director of Public Prosecutions. (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. (2,16,89,90)
Office of the Director of Public Prosecutions	Enforces laws through the prosecution of criminal offenses, including labor-related offenses. The Office of the Director of Public Prosecutions directs the National Police Service to investigate cases. (1)

During the reporting period, the Ministry of Labor and Social Protection was renamed to the Ministry of Labor (MOL). The State Department for Social Protection, which formerly fell under the Ministry of Labor and Social Protection, was moved to the Ministry of Public Service, Gender, Senior Citizen Affairs, and Special Programs, under the new name of State Department for Social Protection, Senior Citizen Affairs, and Special Programs. (15) The State Department for Social Protection, Senior Citizen Affairs, and Special Programs includes the Department of Children Services, which provides services to children in need of social protection, including responding to cases of child exploitation. (91)

**Labor Law Enforcement**

In 2021, labor law enforcement agencies in Kenya took actions to address child labor (Table 6). However, gaps exist within the operations of the MOL that may hinder adequate labor law enforcement, including insufficient financial resource allocation.

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

Overview of Labor Law Enforcement	2020	2021
Labor Inspectorate Funding	Unknown (34)	Unknown (15)
Number of Labor Inspectors	Unknown (34)	130 (92)
Mechanism to Assess Civil Penalties	Yes (93)	Yes (93)
Initial Training for New Labor Inspectors	No (34)	Yes (15)
Training on New Laws Related to Child Labor	N/A (34)	N/A (15)
Refresher Courses Provided	No (34)	Yes (15)
Number of Labor Inspections Conducted	4,236† (94)	3,458‡ (95)
Number Conducted at Worksite	4,236† (94)	3,458‡ (95)
Number of Child Labor Violations Found	Unknown (34)	Unknown (15,23)
Number of Child Labor Violations for Which Penalties Were Imposed	Unknown (34)	Unknown (15)
Number of Child Labor Penalties Imposed that Were Collected	Unknown (34)	Unknown (15)
Routine Inspections Conducted	Yes (34)	Yes (15)
Routine Inspections Targeted	Yes (34)	Yes (15)
Unannounced Inspections Permitted	Yes (93)	Yes (15)
Unannounced Inspections Conducted	Yes (96)	Yes (15)
Complaint Mechanism Exists	Yes (34)	Yes (15)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (34)	Yes (15)

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

‡ Data are from July 1, 2020 to June 30, 2021.

The government published limited information on labor law enforcement efforts for inclusion in this report. (94) The government reported that it had removed 2,793 children from child labor; however, research could not confirm that these interventions were in response to findings from labor inspections, as opposed to other government entities involved in child protection. (95) 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 1,314 labor inspectors as its workforce consists of over 19 million workers. (97,98) Insufficient human resources likely constrained the labor inspectorate's capacity to

# Kenya

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

meet its inspection targets, and several counties had only one labor officer to handle all matters concerning employment. (97,99) The MOL hired 95 additional labor inspectors in 2021, nearing its 2021 hiring goal of 100 new inspectors. (92) The MOL's insufficient number of labor inspectors and inadequate financial resources likely hindered their capacity to enforce labor laws, including those related to child labor. (1,94)

A high-ranking municipal official in Nairobi admitted, during a televised interview in 2020, that he employed street children for work on road construction projects in Nairobi, including overnight work. (100) The incident generated public criticism and the MOL made an informal intervention, advising the official against any further similar activity; however, no formal remedial action was taken. (96)

During the reporting period, 17 labor officers participated in trainings, facilitated by the ILO, on concepts related to child labor and human trafficking. (3)

### Criminal Law Enforcement

In 2021, criminal law enforcement agencies in Kenya took actions to address child labor (Table 7). However, gaps exist within the operations of enforcement agencies that may hinder adequate criminal law enforcement, including lack of training.

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

Overview of Criminal Law Enforcement	2020	2021
Initial Training for New Criminal Investigators	Yes (34)	Unknown (15)
Training on New Laws Related to the Worst Forms of Child Labor	N/A (34)	N/A (15)
Refresher Courses Provided	No (96)	Yes (15)
Number of Investigations	2 (2)	38 (101)
Number of Violations Found	5 (2)	Unknown (15)
Number of Prosecutions Initiated	20 (2)	22 (101)
Number of Convictions	3 (2)	Unknown (15)
Imposed Penalties for Violations Related to the Worst Forms of Child Labor	Yes (2)	Yes (101,102)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (34)	Yes (15)

The government did not provide information regarding its training of new inspectors, the total number of violations related to the worst forms of child labor, and number of convictions for inclusion in this report. The government, however, increased the number of investigations and prosecutions related to the worst forms of child labor from the previous reporting period. (101) Also, in 2021, a court in Malindi sentenced a man to 30 years imprisonment for trafficking 7 Somali nationals, 5 of them children, from the Daddab refugee camp. (102)

A report by the National Council on the Administration of Justice (NCAJ) found that magistrates lacked specialized knowledge in children's laws, policies, and rights that relate to the worst forms of child labor, including the Sexual Offenses Act and the Children Act. (89) During the reporting period, the NCAJ held country-level trainings in Nairobi on issues related to commercial sexual exploitation, human trafficking, and other child labor issues, reaching 120 police officers and users of court systems. (15) Also, the ILO trained 18 police officers in supervisory roles on concepts related to child labor and forced labor. Following the training, the officers, in coordination with the MOL, implemented a rehabilitation campaign targeting street children in Nairobi, rescuing 200 children from the worst forms of child labor and referring them to rehabilitative 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 inefficacy in accomplishing mandates.

## 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 Steering Committee on Child Labor	Oversees efforts to prevent and eliminate child labor and comprises government agencies, private employers, and workers' organizations. Chaired by the Principal Secretary for Labor, with coordination duties performed by the MOL's Child Labor Division. (15) The technical team of the National Steering Committee on Child Labor engaged in planning meetings during the reporting period, but produced no tangible new deliverables. (92)
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. (103,104) The National Council for Children's Services met during the reporting period to develop the National Care Reform Strategy for Children in Kenya (2022–2032) and to develop the National Plan of Action to Tackle Online Child Sexual Exploitation and Abuse in Kenya (2022–2026). (92)
Children Area Advisory Councils	Coordinate county-level activities to eliminate child labor and related labor abuses, including forced labor and human trafficking. (3,105) Include local labor officers and child protection officials that coordinate with civil society organizations and NGOs, workers unions, and private employers. (106) During the reporting period, to strengthen local coordination around child labor, the government began harmonizing child labor issues into the work of Children Area Advisory Councils, starting with Kajiado, Kwale, and Nairobi, by integrating previously separate county-level child labor councils as subcommittees. (3,106) The Nairobi County Child Labor Coordinators also conducted case management and referral guideline training for 64 children's officers, 70 police officers, and 31 court users' committees. (15)
Counter-Trafficking in Persons Advisory Committee	Coordinates the implementation of policies related to human trafficking and provides prevention and protection services to survivors under the Counter-Trafficking in Persons Act. Led by the Counter-Trafficking in Person's Secretariat under the Ministry of Public Service, Gender, Senior Citizens, and Special Programs, and includes human trafficking and child protection specialists from multiple government agencies and NGOs. (2) During the reporting period, the Counter-Trafficking in Persons Advisory Committee met quarterly, working on draft amendments to the Counter-Trafficking in Persons Act. (101) It also participated in the development of the National Plan of Action for Children in Kenya (2022–2027). (15)

Research indicates that a lack of sufficient funding likely inhibited coordinating bodies from meeting and undertaking activities according to their mandates. (1)

The Department of Children Services maintains a Child Protection Information Management System that collects, aggregates, and reports on child protection data, including child labor violations, to assist child protection officials in tracking and reporting on child protection activities. (16,74) In 2021, approximately 237 cases of child labor were reported in the Child Protection Information Management System. However, research could not determine the number of cases that resulted from findings from labor inspections. (107) Furthermore, the number of child labor cases reported through the Child Protection Information Management System is inconsistent with other government reporting citing 2,793 children removed from child labor during the 2020–2021 fiscal year. (15,95) Research indicates that this discrepancy is the result of gaps in coordination between the Department of Children Services, responsible for rehabilitation, and the Child Labor Unit at the MOL. In many cases, children in child labor are not referred to the Department of Child Services for rehabilitation, and these cases are often not reflected in the Child Protection Information Management System. (107)

## 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 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. (108) The government continued to support, but did not take measures to implement the National Policy on the Elimination of Child Labor during the reporting period. (92)



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

Policy	Description
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. Outlines programs, awareness-raising activities, and research with the goal of reducing child labor and other child exploitation cases by 50 percent by 2022. Other areas of interest include sexual exploitation of children, child trafficking, street work, online safety, and protecting children with disabilities. (104,105,109) During the reporting period, the government concluded work on an updated National Plan of Action for Children in Kenya for 2022–2027, which is awaiting presidential launch. A public version of this policy is not yet available. (15)
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. (96,111) Responsibility for implementing the National Prevention and Response Plan on Violence Against Children in Kenya was given to the Department of Children Services. In 2021, the responsible unit within the Department of Children Services launched a violence against children survey fact sheet and continues to implement other programs with development partners. (92)

‡ The government had other policies that may have addressed child labor issues or had an impact on child labor. (16,109,112,113)

Insufficient resources for public institutions have led to delays in both the development of new policies and the implementation of existing policies to eliminate the worst forms of child labor in Kenya. (109)

## VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2021, 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 inadequacy of programs to address the full scope of the problem.

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

Program	Description
Projects to Combat Child Labor and Increase Education Access†	Government-funded programs that aim to address child labor, including its worst forms, such as commercial sexual exploitation of children and child trafficking. Child Protection and Rescue Centers temporarily house child survivors and provide counseling and reintegration services. (114) Includes the Presidential Secondary School Bursary Scheme, which provides educational assistance to orphans and vulnerable children. The Presidential Secondary School Bursary Scheme continued to be supported by the government in 2021, but it did not receive applications due to school closures during the pandemic. (15,92)
3rd Generation Decent Work Country Program (2021–2024)*‡	Government of Kenya- and ILO-supported programming to assist with employment creation, sound labor relations, social protection, and gender equality at work. (115) Outlines strategies to eliminate child labor in Kenya, including the development and implementation of an updated child labor national action plan, a child labor survey, and an expanded Child Labor Division within the MOL. (115) The government has not yet begun its work implementing the third Decent Work Country Program, though other tri-partite stakeholders including the Federation of Kenya Employers and the Congress of Trade Unions have started implementation. (92)
National Safety Net Program (2013–2026)†	Government-funded social safety net program, with support from the World Bank. (16) During the reporting period, 117,314 vulnerable and drought-affected households at high risk for child labor received support through cash transfers. (15)
USDOL-Funded Programs	USDOL-funded projects to address child labor, build government capacity, and support youth apprenticeships. Includes 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), a \$5.25 million project to build the capacity of the governments of Kenya and Uganda to enforce labor laws and regulations related to child labor and forced labor and approve services for survivors. In 2021, the CAPSA project supported the training of Kenyan MOL officers on concepts related to child labor, forced labor, human trafficking, and other violations of acceptable conditions of work and provided child labor concepts trainings to Children Area Advisory Councils based in Kajiado, Kwale, and Nairobi counties. In 2022, through a cost increase, the project will extend ongoing work on policy development and capacity building in Kenya to the regional level, through engagement with the East African Community and government of Uganda. (3) Also includes Better Utilization of Skills for Youth (BUSY) through Quality Apprenticeships (2016–2021), a \$3 million program that established and expanded workplace-based training programs for youth vulnerable to the worst forms of child labor. (117,118) The BUSY project, in collaboration with the MOL, the Federation of Kenya Employers, and the Central Organization of Trade Unions–Kenya, developed a draft National Skills Development Policy to support equitable access and participation of vulnerable and disadvantaged groups in skills development as part of a national sustainable workforce development program. (119) For additional information, please see our website.

\* Program was launched during the reporting period.

† 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. (16)

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

The government operates five child rescue centers to support survivors of human trafficking and other crimes in Nairobi, Machakos, Garissa, Thinka, and Kisumu. (109) However, 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.

Since 2018, Kenya has been implementing a 100 Percent Transition Policy, boosting educational spending and undertaking an educational awareness and enrollment campaign aimed at universalizing the transition of children from primary to secondary education. (13,120) Research indicates the policy contributed to a substantial increase in secondary school enrollment from 2016 to 2020. (120-122) School enrollment, however, dropped when schools reopened following pandemic closures. (78,121,122) To address this concern, the Ministry of Education undertook a campaign to identify children not attending secondary school and return them to the classroom during the reporting period. (123,124) However, constraints in school infrastructure, auxiliary educational costs, and lack of sufficient teachers may hinder the implementation of the policy. (120,122,123)

**VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE CHILD LABOR**

Based on the reporting above, suggested actions are identified that would advance the elimination of child labor in 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 – 2021
	Ensure that light work provisions limit the number of hours for all light work activities.	2019 – 2021
	Raise the minimum age of work to align with the compulsory education age of 18 and ensure that children up to the compulsory education age are covered by the light work provisions.	2020 – 2021
	Ensure that laws providing free basic education cover all children in Kenya, including non-citizens.	2020 – 2021
Enforcement	Publish information about labor law enforcement efforts, including the funding of the labor inspectorate, the number of child labor violations, and the number of child labor violations for which penalties were imposed and collected.	2009 – 2021
	Increase the number of labor inspectors to meet the ILO's technical advice.	2015 – 2021
	Ensure that the Ministry of Labor has sufficient financial and human resources to address labor violations.	2017 – 2021
	Ensure that measures are taken to investigate and impose penalties for violations of child labor by government officials.	2020 – 2021
	Ensure that criminal law enforcement investigators receive trainings, including training for new investigators.	2020 – 2021
	Publish information about criminal law enforcement efforts related to the worst forms of child labor, including the number of violations found and convictions achieved.	2021
	Ensure that magistrates receive training on laws protecting children from the worst forms of child labor.	2019 – 2021
Coordination	Strengthen coordination between the Child Labor Unit and the Department of Children Services, including sharing of child protection data and referral of child laborers for rehabilitation services.	2021
	Ensure that all coordinating bodies receive sufficient funding to carry out their intended mandates.	2016 – 2021
Government Policies	Ensure that all policies are implemented according to their mandates, including the National Policy on the Elimination of Child Labor, and publish results from activities implemented during the reporting period.	2017 – 2021
	Provide sufficient resources for public institutions mandated for developing and implementing child labor policies.	2021
Social Programs	Take measures to ensure that armed groups recruiting and using children are not receiving financial, training, transportation, and other forms of in-kind support from Kenyan Defense Forces, and hold perpetrators of the worst forms of child labor, including child soldiering, accountable.	2020 – 2021
	Take measures to expand birth registration to improve accessibility to education and social services protecting children from child labor.	2021
	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 – 2021

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

Area	Suggested Action	Year(s) Suggested
Social Programs	Improve access to education by increasing the number of schools and teachers, addressing sexual abuse in schools, and eliminating or defraying the cost of school fees, books, and uniforms.	2010 – 2021
	Expand existing programs to address the scope of the child labor problem, including for children engaged in commercial sexual exploitation.	2009 – 2021

## REFERENCES

- U.S. Embassy- Nairobi. Reporting. January 17, 2020.
- U.S. Embassy- Nairobi. Reporting. February 11, 2021.
- ILO. Technical Progress Report, Strengthening Capacity of Governments to Address Child Labor and Forced Labor and Violations of Acceptable Conditions to Work in Sub-Saharan Africa (CAPSA), April 30, 2021–October 30, 2021. October 30, 2021. Source on file.
- UNESCO Institute for Statistics. Gross intake ratio to the last grade of primary education, both sexes (%). Accessed March 2022. For more information, please see “Children’s Work and Education Statistics: Sources and Definitions” in the Reference Materials section of this report. <http://data.uis.unesco.org/>
- ILO. Analysis of Child Economic Activity and School Attendance Statistics from National Household or Child Labor Surveys. Original data from Household Budget Survey (HBS) 2019. Analysis received March 2022. For more information, please see “Children’s Work and Education Statistics: Sources and Definitions” in the Reference Materials section of this report.
- Chepkoech, Anita. Minors engaged in hard labour in tea farms. Daily Nation, December 6, 2019. <https://nation.africa/kenya/news/minors-engaged-in-hard-labour-in-tea-farms-230078>
- KNA. Children Working as Scarecrows in Mwea Rice Fields. Business Today, September 12, 2019. <https://businesstoday.co.ke/child-labour-on-the-rise-in-the-rice-fields-of-mwea/>
- King, William. Surviving Covid-19 - Children Now Forced Into Casual Labour. October 2, 2020. <https://nation.africa/kenya/news/surviving-covid-19-children-now-forced-into-casual-labour-2454860>
- Gathigah, Miriam. Nobel Laureates and Global Leaders Call for Urgent Action to Prevent COVID-19 Child Rights Disaster. Inter Press Service. September 4, 2020. <http://www.ipsnews.net/2020/09/nobel-laureates-and-global-leaders-call-for-urgent-action-to-prevent-covid-19-child-rights-disaster/>
- Bearak, Max and Tato, Luis. The Wild Ride of East Africa’s Favorite Stimulant. The Washington Post, January 17, 2020. <https://www.washingtonpost.com/graphics/2020/world/amp-stories/miraa-east-africa-favorite-stimulant/>
- ANPPCAN. Impact of COVID-19 on Children in Busia, Loitoktok, Marsabit and Nairobi - Kenya 2021. <http://www.anppcan.org/wp-content/uploads/2014/11/Study-on-the-Impact-of-Covid-19-on-Children-4.pdf>
- Agimba, George. Migori: A County Where Child Labour Thrives. Kenya News Agency. December 21, 2020. <https://www.kenyanews.go.ke/migori-a-county-where-child-labour-thrives/>
- ILO. Mapping of initiatives and services addressing child labour, forced labour and human trafficking with a focus on the agricultural sector (coffee, fish, miraa, rice, sand, sisal, sugarcane, tea and tobacco supply chains): A report from the CAPSA Project. October 2021. Source on File.
- Wasike, Andrew. Child labor soars in Kenya during pandemic. AA, June 11, 2021. <https://www.aa.com.tr/en/africa/child-labor-soars-in-kenya-during-pandemic/2270287>
- U.S. Embassy- Nairobi. Reporting. January 14, 2022.
- U.S. Embassy- Nairobi. Reporting. January 24, 2019.
- Mbugua, Sophie. In Kenya’s Drylands, Education is an Insurance Policy, but Only for Some. The New Humanitarian, June 29, 2017. <http://www.thenewhumanitarian.org/feature/2017/06/29/kenya-s-drylands-education-insurance-policy-only-some>
- U.S. Embassy- Nairobi. Reporting. February 13, 2018.
- Schallhorn, Kaitlyn. In Kenya, educators are becoming the front line of defense against child trafficking. The Blaze, April 18, 2017. <http://www.theblaze.com/news/2017/04/18/in-kenya-educators-are-becoming-the-front-line-of-defense-against-child-trafficking>
- U.S. Embassy- Nairobi official. E-mail communication to USDOL official. June 5, 2020.
- OCHA. Drought in Kenya: The Cost of Inaction. November 21, 2021. [https://reliefweb.int/sites/reliefweb.int/files/resources/ROSEA\\_20211209\\_KenyaDrought\\_CostOfInaction\\_def.pdf](https://reliefweb.int/sites/reliefweb.int/files/resources/ROSEA_20211209_KenyaDrought_CostOfInaction_def.pdf)
- Gettleman, Jeffrey and Raj, Suhasini. As Covid-19 Closes Schools, the World’s Children Go to Work. The New York Times. September 27, 2020. <https://www.nytimes.com/2020/09/27/world/asia/covid-19-india-children-school-education-labor.html>
- World Wildlife Federation. Sand Mafias: Environmental Harm, Corruption and Economic Impacts. June 2021. <https://www.worldwildlife.org/pages/tncr-blog-sand-mafias-environmental-harm-corruption-and-economic-impacts>
- The Star. Underage Children engaged in sand harvesting illegally in Magarini. Youtube. July 14, 2021. [https://www.youtube.com/watch?v=vC\\_F5EP5pYQ](https://www.youtube.com/watch?v=vC_F5EP5pYQ)
- Nandiemo, Vivere. Migori Mines Take a Toll on Schooling. The Daily Nation, March 31, 2018. <https://www.nation.co.ke/counties/migori/Migori-mines-take-a-toll-on-schooling/1183306-4366676-2hnp3z/index.html>
- Odeny, Manuel. Migori Gold Rush Wrecks Lives and Destroys Land. The Star, February 1, 2019. <https://www.the-star.co.ke/counties/nyanza/2019-02-01-migori-gold-rush-wrecks-lives-and-destroys-land/>
- UNICEF. Situation Analysis of Children and Women in Kenya, 2017. Published April 2018. <https://www.unicef.org/kenya/reports/situation-analysis-children-and-women-kenya-2017>
- Mohammed, Hussein. Tale of Child Trafficking at the Kenya-Ethiopia Border. October 6, 2019. <https://www.standardmedia.co.ke/ktnnews/video/2000177782/a-tale-of-child-trafficking-at-the-kenya-ethiopia-border-servitude>
- ILO Committee of Experts. Observation concerning Worst Forms of Child Labour Convention, 1999 (No. 182) Kenya (ratification: 2001). Published 2020. [https://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100\\_COMMENT\\_ID:4020283:NO](https://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:4020283:NO)
- Lerner, Sharon. Africa’s Exploding Plastic Nightmare. The Intercept. April 19, 2020. [https://theintercept.com/2020/04/19/africa-plastic-waste-kenya-ethiopia/](https://theintercept.com/2020/04/19/africa-plastic-waste-kenya-ethiopia/Odula,Tom.From%20%27role%20models%27%20to%20sex%20workers%3A%20Kenya%27s%20child%20labor%20rises.The%20Associated%20Press.October%2020,2020.https://apnews.com/article/virus-outbreak-africa-united-nations-kenya-nairobi-4c0fa9421409d2a8e79045ba896f4db7)
- Odula, Tom. From ‘role models’ to sex workers: Kenya’s child labor rises. The Associated Press. October 20, 2020. <https://apnews.com/article/virus-outbreak-africa-united-nations-kenya-nairobi-4c0fa9421409d2a8e79045ba896f4db7>
- VOA. Nairobi street children find savior. December 16, 2020. <https://www.voaswahili.com/a/watoto-wa-mitaani-nairobi-wapata-mwokozi/5702301.html>

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

- 33 Mkongo, Malemba. Students fight sex slavery and forced labour among children in Mombasa. *The Star*, November 3, 2017. Source on file.
- 34 U.S. Embassy- Nairobi. Reporting. January 13, 2021.
- 35 Wesangula, Daniel. Culture and Greed Fueling Child Sexual Exploitation. *The Standard*, December 21, 2020. <https://www.standardmedia.co.ke/article/2001353966/culture-and-greed-fuelingchild-sexual-exploitation>
- 36 Bhalla, Nita. Child Sex for a Dollar on Kenya's Palm-Fringed Beaches. *Reuters*, June 14, 2018. <https://www.reuters.com/article/us-kenya-tourism-prostitution/child-sex-for-a-dollar-on-kenyas-palm-fringed-beaches-idUSKBN1JA2NE>
- 37 ILO Committee of Experts. Direct Request concerning Worst Forms of Child Labour Convention, 1999 (No. 182) Kenya (ratification: 2001). Published 2020. [https://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100\\_COMMENT\\_ID:4020287:NO](https://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:4020287:NO)
- 38 International Justice Mission, et. al. Commercial Sexual Exploitation of Children in Kenya. 2020. Source on file.
- 39 U.S. Department of State. Trafficking in Persons Report- 2021: Kenya. Washington, D.C., July 1, 2021. <https://www.state.gov/reports/2021-trafficking-in-persons-report/kenya/>
- 40 Mwangi, James. Nairobi drug dealers employ street kids to sell guns, heroin. *The Standard*, November 2018. <https://www.standardmedia.co.ke/entertainment/city-news/2001303713/nairobi-drug-dealers-employ-street-kids-to-sell-guns-heroin>
- 41 Gumba, Deo. Drug trafficking / Armed gangs are perpetuating Mombasa's narco-city image. *ENACT*, September 9, 2020. <https://enactafrica.org/enact-observer/armed-gangs-are-perpetuating-mombasas-narco-city-image>
- 42 Kenya 24 News. Juvenile gangs wreaking havoc in Mombasa. September 3, 2021. <https://www.kenya24news.com/kenya/juvenile-gangs-wreaking-havoc-in-mombasa/193650-news>
- 43 Vidiya, Patrick. Promise of easy money lures idle kids to gangs. *The Star*, October 28, 2020. <https://www.the-star.co.ke/news/big-read/2020-10-28-promise-of-easy-money-lures-idle-kids-to-gangs/#:~:text=Recruits are tasked with sending calls to the unsuspecting victims>
- 44 Kaberia, Judie. The Agony of Child Labor Trafficking in Kenya. *Capital News*, September 13, 2020. <https://www.capitalfm.co.ke/news/2020/09/the-agonies-of-child-labor-trafficking-in-kenya/>
- 45 ILO Committee of Experts. Observation concerning Worst Forms of Child Labour Convention, 1999 (No. 182) Kenya (ratification: 2001). Published 2021. [https://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100\\_COMMENT\\_ID:4056504](https://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:4056504)
- 46 Okumu, Willis and Annette Kirabira. Girls from Karamoja sold for US\$5 and trafficked to Nairobi. *Enacted*, July 21, 2021. <https://enactafrica.org/enact-observer/girls-from-karamoja-sold-for-us5-and-trafficked-to-nairobi>
- 47 Kenya Alliance for Advancement of Children. Sexual Exploitation of Children in Kenya, Submission for the Universal Periodic Review of the Human Rights situation in Kenya. July 18, 2019 <https://uprdoc.ohchr.org/uprweb/downloadfile.aspx?filename=7430&file=EnglishTranslation>
- 48 Women's Refugee Commission. "We Have a Broken Heart": Sexual Violence against Refugees in Nairobi and Mombasa, Kenya. October 2019 <http://www.womensrefugeecommission.org/research-resources/we-have-a-broken-heart-sexual-violence-against-refugees-in-nairobi-and-mombasa-kenya/>
- 49 Etyang, Hesborn. Child labour fuels spread of HIV in Turkana. *The Star*, February 17, 2020. <https://www.the-star.co.ke/news/2020-02-17-child-labour-fuels-spread-of-hiv-in-turkana/>
- 50 Bhalla, Nita. Kenya orders probe into rise in violence against women and girls during pandemic. *Reuters*, July 6, 2020. <https://www.reuters.com/article/us-health-coronavirus-kenya-women-trfn/kenya-orders-probe-into-rise-in-violence-against-women-and-girls-during-pandemic-idUSKBN2472ER>
- 51 Odula, Tom. A pandemic atlas: Kenya's youth suffer collateral damage. *The Associated Press*, December 16, 2020. <https://apnews.com/article/pandemics-nairobi-coronavirus-pandemic-east-africa-africa-071a272cf781527c6d82f996d74827d3>
- 52 U.S. Department of State. Trafficking in Persons Report- 2020: Kenya. Washington, D.C., June 25, 2020. <https://www.state.gov/reports/2020-trafficking-in-persons-report/kenya/>
- 53 Wasike, Andrew, and Mukami, Magdalene. Kenya: Children Descend into Hard Earth to Dig for Gold. *AA*, June 12, 2019. <https://www.aa.com.tr/en/africa/kenya-children-descend-into-hard-earth-to-dig-for-gold/1501861>
- 54 Makori, Abuga. Jubaland minister lands in Kenya after escaping from Mogadishu jail. *Garowe*, February 1, 2020. <https://www.garoweonline.com/en/news/somalia/somalia-jubaland-minister-lands-in-kenya-after-escaping-from-mogadishu-jail>
- 55 Day, Adam. Hybrid Conflict, Hybrid Peace: How Militias and Paramilitary Groups Shape Post-Conflict Transitions. New York: United Nations University, 2020 <https://cpr.unu.edu/research/projects/hybrid-conflict.html#outline>
- 56 Valar Frontier Solutions. Gedo at the Crossroads: Factionalism, Resectorization, and Divided Loyalties. July 28, 2018. Source on File.
- 57 ICF Consultant. Phone communication with USDOL officials. June 1, 2022.
- 58 UN. Children and Armed Conflict in Somalia. March 4, 2020. <https://reliefweb.int/sites/reliefweb.int/files/resources/N2005820.pdf>
- 59 UN Security Council. Report of the Secretary-General on Children and Armed Conflict, A/75/873-S/2021/437. May 6, 2021. [https://www.un.org/ga/search/view\\_doc.asp?symbol=S/2021/437&Lang=E&Area=UNDOC](https://www.un.org/ga/search/view_doc.asp?symbol=S/2021/437&Lang=E&Area=UNDOC)
- 60 UN Security Council. Report of the Secretary-General on Children and Armed Conflict, A/76/871-S/2022/493 June 23, 2022. <https://documents-dds-ny.un.org/doc/UNDOC/GEN/N22/344/71/PDF/N2234471.pdf>
- 61 Shabelle TV. 15 jir kamid ahaa Ciidamadii Wasiir Janan oo sheegay in lagu soo qalday Dagaalkii Balad Xaawo. February 7, 2021. <https://www.youtube.com/watch?v=GBCsFVNxGwE>
- 62 Government of Kenya. The Basic Education Act, 14. Enacted: January 14, 2013. <http://ilo.org/dyn/natlex/docs/ELECTRONIC/94495/117651/F-1505056566/KEN94495.pdf>
- 63 Government of Kenya. The Births and Deaths Registration Act. Enacted: 2010. Source on file.
- 64 Freytsis, Maria, et. al. Development of a Mobile, Self-Sovereign Identity Approach for Facility Birth Registration in Kenya Frontiers in Blockchain. February 15, 2021. <https://doi.org/10.3389/fbloc.2021.631341>
- 65 Government of Kenya. The Children Act, 141. Enacted: 2010. [https://bettercarenetwork.org/sites/default/files/The Children's Act, Kenya\\_0.pdf](https://bettercarenetwork.org/sites/default/files/The%20Children's%20Act,%20Kenya_0.pdf)
- 66 Morris, Tanasia. Building A High School for Girls in Kenya. *Fordham News*, June 8, 2017. <https://news.fordham.edu/faith-and-service/building-a-high-school-for-girls-in-kenya/>
- 67 Jena, Nalin. Making textbooks affordable and available for every student in Kenya. *World Bank Blogs*, March 22, 2018 <https://blogs.worldbank.org/education/making-textbooks-affordable-and-available-every-student-kenya>
- 68 Mutege, Reuben Gitonga. Demand for Education in Kenya: The Effect of School Uniform Cost on Access to Secondary Education. *European Journal of Educational Sciences*, June 2018. <https://eric.ed.gov/?id=EJ1235977>



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

- 69 Muchunguh, David. Headache for Parents as Schools Demand Fees. *AllAfrica*, September 27, 2021. <https://allafrica.com/stories/202109270109.html>
- 70 UN Committee on the Elimination of Discrimination against Women. Summary record of the 1547th meeting. November 14, 2017: CEDAW/C/SR.1547. [http://tbinternet.ohchr.org/\\_layouts/treatybodyexternal/Download.aspx?symbolno=CEDAW/C/SR.1547&Lang=en](http://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=CEDAW/C/SR.1547&Lang=en)
- 71 Oduor, Augustine. Study Reveals Shocking Rate of Sex Crimes in Schools. June 6, 2018. <https://www.standardmedia.co.ke/article/2001283031/study-reveals-shocking-rate-of-sex-crimes-in-schools>
- 72 White, Rochelle. Access to primary schools and quality of education in Kenya Arcgis. December 15, 2020. <https://storymaps.arcgis.com/stories/ea450696c6524c23aba39030957e6ae/print>
- 73 Muchunguh, David. Kenya: Schools in Need of 60,000 Teachers As Form One Double Intake Looms. *AllAfrica*. 2021. <https://allafrica.com/stories/202102180081.html>
- 74 U.S. Department of State. Country Reports on Human Rights Practices-2020: Kenya. Washington, D.C., March 2021. <https://www.state.gov/wp-content/uploads/2021/03/KENYA-2020-HUMAN-RIGHTS-REPORT.pdf>
- 75 Matengo, Dinah. For Dadaab's Children, Access to Education is Still Limited. *CGTN Africa*, June 10, 2019. <https://africa.cgtn.com/2019/06/10/for-dadaabs-children-access-to-education-is-still-limited/>
- 76 Butrymowicz, Sarah. Refugee girls want to improve the world. Will we let them do so? *Hechinger Report*, January 9, 2019. <https://hechingerreport.org/refugee-girls-want-to-improve-the-world-will-we-let-them-do-so/>
- 77 Human Rights Watch. Leave No Girl Behind in Africa: Discrimination in Education against Pregnant Girls and Adolescent Mothers. 2018. <https://www.hrw.org/report/2018/06/14/leave-no-girl-behind-africa/discrimination-education-against-pregnant-girls-and>
- 78 Mlaba, Khanyi. Thousands of Children in Kenya Failed to Return to School This Week. *Global Citizen*, Jan 8, 2021. <https://www.globalcitizen.org/en/content/children-missing-out-on-school-kenya-covid/>
- 79 Oduor, August. Shock of counties with 1.8m missing school children. *The Standard*, October 18, 2021. <https://www.standardmedia.co.ke/education/article/2001426738/shock-of-counties-with-1.8m-missing-school-children>
- 80 Government of Kenya. The Employment Act, 11. Enacted: October 22, 2007. Source on file.
- 81 Government of Kenya. The Employment (General) Rules, 2014. Enacted: March 2014. Source on file.
- 82 Government of Kenya. The Constitution of Kenya. Enacted: 2010. Source on file.
- 83 Government of Kenya. The Sexual Offences Act, 3. Enacted: July 21, 2006. Source on file.
- 84 Government of Kenya. Penal Code, 63. Enacted: 2009. Source on file.
- 85 Government of Kenya. Counter-Trafficking in Persons Act. Enacted: 2010. Source on file.
- 86 Government of Kenya. Kenya Defence Forces Act. Enacted: 2012. Source on file.
- 87 ILO Committee of Experts. Direct Request concerning Minimum Age Convention, 1973 (No. 138) Kenya (ratification: 1979) Published 2020. [https://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100\\_COMMENT\\_ID:4020686:NO](https://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:4020686:NO)
- 88 Government of Kenya. State Department for Labour, Labour Department. Accessed February 25, 2020. <https://labour.go.ke/wp-content/uploads/2019/10/Labour-Department-Brochure.pdf>
- 89 Government of Kenya. Status Report on Children in the Justice System in Kenya. 2019. <https://www.judiciary.go.ke/download/status-report-on-children-in-the-justice-system-in-kenya/>
- 90 Government of Kenya. Anti-Human Trafficking and Child Protection Unit (AHTCPU). Directorate of Criminal Investigations. Accessed March 12, 2021. <https://www.cid.go.ke/index.php/sections/investigationunits/anti-human-trafficking-child-protection-unit-ahtcpu.html>
- 91 Government of Kenya. Department of Children's Services. Accessed February 25, 2020. <https://www.socialprotection.go.ke/children-services/>
- 92 U.S. Embassy- Nairobi Official. Written communication with USDOL Official. June 29, 2022.
- 93 Government of Kenya. Labour Institutions Act. Enacted: 2007, Revised edition 2012. [https://www.ilo.org/dyn/natlex/docs/ELECTRONIC/78260/83539/F-1091781562/KEN78260\\_2012.pdf](https://www.ilo.org/dyn/natlex/docs/ELECTRONIC/78260/83539/F-1091781562/KEN78260_2012.pdf)
- 94 Government of Kenya. Social Protection, Culture and Recreation Sector Report 2021/22-23/24. November 2020. <https://www.treasury.go.ke/wp-content/uploads/2021/05/SOCIAL-PROTECTION-CULTURE-AND-RECREATION-SECTOR-REPORT.pdf>
- 95 Government of Kenya Social Protection, Culture, and Recreation Sector Report 2022/2023-2024/2025. October 2021. <https://www.treasury.go.ke/wp-content/uploads/2021/05/SOCIAL-PROTECTION-CULTURE-AND-RECREATION-SECTOR-REPORT.pdf>
- 96 U.S. Embassy- Nairobi official. E-mail communication to USDOL official. May 27, 2021.
- 97 UN. World Economic Situation and Prospects. 2021 Statistical Annex. New York, 2021. Please see "Labor Law Enforcement: Sources and Definitions" in the Reference Materials section of this report. [https://www.un.org/development/desa/dpad/wp-content/uploads/sites/45/WESP2021\\_ANNEX.pdf](https://www.un.org/development/desa/dpad/wp-content/uploads/sites/45/WESP2021_ANNEX.pdf)
- 98 ILO. Labor Force Statistics (LFS)—Population and labour force. Accessed February 7, 2022. Labor force data is government-reported data collected by the ILO. Please see "Labor Law Enforcement: Sources and Definitions" in the Reference Materials section of this report. <https://ilostat.ilo.org/data/>
- 99 CIA. The World Factbook. Accessed April 2, 2021. Please see "Labor Law Enforcement: Sources and Definitions" in the Reference Materials section of this report. <https://www.cia.gov/the-world-factbook/countries/kenya/>
- 100 Musyoka, Michael. Badi Faces Backlash for Employing Children. *Kenya's*, October 31, 2020. [https://www.kenyans.co.ke/news/58747-badi-faced-backlash-hiring-street-children#:~:text=Nairobi Metropolitan services \(NMS\) boss Mohammed Badi has faced backlash,Grogan Road in Nairobi CBD](https://www.kenyans.co.ke/news/58747-badi-faced-backlash-hiring-street-children#:~:text=Nairobi%20Metropolitan%20services%20(NMS)%20boss%20Mohammed%20Badi%20has%20faced%20backlash,Grogan%20Road%20in%20Nairobi%20CBD)
- 101 U.S. Embassy- Nairobi. Reporting. February 4, 2022.
- 102 Lwanga, Charles. Man Jailed for 30 Years for Human Trafficking. *The People Daily*, December 9, 2021. Source on file.
- 103 Government of Kenya. Performance Contract Between the Government of Kenya Through the Ministry of Labour and Social Protection and the Council of Directors of the National Council for Children's Services. 2018. [http://www.childrenscouncil.go.ke/images/documents/Policy\\_Documents/NCCS-performance-contract-2018-19.pdf](http://www.childrenscouncil.go.ke/images/documents/Policy_Documents/NCCS-performance-contract-2018-19.pdf)
- 104 Government of Kenya. National Plan of Action for Children in Kenya. 2015. <https://bettercarenetwork.org/sites/default/files/2020-10/National-Plan-of-Action-for-Children-in-Kenya-2015-2022.pdf>
- 105 ILO. Strengthening Government's Capacity to Address Child Labor and/or Forced Labor and Violations of Acceptable Work Conditions in Sub-Saharan Africa. 2020: Technical Progress Report. Source on file.
- 106 Government of Kenya official. Interview with USDOL official. March 22, 2021.
- 107 U.S. Embassy- Nairobi official. E-mail communication to USDOL official. February 16, 2021.



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

- 108 Republic of Kenya, Ministry of Labour, Social Security and Services. Sessional Paper No. 1 of 2015 on the National Policy on Elimination of Child Labour. 2013. Source on file.
- 109 ILO. Mapping of the existing labour law and policy framework, enforcement structures, systems and processes relating to child labour, forced labour, human trafficking, and violations of acceptable conditions of work in Kenya. October 2021. Source on file.
- 110 Government of Kenya. Ministry of Labour and Social Protection Strategic Plan, 2018–2022. September 17, 2019.  
[https://labour.go.ke/wp-content/uploads/2019/09/MLSP-Strategic-Plan-2018-2022\\_17.09.2019.pdf](https://labour.go.ke/wp-content/uploads/2019/09/MLSP-Strategic-Plan-2018-2022_17.09.2019.pdf)
- 111 Government of Kenya. National Prevention and Response Plan on Violence Against Children in Kenya, 2019–2023. June 2020.  
[https://www.unicef.org/kenya/media/1526/file/National Prevention & Response Plan on VAC.pdf](https://www.unicef.org/kenya/media/1526/file/National%20Prevention%20&%20Response%20Plan%20on%20VAC.pdf)
- 112 Government of Kenya. Session Paper No. 4 of 2013 on Employment Policy and Strategy for Kenya. 2013.  
[https://edmsp1 ilo.org/edmsp1/groups/public/documents/6008/cdff/mtc0/~edisp/edmsp1\\_174609.pdf](https://edmsp1 ilo.org/edmsp1/groups/public/documents/6008/cdff/mtc0/~edisp/edmsp1_174609.pdf)
- 113 Government of Kenya. The Framework for the National Child Protection System for Kenya. Nairobi: The National Council for Children's Services, November 2011.  
<http://resourcecentre.savethechildren.se/sites/default/files/documents/5429.pdf>
- 114 U.S. Embassy- Nairobi. Reporting. February 13, 2017.
- 115 Government of Kenya. Third Generation Decent Work Country Program. November 2021.  
[https://www.ilo.org/wcmsp5/groups/public/---ed\\_mas/---program/documents/genericdocument/wcms\\_829831.pdf](https://www.ilo.org/wcmsp5/groups/public/---ed_mas/---program/documents/genericdocument/wcms_829831.pdf)
- 116 UNICEF. Kenya- 2019 Appeal. Accessed August 2, 2019. Source on file.
- 117 U.S. Department of Labor. CAPSA- Capacity Strengthening of Governments to Address Child Labor and/or Forced Labor, and Violations of Acceptable Conditions of Work in Sub-Saharan Africa. Accessed April 7, 2021.  
<https://www.dol.gov/agencies/ilab/capsa-capacity-strengthening-governments-address-child-labor-and-or-forced-labor-and>
- 118 U.S. Department of Labor. Better Utilization of Skills for Youth (BUSY) through Quality Apprenticeships. Accessed April 7, 2021.  
<https://www.dol.gov/agencies/ilab/projects/kenya-apprenticeships>
- 119 ILO. Technical Progress Report, Better Utilization of Skills for Youth through Quality Apprenticeships (BUSY) Project, December 2021 Source on file.
- 120 Auma Otieno, Monica and Joan Achieng Ochieng. Impact of 100 Per Cent Transition Policy on Public Secondary Schools in Machakos Sub-County, Kenya: Focusing on Coping Strategies. Journal of Education and Practice. 2020.  
<https://iiste.org/Journals/index.php/JEP/article/view/53861#:~:text=The study results found 100,to cope with the situation>
- 121 Abuya, Benta. Secondary Education: Kenya Needs to Think Beyond 100% Transition. The Elephant, October 1, 2021.  
<https://www.theelephant.info/data-stories/2021/10/01/secondary-education-kenya-needs-to-think-beyond-100-transition/#:~:text=Secondary Education: Kenya Needs to Think Beyond 100% Transition,-October 1, 2021&text=Overall, a secondary education levels,a higher standard of living>
- 122 Kibaara, Janerose Mutegi. Kenya's education goals face the challenges of affordability, traditions and COVID-19. The Conversation, October 3, 2021.  
<https://theconversation.com/kenyas-education-goals-face-the-challenges-of-affordability-traditions-and-covid-19-168113>
- 123 Shatuma, Laura. Officials to hunt for truant Form 1s. The Star, August 21, 2021.  
<https://www.the-star.co.ke/news/2021-08-21-officials-to-hunt-for-truant-form-1s/>
- 124 UNICEF. New drive launched to get 250,000 out-of-school children back to class in 16 counties. October 19, 2021.  
<https://www.unicef.org/kenya/press-releases/new-drive-launched-get-250000-out-school-children-back-class-16-counties>

In 2021, Kiribati made moderate advancement in efforts to eliminate the worst forms of child labor. During the reporting period, the government funded a pilot program to conduct child labor inspections and collect data on the nature of child labor.

The government also provided data on labor law enforcement and criminal law enforcement efforts in 2021. Additionally, the government finalized and endorsed an interagency referral pathway that strengthens child protection case management.

However, although research is limited, there is evidence that children in Kiribati are subjected to the worst forms of child labor, including in commercial sexual exploitation. Existing laws do not identify hazardous occupations and activities prohibited for children. In addition, the government has not adopted a national policy to address 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 are subjected to the worst forms of child labor, including in commercial sexual exploitation. (1-3) 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	14.6 (Unavailable)
Attending School (%)	5 to 14	95.8
Combining Work and School (%)	7 to 14	29.7
Primary Completion Rate (%)		93.4

Source for primary completion rate: Data from 2020, published by UNESCO Institute for Statistics, 2022. (4)

Source for all other data: International Labor Organization's analysis of statistics from Multiple Indicator Cluster Survey 6, 2018–2019. (5)

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

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

Sector/Industry	Activity
Industry	Construction and cargo loading (1)
Services	Street work, including vending and working in kava bars (6)
Categorical Worst Forms of Child Labor‡	Commercial sexual exploitation, including on foreign fishing vessels (1-3)

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

According to the Social Development Indicator Survey 2018–2019, 25.4 percent of Kiribati children ages 5–17 are involved in child labor, with 14.9 percent of those children working under hazardous conditions. Although the survey results did not include information on the specific sectors in Kiribati in which children are engaged in work, children living in rural areas and poorer households were more likely to be more engaged in hazardous conditions compared with children in urban areas or wealthier households. (6,7) During the reporting period, the Ministry of Employment and Human Resources (MEHR) conducted its first pilot child labor inspection, visiting 35 sites in South Tarawa, Kiribati's most populated and urban area, to collect data on the nature of child labor in Kiribati. (6)

Evidence indicates that girls are subjected to commercial sexual exploitation. (3) Underage girls were allegedly subjected to commercial sexual exploitation with crew members from foreign fishing vessels. In exchange, the

# Kiribati

## MODERATE ADVANCEMENT




girls were given cash, alcohol, food, and goods. (1,2) COVID-19 pandemic-related regulations restricting the entry of vessels into Kiribati may have had an effect on decreasing instances of commercial sexual exploitation of children by crewmembers during the reporting period. (6)

Under the Free Education Policy, the government provides free education—including tuition, stationery, and transportation—to children. Through collaborations with UNICEF and other governments, the Government of Kiribati has improved learning spaces, access, and sanitation at schools. (6) The government has worked with UNICEF to strengthen birth registrations by conducting free mobile registration clinics in outer islands, which has continued during the reporting period. (2,6) Children do not experience barriers to education due to a lack of identity documents, their disability status, or access to schools from remote islands. (6) Furthermore, in response to the COVID-19 pandemic and disruptions to children's education, which continued during the reporting period, the Government of Kiribati launched a pilot radio and digital remote learning platform for students through the Global Partnership for Education grant secured in 2020. (6)

## 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 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	14	Section 115 of the Employment and Industrial Relations Code (8)
Minimum Age for Hazardous Work	Yes	18	Section 117 of the Employment and Industrial Relations Code (8)
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 (8,9)
Prohibition of Child Trafficking	Yes		Sections 2 and 43–44 of the Measures to Combat Terrorism and Transnational Organized Crime Act; Section 118(1)(b) of the Employment and Industrial Relations Code (8,10)
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 (8,9)
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 (8,9)
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	Yes		Sections 118(1)(e) of the Employment and Industrial Relations Code (8)
Compulsory Education Age	Yes	15	Section 7 of the Education Act (11)
Free Public Education	Yes		Section 11 of the Education Act (11)

† Country has no standing military. (12)

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. (8) During the reporting period, MEHR finalized the regulations on hazardous work and light work for children, which are currently in review by the Office of the Attorney General before adoption by the Cabinet. (6,13)

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. (8,11)

### III. ENFORCEMENT OF LAWS ON CHILD LABOR

The government has established institutional mechanisms for the enforcement of laws and regulations on child labor (Table 5).

**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. (6)
Kiribati Police Services	Enforces criminal laws related to the worst forms of child labor. (6) 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. (15) Assists with the implementation of the Children, Young People, and Family Welfare Act. Coordinates the SafeNet referral system. (6)

During the reporting period, MEHR held meetings with the Ministry of Women, Youth, Sports, and Social Affairs (MWYSSA) and the Kiribati Police Services to coordinate referrals of children found in child labor. (6)

#### **Labor Law Enforcement**

In 2021, labor law enforcement agencies in Kiribati took actions to address child labor (Table 6). However, gaps exist within the operations of MEHR that may hinder adequate labor law enforcement, including lack of labor inspector training for new inspectors.

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

Overview of Labor Law Enforcement	2020	2021
Labor Inspectorate Funding	Unknown	\$17,300 (6)
Number of Labor Inspectors	5 (2)	5 (6)
Mechanism to Assess Civil Penalties	Yes (8)	Yes (8)
Initial Training for New Labor Inspectors	No (2)	No (6)
Training on New Laws Related to Child Labor	N/A	N/A (6)
Refresher Courses Provided	No (2)	No (6)

## MODERATE ADVANCEMENT

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

Overview of Labor Law Enforcement	2020	2021
Number of Labor Inspections Conducted	63 (2)	81 (6)
Number Conducted at Worksite	63 (2)	81 (6)
Number of Child Labor Violations Found	0 (2)	9 (6,13)
Number of Child Labor Violations for Which Penalties Were Imposed	0 (2)	0 (6)
Number of Child Labor Penalties Imposed that Were Collected	0 (2)	0 (6)
Routine Inspections Conducted	Yes (2)	Yes (6)
Routine Inspections Targeted	No (2)	Yes (6)
Unannounced Inspections Permitted	Yes (8)	Yes (8)
Unannounced Inspections Conducted	No (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 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. During the reporting period, the government conducted its first child labor inspection in the capital Tarawa—the most populous island, which focused on places at high risk of child labor. (6) Nine children ages 10 to 16 were found involved in hazardous work related to street vending and working during late hours. These children were subsequently referred to the Kiribati Police Services and the MWYSSA for further action. (13)

The labor inspectorate has a budget of \$17,300 and employs 5 labor inspectors, who conducted 81 inspections in 2021, up from 63 in 2020. (6) According to the ILO's technical advice of a ratio approaching 1 inspector for every 40,000 in less developed countries, Kiribati would need to employ roughly 1 inspector. (16,17) However, 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) In addition, research indicates that labor inspections have not been extended to informal and high-risk sectors where there is evidence of child labor, including its worst forms, such as fishing vessels, kava bars, domestic work, and nightclubs. (13)

Resource and capacity constraints restrict the government's services and activities related to labor law enforcement, including training for labor inspectors. In addition, due to financial constraints, requests to hire two additional labor inspectors were denied. (6) Although virtual trainings for labor inspectors were held with the ILO and the IOM during the reporting period, they were not focused on child labor issues. (6)

### **Criminal Law Enforcement**

In 2021, criminal law enforcement agencies in Kiribati took actions to address child labor. (Table 7). However, gaps exist within the operations of the Kiribati Police Services that may hinder adequate criminal law enforcement, including lack of training for criminal investigators.

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

Overview of Criminal Law Enforcement	2020	2021
Initial Training for New Criminal Investigators	No (2)	No (6)
Training on New Laws Related to the Worst Forms of Child Labor	N/A	N/A (6)
Refresher Courses Provided	No (2)	No (6)
Number of Investigations	Unknown (2)	0 (6)
Number of Violations Found	Unknown (2)	9 (6)
Number of Prosecutions Initiated	Unknown (2)	0 (6)
Number of Convictions	Unknown (2)	0 (6)
Imposed Penalties for Violations Related to the Worst Forms of Child Labor	Unknown (2)	0 (6)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (2)	Yes (6)



Children found in hazardous work situations during the pilot child labor inspection in Tarawa were referred to the Kiribati Police Services and the MWYSSA for further action. (6,13) As the pilot inspection was conducted for awareness of the status of the worst forms of child labor in Kiribati, the cases were not submitted for prosecution, but will be used to prepare for the next round of inspections and subsequent submission of cases to the Kiribati Police Services. (18)

During the reporting period, financial resource constraints hampered the government's ability to provide trainings for criminal investigators. (6)

#### IV. COORDINATION OF GOVERNMENT EFFORTS ON CHILD LABOR

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

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

Coordinating Body	Role & Description
Kiribati National Human Rights Taskforce	Coordinates national UN reports. Comprised of MEHR and MWYSSA. (1) Active during the reporting period, although activities were hampered by the loss of the Country Focal Officer and continued border closures. (18)
Child Protection Working Group	Coordinates child protection issues with MWYSSA. Oversees the implementation of the Child, Young People and Family Welfare Act. (1) Active during the reporting period. (6)

During the reporting period, MEHR's Decent Work Advisory Board initiated discussions to coordinate child labor efforts and tasked MEHR with establishing a Child Labor Working Group. (13) In addition, the government, with support from UNICEF, finalized and endorsed the interagency referral pathway that strengthens child protection case management and referrals. (3,6)

#### 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, and with support from UNICEF, the government began consultations to develop standards and procedures for registering child protection service providers. (6)
United Nations Pacific Strategy (2018–2022)	Addresses, develops, and implements strategic economic development priorities in the South Pacific, including eliminating child labor and the worst forms of child labor. This multi-national strategic framework program comprises 14 South Pacific nations. (19) During the reporting period, activities were conducted under the UNICEF Pacific Multi-Country Child Protection Program (2018–2022). (6)

‡ The government had other policies that may have addressed child labor issues or had an impact on child labor. (1,2,13)

Research found no evidence of a policy that focuses specifically on addressing the worst forms of child labor. (2)

#### VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2021, 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 inadequate efforts to address child labor in all sectors.

# Kiribati

## MODERATE ADVANCEMENT

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

Program	Description
UNICEF Pacific Multi-Country Child Protection Program (2018–2022)	Prioritizes children's rights including the elimination of the worst forms of child labor. Multi-country program in 14 Pacific Island countries aligned with the UN Pacific Strategy (2018–2022). (20) During the reporting period, UNICEF provided trainings for child welfare officers on child protection case management guidelines, and for 20 frontline service providers on mental health and psychosocial support and psychological first aid. (6)
SafeNet†	MWYSSA-coordinated program that allows government, churches, and NGOs to provide assistance to victims found in exploitative and violent situations. (21) Active during the reporting period. (6)
Hotlines†	MWYSSA- and police-supported 24-hour hotlines for children to report violations, request information, or obtain access to services. (21) Active during the reporting period. (6)

† 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. (6,22)

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).

**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 – 2021
	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 – 2021
	Raise the minimum age for work to the age up to which education is compulsory.	2018 – 2021
Enforcement	Institutionalize training on child labor laws for labor inspectors and criminal investigators, including initial training for new labor inspectors and investigators and refresher courses for all existing inspectors and investigators.	2017 – 2021
	Strengthen the labor inspectorate by ensuring sufficient resources to support labor law enforcement activities.	2017 – 2021
	Ensure that labor inspectors are inspecting the informal sector and high-risk sectors where there is evidence of child labor violations, including its worst forms.	2021
Government Policies	Adopt a policy that addresses the worst forms of child labor.	2014 – 2021
Social Programs	Collect and publish data on the extent and nature of child labor in all sectors to inform policies and programs.	2017 – 2021
	Implement social programs to address all relevant forms of child labor, including in construction and street vending.	2017 – 2021
	Implement programs to address the issue of commercial sexual exploitation of young girls by crew members from foreign fishing vessels.	2018 – 2021

## REFERENCES

- 1 U.S. Embassy- Suva. Reporting. January 22, 2020.
- 2 U.S. Embassy- Suva. Reporting. February 21, 2021.
- 3 ILO CEACR. Observation concerning Worst Forms of Child Labour Convention 1999 (No. 182) Kiribati (ratification: 2009). 2022. [https://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100\\_COMMENT\\_ID:4117207](https://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:4117207)
- 4 UNESCO Institute for Statistics. Gross intake ratio to the last grade of primary education, both sexes (%). Accessed March 3, 2022. For more information, please see "Children's Work and Education Statistics: Sources and Definitions" in the Reference Materials section of this report. <http://data.uis.unesco.org/>
- 5 ILO. Analysis of Child Economic Activity and School Attendance Statistics from National Household or Child Labor Surveys. Original data from Multiple Indicator Cluster Survey 6, 2018-2019. Analysis received March 2022. Please see "Children's Work and Education Statistics: Sources and Definitions" in the Reference Materials section of this report.
- 6 U.S. Embassy- Suva. Reporting. January 14, 2022.
- 7 Kiribati National Statistics Office. Kiribati Social Development Indicator Survey 2018–19, Survey Findings Report. South Tarawa, Kiribati- March 2020. <https://asiapacific.unfpa.org/en/publications/kiribati-social-development-indicator-survey-2018-19>
- 8 Government of Kiribati. Employment and Industrial Relations Code. Enacted: December 24, 2015. Source on file.
- 9 Government of Kiribati. Penal Code. Enacted: October 18, 1965. [http://www.paclii.org/ki/legis/consol\\_act/pc66/](http://www.paclii.org/ki/legis/consol_act/pc66/)
- 10 Government of Kiribati. Measures to Combat Terrorism and Transnational Organized Crime Act 2005. Enacted: June 14, 2005. [http://www.paclii.org/ki/legis/num\\_act/mtctatoca2005608/](http://www.paclii.org/ki/legis/num_act/mtctatoca2005608/)
- 11 Government of Kiribati. Education Act 2013, No. 12 of 2013. Enacted: December 30, 2013. Source on file.
- 12 U.S. Department of State. Country Reports on Human Rights Practices- 2020: Kiribati. Washington, D.C., March 30, 2021. <https://www.state.gov/reports/2020-country-reports-on-human-rights-practices/kiribati/>
- 13 ILO CEACR. Direct Request concerning Worst Forms of Child Labour Convention 1999 (No. 182) Kiribati (ratification: 2009). 2022. [https://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100\\_COMMENT\\_ID:4117209](https://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:4117209)
- 14 U.S. Embassy- Suva official. E-mail communication to USDOL official. April 7, 2020.
- 15 Government of Kiribati. Children, Young People and Families Welfare System Policy. April 2012. Source on file.
- 16 UN. World Economic Situation and Prospects 2021: Statistical Annex. 2021. <https://www.un-ilibrary.org/content/books/9789210054980c007>
- 17 ILO Labor Force Statistics (LFS) – Population and labour force. Accessed: January 25, 2022. Labor force data are government-reported data collected by the ILO. Please see "Labor Law Enforcement: Sources and Definitions" in the Reference Materials section of this report. <https://ilostat.ilo.org/data/>
- 18 U.S. Embassy- Suva official. E-mail communication to USDOL official. March 6, 2022.
- 19 UN. United Nations Pacific Strategy 2018–2022: A Multi-Country Sustainable Development Framework in the Pacific Region. 2017. [https://www.unicef.org/about/execboard/files/Final\\_UNPS\\_2018-2022\\_Pacific.pdf](https://www.unicef.org/about/execboard/files/Final_UNPS_2018-2022_Pacific.pdf)
- 20 UN. Strategy Note for the 2018–2022 Pacific Multi-Country Programme of Cooperation. New York, October 10, 2017. Source on file.
- 21 U.S. Embassy- Suva. Reporting. January 9, 2018.
- 22 ILO. Application of International Labor Standards 2021. Geneva, June 14, 2021. [https://www.ilo.org/wcmsp5/groups/public/---ed\\_norm/---relconf/documents/meetingdocument/wcms\\_802543.pdf](https://www.ilo.org/wcmsp5/groups/public/---ed_norm/---relconf/documents/meetingdocument/wcms_802543.pdf)

In 2021, Kosovo made moderate advancement in efforts to eliminate the worst forms of child labor. The government adopted two administrative instructions to facilitate implementation of the new Law on Child Protection, and law enforcement agencies made use of new technologies developed specifically to track child labor cases. Government entities and civil society organizations also participated in trainings on juvenile justice and social protection for vulnerable youth, and the government continued to support a number of social programs for at-risk children. 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 begging and loading and transporting goods. The Labor Inspectorate and Centers for Social Work 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 begging and loading and transporting goods. (1-5) No recent data were available, but the 2013 Multiple Indicator Cluster Survey determined that 5,398 children in Kosovo were subjected to child labor. (6,7) The study also found that 2,168 Roma, Ashkali, and Balkan Egyptian children were subjected to hazardous child labor practices, especially street work. (5,8) 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	9.0 (Unavailable)
Attending School (%)	5 to 14	95.6
Combining Work and School (%)	7 to 14	11.7
Primary Completion Rate (%)		Unavailable

Primary completion rate was unavailable from UNESCO Institute for Statistics, 2021. (9)

Source for all other data: International Labor Organization's analysis of statistics from Multiple Indicator Cluster Survey 6 (MICS 6), 2019–2020. (10)

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

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

Sector/ Industry	Activity
Agriculture	Farming, including operating agricultural machinery† (2-4,11)
	Forestry, including operating machinery and transporting wood (3,12)
Industry	Mining, including underground extraction of coal by hand† (3,4,11)
	Construction and manufacturing, including operation of tools in hazardous worksites† (3,11,12)
Services	Street work,† including vending small items,† manual transport of goods,† and begging† (3,4,11,12)
	Garbage scavenging at dumpsites† (4,11,13,14)

## MODERATE ADVANCEMENT

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

Sector/ Industry	Activity
Categorical Worst Forms of Child Labor‡	Forced begging (1,2,4,5,11)
	Commercial sexual exploitation, sometimes as a result of human trafficking (1,2,4,11,12)
	Use in illicit activities, sometimes as a result of human trafficking (4,11,15)

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

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







Kosovo is a source and destination country for child trafficking, especially of girls. (1,3,4,12) In addition, children are sometimes forced into labor, such as in massage parlors, by organized criminal groups. (1,4,16,17) Kosovan 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. (1,4,5,12,16-23) Economically vulnerable Kosovan children are sometimes forced to work in construction and agriculture to support their families. (12)

Children from minority ethnic communities, especially girls, sometimes experience difficulty accessing education, in part due to a lack of native-language educational materials and insufficient subsidized transportation for rural children. In addition, according to national standards on education, children should not be excluded from schooling due to a lack of birth documentation, but some undocumented child laborers encountered challenges to school enrollment. (4,24-27) Children who do not attend school are vulnerable to the worst forms of child labor. (28)

## 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. (29) Despite Kosovo’s unique status, the country worked with the UN through the Sustainable Development Cooperation Framework (2021–2025), which was implemented by the UN Kosovo Team and focused on promoting international standards and human rights. (30)

The government has established laws and regulations related to child labor (Table 4). However, gaps exist in Kosovo’s legal framework to adequately protect children from the worst forms of child labor, including the minimum age for work.



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

Standard	Meets International Standards	Age	Legislation
Minimum Age for Work	Yes	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	Yes		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 38 and 39 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)

\* Country has no conscription (41)

‡ Age calculated based on available information (40)

In 2021, the Ministry of Finance, Labor, and Transfers (MFLT) began to draft amendments to two existing Administrative Instructions on the prevention and prohibition of hazardous child labor and the identification, reporting, and referral of exploitation, negligence, and abuse of children. (4) During the reporting period, the government instituted the new Administrative Instruction for the Implementation of Child-Friendly Justice in Criminal, Civil, and Administrative Proceedings. The government also began drafting the Administrative Instruction on Measures for the Protection of Children against Websites with Pornographic Content and those that Harm the Health and Life of the Child. (4) In 2021, Save the Children cooperated with the MFLT to establish secondary legislation allowing for sustained financing for child protection services, in addition to securing comprehensive shelter and residential services for children without parental care, and continuing efforts to prevent hazardous child labor. (4)

### III. ENFORCEMENT OF LAWS ON CHILD LABOR

The government has established institutional mechanisms for the enforcement of laws and regulations on child labor (Table 5). However, gaps exist within the 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. (4)
Kosovo Police (KP)	Enforce criminal laws on forced child labor and commercial sexual exploitation of children. Through the Anti-Trafficking Directorate, enforce laws on child trafficking. (2,3,11) Operate under the Ministry of Internal Affairs. (4)

## MODERATE ADVANCEMENT

**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. (11)
Ministry of Education, Science, Technology, and Innovation	Conducts education inspections regarding the balance of students' school and work hours. (42)

There is limited inter-ministerial communication between the Ministry of Internal Affairs and other government entities on issues concerning policymaking and enforcement related to child labor. (3,4,25) Multiple entities have reported that there is insufficient institutional capacity at the central and municipal levels and a need to improve funding and human resources for the Centers for Social Work (CSWs). This lack of institutional commitment compromised the ability of CSWs to address cases of child labor in a competent and adequate manner. (4,15,43-45) In March 2021, the Ministries of Infrastructure and Environment, Economy, and Health, and MFLT were tasked with the duties of the former Ministry of Labor and Social Welfare. (4)

**Labor Law Enforcement**

In 2021, labor law enforcement agencies in Kosovo took actions to address 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 insufficient human resource allocation.

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

Overview of Labor Law Enforcement	2020	2021
Labor Inspectorate Funding	\$894,784 (4)	\$920,700 (4)
Number of Labor Inspectors	37 (11)	37 (7)
Mechanism to Assess Civil Penalties	Yes (11)	Yes (31)
Initial Training for New Labor Inspectors	N/A (11)	N/A
Training on New Laws Related to Child Labor	Yes (11)	No (7)
Refresher Courses Provided	Yes (11)	No (7)
Number of Labor Inspections Conducted	7,105 (11)	10,162 (7)
Number Conducted at Worksite	7,105 (11)	4,623 (7)
Number of Child Labor Violations Found	0 (11)	0 (7)
Number of Child Labor Violations for Which Penalties Were Imposed	N/A (11)	N/A
Number of Child Labor Penalties Imposed that Were Collected	N/A (11)	N/A
Routine Inspections Conducted	Yes (3)	Yes (7)
Routine Inspections Targeted	Yes (11)	Yes (7)
Unannounced Inspections Permitted	Yes (31)	Yes (31)
Unannounced Inspections Conducted	Yes (11)	Yes (7)
Complaint Mechanism Exists	Yes (11)	Yes (4)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (11)	Yes (4)

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. (4,28,46,47)

During the reporting period, the Labor Inspectorate continued to operate under its comprehensive strategy for conducting child labor inspections. (4,11,48,49) Labor inspectors receive initial training when hired; however, these initial trainings do not cover child labor as a separate category. (11,49)

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. (4,31-33) In addition, the Labor Inspectorate coordinates inspections with CSWs for suspected abuse of children under age 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. (11,12,50)

### **Criminal Law Enforcement**

In 2021, criminal law enforcement agencies in Kosovo took actions to address 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 training for criminal investigators on the identification of forced begging cases.

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

Overview of Criminal Law Enforcement	2020	2021
Initial Training for New Criminal Investigators	No (11)	No (4)
Training on New Laws Related to the Worst Forms of Child Labor	No (11)	No (4)
Refresher Courses Provided	No (11)	No (4)
Number of Investigations	62 (11)	124 (4)
Number of Violations Found	79 (11)	99 (4)
Number of Prosecutions Initiated	37 (11)	67 (4)
Number of Convictions	Unknown	7 (4)
Imposed Penalties for Violations Related to the Worst Forms of Child Labor	Unknown	Unknown
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (11)	Yes (4)

The KP tracks children referred to CSWs as a result of investigations conducted by its domestic violence and human trafficking units. (11,51) In 2021, the KP received a number of trainings related to child labor, including trainings on the protection of children who commit criminal offenses and proper procedures for assisting refugee and migrant children, as well as a workshop for police about the standard operating procedures followed by social workers. In addition, the Kosovo Justice Academy provided a workshop on the worst forms of child labor for judges and prosecutors, and the Ministry of Justice participated in a regional conference on strengthening protections for children who have come into conflict with the law. (4,52)

In 2021, the KP identified 19 children as victims of human trafficking and forced labor in commercial prostitution and 3 children as victims of child pornography. Furthermore, the KP reported that 124 new investigations were opened against suspected human traffickers and that 13 cases from the previous year were still under review. (4) During the reporting period, 306 children were identified as having taken part in child begging by the KP through both targeted operations and routine traffic inspections. One individual was indicted on charges of trafficking in persons for the purpose of forced labor after allegedly forcing seven children to engage in street vending by selling small items in Pristina. (4) However, authorities did not consistently identify cases of forced begging, which are instead typically classified as parental neglect or abuse. (11,16,43)

## **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 effective coordination of efforts to address child labor, including efficacy in accomplishing mandates.

## MODERATE ADVANCEMENT

**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. (11) Chaired by the Minister of Finance, Labor, and Transfers. (4) Comprises representatives of government agencies, KP, trade unions, and an NGO. (2) Met twice during the reporting period. In 2021, the Committee drafted a revised action plan to facilitate coordination of efforts to prevent hazardous child labor at the central and local levels of government, in addition to creating sub-legislation related to the 2020 Law on Child Protection. (4)
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. (3) During the reporting period, child labor monitoring efforts included moving digital management of child labor cases from the government's social services database to the purview of the newly formed Ministry of Finance, Labor, and Transfers. (4)
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). (17) NATC is a deputy Interior Minister. (50,53) Includes representatives from the government, judiciary, municipal offices, NGOs, and the international community. (53,54) During the reporting period, NAATIP continued to hold regular meetings. (55)
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. (11) Research was unable to determine whether the municipal local action committees were active during the reporting period.

Since 2013, the government has been collecting and processing data on labor violations, which it then makes available to all ministries and law enforcement bodies. (3)

During the reporting period, the Inter-Ministerial Committee for the Rights of the Child met to discuss efforts to reduce child poverty, expand protections for children with disabilities, and improve children's health services. (56) The MFLT also finalized materials dictating the roles and standard operating procedures necessary for prevention, identification, data gathering, referral, and treatment of children found to be engaged in hazardous child labor. The MFLT also began to use a new digital case management system for child labor, replacing the previous system which was under the government social services system. (4) The Ministry of Agriculture has also conducted awareness-raising activities for parents and children highlighting the risks of child labor. (45,57)

## 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
Children's Rights Action Plan (2019–2021)	Aimed to improve social, economic, and legislative rights and the protection of children through developing institutions at the local and national levels. (58,59) Included an accompanying Children's Rights Strategy (2019–2023). (45,58,59) Active in 2021. (4)
Strategy on the Rights of the Child (2019–2023)	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. (11) Active in 2021. (4)
Strategy for the Inclusion of Roma and Ashkali Communities (2017–2021)	Focused on employment, social issues, healthcare, and housing for the Ashkali and Roma communities. Aimed to strengthen individuals' rights and full integration into society. (3) Included targeted components that promoted inclusive education for children from the Ashkali and Roma communities. (60) Active in 2021. (4)
Kosovo Education Strategic Plan (2017–2021)	Emphasized the inclusion of vulnerable minorities in the education system, especially for preschool children of the Roma, Ashkali, and Balkan Egyptian communities. Established regulations at the municipality level to facilitate preschool enrollment and raise awareness of school attendance and enrollment. (61) Active in 2021. (4)
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 benefit from social services, education, and safety. (62) Active in 2021. (4)

During the reporting period, the National Strategy Against Human Trafficking (2020–2024) was partially implemented through awareness campaigns, trainings for law enforcement and the judiciary, and raids initiated by the KP. (4)

## VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2021, the government funded and participated in programs that include the goal of eliminating or preventing child labor, which cover the main sectors where child labor has been identified in the country (Table 10).

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

Program	Description
Hope and Homes for Children†	Government-funded NGO shelter. Accommodates child victims of abuse and human trafficking. (47) Active in 2021. (4)
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. (30) Prioritizes four areas: (1) accountable governance; (2) inclusive and non-discriminatory social policies and services; (3) resilient, sustainable, and inclusive economic development; and (4) social cohesion. (3,11) Active in 2021. (4)
UN Kosovo/UNICEF Program (2021–2025)*	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. (30,63) Active in 2021. (4)
The Helpline‡	Government-operated hotline for victims of domestic violence and human trafficking. (16) Active in 2021. (4)
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 website. (64)

\* 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. (4,65,66)

Social services professionals in Kosovo estimate that approximately 4,300 children receive assistance per year. (44) In 2021, the government continued to provide social assistance for at-risk families and provided educational support through virtual education initiatives and providing textbooks for children impacted by school closures due to the ongoing COVID-19 pandemic. (4)

During the reporting period, the Ministry of Education, Science, Technology, and Innovation (MESTI) and Save the Children began implementation of a program supporting early childhood education opportunities for children throughout Kosovo. Save the Children's programming includes special consideration of the educational needs of children with disabilities and children from vulnerable communities. (4,67) In addition, the Kosovo Ministry of Agriculture, Forestry and Rural Development (MAFRD) made an action pledge for the International Year for the Elimination of Child Labor in which the agency committed to work with enforcement agencies to prevent and detect child labor in agriculture and forestry, and to refer child laborers to services. As part of this commitment, the Kosovo Forestry Agency (a sub-agency of MAFRD) began to require inclusion of a clause prohibiting hazardous child labor in forestry in all contracts it issues. (68,69)

In October 2021, the Program for Protection and Promotion of Human Rights and Fundamental Freedoms (2021–2025) was adopted to establish affirmative measures to assist marginalized communities, including vulnerable children. The program seeks in part to provide compensation for child victims of trafficking in persons, and also includes measures to provide mediation for child offenders. (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 Kosovo (Table 11).



## MODERATE ADVANCEMENT

Table 11. Suggested Government Actions to Eliminate Child Labor

Area	Suggested Action	Year(s) Suggested
Enforcement	Ensure that Centers for Social Work have sufficient capacity, human resources, and training to address the specific needs of child labor victims.	2018 – 2021
	Incorporate topics on child labor, including hazardous child labor, in both new employee training and refresher courses offered by the Labor Inspectorate and law enforcement; ensure that trainings on new child labor laws are provided to all labor inspectors and law enforcement personnel.	2017 – 2021
	Ensure that the Kosovo Police are trained to identify and properly classify cases of forced begging.	2020 – 2021
	Ensure that criminal law enforcement authorities receive adequate training on violations related to child labor.	2021
Coordination	Ensure that the municipal local action committees are active.	2012 – 2021
	Ensure that inter-ministerial communication between the Ministry of Internal Affairs and other government entities on issues concerning policymaking and enforcement related to child labor is improved.	2021
Government Policies	Ensure that the National Strategy Against Human Trafficking for 2020–2024 is fully implemented.	2020 – 2021
Social Programs	Collect and publish data on the extent and nature of child labor to inform policies and programs.	2017 – 2021
	Eliminate barriers and make education accessible for all children, including by making additional efforts to register Ashkali, Balkan Egyptian, and Roma children at birth and ensuring the availability of native-language teaching materials and subsidized transportation.	2011 – 2021

## REFERENCES

- U.S. Department of State. Trafficking in Persons Report 2019- Kosovo. Washington, D.C., June 20, 2019. <https://www.state.gov/reports/2019-trafficking-in-persons-report-2/kosovo/>
- U.S. Embassy- Pristina. Reporting. January 16, 2020.
- U.S. Embassy- Pristina official. E-mail communication to USDOL official. June 1, 2021.
- U.S. Embassy- Pristina. Reporting. January 6, 2022.
- Mejdini, Fatjona. Coins and risks: The harsh reality of Roma beggars in Kosovo streets. November 13, 2018. <https://prishtinainsight.com/coins-and-risks-the-harsh-reality-of-roma-beggars-in-kosovo-streets/>
- UNICEF. Monitoring the situation of children and women: Multiple Indicator Cluster Survey 2013–2014. 2014. Source on file.
- U.S. Embassy- Pristina official. E-mail communications with USDOL official. May 5, 2022.
- UNICEF. Roma, Ashkali and Egyptian Communities in Kosovo: Multiple Indicator Cluster Survey 2013–2014. 2014. <https://www.unicef.org/kosovoprogramme/reports/multiple-indicator-cluster-survey-2013-2014-0>
- UNESCO Institute for Statistics. Gross intake ratio to the last grade of primary education, both sexes (%). Accessed March 2022. For more information, please see “Children’s Work and Education Statistics: Sources and Definitions” in the Reference Materials section of this report. <http://data.uis.unesco.org/>
- UCW. Analysis of Child Economic Activity and School Attendance Statistics from National Household or Child Labor Surveys. Original data from the Multiple Indicator Cluster Survey 6 (MICS 6), 2019–2020. Analysis received March 2022. Please see “Children’s Work and Education Statistics: Sources and Definitions” in the Reference Materials section of this report.
- U.S. Embassy- Pristina. Reporting. January 19, 2021.
- Hajrizaj, Fjolla. Extreme Poverty Forces Children to be Bread-Winners. Kosovo 2.0. Blog. December 10, 2018. [https://kosovotwopointzero.com/en/extreme-poverty-forces-children-to-be-bread-winners/?fbclid=IwAR06UIVE\\_QchooEG4IjeCxnAKRqitFRffqCSZMPTdT7btjBehziNVvAM](https://kosovotwopointzero.com/en/extreme-poverty-forces-children-to-be-bread-winners/?fbclid=IwAR06UIVE_QchooEG4IjeCxnAKRqitFRffqCSZMPTdT7btjBehziNVvAM)
- Molliqaj, Leonida. Scavenger Hunters: Kosovo’s Exploited Scrap Collectors. Gjilan, Kosovo Polje, Pristina: Balkan Insight. February 11, 2019. [https://balkaninsight.com/2019/02/11/scavenger-hunters-kosovos-exploited-scrap-collectors/?fbclid=IwAR2NKxCS-NH2I2oNTKcuVPvjEYEDAY8\\_zzQPoVWqsn9toCoDAgKz4NHm027s](https://balkaninsight.com/2019/02/11/scavenger-hunters-kosovos-exploited-scrap-collectors/?fbclid=IwAR2NKxCS-NH2I2oNTKcuVPvjEYEDAY8_zzQPoVWqsn9toCoDAgKz4NHm027s)
- Urban Management Berlin. Solid Waste Management in Kosovo. Berlin. 2017. [https://www.urbanmanagement.tu-berlin.de/fileadmin/f6\\_urbanmanagement/News/HP\\_Online\\_Kosovo\\_Report\\_6.pdf](https://www.urbanmanagement.tu-berlin.de/fileadmin/f6_urbanmanagement/News/HP_Online_Kosovo_Report_6.pdf)
- Terre des Hommes - Kosovo. Case management and cross-sectoral work for protection of children in conflict with the law. December 1, 2020. <https://childhub.org/en/child-protection-online-library/case-management-and-cross-sectoral-work-protection-children>
- U.S. Embassy- Pristina. Reporting. February 27, 2019.
- U.S. Department of State. Trafficking in Persons Report 2021- Kosovo. Washington, D.C., July 1, 2021. <https://www.state.gov/reports/2021-trafficking-in-persons-report/kosovo/>
- U.S. Embassy- Pristina. Reporting. January 10, 2019.
- KOHA.net. Citizens, the main reason that young children are begging in the streets. July 17, 2018. <https://www.koha.net/kosovo/105685/qytetaret-donatore-t-kryesore-qe-femijet-lemoshekerkues-jane-ne-rruge/>
- KOHA.net. Employed children who keep the family. March 14, 2018. <https://www.koha.net/arberi/80940/femije-te-punesuar-qe-mbajne-familjen/>
- Kosovo Minister of Labor official. Interview with USDOL official. November 8, 2018.
- Ministry of Interior official. Interview with USDOL official. November 7, 2018.
- Terre Des Hommes official. Interview with USDOL official. November 8, 2018.
- U.S. Department of State. Country Reports on Human Rights Practices 2020- Kosovo. Washington, D.C., March 30, 2021. <https://www.state.gov/reports/2020-country-reports-on-human-rights-practices/kosovo/>
- Ministry of Education official. Interview with USDOL official. November 7, 2018.

- 26 Ademi, Agim. Approximately 20 Ashkali pupils drop out of school. KOHA. net. March 5, 2019.  
<https://www.koha.net/kosove/148552/afro-20-nxenes-te-komunitetit-ashkali-braktisin-mesimin/>
- 27 Skenderi, Isak. Kosovo's Roma, Ashkali and Egyptians need real change. June 6, 2021.  
<https://prishtinainsight.com/kosovos-roma-ashkali-and-egyptians-need-real-change/>
- 28 KOMF. Child Protection Index 2.0. 2017.  
<http://www.childpact.org/wp-content/uploads/2018/01/Child-Protection-Index-2.0.pdf>
- 29 Republic of Kosovo. Constitution of the Republic of Kosovo. Enacted: 2008.  
<https://www.refworld.org/docid/5b43009f4.html>
- 30 United Nations Kosovo Team. The UN in Kosovo.  
<https://unsdg.un.org/un-in-action/kosovo-team>
- 31 Republic of Kosovo. Law on Labour, Law No.03/L –212. Enacted: October 8, 2001.  
<https://mpms.rks-gov.net/en/wpdm-package/law-no-03-l-212-law-on-labour-pdf/>
- 32 Republic of Kosovo. Administrative Instruction GRK 05/2013 to prevent and prohibit hazardous child labor in Kosovo. Enacted 2013.  
[http://www.kryeministri-ks.net/repository/docs/UDHEZIMI\\_ADMINISTRATIV\\_QRK\\_NR\\_05\\_2013.pdf](http://www.kryeministri-ks.net/repository/docs/UDHEZIMI_ADMINISTRATIV_QRK_NR_05_2013.pdf)
- 33 Republic of Kosovo. Administrative Instructions No.2008 on Prevention and Elimination of the Most Hazardous Forms of Child Labor in Kosovo. 2008. Source on file.
- 34 Republic of Kosovo. Law No. 04/L-218 On Preventing and Combating Trafficking in Human Beings and Protecting Victims of Trafficking. Enacted: August 19, 2013.  
<https://www.refworld.org/pdfid/601d3c8a4.pdf>
- 35 Republic of Kosovo. Criminal Code of the Republic of Kosovo. Pristina. Enacted: November 23, 2018.  
<https://www.refworld.org/pdfid/5b4304c44.pdf>
- 36 Republic of Kosovo. Administrative Instruction No. 10/2017 on the List of Indicators for Formal Identification of Trafficking in Human Beings. October 2017.  
[http://www.kryeministri-ks.net/repository/docs/UDHEZIMI\\_ADMINISTRATIV\\_QRK - NR\\_10.2017\\_PËR LISTËN E TREGUESVE PËR IDENTIFIKIMIN\\_ZYRTAR\\_TË\\_VIKTIMAVE\\_TË\\_TRAFIKIMIT\\_ME\\_NJERZË.pdf](http://www.kryeministri-ks.net/repository/docs/UDHEZIMI_ADMINISTRATIV_QRK - NR_10.2017_PËR LISTËN E TREGUESVE PËR IDENTIFIKIMIN_ZYRTAR_TË_VIKTIMAVE_TË_TRAFIKIMIT_ME_NJERZË.pdf)
- 37 Republic of Kosovo. Law on Child Protection. July 17, 2019.  
[http://www.kuvendikosoves.org/Uploads/Data/Documents/Ligjinr06L-084\\_TFaUehrzaE.pdf](http://www.kuvendikosoves.org/Uploads/Data/Documents/Ligjinr06L-084_TFaUehrzaE.pdf)
- 38 Republic of Kosovo. Law on the Kosovo Security Force. Pristina. Enacted December 14, 2018.  
[https://mod.rks-gov.net/repository/docs/LAW\\_ON\\_KOSOVO\\_SECURITY\\_FORCE\\_2019.pdf](https://mod.rks-gov.net/repository/docs/LAW_ON_KOSOVO_SECURITY_FORCE_2019.pdf)
- 39 Republic of Kosovo. Draft Law on Child Protection. 2016.  
<http://www.kuvendikosoves.org/?cid=2,194,993>
- 40 Republic of Kosovo. Law on Pre-University Education in the Republic of Kosovo, No. 04/L-032. Enacted: August 29, 2011.  
<https://masht.rks-gov.net/en/legislacioni>
- 41 Republic of Kosovo. Law on the Kosovo Security Force. Enacted: March 13, 2008.  
[https://mod.rks-gov.net/repository/docs/LAW\\_ON\\_KOSOVO\\_SECURITY\\_FORCE\\_2019.pdf](https://mod.rks-gov.net/repository/docs/LAW_ON_KOSOVO_SECURITY_FORCE_2019.pdf)
- 42 Republic of Kosovo. Law on Inspection of Education in Kosovo. Enacted: September 8, 2004.  
[http://www.gazetazyrtare.com/e-gov/index.php?option=com\\_content&task=view&id=71&Itemid=28&lang=en](http://www.gazetazyrtare.com/e-gov/index.php?option=com_content&task=view&id=71&Itemid=28&lang=en)
- 43 European Union Office in Kosovo. Needs Analysis for Capacities of Centers of Social Work in Kosovo in the Field of Child's Rights Promotion and Protection. October 2020.  
[https://childhub.org/sites/default/files/library/attachments/eng\\_needs\\_analysis\\_on\\_capacities\\_of\\_centers\\_for\\_social\\_work\\_in\\_the\\_field\\_of\\_promotion\\_and\\_protection\\_of\\_childs\\_rights.pdf](https://childhub.org/sites/default/files/library/attachments/eng_needs_analysis_on_capacities_of_centers_for_social_work_in_the_field_of_promotion_and_protection_of_childs_rights.pdf)
- 44 International Labor Organization. Analysis of Costs for Managing Cases of Child Labor in Kosovo. October 2020.  
[https://www.ilo.org/wcmsp5/groups/public/---europe/---ro-geneva/---sro-budapest/documents/publication/wcms\\_774457.pdf](https://www.ilo.org/wcmsp5/groups/public/---europe/---ro-geneva/---sro-budapest/documents/publication/wcms_774457.pdf)
- 45 Council of Europe Group of Experts on Action Against Trafficking in Human Beings (GRETA). Second report on the compliance of Kosovo with the standards of the COE Convention on Action Against Trafficking in Human Beings. October 11, 2021.  
<https://rm.coe.int/second-report-on-the-compliance-of-kosovo-with-the-standards-of-the-co/1680a418ee>
- 46 MLSW, KP, MOI officials. Roundtable with USDOL official. November 9, 2018.
- 47 Hope for Homes Shelter official. Interview with USDOL official. November 8, 2018.
- 48 Ministry of Justice official. Interview with USDOL official. November 7, 2018.
- 49 U.S. Embassy- Pristina. Reporting. February 9, 2021.
- 50 U.S. Embassy- Pristina official. E-mail communication to USDOL official. June 11, 2019.
- 51 U.S. Embassy- Pristina official. E-mail communication to USDOL official. May 31, 2017.
- 52 Gremi, Marinela. Regional Conference - The Ministries of Justice in Albania and Kosovo are Committed to Further Strengthening the Child Protection System in Conflict with the Law. December 16, 2021.  
<https://childhub.org/en/child-protection-news/regional-conference-ministries-justice-albania-and-kosovo-are-committed-further-strengthening-child-protection-system-conflict-law>
- 53 U.S. Embassy- Pristina official. E-mail communication to USDOL official. February 8, 2018.
- 54 U.S. Embassy- Pristina. Reporting. January 20, 2017.
- 55 U.S. Embassy- Pristina. Reporting. January 26, 2022.
- 56 Coalition of NGOs for Child Protection in Kosovo (KOMF) KOMF participates in the meeting of the Inter-Ministerial Committee for the Rights of the Child. December 2, 2021.  
<https://komfkosova.org/komf-participates-in-the-meeting-of-the-inter-ministerial-committee-for-the-rights-of-the-child/?lang=en>
- 57 Alliance 8.7. KOSOVO - MINISTRY OF AGRICULTURE, FORESTRY AND RURAL DEVELOPMENT pledges to Mobilise agriculture institutions and law enforcement agencies to take action in prevention, identification and referral of children in hazardous child labour. 2021.  
<https://endchildlabour2021.org/pledges/mobilise-agriculture-institutions-and-law-enforcement-agencies-to-take-action-in-prevention-identification-and-referral-of-children-in-hazardous-child-labour/>
- 58 U.S. Embassy- Pristina official. E-mail communication to USDOL official. February 14, 2019.
- 59 Republic of Kosovo. The Strategy on Children's Rights and the Economic Reform Program approved. January 29, 2019.  
<http://kryeministri-ks.net/en/the-strategy-on-childrens-rights-and-the-economic-reform-program-approved/>
- 60 UNMIN and Republic of Kosovo. Strategy for Integration of Roma, Ashkali, and Egyptian Communities in Kosovo - Education Component 2007–2017. 2007.  
[https://phzh.ch/globalassets/ipe.phzh.ch/projekte/europaweite-projekte/nezi-netzwerk-albanischer-sprachraum/4\\_nezi-konferenz-2/eng\\_3\\_strategy-for-integration-of-romaashkali-and-egyptian-communities-in-kosovo.pdf](https://phzh.ch/globalassets/ipe.phzh.ch/projekte/europaweite-projekte/nezi-netzwerk-albanischer-sprachraum/4_nezi-konferenz-2/eng_3_strategy-for-integration-of-romaashkali-and-egyptian-communities-in-kosovo.pdf)

## MODERATE ADVANCEMENT

- 61 Republic of Kosovo. Kosovo Education Strategic Plan (2017–2021). 2017. [http://www.kryeministri-ks.net/repository/docs/KOSOVO\\_EDUCATION\\_STRATEGIC\\_PLAN.pdf](http://www.kryeministri-ks.net/repository/docs/KOSOVO_EDUCATION_STRATEGIC_PLAN.pdf).
- 62 KOMF. Regulation on the Implementation of the Rights of Children. 2018. <http://www.komfkosova.org/modeli-i-rregullores-per-realizimin-e-te-drejtave-te-femijeve-permes-sistemit-qeverises-komunal-miqesor-per-femijet/?lang=en>
- 63 UNICEF. Programme Strategy Notes for UNICEF Kosovo (2021–2025). August 3, 2020. <https://www.unicef.org/kosovoprogramme/media/2141/file/English-2021.pdf>
- 64 U.S. Department of Labor. Measurement, Awareness-Raising, and Policy Engagement (MAP 16) Project on Child Labor and Forced Labor. 2019. <https://www.dol.gov/agencies/ilab/measurement-awareness-raising-and-policy-engagement-map-16-project-child-labor-and>
- 65 KOHA.net. Ferizaj is doing a care center for marginalized children. Ferizaj. March 5, 2019. <https://www.koha.net/kosove/148672/ferizaj-behet-me-qender-te-kujdesit-per-femijet-e-margjinalizuar/>
- 66 The Coalition of NGOs for Child Protection in Kosovo (KOMF). KOMF marks the International Day Against Child Labor. August 12, 2021. <https://komfkosova.org/komf-marks-the-international-day-against-child-labor/?lang=en#>
- 67 Save the Children Kosovo. Integrated community-based ECCD services for girls and boys in Gjonaj, Prizren. February 15, 2021. <https://kosovo.savethechildren.net/news/integrated-community-based-eccd-services-girls-and-boys-gjonaj-prizren>
- 68 International Labor Organization. One hour against child labour at schools in Kosovo. July 26, 2021. [https://www.ilo.org/budapest/whats-new/WCMS\\_815266/lang--en/index.htm](https://www.ilo.org/budapest/whats-new/WCMS_815266/lang--en/index.htm)
- 69 Ministry of Agriculture, Forestry, and Rural Development. Mobilise agriculture institutions and law enforcement agencies to take action in prevention, identification and referral of children in hazardous child labour (HCL). 2021. <https://endchildlabour2021.org/wp-content/uploads/2021/06/Ministry-of-Agriculture-Forestry-and-Rural-Development-Kosovo.pdf>

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

In 2021, the Kyrgyz Republic made minimal advancement in efforts to eliminate the worst forms of child labor. The President of the Kyrgyz Republic signed a decree to improve children's access to and the quality of primary and secondary education.

The Ministry of Labor, Social Development, and Migration and the Ministry of Internal Affairs also continued development of the 2022–2025 National Action Plan to Combat Trafficking in Persons, and in December 2021, finalized and sent it to the Cabinet

of Ministers for review and consideration for adoption. 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 to eliminate child labor. Although the government's moratorium on labor inspections expired on January 1, 2022, the moratorium remained in place throughout 2021. The government amended this moratorium in 2020 to permit labor inspections based on formal complaints; however, the Ministry of Economy was required to approve worksite visits associated with such inspections, and in practice, it announced these visits in advance. The restrictions placed on unannounced inspections may have allowed potential violations of child labor laws and other labor abuses to go undetected in workplaces. The COVID-19 pandemic and a large-scale reorganization of government ministries further restricted the government's ability to address child labor issues. The government did not provide complete information on its labor or criminal law enforcement efforts for inclusion in this report. 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 address 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. (1-3) Children also engage in child labor in agriculture. (1,3-5) Table 1 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 1. 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 (%)		108.1

Source for primary completion rate: Data from 2020, published by UNESCO Institute for Statistics, 2022. (6)

Source for all other data: International Labor Organization's analysis of statistics from Multiple Indicator Cluster Survey 6 (MICS6), 2018. (7)

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

# 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**

Sector/Industry	Activity
Agriculture	Cultivating or harvesting cotton, walnuts, tobacco,† rice, potatoes, beans, dried fruits, and onions (1,4,5,8-13) Herding cattle (1-3)
Industry	Coal mining† (1,4,14) Brickmaking (12,14) Construction, including lifting and portering construction materials, and cutting metal sheets for roofs (1,4,5,12,15)
Services	Working in bazaars and markets, including portering, shining shoes, and selling items, including food and beverages (8,11,14) Washing and repairing cars (1,5,12) Working in restaurants and cafes (5,8,12,14) Street work, including begging and shoe shining (10,11) Domestic work, including child care (4,5,10,16)
Categorical Worst Forms of Child Labor‡	Commercial sexual exploitation (3,12,17) Use in illicit activities, including trafficking drugs, as a result of human trafficking (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.







Child labor, including hazardous child labor, is most prevalent in Naryn and Osh provinces. (4) 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. (16,19) Within the Kyrgyz Republic, children of labor migrants have been identified engaging in child labor in markets. (20)

The inability to enroll in school makes children from a variety of circumstances vulnerable to child labor. School registration documentation requirements continue to prevent some children from enrolling in schools, particularly children whose parents are labor migrants. (1) According to UNICEF, an estimated 650,000 to 750,000 citizens of the Kyrgyz Republic work abroad, and an additional 1 million are internal migrants. Some children, who have either migrated to the Kyrgyz Republic 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. (9,21) Children living in rural areas, and those with disabilities also have difficulty accessing education. (1,12) In rare cases, some parents prevent children from attending school for religious reasons. (1,9,22)

## 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	✓



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

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.

**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 (23)
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 (23-25)
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 (23,26)
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; Articles 166 and 170 of the Criminal Code (23,24,27,28)
Prohibition of Child Trafficking	Yes		Article 1 of the Law on Preventing and Combating Human Trafficking; Articles 166 and 167 of the Criminal Code (27,28)
Prohibition of Commercial Sexual Exploitation of Children	No		Articles 166–168 of the Criminal Code; Articles 5 and 15 of the Code on Children (24,27)
Prohibition of Using Children in Illicit Activities	Yes		Articles 19, 180, 181, 282, and 283 of the Criminal Code; Articles 5 and 15 of the Code on Children (24,27)
Minimum Age for Voluntary State Military Recruitment	Yes	18	Article 24.1 of the Law on Military Service (29)
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 (27,29)
Prohibition of Military Recruitment by Non-state Armed Groups	Yes		Articles 392 and 395 of the Criminal Code (27)
Compulsory Education Age	Yes	17‡	Article 16 of the Law on Education (30)
Free Public Education	Yes		Article 16 of the Law on Education (30)

‡ Age calculated based on available information (30)

In December 2021, the President of the Kyrgyz Republic published the decree “On Urgent Measures to Secure the Constitutional Right of Children,” which establishes a framework to improve access to primary and secondary education, as well as the quality of that education. The decree requires government bodies to identify and enroll children who are below the minimum age for education but not enrolled in classes, and to draft legislation holding parents and guardians responsible for interfering with a child's access to education. (1,31) The decree also tasks the Ministry of Labor, Social Development, and Migration to identify vulnerable children and provide assistance in the form of school uniforms and supplies. (1,31)

The labor law governing the minimum age for work is not in compliance with international standards because it does not apply to informal work. 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. (23) In addition, as the minimum age for work stated in the Labor Code is lower than the compulsory education age, children may be encouraged to leave school before the completion of compulsory education. (30,32)

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. (23) 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. (23) However, the Kyrgyz Republic does not have a list of activities in which light work may be permitted. (33)

# Kyrgyz Republic

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

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 and 17. (27,34)

### 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, the absence of unannounced inspections conducted at the national level in the Kyrgyz Republic may have impeded the enforcement of child labor laws.

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

Organization/Agency	Role
Ministry of Labor, Social Development, and Migration	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. (1,12,14,32) In 2021, the State Inspectorate on Ecological and Technical Safety was dissolved and its labor inspection functions were transferred to the newly expanded Ministry of Labor, Social Development, and Migration. (1)
Ministry of Internal Affairs (MOIA)	Enforces criminal laws related to child labor, including its worst forms. Conducts independent inspections and joint raids with the Ministry of Labor, Social Development, and Migration to identify violations, which can be referred to the Prosecutor General's Office for prosecutorial action. (1,12)
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 by identifying and prosecuting offenders. (1,2)
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. (35,36)
Helpline for Children	Hotline operated by the Ministry of Labor, Social Development, and Migration 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. (37,38)

In 2021, the COVID-19 pandemic and an extensive government reorganization severely limited the capacity of several ministries as resources were diverted from many areas to address the ongoing crisis. (1,19)

#### **Labor Law Enforcement**

In 2021, 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	2020	2021
Labor Inspectorate Funding	Unknown (39)	Unknown (1)
Number of Labor Inspectors	27 (8)	Unknown (1)
Mechanism to Assess Civil Penalties	Yes (23)	Yes (23)
Initial Training for New Labor Inspectors	Yes (40)	Unknown (1)
Training on New Laws Related to Child Labor	Yes (40)	Unknown (1)
Refresher Courses Provided	No (8)	Unknown (1)
Number of Labor Inspections Conducted	Unknown	Unknown (1)
Number Conducted at Worksite	Unknown	Unknown (1)
Number of Child Labor Violations Found	206‡ (2,8)	103† (1)
Number of Child Labor Violations for Which Penalties Were Imposed	7 (2)	Unknown (1)
Number of Child Labor Penalties Imposed that Were Collected	Unknown	Unknown (1)
Routine Inspections Conducted	Yes (8)	Unknown (1)
Routine Inspections Targeted	Yes (2,8,39)	Unknown (1)
Unannounced Inspections Permitted	No (41,42)	No (41,42)
Unannounced Inspections Conducted	No (39)	Yes (1)
Complaint Mechanism Exists	Yes (39)	Unknown (1)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (39)	Unknown (1)

† Data are from January 1, 2021, to September 30, 2021.

‡ Data are from January 1, 2020, to September 30, 2020.

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

The government extended a 2019 moratorium on inspection of business enterprises until January 1, 2022. The moratorium was revised in 2020 to permit labor inspections, but only on the basis of a formal complaint and with 10 days advance notice to the employer. (1,43-46) Although the moratorium expired at the beginning of 2022, during the reporting period, these restrictions on unannounced inspections severely limited the State Inspectorate's ability to detect violations of labor laws, including those related to child labor. (1,8) The government did not provide information regarding a number of labor inspection metrics, including the budget of the labor inspectorate, number of inspectors, and number of inspections conducted in 2021.

Although the inspection moratorium continued to prevent labor inspectors from performing routine and unannounced inspections, the Ministry of Internal Affairs (MOIA) conducted a series of independent, unannounced raids to identify and assist children engaged in child labor, including those subjected to its worst forms. (1) In 2021, the MOIA reported conducting 39 raids between January and September, through which authorities identified 103 child labor violations. Information was unavailable regarding the number of violations that MOIA referred to the Ministry of Labor, Social Development, and Migration and whether penalties were imposed in response to child labor violations identified during these raids. (1)

Research was unable to determine the number of inspectors employed by the Kyrgyz Republic in 2021. However, in 2020, the State Inspectorate employed 27 labor inspectors, and it is likely that the number of labor inspectors remains insufficient for the size of the Kyrgyz Republic's workforce, which includes more than 2.5 million workers. (8,39,47) 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 128 labor inspectors. (48,49) Sources also report that the majority of enforcement activities to detect child labor is concentrated in markets in Bishkek and Osh, with few inspections or raids undertaken to detect child labor in agriculture. (39) 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 and cattle herding. (2) Observers have expressed concern that the labor inspection authority 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. (14,39)

Research was unable to determine whether inspectors received training on child labor during the reporting period. 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. (12,24)

### Criminal Law Enforcement

In 2021, criminal law enforcement agencies in the Kyrgyz Republic took actions to address 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	2020	2021
Initial Training for New Criminal Investigators	Yes (50)	Yes (1)
Training on New Laws Related to the Worst Forms of Child Labor	Yes (37)	Unknown (1)
Refresher Courses Provided	Yes (50)	Unknown (1)
Number of Investigations	9 <sup>‡</sup> (2,39)	3 <sup>†</sup> (1)
Number of Violations Found	9 <sup>‡</sup> (2,39)	103 (1)
Number of Prosecutions Initiated	2 (2)	3 (1)
Number of Convictions	0 (39)	Unknown (1)
Imposed Penalties for Violations Related to the Worst Forms of Child Labor	N/A	Unknown (1)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (39)	Yes (39)

<sup>†</sup> Data are from January 1 to September 30, 2021.

<sup>‡</sup> Data are from January 1 to September 30, 2020.

# Kyrgyz Republic

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

The government did not provide comprehensive information on its 2021 criminal law enforcement efforts related to child labor for inclusion in this report. However, between January and September 2021, criminal enforcement agencies reported that they initiated a total of three pretrial investigations into the worst forms of child labor for violations of Criminal Code Article 173 pertaining to forced/slave labor. (1) All three cases were dismissed for lack of evidence. (1) In order to address commercial sex operations, including the sexual exploitation of children, Kyrgyz law enforcement conducted searches of 34 saunas in Bishkek and Osh in June 2021. The government reported that 63 different crimes were discovered during these raids but did not indicate if human trafficking was among the offenses. (19)

Reports suggest that Kyrgyz police officers engage in misconduct, including allegations that police threaten and extort sex trafficking victims, including minors; reports also indicate that police accept bribes from alleged traffickers to drop cases. (18) Judicial officials have also been reported to be an obstacle to prosecution of human trafficking offenses, including those involving children, by prosecuting cases under lesser statutes, accepting bribes, or warning suspects prior to raids. (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 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 services delivery. Members include social workers from regional Departments of Child Protection of the Ministry of Labor, Social Development, and Migration and law enforcement authorities. (14) Operates according to the Regulations on the Procedure for the Identification of Children and Families in Difficult Situations. (51) Research was unable to determine whether the Commission was active during the reporting period.
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. (52) 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 eliminate human trafficking. (53) Research was unable to determine whether the Task Force was active during the reporting period.
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.

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. (20,55) 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. (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 a lack of 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) Research was unable to determine whether the Program was active during the reporting period.

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

In November 2021, the Ministry of Labor, Social Development, and Migration was designated as the new coordinating agency for the government's National Action Plan to Combat Trafficking in Persons. The Ministry of Labor, Social Development, and Migration and the MOIA continued development of the 2022–2025 National Action Plan and in December 2021, finalized and sent it to the Cabinet of Ministers for review and consideration for adoption. (19)

## VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2021, 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 inadequacy 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. (39) However, based on available information, the amount of assistance appears to be low, and some families face barriers to accessing these benefits. (59,60) Research was unable to determine whether the Cash Transfer Program was active during the reporting period.
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. (9,39) Research was unable to determine whether the MOES Database was active during the reporting period.
Shelters for Human 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. (37) MOIA also operates two daytime children's shelters, also located in Bishkek and Osh. (37) Research was unable to determine whether the shelters were operating during the reporting period.

† 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)

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 – 2021
	Raise the minimum age for work to the age up to which education is compulsory.	2021
	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 – 2021
	Ensure that the law's light work provisions specify the activities in which children may undertake light work.	2020 – 2021
Enforcement	Ensure that the labor inspectorate conducts routine, targeted, and unannounced labor inspections, and assesses penalties as appropriate.	2018 – 2021
	Publish complete information about the Ministry of Labor, Social Development, and Migration'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 – 2021
	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 – 2021
	Ensure that child labor violations identified by criminal enforcement agencies are appropriately referred to the Ministry of Labor, Social Development, and Migration.	2020 – 2021



# Kyrgyz Republic

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

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

Area	Suggested Action	Year(s) Suggested
Enforcement	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 – 2021
	Conduct targeted inspections in all sectors in which children are highly vulnerable to child labor, including in rural areas and in agriculture.	2020 – 2021
	Ensure that the Ministry of Labor, Social Development, and Migration and relevant social services providers have the capacity to adequately implement the child labor complaint mechanism.	2019 – 2021
	Publish complete information about criminal law enforcement efforts to enforce prohibitions on child labor, including information on training, number of violations found, convictions for child labor violations, and penalties imposed.	2021
	Ensure that criminal law enforcement agencies investigate, prosecute, and impose penalties for violations related to the worst forms of child labor under the appropriate statutes, including cases of possible law enforcement and judicial complicity in abusing victims and protecting offenders.	2015 – 2021
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 – 2021
	Strengthen the Children's Affairs Commission by empowering relevant social services providers to assist, as appropriate, with investigations related to child labor.	2020 – 2021
	Ensure that all coordinating bodies are able to carry out their intended mandates.	2020 – 2021
Government Policies	Ensure that activities are undertaken to implement government policies to address child labor and make information about implementation measures publicly available.	2021
Social Programs	Improve understanding of child labor issues in the Kyrgyz Republic by regularly collecting and maintaining data on child labor.	2021
	Ensure that all children have access to free education, including children with disabilities, those lacking residence registration, and those without birth certificates and guardianship documents.	2009 – 2021
	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 – 2021
	Expand existing programs to address the scope of the child labor problem, particularly in commercial sexual exploitation and in agriculture, including cultivating cotton.	2014 – 2021
	Ensure that activities are undertaken to implement key social programs to address child labor and make information about implementation measures publicly available.	2021

### REFERENCES

- U.S. Embassy- Bishkek. Reporting, January 21, 2022.
- Government of the Kyrgyz Republic. Information from the Prosecutor General's Office of the Kyrgyz Republic for the U.S. government's report on the elimination of the worst forms of child labor. January 14, 2021. Source on file.
- U.S. Department of State. Trafficking in Persons Report- 2021: Kyrgyz Republic. Washington, D.C., June 2021. <https://www.state.gov/reports/2021-trafficking-in-persons-report/kyrgyz-republic/>
- ILO. Working Children in Kyrgyz Republic: Child Labour Survey 2014–2015. October 25, 2016. Source on file.
- Government of the Kyrgyz Republic. Contentions regarding the U.S. Department of Labor's 2019 Findings on the Worst Forms of Child Labor Report for the Kyrgyz Republic. October 2020. Source on file.
- UNESCO Institute for Statistics. Gross intake ratio to the last grade of primary education, both sexes (%). Accessed March 3, 2022. For more information, please see "Children's Work and Education Statistics: Sources and Definitions" in the Reference Materials section of this report. <http://data.uis.unesco.org/>
- ILO. Analysis of Child Economic Activity and School Attendance Statistics from National Household or Child Labor Surveys. Original data from Multiple Indicator Cluster Survey 6 (MICS6), 2018. Analysis received March 2021. Please see the "Children's Work and Education Statistics: Sources and Definitions" in the Reference Materials section of this report.
- Government of the Kyrgyz Republic. Information from the State Inspectorate on Ecological and Technical Safety under the Government of the Kyrgyz Republic for the U.S. government's report on the elimination of the worst forms of child labor. January 14, 2021. Source on file.
- Government of the Kyrgyz Republic. Information from the Ministry of Education and Science of the Kyrgyz Republic for the U.S. government's report on the elimination of the worst forms of child labor. January 14, 2021. Source on file.
- Butler, Carolyn. Child Labor Problem Urgent: Kyrgyz Workers. October 3, 2018. <https://www.solidaritycenter.org/child-labor-problem-urgent-kyrgyzstan-workers/>
- Kabar. Use of child labor declined in Kyrgyzstan - Federation of Trade Unions. July 2, 2018. <http://kabar.kg/eng/news/use-of-child-labor-declined-in-kyrgyzstan-federation-of-trade-unions/>
- U.S. Embassy- Bishkek. Reporting, January 15, 2020.
- Kudryavtseva, Tatyana. Children in Kyrgyzstan engaged in picking of cotton from age of 4. 24.kg, March 7, 2019. [https://24.kg/english/111217\\_\\_Children\\_in\\_Kyrgyzstan\\_engaged\\_in\\_picking\\_of\\_cotton\\_from\\_age\\_of\\_4/](https://24.kg/english/111217__Children_in_Kyrgyzstan_engaged_in_picking_of_cotton_from_age_of_4/)
- U.S. Embassy- Bishkek. Reporting, January 11, 2019.
- Kaktus Media. In Kyrgyzstan, the highest rate of child labor. November 6, 2017. [https://kaktus.media/doc/365831\\_v\\_kyrgyzstane\\_samyy\\_vysokiy\\_pokazatel\\_ispolzovaniya\\_detskogo\\_tryda.html](https://kaktus.media/doc/365831_v_kyrgyzstane_samyy_vysokiy_pokazatel_ispolzovaniya_detskogo_tryda.html)

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

- 16 International Federation for Human Rights (FIDH). Invisible and exploited in Kazakhstan: The plight of Kyrgyz migrant workers and members of their families. June 2018.  
[https://www.fidh.org/IMG/pdf/kyrgyz\\_migrant\\_workers\\_in\\_kazakhstan.pdf](https://www.fidh.org/IMG/pdf/kyrgyz_migrant_workers_in_kazakhstan.pdf)
- 17 U.S. Department of State. Trafficking in Persons Report- 2020: Kyrgyz Republic. Washington, D.C., June 2020.  
<https://www.state.gov/reports/2020-trafficking-in-persons-report/kyrgyz-republic/>
- 18 U.S. Department of State. Trafficking in Persons Report- 2019: Kyrgyz Republic. Washington, D.C., June 2019.  
<https://www.state.gov/reports/2019-trafficking-in-persons-report-2/kyrgyz-republic/>
- 19 U.S. Embassy- Bishkek. Reporting. February 11, 2022.
- 20 Aigerim Aryzmatova. Kyrgyzstan: How to solve the problem of violence against children of labor migrants? Central Asian Bureau for Analytical Reporting (CABAR), November 19, 2019.  
<https://cabar.asia/ru/kyrgyzstan-kak-reshit-voprosy-nasiliya-v-otnoshenii-detej-trudovyh-migrantov/>
- 21 UNICEF. Children of migrants—Invisible Children. 2018.  
<https://www.unicef.org/kyrgyzstan/children-migrants>
- 22 Munara Borombaeva and Marina Kolesnikova. Kyrgyzstan: Number of children not attending school because of parents' beliefs decreasing. Cabar Asia, April 20, 2020.  
<https://cabar.asia/ru/kyrgyzstan-kolichestvo-detej-ne-poseshhayushhih-shkolu-iz-za-ubezhdenij-roditelej-snizhaetsya>
- 23 Government of the Kyrgyz Republic. Labor Code of the Kyrgyz Republic, No. 106, as amended. Enacted: August 4, 2004.  
[http://www.mkk.gov.kg/index.php?option=com\\_content&view=article&catid=116:-1-5-&id=1084:-i-v&lang=ru](http://www.mkk.gov.kg/index.php?option=com_content&view=article&catid=116:-1-5-&id=1084:-i-v&lang=ru)
- 24 Government of the Kyrgyz Republic. The Kyrgyz Republic's Code on Children, No. 100. Enacted: July 10, 2012. Source on file.
- 25 Government of the Kyrgyz Republic. Code of Administrative Liability. Enacted: 1998.  
<http://minjust.gov.kg/ru/content/315>
- 26 Government of the Kyrgyz Republic. Decree of the Government of the Kyrgyz Republic No. 565 on approval of the list of works prohibited for persons under age 18. Enacted: November 13, 2020.  
[https://online.zakon.kz/document/?doc\\_id=38225858#pos=3;-70](https://online.zakon.kz/document/?doc_id=38225858#pos=3;-70)
- 27 Government of the Kyrgyz Republic. Criminal Code of the Kyrgyz Republic, No. 68, as amended. Enacted: October 1, 1997.  
<http://cbd.minjust.gov.kg/act/view/ru-ru/111527?cl=ru-ru>
- 28 Government of the Kyrgyz Republic. Law No. 55 on Preventing and Combating Trafficking of Human Beings. Enacted: March 17, 2005.  
<http://www.legislationline.org/ru/documents/action/popup/id/14215>
- 29 Government of the Kyrgyz Republic. Law No. 43 on the Universal Conscription of Citizens of the Kyrgyz Republic, Military and Alternative Service. Enacted: February 9, 2009.  
<http://cbd.minjust.gov.kg/act/view/ru-ru/202536?cl=ru-ru>
- 30 Government of the Kyrgyz Republic. Law of the Kyrgyz Republic on Education, No. 92, as amended. Enacted: April 30, 2003.  
<http://cbd.minjust.gov.kg/act/view/ru-ru/1216?cl=ru-ru>
- 31 Government of Kyrgyzstan. Подписан Указ «О неотложных мерах по обеспечению конституционного права детей на получение начального, основного общего и среднего общего образования». December 13, 2021.  
[http://www.president.kg/ru/sobytiya/ukazy/21484\\_podpisan\\_ukaz\\_o\\_neotlozhnih\\_merakh\\_po\\_obespecheniyu\\_konstitucionnogo\\_prava\\_detej\\_na\\_poluchenie\\_nachalnogo\\_osnovnogo\\_obshego\\_i\\_srednego\\_obshego\\_obrazovaniya](http://www.president.kg/ru/sobytiya/ukazy/21484_podpisan_ukaz_o_neotlozhnih_merakh_po_obespecheniyu_konstitucionnogo_prava_detej_na_poluchenie_nachalnogo_osnovnogo_obshego_i_srednego_obshego_obrazovaniya)
- 32 U.S. Embassy- Bishkek official. E-mail communication to USDOL official. February 9, 2022.
- 33 ILO CEACR. Individual Observation concerning Minimum Age Convention, 1973 (No. 138) Kyrgyzstan (ratification: 1992). Published: 2021.  
[https://www.ilo.org/dyn/normlex/en/?p=1000:13100:0::NO:13100:P13100\\_COMMENT\\_ID:4050159](https://www.ilo.org/dyn/normlex/en/?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:4050159)
- 34 ILO CEACR. Individual Observation concerning Worst Forms of Child Labour Convention, 1999 (No. 182) Kyrgyzstan (ratification: 2004). Published: 2021.  
[https://www.ilo.org/dyn/normlex/en/?p=1000:13100:0::NO:13100:P13100\\_COMMENT\\_ID:4050166](https://www.ilo.org/dyn/normlex/en/?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:4050166)
- 35 U.S. Embassy- Bishkek. Reporting. October 18, 2019.
- 36 Government of the Kyrgyz Republic. Decree No. 493, On the national mechanism for referral of victims of human trafficking in the Kyrgyz Republic. Enacted: September 19, 2019.  
<http://cbd.minjust.gov.kg/act/view/ru-ru/157184?cl=ru-ru>
- 37 U.S. Embassy- Bishkek. Reporting. February 12, 2021.
- 38 Government of the Kyrgyz Republic. Information from the Ministry of Labor and Social Development of the Kyrgyz Republic for the U.S. government's report on the elimination of the worst forms of child labor. January 14, 2021. Source on file.
- 39 U.S. Embassy- Bishkek. Reporting. January 21, 2021.
- 40 U.S. Embassy- Bishkek official. E-mail communication to USDOL official. May 11, 2021.
- 41 ILO CEACR. Individual Observation concerning Labour Inspection Convention, 1947 (No. 81) Kyrgyzstan (ratification: 2000). Published: 2021.  
[https://www.ilo.org/dyn/normlex/en/?p=1000:13100:0::NO:13100:P13100\\_COMMENT\\_ID:4054066](https://www.ilo.org/dyn/normlex/en/?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:4054066)
- 42 Government of the Kyrgyz Republic. Decree No. 94, On the introduction of amendments to Decree No. 586 of the Government of the Kyrgyz Republic "On introduction of a temporary ban (moratorium) on conducting inspections of business entities" from December 17, 2018. Enacted: February 19, 2020.  
<http://cbd.minjust.gov.kg/act/view/ru-ru/157498?cl=ru-ru>
- 43 Peoples Dispatch. Trade unions demand restoration of labor rights in Kyrgyzstan. March 9, 2019.  
<https://peoplesdispatch.org/2019/03/09/trade-unions-demand-restoration-of-labor-rights-in-kyrgyzstan/>
- 44 IndustriALL Global Union. Workers in Kyrgyzstan left without legal protection. March 7, 2019.  
<http://www.industriall-union.org/workers-in-kyrgyzstan-left-without-legal-protection>
- 45 Government of the Kyrgyz Republic. Decree No. 586, On introduction of a temporary ban (moratorium) on conducting inspections of business entities. Enacted: December 17, 2019.  
<http://cbd.minjust.gov.kg/act/view/ru-ru/12797?cl=ru-ru>
- 46 Government of the Kyrgyz Republic. Term of the moratorium on inspections by government oversight bodies extended until January 1, 2022. News release, December 4, 2020.  
<https://www.gov.kg/ru/post/s/mamleketтик-kzml-organdary-tarabynan-teksherg-moratoriydin-mnt-2022-zhyldyn-1-yanvaryna-cheyin-uzartyldy>
- 47 ILO Labor Force Statistics (LFS) – Population and labour force. Accessed January 25, 2022. Labor force data is government-reported data collected by the ILO. Please see "Labor Law Enforcement: Sources and Definitions" in the Reference Materials section of this report.  
<https://ilostat.ilo.org/data/>
- 48 ILO Committee on Employment and Social Policy. Strategies and practice for labour inspection. November 2006. GB.297/ESP/3. Please see "Labor Law Enforcement: Sources and Definitions" in the Reference Materials section of this report.  
<http://www.ilo.org/public/english/standards/relm/gb/docs/gb297/pdf/esp-3.pdf>

- 49 UN. World Economic Situation and Prospects 2017 Statistical Annex. 2017. Please see “Labor Law Enforcement: Sources and Definitions” in the Reference Materials section of this report. [https://www.un.org/development/desa/dpad/wp-content/uploads/sites/45/publication/2017wesp\\_full\\_en.pdf](https://www.un.org/development/desa/dpad/wp-content/uploads/sites/45/publication/2017wesp_full_en.pdf)
- 50 Government of the Kyrgyz Republic. Information from the Ministry of Internal Affairs of the Kyrgyz Republic for the U.S. government's report on the elimination of the worst forms of child labor. January 14, 2021. Source on file.
- 51 Government of the Kyrgyz Republic. Resolution No. 391 on the Procedure for the Identification of Children and Families in Difficult Living Situations. Enacted: June 22, 2015. <http://cbd.minjust.gov.kg/act/view/ru-ru/97689>
- 52 Government of the Kyrgyz Republic. Resolution No. 830 on the Coordination Council for the Social Protection of the Population and Children's Rights. Enacted: December 4, 2015. <http://cbd.minjust.gov.kg/act/preview/ru-ru/98225/10?mode=tekst>
- 53 U.S. Embassy- Bishkek. Reporting. February 21, 2020.
- 54 UNODC. UNODC Supports Institutional Development of Trafficking in Persons Coordination Councils in Kyrgyzstan. October 16, 2019. <https://www.unodc.org/centralasia/en/news/unodc-supports-institutional-development-of-trafficking-in-persons-coordination-councils-in-kyrgyzstan.html>
- 55 Kaktus Media. Something amiss at the Commission on Children's Affairs? December 14, 2019. [https://kaktus.media/doc/402662\\_komissii\\_po\\_delam\\_detey\\_v\\_kyrgyzstane:\\_chto\\_s\\_nimi\\_ne\\_tak.html](https://kaktus.media/doc/402662_komissii_po_delam_detey_v_kyrgyzstane:_chto_s_nimi_ne_tak.html)
- 56 Government of the Kyrgyz Republic, Ministry of Justice. Decree 479 of the Government of the Kyrgyz Republic on the Program to Support of Family and Protection of Children for 2018–2028. August 14, 2017. <http://cbd.minjust.gov.kg/act/view/ru-ru/100203?cl=ru-ru>
- 57 U.S. Embassy- Bishkek. Reporting. January 18, 2018.
- 58 Government of the Kyrgyz Republic. Decree No. 743 on the program of the Government of the Kyrgyz Republic for the fight against trafficking in persons in the Kyrgyz Republic during 2017-2020. Enacted: November 15, 2017. <http://cbd.minjust.gov.kg/act/preview/ru-ru/11515/10?mode=tekst>
- 59 Torogeldi-uulu, Bakyt. In Kyrgyzstan, If You Want Benefits You Might Have to Pay. February 24, 2019. <https://www.rferl.org/a/kyrgyzstan-benefits-bribes-children-social-welfare-kochkorov-minister/29787801.html>
- 60 Asel Sooronbayeva. Who in Kyrgyzstan can receive state allowances? Central Asian Bureau for Analytical Reporting (Cabar), April 1, 2019. <https://cabar.asia/ru/kto-v-kyrgyzstane-mozhet-poluchit-gosudarstvennye-posobiya/>
- 61 Government of the Kyrgyz Republic. Resolution on conditions for payment of personal assistants of children with limited abilities needing permanent care and supervision. Enacted: November 23, 2018. <http://cbd.minjust.gov.kg/act/view/ru-ru/12819?cl=ru-ru>

In 2021, Lebanon made minimal advancement in efforts to eliminate the worst forms of child labor. A United Nations Children's Fund-funded project trained police officers in Tripoli to identify child labor and refer children to social services. However, children in Lebanon are subjected to the worst forms of child labor, including use in the production and trafficking of drugs, sometimes as a result of human trafficking, and in forced labor in agriculture. Children also engage in child labor in the production of potatoes and tobacco. Furthermore, government officials continued to indicate that funding is insufficient to properly carry out their duties. In addition, labor inspectors can only conduct inspections in formal places of employment, in which child labor is nearly non-existent, and social 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 use in the production and trafficking of drugs, sometimes as a result of human trafficking, and in forced labor in agriculture. (1,2) Children also engage in child labor in the production of potatoes and tobacco. (3,4) 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, 2022. (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 (1-4,7-11)
	Production of tobacco† (11)
	Fishing, activities unknown (2,7)
Industry	Construction,† including carpentry, tiling, and welding† (1-4,7,9)
	Making handicrafts (2,12,13)
	Working in aluminum factories (14)
	Working in slaughterhouses† and butcheries (12)
Services	Street work,† including begging, street vending, portering, washing cars, scavenging garbage,† and shining shoes (1,2,4,7,9,15-19)
	Maintenance and repair of motor vehicles,† and painting† (2,9,12,16,19)
	Domestic work† (2,7,9,12)
	Cleaning sewage† and collecting waste materials, including scrap metal (9,12)

# Lebanon

## MINIMAL ADVANCEMENT

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

Sector/Industry	Activity
Services	Food service, <sup>†</sup> including working as waiters (3)
	Working in small shops and groceries (2,3,7,12,16,19)
Categorical Worst Forms of Child Labor <sup>‡</sup>	Use in illicit activities, including the production and trafficking of drugs, and arms dealing (2,4,16)
	Forced begging (1,10,15,16)
	Commercial sexual exploitation, sometimes as a result of human trafficking (1,2,12,20,21)
	Forced labor in agriculture (1,3,4,9,12)

<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.

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. (7,13) Multi-dimensional poverty in Lebanon has increased from 42 percent in 2019 to 82 percent in 2021, including virtually all of Lebanon's refugee population. (22) As a result of worsening conditions, UNICEF reported that the rate of child labor has increased from 2.6 percent to 4.4 percent, with agriculture and street work making up most of the increase. (7,23) In addition, 12 percent of families report sending at least 1 child to work and 7 times more Lebanese households have a working child than in previous years. (22)

UNHCR estimates that there were 1.5 million Syrian refugees in Lebanon as of November 2021 with 90 percent living in extreme poverty, making Syrian refugee children vulnerable to exploitation. (24) Child labor is also prevalent in other refugee communities in Lebanon, including the Palestinian and Iraqi communities. (13) Syrian refugee children are subjected to forced labor in agriculture. (1,3,12) 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. (25,26) An estimated 75 percent of Syrian refugee children working in the Bekaa Valley do so in agriculture. (27) Adult Syrian refugees face legal restrictions that allow them to work only in agriculture, construction, and sanitation. (12,28) These restrictions on adults make children vulnerable to child labor. (9)

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. (3,4,7,29) In 2021, 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. (13) Despite the official policy of schools being open to all, in practice, some refugees have been denied access to schools. (4) In addition, children with two Lebanese parents are sometimes prioritized in school enrollment over children with a non-Lebanese father. (30) Students without transcripts 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. (16,31,32) 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. (29,33) 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. (2,7) Lebanese and refugee children who work in agriculture often do not attend school during harvesting and planting seasons. (34) One local organization observed a direct correlation between school dropout rates and an increase in child labor. (16)



## 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 commercial sexual exploitation of children.

**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 (35)
Minimum Age for Hazardous Work	Yes	18	Articles 1-2 and Annex 2 of Decree No. 8987 (36)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Annex 1 of Decree No. 8987 (36)
Prohibition of Forced Labor	Yes		Article 8 of Decree No. 3855; Articles 569 and 586.1 of the Penal Code (37,38)
Prohibition of Child Trafficking	Yes		Articles 586.1 and 586.5 of the Penal Code (38)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Articles 506, 523, 525–527, 586.1, and 586.5 of the Penal Code; Decree No. 8987 (36,38)
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 (38,39)
Minimum Age for Voluntary State Military Recruitment	Yes	18	Article 30 of the National Defense Law (40)
Prohibition of Compulsory Recruitment of Children by (State) Military	N/A*		
Prohibition of Military Recruitment by Non-state Armed Groups	Yes		Article 586.1 of the Penal Code; Annex 1 of Decree No. 8987 (36,38)
Compulsory Education Age	Yes	15‡	Article 49 of the Education Law (41)
Free Public Education	Yes		Article 49 of the Education Law (41)

\* Country has no conscription (42)

‡ Age calculated based on available information (41)

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. (35) 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. (41) Children generally complete basic education at age 15. (41) 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.

# Lebanon

## 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 Labor	Enforces child labor laws through desk review and workplace inspections. (4) The Ministry's Child Labor Unit acts as government focal point for child labor issues and 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 (ISF)	Enforce laws regarding child labor through the Anti-Human Trafficking and Moral Crimes Unit. (4)
Ministry of Justice	Prosecutes violations of the Penal Code in coordination with ISF. 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 2021, labor law enforcement agencies in Lebanon took actions to address 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 lack of a mechanism to assess civil penalties.

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

Overview of Labor Law Enforcement	2020	2021
Labor Inspectorate Funding	Unknown (7)	Unknown (2)
Number of Labor Inspectors	34 (7)	34 (43)
Mechanism to Assess Civil Penalties	No (44)	No (44)
Initial Training for New Labor Inspectors	Unknown (7)	Unknown (2)
Training on New Laws Related to Child Labor	N/A	N/A
Refresher Courses Provided	Yes (7)	Unknown (2)
Number of Labor Inspections Conducted	Unknown (7)	Unknown (2)
Number Conducted at Worksite	Unknown (7)	Unknown (2)
Number of Child Labor Violations Found	Unknown (7)	Unknown (2)
Number of Child Labor Violations for Which Penalties Were Imposed	Unknown (7)	Unknown (2)
Number of Child Labor Penalties Imposed that Were Collected	Unknown (7)	Unknown (2)
Routine Inspections Conducted	Unknown (7)	Unknown (2)
Routine Inspections Targeted	Unknown (7)	Unknown (2)
Unannounced Inspections Permitted	Yes (44)	Yes (44)
Unannounced Inspections Conducted	Unknown (7)	Unknown (2)
Complaint Mechanism Exists	Yes (7)	Yes (2)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (7)	Yes (2)

In 2021, labor inspections were only conducted for emergency cases, which are received through an MOL-operated hotline or the Child Labor Unit webpage. (7) 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. (16) The MOL did not receive any emergency complaints regarding child labor during the reporting period. (43) 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, 12, 13, 45) Government officials continued to indicate that funding is insufficient to properly carry out their duties. (2) The MOL had only one car and two inspectors in each district. (43) In 2021, the labor inspectorate curtailed the number of inspections it conducted due to the ongoing economic crisis and concerns over the government's ability to pay salaries. (2)

The number of labor inspectors is likely insufficient for the size of Lebanon's workforce, which includes more than 2.1 million workers. (4) According to the ILO's technical advice of a ratio approaching 1 inspector for every 15,000 workers in developing economies, Lebanon would need to employ about 144 labor inspectors. (46,47)

The government does not publicly release information on its labor law enforcement efforts. (12)

### **Criminal Law Enforcement**

In 2021, criminal law enforcement agencies in Lebanon took actions to address child labor (Table 7). However, gaps exist within the operations of the criminal enforcement agencies that may hinder adequate criminal law enforcement, including insufficient allocation of financial resources.

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

Overview of Criminal Law Enforcement	2020	2021
Initial Training for New Criminal Investigators	Yes (7)	Yes (2)
Training on New Laws Related to the Worst Forms of Child Labor	N/A	N/A
Refresher Courses Provided	Yes (7)	Unknown (2)
Number of Investigations	98 (7)	46 (2)
Number of Violations Found	98 (7)	46 (2)
Number of Prosecutions Initiated	Unknown (7)	Unknown (2)
Number of Convictions	1 (7)	Unknown (2)
Imposed Penalties for Violations Related to the Worst Forms of Child Labor	Yes (7)	Unknown (2)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (7)	Yes (2)

In 2021, a UNICEF-funded project trained police officers in Tripoli to identify child labor and refer children to social services. In addition, NGOs provided training to the Internal Security Forces (ISF) and local police to help authorities address the needs of street children. (2) The ISF's anti-trafficking unit is reportedly underfunded and understaffed, and it has no field offices outside Beirut. (1) The Ministry of Justice has stated that a lack of sufficient human resources hindered the government's ability to address child labor. (13)

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 lack of 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. (13) Active in 2021. (43)
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. (13) Active in 2021. (43)
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. (13) Make recommendations to the government on the use of resources, including referral services. (13) UN agencies and international and local NGOs coordinate child protection efforts through Child Protection Working Groups. (12) Active in 2021. (24)

# Lebanon

## MINIMAL ADVANCEMENT

### V. GOVERNMENT POLICIES ON CHILD LABOR

The government has established policies related to child labor (Table 9). However, policy gaps exist that hinder efforts to address child labor, including a lack of 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 activities were undertaken to implement the National Action Plan to End Street Begging by Children 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. (48,49) Research was unable to determine whether activities were undertaken to implement the Policy for the Protection of Students in the School Environment 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. (50) Research was unable to determine whether activities were undertaken to implement the Work Plan to Prevent and Respond to the Association of Children with Armed Violence in Lebanon during the reporting period.

The National Action Plan on the Elimination of the Worst Forms of Child Labor expired in 2019, and the government has not renewed it.

### VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2021, the government funded and participated in programs that include the goal of eliminating or preventing child labor (Table 10). However, gaps exist in these social programs, including adequacy of programs to address the full scope of the problem.

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

Program	Description
Child Protection Program	Joint program by UNICEF and the Ministry of Social Affairs. Addresses child labor through interventions, including a non-formal education program for children, child protection services, skills development, and social assistance. (4) Active in 2021. (51)
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. (52) Active in 2021. (53)
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 provided WFP food vouchers (\$27 per month) for each member of poor families. It also provided school tuition and book costs for secondary school students from 43,000 poor families. (33) This program closed in 2021. (54)

† 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, some officials are reluctant to remove children trafficked by their families due to a lack of adequate social services. (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 Lebanon (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, which the government signed in 2002.	2013 – 2021
	Raise the minimum age for work to the age up to which education is compulsory.	2018 – 2021
	Ensure that the minimum age for work applies to all children, including informal workers, domestic workers, and all agricultural workers.	2019 – 2021
Enforcement	Ensure that there is an adequate mechanism to receive and log child labor complaints and refer them for investigation.	2017 – 2021
	Track and publish information on labor law enforcement.	2009 – 2021
	Authorize the labor inspectorate to assess penalties.	2015 – 2021
	Provide Ministry of Labor inspectors with proper funding and resources.	2011 – 2021
	Increase the number of labor inspectors to meet the ILO's technical advice.	2016 – 2021
	Publish information on criminal enforcement of child labor laws.	2009 – 2021
	Ensure that criminal law enforcement agencies, including the Internal Security Forces' anti-human trafficking unit, have the necessary funding and staff to investigate and prosecute criminal cases of child labor in accordance with the law.	2017 – 2021
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 – 2021
	Ensure that activities are undertaken to implement key policies related to child labor during the reporting period and that data on these activities are published.	2021
	Adopt a new action plan to address the worst forms of child labor.	2020 – 2021
Social Programs	Collect and publish data on the extent and nature of child labor to inform policies and programs.	2020 – 2021
	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 – 2021
	Expand programs, including social services for human trafficking survivors, to fully address the extent of child labor, including in construction and forced labor in agriculture.	2013 – 2021

**REFERENCES**

- U.S. Department of State. Trafficking in Persons Report- 2020: Lebanon. Washington, D.C., June 25, 2020.
- U.S. Embassy- Beirut. Reporting. January 13, 2022.
- Plan International. Adolescent Girls and Boys Needs Assessment: Focus on Child Labour and Child Marriage. July 18, 2018. <https://plan-international.org/publications/girls-and-boys-needs-assessment-lebanon>
- U.S. Embassy- Beirut. Reporting. January 16, 2020.
- UNESCO Institute for Statistics. Gross intake ratio to the last grade of primary education, both sexes (%). Accessed March 3, 2022. For more information, please see "Children's Work and Education Statistics: Sources and Definitions" in the Reference Materials section of this report. <http://data.uis.unesco.org/>
- ILO. Analysis of Child Economic Activity and School Attendance Statistics from National Household or Child Labor Surveys. Analysis received March 2022. For more information, please see "Children's Work and Education Statistics: Sources and Definitions" in the Reference Materials section of this report.
- U.S. Embassy- Beirut. Reporting. January 26, 2021.
- Food and Agriculture Organization of the United Nations. Child labour in agriculture is on the rise, driven by conflict and disasters. Rome, June 12, 2018. <http://www.fao.org/news/story/en/item/1140078/icode/>
- Sherriff, Lucy and Dawn Kelly. The Necessary Evil of Syrian Child Labour In Lebanon. May 5, 2017. [https://www.huffingtonpost.co.uk/entry/the-necessary-evil-of-syrian-child-labour-in-lebanon\\_uk\\_590c80c7e4b0d5d9049bbec3?guccounter=2](https://www.huffingtonpost.co.uk/entry/the-necessary-evil-of-syrian-child-labour-in-lebanon_uk_590c80c7e4b0d5d9049bbec3?guccounter=2)
- U.S. Embassy- Beirut. Reporting. February 12, 2021.
- UNICEF. Child Labour in Agriculture: The Demand Side. February 2019. <https://www.unicef.org/lebanon/reports/child-labour-agriculture-demand-side>
- U.S. Embassy- Beirut. Reporting. January 17, 2019.
- U.S. Embassy- Beirut. Reporting. January 19, 2018.
- Khouri, Lisa. Special report: 180,000 young Syrian refugees are being forced into child labor in Lebanon. July 26, 2017. <https://www.vox.com/world/2017/7/24/15991466/syria-refugees-child-labor-lebanon>
- U.S. Embassy- Beirut. Reporting. February 21, 2020.
- Alef official. Interview with USDOL official. January 9, 2018.
- Chehayeb, Kareem. As Beirut's Trash Crisis Drags on, Children Recycle to Survive. November 1, 2018. <https://www.citylab.com/environment/2018/11/beirut-trash-refugee-children-recycle/574312/>
- Kanso, Heba. Poverty forces Syrian refugee children into work. June 12, 2018. <https://www.reuters.com/article/us-lebanon-child-labour/poverty-forces-syrian-refugee-children-into-work-idUSKBN1J82CY>
- Bonet, Ethel. With poverty rates on the rise, eradicating child labour in Lebanon is proving ever more complicated. March 29, 2021. <https://www.equaltimes.org/with-poverty-rates-on-the-rise?lang=en#.YUIWKP1KiMp>
- ILO. Country Level Engagement and Assistance to Reduce Child Labor (CLEAR) - Technical Progress Report. October 2018. Source on file.
- Raymond, Janice G. Pity the Nations: Women Refugees in Lebanon. December 6, 2017. <https://www.truthdig.com/articles/pity-nations-female-refugees-lebanon/>



## MINIMAL ADVANCEMENT

- 22 UNICEF. Violent Beginnings: Children growing up in Lebanon's crisis. December 2021.  
<https://reliefweb.int/sites/reliefweb.int/files/resources/Child Protection - Violent Beginnings .pdf>
- 23 UNICEF. Nine out of ten Syrian refugee families in Lebanon are now living in extreme poverty, UN study says. December 18, 2020.  
<https://www.unicef.org/lebanon/press-releases/nine-out-of-ten-syrian-refugee-families-lebanon-are-now-living-extreme-poverty-un-study>
- 24 UNHCR. Lebanon Fact Sheet. November 2021.  
<https://reporting.unhcr.org/document/1262>
- 25 U.S. Department of State. Trafficking in Persons Report- 2018: Lebanon. Washington, D.C., June 28, 2018.  
<https://www.state.gov/reports/2018-trafficking-in-persons-report/lebanon/>
- 26 U.S. Embassy- Beirut. Reporting. February 9, 2017.
- 27 Habib, Rima R. Survey on Child Labour in Agriculture in the Bekaa Valley of Lebanon: The Case of Syrian Refugees. American University of Beirut, June 2019.  
<https://www.unicef.org/lebanon/reports/survey-child-labour-agriculture>
- 28 CARE. Syrian Refugees in Lebanon Eight Years On: What Works and Why that Matters for the Future. November 12, 2018.  
[https://www.care-international.org/files/files/CAREInternationalLebanon\\_RefugeesinLebanon\\_Whatworksandwhythatmattersforthefuture.pdf](https://www.care-international.org/files/files/CAREInternationalLebanon_RefugeesinLebanon_Whatworksandwhythatmattersforthefuture.pdf)
- 29 Human Rights Watch. Submission to the Committee on the Rights of the Child in advance of its review of Lebanon. March 24, 2017.  
[http://tbinternet.ohchr.org/Treaties/CRC/Shared Documents/LBN/INT\\_CRC\\_NGO\\_LBN\\_27105\\_E.pdf](http://tbinternet.ohchr.org/Treaties/CRC/Shared Documents/LBN/INT_CRC_NGO_LBN_27105_E.pdf)
- 30 Ramadan, Tala. Children of Lebanese Mothers and Non-Lebanese Fathers Continue to Face Hurdles in Education. October 28, 2021.  
<https://today.lorientlejour.com/article/1279568/children-of-lebanese-mothers-and-non-lebanese-fathers-continue-to-face-hurdles-in-education.html>
- 31 Human Rights Watch. Lebanon: Stalled Effort to Get Syrian Children in School. December 13, 2018.  
<https://www.hrw.org/news/2018/12/13/lebanon-stalled-effort-get-syrian-children-school>
- 32 American Institutes for Research. Evaluation of No Lost Generation/“Min Ila,” a UNICEF and WFP Cash Transfer Program for Displaced Syrian Children in Lebanon. June 2018.  
<https://www.air.org/sites/default/files/downloads/report/Evaluation-of-No-Lost-Generation-Min-Ila-Final-Report-July-2018.pdf>
- 33 U.S. Embassy- Beirut official. E-mail communication to USDOL official. June 18, 2020.
- 34 Government of Lebanon. National Action Plan to Eliminate the Worst Forms of Child Labour in Lebanon by 2016. 2013: Executive Summary.  
[http://www.ilo.org/wcmsp5/groups/public/---arabstates/---ro-beirut/documents/genericdocument/wcms\\_229115.pdf](http://www.ilo.org/wcmsp5/groups/public/---arabstates/---ro-beirut/documents/genericdocument/wcms_229115.pdf)
- 35 Government of Lebanon. Labor Code (as amended). Enacted: September 23, 1946.  
<http://ahdath.justice.gov.lb/law-nearby-work.htm>
- 36 Government of Lebanon. Decree No. 8987 of 2012 concerning the prohibition of employment of minors under the age of 18 in works that may harm their health, safety or morals. Enacted: October 4, 2012.  
[http://www.ilo.org/dyn/natlex/natlex\\_browse.details?p\\_lang=en&p\\_country=LBN&p\\_classification=04&p\\_origin=SUBJECT&p\\_whatsnew=201304](http://www.ilo.org/dyn/natlex/natlex_browse.details?p_lang=en&p_country=LBN&p_classification=04&p_origin=SUBJECT&p_whatsnew=201304)
- 37 Government of Lebanon. Decree No. 3855 on Lebanon's accession to the International Covenant on Civil and Political Rights. Enacted: September 1, 1972. Source on file.
- 38 Government of Lebanon. Legislative Decree No. 340 on the Penal Code (as amended). Enacted: March 1, 1943. Source on file.
- 39 Government of Lebanon. Law No. 673. Enacted: March 16, 1998. Source on file.
- 40 Government of Lebanon. Legislative Decree No. 102 on the National Defense Law (as amended). Enacted: September 16, 1983. Source on file.
- 41 Government of Lebanon. Law No. 150 on Terms of appointment in the Ministry of Education and Higher Education. Enacted: August 17, 2011.  
<https://site.eastlaws.com/GeneralSearch/Home/ArticlesDetails?MasterID=1637110&related>
- 42 Government of Lebanon. Law No. 665. Enacted: February 4, 2005.  
<http://www.lebarmy.gov.lb/en/content/military-service>
- 43 U.S. Embassy- Beirut official. E-mail communication to USDOL official. May 25, 2022.
- 44 Government of Lebanon. Decree No. 3273 on Labour Inspection. Enacted: 2000.  
<http://www.ilo.org/dyn/natlex/docs/SERIAL/58763/45932/F1688904235/LBN58763.PDF>
- 45 U.S. Embassy- Beirut official. E-mail communication to USDOL official. June 1, 2018.
- 46 ILO. Strategies and Practice for Labour Inspection. Geneva: Committee on Employment and Social Policy, November 2006: GB.297/ESP/3. Please see “Labor Law Enforcement: Sources and Definitions” in the Reference Materials section of this report.  
<http://www.ilo.org/public/english/standards/relm/gb/docs/gb297/pdf/esp-3.pdf>
- 47 UN. World Economic Situation and Prospects 2017 Statistical Annex. New York, 2017. Please see “Labor Law Enforcement: Sources and Definitions” in the Reference Materials section of this report.  
[https://www.un.org/development/desa/dpad/wp-content/uploads/sites/45/publication/2017wesp\\_full\\_en.pdf](https://www.un.org/development/desa/dpad/wp-content/uploads/sites/45/publication/2017wesp_full_en.pdf)
- 48 UNICEF. Syria Crisis 2018 Humanitarian Results. December 31, 2018.  
[https://reliefweb.int/sites/reliefweb.int/files/resources/UNICEF Syria Crisis Situation Report\\_Year End 2018.pdf](https://reliefweb.int/sites/reliefweb.int/files/resources/UNICEF Syria Crisis Situation Report_Year End 2018.pdf)
- 49 Trtrian, Gasia. Education Ministry policy combats violence in schools. May 12, 2018. Source on file.
- 50 UN SRSG. Input for the UPR on Lebanon. June 2020.  
<https://uprdoc.ohchr.org/uprweb/downloadfile.aspx?filename=8287&file=EnglishTranslation>
- 51 UNICEF. Lebanon: Escalating crisis puts children at risk as the majority of families cannot afford to meet the basic needs of their children. July 1, 2021.  
<https://www.unicef.org/press-releases/lebanon-escalating-crisis-puts-children-risk-majority-families-cannot-afford-meet>
- 52 Ministry of Education and Higher Education. Reaching All Children with Education: RACE II (2017–2021). August 2016. Source on file.
- 53 World Bank. Reaching All Children with Education in Lebanon Support Project. Accessed March 10, 2022.  
<https://projects.worldbank.org/en/projects-operations/project-detail/PI59470>
- 54 The World Bank. Emergency National Poverty Targeting Program Project. January 1, 2022.  
<https://projects.worldbank.org/en/projects-operations/project-detail/PI49242>

In 2021, Lesotho made moderate advancement in efforts to eliminate the worst forms of child labor. Lesotho's Multisectoral Committee on Combating Trafficking in Persons launched the National Referral Mechanisms in Trafficking in Persons. The Government of Lesotho also created standard operating procedures for responding to human trafficking violations, with the Home Affairs Ministry distributing the documents in the 10 districts of the country. In addition, the labor inspectorate significantly increased the number of inspections conducted during the reporting period. 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. 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 effective coordination mechanisms to address 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. (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, 2022. (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† (1,2,5,6)
	Farming, including planting, applying pesticides, and harvesting (5-11)
Services	Domestic work (1,2,5,6)
	Street work, including vending, and trading (5,7)
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 (7,12)

† 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.

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. (1,2,8,12) Children, especially orphans,

# Lesotho

## MODERATE ADVANCEMENT

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. (1,12)

The Lesotho Population-based HIV Impact Assessment showed that in 2017, the HIV rate in adults (ages 15–59) was 25.6 percent, the second-highest HIV rate in adults worldwide. (7,13) Due to the high rate of HIV among adults, many children in Lesotho become orphans and are vulnerable to human trafficking. (1,2,10,14) Children, mostly orphans driven by poverty, migrate from rural to urban areas to engage in commercial sexual exploitation. (1,10)

In Lesotho, primary education is free; however, secondary education incurs a fee that is cost prohibitive for many families. (1,5,15,16) Many children face limited access to education due to a shortage of teachers and schools, which causes them to travel long distances. In addition, the absence of sanitation facilities in schools remains a barrier for many children to access education. (1,5,6) Children with disabilities also 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. (1,17)




UNICEF reported a 43 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. (18,19) According to the Ministry of Social Development, children must produce copies of birth certificates to qualify for the Orphans and Vulnerable Children program that provides school fees and uniforms for orphans and vulnerable children. Absence of birth certificates prevents vulnerable children from obtaining support from the Ministry of Social Development. (6)

During the reporting period, the prevalence of the COVID-19 pandemic hindered some children from accessing education. While the government offered on-line classes, these were inconsistent and children from poor households with limited or no Internet capabilities could not access them. (5,6) The government has introduced a new school year calendar to cover for the lost time. (6)

## 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 Labor Code (15,20)
Minimum Age for Hazardous Work	Yes	18	Article 230(1) of the Children's Protection and Welfare Act; Article 125(1) of the Labor Code (15,20)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Articles 230(3) and 231 of the Children's Protection and Welfare Act (15)
Prohibition of Forced Labor	Yes		Article 7(1) of the Labor Code; Article 9(2) of the Constitution; Article 5 of the Anti-Trafficking in Persons Act (20-22)
Prohibition of Child Trafficking	Yes		Article 5 of the Anti-Trafficking in Persons Act; Anti-Trafficking in Persons (Amendment) Act (2021)(22,23)
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 (15,24)
Prohibition of Using Children in Illicit Activities	Yes		Article 45(b) of the Children's Protection and Welfare Act (15)
Minimum Age for Voluntary State Military Recruitment	Yes	18	Article 22(o) of the Children's Protection and Welfare Act (15)
Prohibition of Compulsory Recruitment of Children by (State) Military	N/A*		Article 22(o) of the Children's Protection and Welfare Act (15)
Prohibition of Military Recruitment by Non-state Armed Groups	Yes		Article 22(o) of the Children's Protection and Welfare Act (15)
Compulsory Education Age	No	13‡	Article 3 of the Education Act (16)
Free Public Education	Yes		Article 3 of the Education Act; Article 22(k) of the Children's Protection and Welfare Act (15,16)

\* Country has no conscription (15)

‡ Age calculated based on available information (16)

In 2021, the Ministry of Labor and Employment (MOLE) continued to update the Lesotho Labor Code, which has been drafted by the Parliamentary Council. The draft Labor Code maintains the minimum age of 15 for labor and strengthens provisions to address 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. (15,16,20)

### 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 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	Manages 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)

# Lesotho

## MODERATE ADVANCEMENT

In addition to the domestic enforcement agencies, there are also cross-border enforcement mechanisms between Lesotho and the Republic of South Africa. The enforcement entities are coordinated by different ministries—Home Affairs, Local Government, or Police and Public Safety respectively. (6) There is, however, lack of coordination between these bodies, which negatively impacts implementation as some efforts are duplicated, while unclear lines of responsibility mean that other efforts are not undertaken. (6)

The Ministry of Social Development submitted drafting instructions to the Parliamentary Council for amendments 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. (7)

### Labor Law Enforcement

In 2021, labor law enforcement agencies in Lesotho took actions to address 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	2020	2021
Labor Inspectorate Funding	\$796,465 (5)	N/A (6)
Number of Labor Inspectors	31 (5)	27 (27)
Mechanism to Assess Civil Penalties	No (5)	No (20)
Initial Training for New Labor Inspectors	No (5)	No (6)
Training on New Laws Related to Child Labor	No (5)	N/A (6)
Refresher Courses Provided	Yes (5)	Yes (6)
Number of Labor Inspections Conducted	437 (5)	940 (6)
Number Conducted at Worksite	437 (5)	500 (27)
Number of Child Labor Violations Found	0 (5)	1 (6)
Number of Child Labor Violations for Which Penalties Were Imposed	N/A (5)	0 (6)
Number of Child Labor Penalties Imposed that Were Collected	N/A (5)	0 (6)
Routine Inspections Conducted	Yes (5)	Yes (6)
Routine Inspections Targeted	Yes (5)	Yes (6)
Unannounced Inspections Permitted	Yes (20)	Yes (20)
Unannounced Inspections Conducted	Yes (5)	Yes (6)
Complaint Mechanism Exists	Yes (5)	Yes (6)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (5)	Yes (6)

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 to register for a child grant program. (5) MOLE also receives walk-in complaints daily, as well as whistleblower complaints. In addition, the Ministry of Social Development has a child help line that addresses general child protection issues. (6)

MOLE was allocated \$3.4 million; however, the budget allocated to the labor inspectorate was not specified, and the budget for activities was limited as a large share was used to pay for salaries. (6) 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. (5,6,25)

### Criminal Law Enforcement

In 2021, criminal law enforcement agencies in Lesotho took actions to address 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.



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

Overview of Criminal Law Enforcement	2020	2021
Initial Training for New Criminal Investigators	No (5)	No (6)
Training on New Laws Related to the Worst Forms of Child Labor	N/A (5)	N/A (6)
Refresher Courses Provided	No (5)	No (6)
Number of Investigations	0 (5)	1 (6)
Number of Violations Found	0 (5)	0 (6)
Number of Prosecutions Initiated	0 (5)	0 (6)
Number of Convictions	0 (5)	0 (6)
Imposed Penalties for Violations Related to the Worst Forms of Child Labor	No (5)	No (6)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (5)	Yes (6)

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. (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
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. (5) Held a meeting in February 2021 to present the Inception Report on the Worst Forms of Child Labor Survey. (6)
National Orphans and Vulnerable Children Coordinating Committee	Strengthens coordination on issues related to orphans and vulnerable children at the national level. During the reporting period, the committee participated in the development of the Persons with Disability Equity Act, 2021, which has been passed into a law. (25)
Multisectoral 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. (28) During the reporting period, the Multisectoral Committee on Combating Trafficking in Persons launched the National Referral Mechanisms in Trafficking in Persons and the standard operating procedures in October. The Home Affairs Ministry distributed these operating procedures to the 10 districts of the country. (6) In addition, the committee held 9 meetings centrally and 10 meetings across the country. In partnership with the International Organization for Migration (Lesotho IOM), the committee conducted training on the introduction and dissemination of the National Referral Mechanism and the Law Enforcement Standard Operating Procedures for responding to Trafficking in Persons for 160 government and non-government participants. (29)
District Child Protection Teams	Coordinate child protection matters, including those related to 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. (28) Held two public gatherings in two villages on child labor in March. (6)
Community Coordination Teams	Monitors, addresses, and refers instances of at-risk children or those involved in hazardous work. (1) In 2021, a community Council Child Protection Team was established at Mhlakeng Community Council. (6)

#### 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.

## MODERATE ADVANCEMENT

**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. (25,30) During the reporting period, the government opened a bank account for implementation of the National Anti-Trafficking in Persons Strategic Framework and Action Plan (2021–2026). The government approved \$32,679 toward the plan, but funds have not yet been disbursed. (31)
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. (1,32) During the reporting period, the Ministry of Social Development officially relaunched the Child Helpline Lesotho initiative. The initiative provides 24-hour services, emergency assistance, and long-term resources to children who have experienced any form of violence and need care. (31)

‡ The government had other social programs that may have included the goal of eliminating or preventing child labor. (1,7,25)

The government released a draft labor policy in 2018 that proposed harmonizing existing legislation with international labor standards regarding child labor. Currently, the Labor Code review process is at the final drafting stage by the Parliamentary Council Unit and is awaiting final approval by the National Advisory Committee on Labor before the draft bill can be tabled before the cabinet. (1,5,7,31)

## VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2021, 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 inadequacy 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) The program benefited over 26,000 orphan and vulnerable children during the reporting period. (6)
School Feeding Program	Provides incentives for primary school children from impoverished backgrounds to attend school and improves retention. (1) The program has provided meals to over 390,000 pupils during the reporting period. (6)
Child Grant Program	Provides social cash transfers to the impoverished and households with 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. (1,33) The program benefited 50,000 households during the reporting period. (6)

† 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)

## 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 – 2021
Enforcement	Provide adequate funding and training for labor inspectors to carry out mandated duties.	2009 – 2021
	Ensure that criminal law enforcement agencies receive an adequate amount of funding, training, and resources with which to conduct investigations.	2020 – 2021
	Ensure that labor inspections are conducted in all relevant sectors, including the informal sector.	2014 – 2021
	Establish a mechanism to assess civil penalties for child labor violations.	2009 – 2021
	Publish the funding for the labor inspectorate.	2021

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

Area	Suggested Action	Year(s) Suggested
Coordination	Improve coordination and communication among coordinating bodies to clarify mandates to address all forms of child labor.	2021
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.	2021
	Ensure that all action plans are active and being implemented according to their mandates.	2020 – 2021
Social Programs	Institute programs that address factors that promote child labor, including the high HIV rate among the adults.	2017 – 2021
	Ensure that children with disabilities have equal access to education.	2018 – 2021
	Address educational and logistical gaps resulting in reduced opportunities for secondary education, including secondary school fees and the shortage of teachers, schools, and sanitation facilities.	2018 – 2021
	Increase birth registrations of children to reduce their vulnerability to the worst forms of child labor.	2017 – 2021
	Expand existing programs to address the full scope of the child labor problem and ensure that this information is publicly available.	2015 – 2021

**REFERENCES**

- U.S. Embassy- Maseru. Reporting. February 8, 2019.
- U.S. Embassy- Maseru. Reporting. March 1, 2019.
- UNESCO Institute for Statistics. Gross intake ratio to the last grade of primary education, both sexes (%). Accessed March 3, 2022. For more information, please see “Children’s Work and Education Statistics: Sources and Definitions” in the Reference Materials section of this report. <http://data.uis.unesco.org/>
- ILO. Analysis of Child Economic Activity and School Attendance Statistics From National Household or Child Labor Surveys. Original data from Multiple Indicator Cluster Survey 6 (MICS 6), 2018. Analysis received March 2022. Please see “Children’s Work and Education Statistics: Sources and Definitions” in the Reference Materials section of this report.
- U.S. Embassy- Maseru. Reporting. February 18, 2021.
- U.S. Embassy- Maseru. Reporting. January 14, 2022.
- U.S. Embassy- Maseru. Reporting. January 8, 2018.
- U.S. Department of State. Trafficking in Persons Report- 2018: Lesotho. Washington, D.C., June 28, 2018. <https://www.state.gov/reports/2018-trafficking-in-persons-report/lesotho/>
- U.S. Embassy- Maseru. Reporting. May 3, 2018.
- Government of Lesotho and ILO. Lesotho Decent Work Country Programme, Phase II: 2012 to 2017. Maseru: 2013. [https://www.ilo.org/wcmsp5/groups/public/---ed\\_mas/---program/documents/genericdocument/wcms\\_561054.pdf](https://www.ilo.org/wcmsp5/groups/public/---ed_mas/---program/documents/genericdocument/wcms_561054.pdf)
- U.S. Department of State. Trafficking in Persons Report- 2020: Lesotho. Washington, D.C., June 2020. <https://www.state.gov/reports/2020-trafficking-in-persons-report/lesotho/>
- U.S. Department of State. Trafficking in Persons Report- 2021: Lesotho. Washington, D.C., June 28, 2021. <https://www.state.gov/reports/2021-trafficking-in-persons-report/lesotho/>
- UNICEF. Agents of change: Children in Lesotho bring improved sanitation from classrooms to communities. September 27, 2017. [https://www.unicef.org/infobycountry/lesotho\\_100943.html](https://www.unicef.org/infobycountry/lesotho_100943.html)
- UNICEF. Eastern and Southern Africa, HIV and AIDS—Overview. Accessed February 17, 2017. [https://www.unicef.org/media/47741/file/Annual\\_Results\\_Report\\_2017\\_HIV\\_And\\_AIDS.pdf](https://www.unicef.org/media/47741/file/Annual_Results_Report_2017_HIV_And_AIDS.pdf)
- Government of Lesotho. Children’s Protection and Welfare Act (Act No. 7 of 2011). Enacted: 2011. <http://jafbase.fr/docAfrique/Lesotho/children act lesotho.pdf>
- Government of Lesotho. Education Act, 2010. Enacted: March 15, 2010. [https://lesotholii.org/ls/legislation/act/2010/3/education\\_act\\_2010.pdf](https://lesotholii.org/ls/legislation/act/2010/3/education_act_2010.pdf)
- Lesotho National Federation of Organisations of the Disabled. Disability in Lesotho. 2016. <http://www.infod.org.ls/disability-in-lesotho.html>
- Citizenship Rights in Africa Initiative, Institute on Statelessness and Inclusion, and Lawyers for Human Rights. Civil Society Submission on the right of every child to acquire a nationality under Article 7 CRC. July 1, 2017. Source on file.
- UNICEF. UNICEF Data: Monitoring the Situation. Accessed May 31, 2018. <https://data.unicef.org/country/ls/>
- Government of Lesotho. Labour Code Order, 1992 (Order, No. 24 of 1992). Enacted: 1992. <http://www.ilo.org/dyn/natlex/docs/WEBTEXT/31536/64865/E92LSO01.htm>
- Government of Lesotho. The Constitution of Lesotho. Enacted: 1993. [https://www.constituteproject.org/constitution/Lesotho\\_2011.pdf?lang=en](https://www.constituteproject.org/constitution/Lesotho_2011.pdf?lang=en)
- Government of Lesotho. Anti-Trafficking in Persons Act, 2011. Enacted: January 11, 2011. [https://sherloc.unodc.org/cld/uploads/res/document/anti-trafficking-in-persons-act--2011\\_html/Lesotho\\_TIP\\_Act\\_2011.pdf](https://sherloc.unodc.org/cld/uploads/res/document/anti-trafficking-in-persons-act--2011_html/Lesotho_TIP_Act_2011.pdf)
- Government of Lesotho. Anti-Trafficking in Persons (Amendment) Act (2021). Enacted: January 14, 2021. Source on file.
- Government of Lesotho. Sexual Offenses Act, 2003. Enacted: April 22, 2003. <https://www.lesotholii.org/ls/legislation/num-act/2003/3>
- U.S. Embassy- Maseru. Reporting. February 20, 2020.
- U.S. Embassy- Maseru. Reporting. February 12, 2021.
- U.S. Embassy- Maseru. Reporting. February 8, 2022.
- U.S. Embassy- Maseru. Reporting. January 13, 2017.
- U.S. Embassy- Maseru. TIP Reporting. January 31, 2022.
- Government of Lesotho. National Strategic Framework and Action Plan to Combat Trafficking in Persons. Maseru: December 2020. Source on file.
- U.S. Embassy- Maseru official. E-mail communication to USDOL official. May 25, 2022.
- Government of Lesotho. Kingdom of Lesotho: National Strategic Development Plan (2018–2023). Source on file.
- UNICEF. Lesotho Social Assistance Budget Brief. Maseru, Lesotho: 2017/18 FY. Source on file.

In 2021, Liberia made moderate advancement in efforts to eliminate the worst forms of child labor. During the reporting period, the government ratified the International Labor Organization Convention No. 138: Convention Concerning Minimum Age for Admission to Employment and passed amendments to the 2005 Anti-Human Trafficking Law that remove the requirement of force, fraud, or coercion in child sex trafficking cases. In addition, it removed 38 children from situations of labor exploitation or endangerment and referred them to the Ministry of Gender, Children and Social Protection for social services or placement in shelters. However, children in Liberia are subjected to the worst forms of child labor, including in forced domestic work. Children also perform dangerous tasks in the production of rubber and the mining of gold and diamonds. Liberia has yet to accede to the United Nations Committee on the Rights of the Child's Optional Protocol on Armed Conflict or the Optional Protocol on the Sale of Children, Child Prostitution, and Child Pornography. 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. (1,2) Children also perform dangerous tasks in the production of rubber and the mining of gold and diamonds. (3) Table 1 provides key indicators on children's work and education in Liberia.

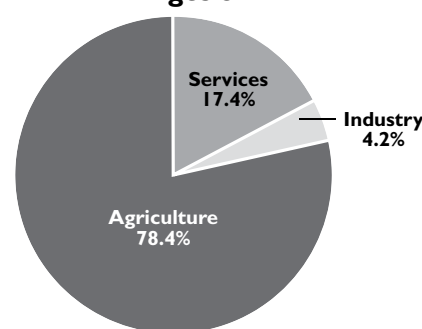
**Table 1. Statistics on Children's Work and Education**

Children	Age	Percent
Working (% and population)	5 to 14	16.6 (136,340)
Attending School (%)	5 to 14	75.9
Combining Work and School (%)	7 to 14	14.0
Primary Completion Rate (%)		60.6

Source for primary completion rate: Data from 2017, published by UNESCO Institute for Statistics, 2022. (4)

Source for all other data: International Labor Organization's analysis of statistics from Labour Force Survey (LFS), 2010. (5)

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



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

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

Sector/Industry	Activity
Agriculture	Production of rubber, including cutting trees with machetes and using acid (2,3,6,7)
	Production of charcoal (3,6)
	Farming activities, including production of cocoa, coffee, cassava, and sugarcane (3,6)
Industry	Mining diamonds and gold, including washing gravel and using mercury and cyanide (2,3,6,8,9)
	Cutting and crushing stone (6,7,10)
	Construction, including carrying heavy loads† (6,10)
Services	Domestic work (3)
	Street work, including vending, begging, and selling goods (3,6,7,11,12)
Categorical Worst Forms of Child Labor‡	Use in illicit activities, including selling drugs (3,6)
	Forced labor in domestic work, street vending, mining, begging, and work on small rubber plantations. (2,3,9)
	Commercial sexual exploitation, sometimes as a result of human trafficking (2,3,6,13)

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

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

# Liberia

## MODERATE ADVANCEMENT




The National Commission on Child Labor (NACOMAL) did not collect any data on child labor in 2021 and the data collected in 2016–2017 for an updated labor force survey have not yet been released by the Ministry of Labor (MOL). Research was unable to determine whether data from the 2017 labor force survey, which reportedly includes a child labor component, were analyzed in 2021. (3,7,9,14,15) 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. (3,6) There have been anecdotal reports that children are also used to sell illicit drugs within the country by adults as a cover to evade arrest by law enforcement. (3,6) Human 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 they are subjected 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. (1,3,14) 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. (6)

Section 9 of the Children's Law mandates free basic education from grades one to nine, but the cost of registration fees, 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 afford to do so. (3,6) In schools throughout rural communities, few teachers are on the official Ministry of Education payroll; in many cases, it is only the principal. Communities must supplement their school's teaching force by recruiting and paying small stipends for volunteer teachers who may not be qualified or committed to showing up to teach. (16) 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. (3,6,7) In addition, some teachers sexually exploit students in exchange for the promise of good grades, resulting in children avoiding or dropping out of school. (3,6,7) 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. (3,6,7)

## II. LEGAL FRAMEWORK FOR CHILD LABOR

Liberia 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 Liberia's legal framework to adequately protect children from the worst forms of child labor, including the lack of a comprehensive hazardous work list.

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

Standard	Meets International Standards	Age	Legislation
Minimum Age for Work	Yes	15	Section 74 of the Labor Law; Articles 2.3 and 21.2 of the Decent Work Act (17,18)
Minimum Age for Hazardous Work	Yes	18	Article 7 and Section 9.1 of the Children's Law (19)
Identification of Hazardous Occupations or Activities Prohibited for Children	No		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 of the Act to Ban Trafficking in Persons Within the Republic of Liberia (18,20)
Prohibition of Child Trafficking	Yes		Article 7, Section 8 of the Children's Law; Article 1 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 of the Act to Ban Trafficking in Persons Within the Republic of Liberia (18-21)
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 2.3 of the Decent Work Act; Article 3, Section 22 of the Children's Law (18,19)
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	Yes	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)

On September 7, 2021, the Liberian legislature passed an amendments to the 2005 Act to Ban Trafficking in Persons Within the Republic of Liberia that removed the requirement of force, fraud, or coercion in child sex trafficking cases and prescribed penalties for adult trafficking that are sufficiently stringent and commensurate with the penalties for other grave crimes, which now include prison sentences not less than 20 years and fines up to \$200,000. (3,20) In addition, an updated version of the hazardous work list continues to be in draft form and has not yet been endorsed by the MOL. (6,18)

### 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.

## MODERATE ADVANCEMENT

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

Organization/Agency	Role
Ministry of Labor (MOL)	Conducts worksite inspections and addresses child labor violations. (3,6)
Ministry of Gender, Children and Social Protection (MOGCSP)	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. (7,15)
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)	A division within the Liberia National Police (LNP) that investigates child endangerment cases and human trafficking in cooperation with the LNP's Anti-Trafficking Unit and the Liberia Immigration Service. (6)

During the reporting period, the labor inspectorate of MOL reported that it had conducted 43 child labor-specific investigations and removed 38 children from situations of exploitation or endangerment. These children were referred to the Ministry of Gender, Children and Social Protection for social services or placed in protective shelters. (3) It is unknown how many children were removed specifically from child labor situations. (3) Law enforcement officials have reported that, due to lack of funding, officials who identify child labor or human trafficking cases are often expected to become personally responsible for the victims' welfare, whether by providing financial support or taking the children into their own homes. (16)

### Labor Law Enforcement

In 2021, labor law enforcement agencies in Liberia took actions to address child labor. However, gaps exist within the operations of the MOL that may hinder adequate labor law enforcement, including insufficient financial resource allocation (Table 6).

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

Overview of Labor Law Enforcement	2020	2021
Labor Inspectorate Funding	Unknown (6)	\$25,000 (3)
Number of Labor Inspectors	49 (6)	55 (3)
Mechanism to Assess Civil Penalties	No (6)	No (17)
Initial Training for New Labor Inspectors	Yes (6)	No (3)
Training on New Laws Related to Child Labor	N/A (6)	No (3)
Refresher Courses Provided	Yes (6)	No (3)
Number of Labor Inspections Conducted	1,200 (6)	556 (3)
Number Conducted at Worksite	1,200 (6)	556 (3)
Number of Child Labor Violations Found	0 (6)	0 (3)
Number of Child Labor Violations for Which Penalties Were Imposed	N/A (6)	N/A (3)
Number of Child Labor Penalties Imposed that Were Collected	N/A (6)	N/A (3)
Routine Inspections Conducted	Yes (6)	Yes (3)
Routine Inspections Targeted	Yes (6)	Yes (3)
Unannounced Inspections Permitted	Yes (17)	Yes (17)
Unannounced Inspections Conducted	Yes (6)	Yes (3)
Complaint Mechanism Exists	Yes (6)	Yes (3)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	No (6)	No (3)

Generally, labor inspections are conducted 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 domestic child laborers. (6,10) In addition, the lack of funding and logistical support results in the underutilization of the labor inspectorate's complaint mechanism. (3,7,14) Although inspectors cannot assess penalties, they can impose corrective measures, such as issuing notices of compliance and filing a complaint with the hearing board. (6,7) However, the lack of penalty assessment authorization, limited funding, and insufficient fines, combined with poor opportunities for revenue generation, hamper the labor inspectorate's enforcement of child labor laws. (3,7,10,14,19)

### Criminal Law Enforcement

In 2021, criminal law enforcement agencies in Liberia took actions to address child labor (Table 7). However, gaps exist within the operations of criminal enforcement agencies that may hinder adequate criminal law enforcement, including insufficient financial resource allocation.

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

Overview of Criminal Law Enforcement	2020	2021
Initial Training for New Criminal Investigators	Yes (6)	Yes (3)
Training on New Laws Related to the Worst Forms of Child Labor	N/A (6)	Yes (3)
Refresher Courses Provided	Yes (6)	Yes (3)
Number of Investigations	2 (6)	8 (3)
Number of Violations Found	Unknown (6)	Unknown (3)
Number of Prosecutions Initiated	3 (6)	Unknown (3)
Number of Convictions	1 (6)	Unknown (3)
Imposed Penalties for Violations Related to the Worst Forms of Child Labor	Unknown (6)	Unknown (3)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (6)	Yes (3)

Although the MOL maintains a human trafficking hotline that can receive calls related to child labor, very few child labor calls come in and the hotline is irregularly staffed. (6)

Research indicates that the Liberia National Police'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. (14) 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. (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 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. (3) Assists in coordinating child labor investigations. (3) 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. (25)
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. (15) The National Steering Committee met four times during the reporting period (on February 9, March 23, May 13, and November 2), and celebrated the World Day Against Child Labor, with the theme "Act Now to End Child Labor," to raise sensitivity and increase the commitment of government and its partners in the fight against child labor. (3)
Child Protection Network	Coordinates child protection efforts, including child labor and human trafficking, and refers child survivors of abuse to social services providers with support from international and national organizations. Chaired by the MOGCSF, and comprising the MOL, the Ministry of Health and Social Welfare, the LNP's WACPS, civil society organizations, and several NGOs. (15) The Child Protection Network met consistently throughout the year, with these meetings helping to promote coordination between investigating authorities and service providers for child trafficking and child labor cases. (3)
Anti-Human Trafficking Task Force	Coordinates anti-trafficking activities. Co-chaired by the MOL and the MOJ, comprising representatives from Liberia Immigration Services, LNP, the Ministry of Foreign Affairs, the MOGCSF, the 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 four suspected cases of human trafficking. (3)

NACOMAL reported insufficient funding to pursue their mandates. (6)

# Liberia

## MODERATE ADVANCEMENT

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. (6)

### 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. (26) 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 human trafficking. (9,27) Establishes roles and responsibilities for coordinating government assistance to human trafficking victims and provides shelter and care to children who may have been victims of human trafficking. (27) 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. (28) Research was unable to 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, nor the National Employment Policy. (23,29-34)

### VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2021, 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 to address the problem in all sectors.

**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. With significant international support, Liberian security institutions conducted events around World Day Against Trafficking in Persons, which included training security officials on human trafficking. (6)
Liberia Social Safety Nets Project (2017–2021)	\$10 million World Bank-funded 4-year project implemented by MOGCSP that aims to establish key national safety net delivery systems and provide support for low-income households. (35) During the reporting period, as part of project's efforts to establish the key building blocks of a basic national safety net delivery system, the Liberia Household Social Registry has profiled and collected data for over 200,000 households in Bomi, Bong, Maryland, and Nimba Counties. The Social Cash Transfer has provided income support to 18,286 households, via mobile money, in 3 counties out of the targeted 27,500 households. (35)
Shelters†	MOGCSP-operated shelters for vulnerable street children in Lofa and Nimba Counties. (7,15) During the reporting period, the program provided shelter for approximately 35 children who were 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. (36) 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 security services for the shelters. (6)
Attaining Lasting Change for Better Enforcement of Labor and Criminal Law to Address Child Labor, Forced Labor and Human Trafficking (ATLAS) Project	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, the MOL participated in trainings that helped develop guidelines for child labor monitoring systems. (3) Additional information is available on the USDOL website.

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

Program	Description
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. (15) In addition, International Development Law Organization (IDLO), with funding from the USDOS Bureau of International Narcotics and Law Enforcement Affairs, built the capacity of 170 law enforcement officers from the Liberia Drug Enforcement Agency, Liberia Immigration Service, LNP, MOJ, and MOL on trafficking in persons prevention and response. (3)

† 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. (37)

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. (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 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 – 2021
	Accede to the UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography.	2013 – 2021
	Accede to the UN CRC Optional Protocol on Armed Conflict.	2013 – 2021
	Ensure that the hazardous occupations and activities prohibited for children are comprehensive and include sectors in which child labor is known to occur, and include the hazards involved in the production of rubber, mining of diamonds and gold, and construction, including carrying heavy loads.	2020 – 2021
Enforcement	Ensure that penalties for employing children under the minimum age for work are stringent enough to deter violations.	2014 – 2021
	Ensure that labor inspections are conducted in all sectors in which children work.	2016 – 2021
	Authorize the labor inspectorate to assess penalties for child labor violations.	2017 – 2021
	Ensure that the labor inspectorate's complaint and referral mechanism is adequately supported and operational.	2017 – 2021
	Publish information on criminal law enforcement related to the worst forms of child labor, including the violations found and the penalties applied.	2017 – 2021
	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 – 2021
	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 – 2021
Coordination	Ensure adequate funding for the National Commission on Child Labor's program activities to address child labor.	2017 – 2021
	Ensure that coordinating bodies, including the Anti-Human Trafficking Task Force, are implementing effective case referral mechanisms.	2019 – 2021
Government Policies	Integrate child labor elimination and prevention strategies into relevant policies.	2010 – 2021
	Publish information about the activities taken to implement policies that address child labor.	2017 – 2021
Social Programs	Collect and publish comprehensive research data to determine child labor activities and to inform policies and programs.	2013 – 2021
	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 – 2021
	Ensure that children do not leave school before the completion of compulsory education.	2017 – 2021
	Expand existing social programs to address the scope of the child labor problem, especially in forced domestic work, the production of rubber, commercial sexual exploitation, and the mining of gold and diamonds.	2009 – 2021



## MODERATE ADVANCEMENT

### REFERENCES

- 1 U.S. Department of State. Trafficking in Persons Report- 2019: Liberia. Washington, D.C., June 20, 2019. <https://www.state.gov/reports/2019-trafficking-in-persons-report-2/liberia/>
- 2 U.S. Department of State. Trafficking in Persons Report- 2020: Liberia. Washington, D.C., June 14, 2020. <https://www.state.gov/reports/2020-trafficking-in-persons-report/liberia/>
- 3 U.S. Embassy- Monrovia. Reporting. February 10, 2022.
- 4 UNESCO Institute for Statistics. Gross intake ratio to the last grade of primary education, both sexes (%). Accessed March 3, 2022. For more information, please see "Children's Work and Education Statistics: Sources and Definitions" in the Reference Materials section of this report. <http://data.uis.unesco.org/>
- 5 ILO. Analysis of Child Economic Activity and School Attendance Statistics from National Household or Child Labor Surveys. Original data from Labour Force Survey (LFS), 2010. Analysis received March 2022. For more information, please see "Children's Work and Education Statistics: Sources and Definitions" in the Reference Materials section of this report.
- 6 U.S. Embassy- Monrovia. Reporting. February 18, 2021.
- 7 U.S. Embassy- Monrovia. Reporting. February 1, 2018.
- 8 Giahue, James Harding. Liberia: Artisanal Mining Undermines Education in Gbarpolu County in Liberia. AllAfrica, February 14, 2017. <http://allafrica.com/stories/201702140447.html>
- 9 U.S. Embassy- Monrovia. Reporting. February 8, 2019.
- 10 U.S. Embassy- Monrovia. Reporting. January 24, 2017.
- 11 Fryatt, Seren. Why do Children Live on the Street in Liberia? LACES, August 29, 2017. <http://www.laces.org/blog/children-live-street-liberia/>
- 12 Johnson-Mbayo, Bettie K. Liberian Children Used As Beggars to Aid Families in Economic Turmoil. Front Page Africa, May 6, 2017. <https://frontpageafricaonline.com/news/2016news/liberian-children-used-as-beggars-to-aid-families-in-economic-turmoil/>
- 13 News Public Trust. "Sexual exploitation and abuse of girls at a crisis point" — Liberian Girls Alliance. November 30, 2017. <https://newspublictrust.com/sexual-exploitation-and-abuse-of-girls-at-a-crisis-point-liberian-girls-alliance/>
- 14 U.S. Embassy- Monrovia. Reporting. February 14, 2020.
- 15 U.S. Embassy- Monrovia. Reporting. February 3, 2020.
- 16 U.S. Embassy- Monrovia official. E-mail communication to USDOL official. May 31, 2022.
- 17 Government of Liberia. Labor Practices Law (Title 18 and 18A). Enacted: 1956. [https://www.ilo.org/dyn/natlex/natlex4.detail?p\\_isn=70656](https://www.ilo.org/dyn/natlex/natlex4.detail?p_isn=70656)
- 18 Government of Liberia. Decent Work Act, 2015. Enacted: June 26, 2015. Source on file.
- 19 Government of Liberia. Children's Law of 2011. Enacted: October 13, 2011. Source on file.
- 20 Government of Liberia. Amended Act to Ban Trafficking in Persons Within the Republic of Liberia Enacted: 2021. Source on file.
- 21 Government of Liberia. AN ACT TO BAN TRAFFICKING IN PERSONS WITHIN THE REPUBLIC OF LIBERIA. Enacted: July 5, 2005. [http://www.protectionproject.org/wp-content/uploads/2010/09/Liberia\\_Act-to-BanTIP\\_2005.pdf](http://www.protectionproject.org/wp-content/uploads/2010/09/Liberia_Act-to-BanTIP_2005.pdf)
- 22 Government of Liberia, Penal Code. 1978. Source on file.
- 23 Government of Liberia. Education Reform Act of 2011. Enacted: 2011. Source on file.
- 24 Child Soldiers International. Louder than words: An agenda for action to end state use of child soldiers (app. II: Data summary on recruitment ages of national armies). 2012. [http://www.ohchr.org/Documents/Issues/RuleOfLaw/ArmsTransfers/ChildSoldiersInternational\\_2.pdf](http://www.ohchr.org/Documents/Issues/RuleOfLaw/ArmsTransfers/ChildSoldiersInternational_2.pdf)
- 25 Government of Liberia, Ministry of Labour. National Commission on Child Labour (NACOMAL): Plan of Action 2007–2016. 2007. Source on file.
- 26 Government of Liberia. National Action Plan on the Elimination of the Worst Forms of Child Labour: 2018–2030. 2018. Source on file.
- 27 Government of Liberia. National Action Plan to Combat Trafficking in Persons: 2019–2024. 2019. Source on file.
- 28 Government of Liberia, Ministry of Health and Social Welfare. Social Welfare Policy. March 2009. [http://liberiamohsw.org/Policies & Plans/Social Welfare Policy.pdf](http://liberiamohsw.org/Policies%20and%20Plans/Social%20Welfare%20Policy.pdf)
- 29 Government of Liberia. National HIV & AIDS Strategic Plan 2015–2020. July 2014. [https://www.childrenandaids.org/sites/default/files/2017-11/Liberia NSP 2015-2020 Final \\_Authorized\\_ OK.pdf](https://www.childrenandaids.org/sites/default/files/2017-11/Liberia%20NSP%202015-2020%20Final%20Authorized%20OK.pdf)
- 30 Government of Liberia. Liberia – Road Asset Management Project: resettlement policy framework. October 2009. <https://documents1.worldbank.org/curated/en/946661468056423867/pdf/RP12920RPOP1290ent0Policy0Framework.pdf>
- 31 Government of Liberia, Ministry of Agriculture. Liberia Rubber Industry Master Plan 2010–2040. Sustainable Tree Crops Program, International Institute of Tropical Agriculture and USAID, December 3, 2009. Source on file.
- 32 Government of Liberia, Ministry of Labor. EMPLOYMENT POLICY. 2009. [http://www.ilo.org/emppolicy/pubs/WCMS\\_143264/lang--en/index.htm](http://www.ilo.org/emppolicy/pubs/WCMS_143264/lang-en/index.htm)
- 33 Government of Liberia, Ministry of Health and Social Welfare. National Health Policy, National Health Plan: 2007–2011. 2007. <http://moh.gov.lr/wp-content/uploads/National-Health-and-Social-Welfare-Policy-and-Plan-2007-2011.pdf>
- 34 Government of Liberia, Ministry of Health and Social Welfare. National Strategy for Child Survival in Liberia: 2008–2011. 2008. [http://liberiamohsw.org/Policies & Plans/National Strategy for Child Survival.pdf](http://liberiamohsw.org/Policies%20and%20Plans/National%20Strategy%20for%20Child%20Survival.pdf)
- 35 World Bank. Liberia Social Safety Net Project. January 21, 2022. <https://documents1.worldbank.org/curated/en/09923000122237603/pdf/Discl0able0Ve03000Sequence0No00010.pdf>
- 36 U.S. Embassy- Monrovia. Reporting. March 17, 2021.
- 37 Government of Liberia. Liberia Agriculture Sector Investment Program Report. 2018. Source on file.

In 2021, Madagascar made moderate advancement in efforts to eliminate the worst forms of child labor. The government released studies measuring the prevalence of child labor in mining and street begging and officially launched its action plan to target child labor in the mica sector. Criminal law enforcement officials also secured arrests and convictions for cases involving child pornography and commercial sexual exploitation of children. In addition, the government initiated a new program in collaboration with UNICEF to improve, among other targets, education and child protection. 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. 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 address 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. (I-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, 2022. (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 and rice† (1,6,7)
	Fishing and deep-sea diving,† including for lobster (7-10)
Industry	Mining† gold, sapphires, quartz, mica, and tourmaline, and transporting† blocks and stones at mining sites (2,7,12-15)
	Quarrying† and crushing† stone and making gravel (8,10,16)
	Brickmaking† (7,8)
Services	Street work, including begging, washing cars, market vending, transporting goods by rickshaw, and scavenging garbage (7-9,17)
	Working as waitresses, maids, and masseuses (3,17)
	Domestic work† (6-8)
Categorical Worst	Commercial sexual exploitation, sometimes as a result of human trafficking (3,7,18)
Forms of Child Labor‡	Forced labor in mining, fishing, quarrying, begging, and domestic work (3,10)

† 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.

# Madagascar

## MODERATE ADVANCEMENT

Children in Madagascar, particularly those from rural and coastal regions and from poor families, are vulnerable to commercial sexual exploitation, domestic servitude, forced begging, and forced labor in mining, fishing, and agriculture. (3,7,20) Girls in particular are lured by peers, family members, and pimps to engage in commercial sexual exploitation in tourist locations, cities, vanilla-growing regions, and mining areas. (3,7,15,17) Children from rural villages are often sent to larger cities as domestic workers, in which 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. (7,8,10) In addition, children recruited by agencies into domestic work are sometimes subsequently subjected to commercial sexual exploitation. (20,21) Reports also suggest a recent increase in the commercial sexual exploitation of boys. (3,20) Children in cities are subjected to online sexual exploitation in which parents or relatives are coerced into making children perform sexual acts on the Internet, with payment received through international money transfers. (10) Sources indicate that some local government officials in tourist areas such as Nosy Be issue false identity documents to minors in exchange for bribes from tourists in order to facilitate child commercial sexual exploitation. (3,18,22) Child protection observers in Toliara have made similar claims against local birth registration officials. (22) 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. (3,18,22)

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. (8,23) 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. (7) During the reporting period, the Ministry of Population conducted a study of street children in Antananarivo which found that almost half lived off of street begging. (10)

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. (10,24) 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. (2,7,20) An estimated 50 percent of those working in mica mines are between the ages of 5 and 17, according to a study conducted by the Ministry of Mining in 2021. (10) 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 respiratory problems due to inadequate protective equipment, use heavy and dangerous tools, and work in the hot sun. (7,12,15,17) In addition, children working in the production of vanilla in Madagascar are exposed to extreme temperatures and work for long hours. (6) 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. (9) 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. (8)

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. (6,7,10,25,26)

## II. LEGAL FRAMEWORK FOR CHILD LABOR

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

**Table 3. Ratification of International Conventions on Child Labor**

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

The government's laws and regulations are in line with relevant international standards (Table 4).

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

Standard	Meets International Standards	Age	Legislation
Minimum Age for Work	Yes	16	Article 24 of the Constitution; Article 100 of the Labor Code; Article 2 of Decree 2018-009 (27-30)
Minimum Age for Hazardous Work	Yes	18	Article 101 of the Labor Code; Article 10 of Decree 2007-563 (28,31)
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 (28-31)
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 19 of Decree 2018-009 (28-33)
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 (31-33)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Articles 13, 23, and 24 of Decree 2007-563; Article 335 of Law 2007-038; Article 1 of Law 2014-040 (31-33)
Prohibition of Using Children in Illicit Activities	Yes		Articles 11, 14, and 23 of Decree 2007-563 (31)
Minimum Age for Voluntary State Military Recruitment	Yes	18	Article 11 of Ordinance No. 78-002 (34)
Prohibition of Compulsory Recruitment of Children by (State) Military	N/A*		Article 11 of Ordinance No. 78-002(34)
Prohibition of Military Recruitment by Non-state Armed Groups	Yes		Articles 15 and 23 of Decree 2007-563 (31)
Compulsory Education Age	Yes	16‡	Article 24 of the Constitution; Article 39 of Law 2008-011 (27,30)
Free Public Education	Yes		Article 24 of the Constitution (27)

\* Country has no conscription (34)

‡ Age calculated based on available information (30)

### III. ENFORCEMENT OF LAWS ON CHILD LABOR

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

# Madagascar

## MODERATE ADVANCEMENT

**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. (7,35,36)
Ministry of Justice	Enforces laws pertaining to violence against children, including human trafficking and commercial sexual exploitation. (7,35) Works with Department-level courts to prosecute child labor cases. (7,8,37)
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 in urban areas. (7,35,38) 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. (7)
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 in rural areas. (7,35,39)
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. (7) In collaboration with UNICEF, manages over 700 child protection networks to protect children in all 22 regions of Madagascar. (3,7,40)

### Labor Law Enforcement

In 2021, labor law enforcement agencies in Madagascar took actions to address child labor (Table 6). However, gaps exist within the operations of the Ministry of Civil Services and Labor that may hinder adequate labor law enforcement, including insufficient allocation of financial and human resources.

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

Overview of Labor Law Enforcement	2020	2021
Labor Inspectorate Funding	\$31,820 (7)	\$27,000 (10)
Number of Labor Inspectors	147 (7)	190 (10)
Mechanism to Assess Civil Penalties	Yes (28)	Yes (28)
Initial Training for New Labor Inspectors	Yes (7)	Yes (10)
Training on New Laws Related to Child Labor	N/A	N/A
Refresher Courses Provided	No (7)	No (10)
Number of Labor Inspections Conducted	Unknown (7)	Unknown
Number Conducted at Worksite	Unknown (7)	Unknown
Number of Child Labor Violations Found	Unknown (7)	Unknown
Number of Child Labor Violations for Which Penalties Were Imposed	0 (7)	Unknown
Number of Child Labor Penalties Imposed that Were Collected	0 (7)	Unknown
Routine Inspections Conducted	Yes (7)	Yes (10)
Routine Inspections Targeted	Yes (7)	Yes (10)
Unannounced Inspections Permitted	Yes (28)	Yes (28)
Unannounced Inspections Conducted	Yes (7)	Yes (10)
Complaint Mechanism Exists	Yes (7)	Yes (10)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (7)	Yes (7)

The government did not provide information regarding child labor law enforcement efforts during the reporting period and acknowledged a general lack of labor inspectorate data. (10) Further, 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.

A labor inspector strike over back pay and the authority to assess penalties that began in November of 2020 continued into the reporting period, though due to the famine situation in the south, inspectors in September agreed to end the strike without obtaining concessions from the government. (7,10)



The government increased the number of labor inspectors during the reporting period, but the number is still likely insufficient for the size of Madagascar's workforce, which includes almost 14.5 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 362 labor inspectors. (41) 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. (10) In addition, the concentration of labor inspectors in the capital hampers the enforcement of child labor laws in rural areas. (42) The government has 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 travel to worksites. (7)

Even though the labor inspectorate has the authority to conduct proactive unannounced and routine inspections, in practice, most inspections occur in response to complaints received. (7,8)

While child labor-related training is provided to new inspectors, the Division for the Prevention, Abolition, and Monitoring of Child Labor (PACTE) has indicated that the course is only 20 hours and insufficient to cover all relevant issues, particularly because refresher courses are not provided. (8,10) 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. (9) Madagascar has a complaint mechanism via a national child abuse, "147," hotline; however, most of the calls received are related to general violence against children. There is no recordkeeping system to track calls specifically related to child labor issues. (7,8,10)

### Criminal Law Enforcement

In 2021, criminal law enforcement agencies in Madagascar took actions to address child labor (Table 7). However, gaps exist within the operations of the criminal enforcement agencies that may hinder adequate criminal law enforcement, including insufficient allocation of financial and human resources.

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

Overview of Criminal Law Enforcement	2020	2021
Initial Training for New Criminal Investigators	Yes (7)	Yes (10)
Training on New Laws Related to the Worst Forms of Child Labor	Yes (7)	N/A
Refresher Courses Provided	Yes (7)	No (10,43)
Number of Investigations	Unknown (7)	Unknown
Number of Violations Found	Unknown (7)	Unknown
Number of Prosecutions Initiated	Unknown (7)	Unknown
Number of Convictions	Unknown (7)	Unknown
Imposed Penalties for Violations Related to the Worst Forms of Child Labor	Yes (18)	Yes (10)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (7)	Yes (10)

During the reporting period, authorities identified 22 child trafficking victims after investigating complaints through the national "147" hotline. All the identified children were referred to social services, but the cases did not generate criminal investigations. (22) Meanwhile, the National Office to Combat Human Trafficking (BNLTEH) identified 20 child trafficking victims in its database. UNICEF's Child Protection Network also reported identifying 630 forced labor and sex trafficking victims under the age of 18, all of whom were referred to social services. (22)

In June 2021, authorities arrested a 42-year-old woman for recruiting and using underage girls in the production of pornographic films. The investigation and subsequent arrest included close cooperation with U.S. FBI officials. (10,22) Meanwhile, a court in Toliara convicted three individuals, including a foreign tourist, on commercial sexual exploitation charges stemming from the 2020 arrest of seven individuals. The individuals were sentenced to 5 years in prison. (10,22) In addition, two foreigners and a Malagasy woman were arrested and prosecuted for drugging female victims, including underage girls, and forcing them into prostitution. (22)

# Madagascar

## MODERATE ADVANCEMENT

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. However, during the reporting period, BNLTEH provided training for police officers to improve investigations of child sex tourism. (22)

Research found that there is a lack of funding, 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. (8,18) Furthermore, weaknesses across Madagascar's court system hamper efforts to prosecute perpetrators of the worst forms of child labor. (18) For example, trafficking cases involving children are often investigated as child abuse and thus outside the purview of courts with human trafficking expertise. In addition, criminal appeals procedures often result in suspects being released from custody and eventually evading imprisonment. (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 the effective coordination of efforts to address child labor, including insufficient allocation of financial resources.

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

Coordinating Body	Role & Description
National Council to Combat Child Labor (CNLTE)	With PACTE participation, coordinates programs and advises on child labor legislation and regulations. (17,44,45) During the reporting period, the council commemorated the World Day Against Child Labor with an event in July to officially launch the joint action plan to combat child labor in the mica sector. (10)
Regional Committees in the Fight Against Child Labor	Coordinate, monitor, and evaluate all activities relating to the elimination of child labor in each of Madagascar's regions. Identify activities to promote the elimination of child labor and compile, analyze, and report child labor data to PACTE. (35,45) During the reporting period, the Sava regional committee provided trainings to local members and assisted in developing child labor action plans, as well as conducted public awareness campaigns. (10) Meanwhile, the Atsimo Andrefana regional committee implemented a mapping project to identify child labor among street children that resulted in the identification of 100 such children. The committee is working to connect the identified children to appropriate social services. (10)
National Office to Combat Human Trafficking (BNLTEH)	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 MPPSPF. (3,32,44) During the reporting period, continued maintaining the trafficking in persons database launched in 2020 and took steps to coordinate progress on implementing the National Action Plan to Combat Trafficking in Persons. (10)
National Child Protection Committee	Guides and coordinates national child protection policy and programs. Chaired by the Minister of MPPSPF, comprises a steering committee and a technical commission of specialists. (35,46) Due to the pandemic, plans to revise the decree establishing the committee were delayed until late 2021 and thus members of the committee did not meet during the reporting period. However, in 2021, the MPPSPF launched a new initiative to strengthen the child protection system and established a ministerial technical committee to work with other ministries, civil society organizations, and social worker groups to monitor progress on the new initiative. (10)

Although the National Council to Combat Child Labor (CNLTE) developed a national strategy that identifies the roles various ministries would play in addressing 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. (6,7,9,19,20,22,25,37)

## V. GOVERNMENT POLICIES ON CHILD LABOR

The government has established policies related to child labor (Table 9). However, policy gaps exist that hinder efforts to address child labor, including lack of 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 through a joint initiative between the Ministries of Mines, 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. (7,47) Launched by the Ministry of Labor in July 2021, included field visits during the year. Due to limited funds, no other actions were taken to implement the policy during the reporting period. (10)
Code of Conduct for the Protection of Children in the Tourism Industry	Aims to prevent the commercial sexual exploitation of children in the tourism industry. Implemented by the Ministry of Tourism and supported by the ILO and UNICEF. (48,49) In 2021, the Ministry of Tourism announced a new strategy to address issues in the tourism sector, which includes revisions to the code of conduct. The ministry also continued to implement public awareness campaigns to remind travelers about prohibitions on child sex tourism. (10,22)
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. (44,50) Research was unable to determine whether activities were undertaken to implement the Social Protection 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. (51)

Madagascar's National Action Plan to Eliminate the Worst Forms of Child Labor expired in 2019. Although no steps have been taken to develop a new action plan, the CNLTE conducted a limited assessment of the plan in 2021 but was unable to finalize its review due to restrictions related to the pandemic and consequent budgetary changes. (10) Similarly, the National Action Plan to Combat Trafficking in Persons expired in 2019, and a draft version has yet to be finalized. (10)

## VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2021, 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 inadequate efforts 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 Manjary Soa Center, the Vonjy Centers in Antananarivo, Toamasina, Nosy Be, and Mahajanga, and the Centre d'Accueil d'Urgence emergency shelter. (7,17,21) The various centers remained active during the reporting period. (22)
Social Safety Net Programs	Cash transfer programs targeting vulnerable children and families, including UNICEF's Let Us Learn program that provides conditional cash transfers to help families overcome barriers to educational access; the Development Intervention Fund that provides conditional cash transfers requiring project participants to enroll their children in school; and funds dispersed via an agreement between the World Bank* and the government in 2021 providing cash transfers to families impacted by the COVID-19 pandemic and drought conditions in the south. (10)
Elimination of Child Labour in Madagascar's Mica Sector*	Launched in 2021, targets child labor in the mica sector in southern Madagascar by removing children from mines and providing families with income-generating alternatives. Implemented by Terre des Hommes, Netherlands, UNICEF Netherlands, UNICEF Madagascar, and VDL, also aims to provide technical assistance to the Government of Madagascar by generating a database of mining activities in the country. (52)
UNICEF Country Program (2021–2023)*	UNICEF-funded \$202.7 million program that supports the government's efforts to improve education, health, nutrition, and protection for children in Madagascar. (53,54)

\* 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. (35,55)

The Ministry of Population, Social Protection, and the Promotion of Women (MPPSPF) manages a child protection network in coordination with other ministries, including the Ministry of Civil Services and Labor's regional child labor committees, to address child exploitation and provide social and health services to child victims. (3,7,22) While the network remained active during the reporting period, research has shown that the government does not adequately fund the network or provide access to public hospitals and health units, requiring the network to rely heavily on international organizations to provide services. (3,7,22,56)

# Madagascar

## MODERATE ADVANCEMENT

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, and mining. (25,57)

### 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 – 2021
	Publish complete enforcement information related to child labor, including the number and types of labor inspections conducted, the number of violations found, and penalties imposed and collected.	2013 – 2021
	Ensure that inspectors and criminal law enforcement officials receive appropriate and regular refresher training on child labor issues.	2019 – 2021
	Increase the number of labor inspectors to meet the ILO's technical advice.	2015 – 2021
	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 – 2021
	Ensure that inspectors regularly exercise their authority to conduct routine unannounced inspections rather than conduct inspections primarily in response to complaints.	2019 – 2021
	Enhance the effectiveness of existing complaint hotline databases by tracking data on child labor-related complaints.	2009 – 2021
	Disseminate and enforce the 2018 decree expanding the list of hazardous occupations for children.	2018 – 2021
	Ensure criminal law enforcement authorities investigate cases of child trafficking when identified.	2021
	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 – 2021
	Ensure that criminal law enforcement agencies have sufficient staff, equipment, and transportation to address the worst forms of child labor.	2019 – 2021
	Strengthen the court systems to ensure perpetrators of the worst forms of child labor are properly investigated, prosecuted, and sentenced.	2020 – 2021
Coordination	Ensure that relevant coordinating mechanisms are adequately funded and are actively implementing their mandates.	2014 – 2021
Government Policies	Ensure policies are appropriately funded to enable effective execution.	2021
	Ensure that policies related to child labor are implemented, and report on actions taken.	2016 – 2021
	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 – 2021
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 other school-related costs, expanding school infrastructure and transportation services, hiring sufficiently qualified teachers, and ensuring children's safety in schools.	2011 – 2021
	Ensure that social protection systems have adequate funding to provide appropriate services to victims of the worst forms of child labor.	2014 – 2021
	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 – 2021
	Collect and publish comprehensive data on child labor prevalence in Madagascar.	2020 – 2021

### REFERENCES

- 1 ILO. Supporting Sustainable, Child Labor Free Vanilla-Growing Communities in Sava. October 2017: Technical Progress Report. Source on file.
- 2 van der Wal, Sanne. Child Labour in Madagascar's Mica Sector. Terre des Homes. November 2019. Source on file.
- 3 U.S. Department of State. 2021 Trafficking in Persons Report- Madagascar. Washington, D.C., June 2021. <https://www.state.gov/reports/2021-trafficking-in-persons-report/madagascar/>
- 4 UNESCO Institute for Statistics. Gross intake ratio to the last grade of primary education, both sexes (%). Accessed March 3, 2022. For more information, please see "Children's Work and Education Statistics: Sources and Definitions" in the Reference Materials section of this report. <http://data.uis.unesco.org/>
- 5 ILO. Analysis of Child Economic Activity and School Attendance Statistics from National Household or Child Labor Surveys. Original data from Multiple Indicator Cluster Survey 6 (MICS 6), 2018. Analysis received March 2022. For more information, please see "Children's Work and Education Statistics: Sources and Definitions" in the Reference Materials section of this report.
- 6 Centre for Civil and Political Rights. Madagascar: Rapport de la société civile sur la mise en œuvre du Pacte international relatif aux droits civils et politiques (PIDCP). June 2017. <https://www.refworld.org/docid/53355d634.html>
- 7 U.S. Embassy- Antananarivo. Reporting. January 25, 2021.
- 8 U.S. Embassy- Antananarivo. Reporting. January 16, 2020.
- 9 U.S. Embassy- Antananarivo. Reporting. January 24, 2019.
- 10 U.S. Embassy- Antananarivo. Reporting. January 21, 2022.
- 11 NGO official. Interview with USDOL official. February 22, 2016.
- 12 RFI. Sortir les enfants des mines de saphirs du sud de Madagascar. September 25, 2017. <http://www.rfi.fr/afrique/20170925-reportage-sortir-enfants-mines-saphirs-sud-madagascar>
- 13 ILO Committee of Experts. Individual Observation concerning Worst Forms of Child Labour Convention, 1999 (No. 182) Madagascar (ratification: 2001). Published: 2016. [http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100\\_COMMENT\\_ID:3252830:NO](http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:3252830:NO)
- 14 Andrianaivo, M. La situation des enfants à Madagascar. lecitoyen.mg, June 23, 2016. Source on file.
- 15 deGrave, Arnaud. Qu'arrive-t-il après un boom minier? Photographies à Madagascar. Mongabay, August 9, 2017. [https://fr.mongabay.com/2017/08/quarrive-t-il-apres-un-boom-minier-photographies-a-madagascar/%22%20t%20%22\\_blank](https://fr.mongabay.com/2017/08/quarrive-t-il-apres-un-boom-minier-photographies-a-madagascar/%22%20t%20%22_blank)
- 16 U.S. Embassy- Antananarivo. Reporting. January 12, 2017.
- 17 U.S. Embassy- Antananarivo. Reporting. January 18, 2018.
- 18 U.S. Embassy- Antananarivo. Reporting. February 18, 2021.
- 19 U.S. Embassy- Antananarivo. Reporting. February 12, 2018.
- 20 U.S. Embassy- Antananarivo. Reporting. March 25, 2020. Source on file.
- 21 U.S. Department of State. Trafficking in Persons Report- 2020: Madagascar. Washington, D.C., June 2020. <https://www.state.gov/reports/2020-trafficking-in-persons-report/madagascar/>
- 22 U.S. Embassy- Antananarivo. Reporting. February 22, 2022.
- 23 UNICEF. Madagascar 2018 Multiple Indicator Cluster Surveys Snapshot: Travail des enfants. 2018. Source on file. <https://mics.unicef.org/surveys>
- 24 Schlein, Lisa. Starvation Looms in Southern Madagascar. Geneva: Voice of America. January 12, 2021. <https://www.voanews.com/africa/starvation-looms-southern-madagascar-wfp-warns>
- 25 UN International Covenant on Civil and Political Rights Human Rights Committee. Observations finales concernant le quatrième rapport périodique de Madagascar. August 22, 2017: CCPR/C/MDG/CO/4. [http://tbinternet.ohchr.org/\\_layouts/treatybodyexternal/Download.aspx?symbolno=CCPR/C/MDG/CO/4&Lang=En](http://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=CCPR/C/MDG/CO/4&Lang=En)
- 26 U.S. Department of State. Country Report on Human Rights Practices 2020- Madagascar. Washington, D.C., March 30, 2021. <https://www.state.gov/reports/2020-country-reports-on-human-rights-practices/madagascar/>
- 27 Government of Madagascar. Loi Constitutionnelle, N° 2007. Enacted: April 27, 2007. [http://www.wipo.int/wipolex/en/text.jsp?file\\_id=177213](http://www.wipo.int/wipolex/en/text.jsp?file_id=177213)
- 28 Government of Madagascar. Labor Code, No. 2003-044. Enacted: June 10, 2004. <http://www.droit-afrique.com/images/textes/Madagascar/Mada - Code du travail.pdf>
- 29 Government of Madagascar. Decret N° 2018-009 modifiant et complétant certaines dispositions du Décret N°2007-563 du 03 juillet 2007 relatif au travail des enfants. Enacted: January 11, 2018.
- 30 Government of Madagascar. Loi n° 2008-011 du 20 juin 2008 modifiant certaines dispositions de la Loi n° 2004-004 du 26 juillet 2004 portant orientation générale du Système d'Education, d'Enseignement et de Formation à Madagascar. Enacted: June 20, 2008. <http://www.ilo.org/dyn/natlex/docs/MONOGRAPH/89306/102560/F754294269/MDG-89306.pdf>
- 31 Government of Madagascar. Decret relatif au travail des enfants, No. 2007-563. Enacted: July 3, 2007. Source on file.
- 32 Government of Madagascar. La Lutte Contre la Traite des Etres Humains. Enacted: December 16, 2014. Source on file.
- 33 Government of Madagascar. Modifying and Completing Some Provisions of the Penal Code on the Fight Against Trafficking in Persons and Sexual Tourism, No. 2007-038. Enacted: January 14, 2008. Source on file.
- 34 Government of Madagascar. Extrait de l'Ordonnance N° 78-002 du 16 Février 1978 sur les Principes Généraux du Service National. Enacted: 1978. Source on file.
- 35 Government of Madagascar. Written Communication. Submitted in response to U.S. Department of Labor's "Request for Information on Efforts by Certain Countries to Eliminate the Worst Forms of Child Labor". January 3, 2018.
- 36 U.S. Department of State. Country Report on Human Rights Practices 2020- Madagascar. Washington, D.C., March 30, 2021. <https://www.state.gov/reports/2020-country-reports-on-human-rights-practices/madagascar/>
- 37 U.S. Embassy- Antananarivo. Reporting. October 13, 2017.
- 38 U.S. Department of State. Trafficking in Persons Report- 2018: Madagascar. Washington, D.C., June 28, 2018. <https://www.state.gov/reports/2018-trafficking-in-persons-report/madagascar/>
- 39 Midi Madagasikara. Droit de l'enfant: Nouveau service de protection de l'enfant au sein de la gendarmerie. September 16, 2017. <http://www.midi-madagasikara.mg/societe/2017/09/16/droit-de-lenfant-nouveau-service-de-protection-de-lenfant-au-sein-de-la-gendarmerie/>
- 40 U.S. Embassy- Antananarivo official. E-mail communication to USDOL official. April 17, 2017.
- 41 ILO modelled estimates and projections (ILOEST) – Population and labour force. Accessed January 25, 2022. Labor force data is modelled on a combination of demographic and economic explanatory variables by the ILO. Please see "Labor Law Enforcement: Sources and Definitions" in the Reference Materials section of this report. <https://ilostat.ilo.org/data/>
- 42 U.S. Department of State. Country Reports on Human Rights Practices- 2018: Madagascar. Washington, D.C., March 13, 2019. <https://www.state.gov/reports/2018-country-reports-on-human-rights-practices/madagascar/>
- 43 U.S. Embassy- Antananarivo official. E-mail communication to USDOL official. June 21, 2022.



# Madagascar

## MODERATE ADVANCEMENT

- 44 ILO Committee of Experts. Individual Direct Request concerning Worst Forms of Child Labour Convention, 1999 (No. 182) Madagascar (ratification: 2001). Published: 2017.  
[http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100\\_COMMENT\\_ID:3297545](http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:3297545)
- 45 Government of Madagascar: Décret n° 2005-523 du 9 août 2005 portant modification de certaines dispositions des articles du décret n° 2004-985 du 12 octobre 2004 portant création, missions et composition du Comité National de Lutte contre le Travail des Enfants (CNLTE). Enacted: July 3, 2007.  
<http://www.lexxika.com/lois-malagasy/droit-du-travail/decret-portant-modification-de-certaines-dispositions-des-articles-du-decret-n-2004-985-du-12-octobre-2004-portant-creation-missions-et-composition-du-comite-national-de-lutte-contre-le-travail/>
- 46 Government of Madagascar: Projet de décret portant institution d'un Comité National de Protection de l'Enfant (CNPE), No. 2012-858. Enacted: February 20, 2013.  
<http://www.ilo.org/dyn/natlex/docs/ELECTRONIC/94708/111171/F647529721/MDG-94708.pdf>
- 47 Government of Madagascar: Plan de travail conjoint pour adresser les problématique des enfants et des familles dans l'exploitation du Mica dans la région Anosy. 2020. Source on file.
- 48 Government of Madagascar, Ministry of Tourism. Lutte contre l'Exploitation Sexuelle des enfants à des fins Commerciales et le Tourisme Sexuel Impliquant les Enfants à Madagascar: July 13, 2016. Source on file.
- 49 Government of Madagascar: Code de conduite des acteurs du Tourisme. June 15, 2015. Source on file.
- 50 Government of Madagascar: Politique Nationale de Protection Sociale. Enacted: September 2015. Source on file.
- 51 Government of Madagascar: Education Sector Plan. June 2017. Source on file.
- 52 Terre des Hommes. Eliminating child labour in Madagascar's mica mines. December 2021.  
<https://www.terredeshommes.nl/en/programs/elimination-of-child-labour-in-madagascar-s-mica-sector>
- 53 UNICEF. Madagascar Country Programme Document. September 2021.  
<https://www.unicef.org/executiveboard/documents/country-programme-document-Madagascar-SRS-2021>
- 54 UNICEF. UNICEF, along with the Malagasy Government, UNDP, UNFPA, launches new programmes for the benefit of Madagascar. September 21, 2021.  
<https://www.unicef.org/madagascar/en/press-releases/unicef-along-malagasy-government-undp-unfpa-launches-new-programmes-benefit>
- 55 UN World Food Programme. Madagascar. Accessed April 8, 2021.  
<https://www.wfp.org/countries/madagascar>
- 56 U.S. Embassy- Antananarivo. Reporting. February 22, 2022.
- 57 Government of Madagascar official. E-mail communication to USDOL official. January 14, 2017.

In 2021, Malawi made moderate advancement in efforts to eliminate the worst forms of child labor. The Office of the President assented to legislation amending the Employment Act, establishing provisions that abolish the tenancy system. The tenancy system, which causes tenant farmers and their families to fall into debt bondage, has been a source of forced labor, including for children. In addition, the government launched the National Child Labor Advocacy and Communication Strategy to support the implementation of the National Action Plan on Child Labor and published a Multiple Indicator Cluster Survey, which included updated statistics on the prevalence of child labor in Malawi. However, children in Malawi are subjected to the worst forms of child labor, including forced labor in the harvesting of tobacco and in commercial sexual exploitation, sometimes as a result of human trafficking. Minimum age laws do not meet international standards because protections do not extend to children working in private homes and on non-commercial farms. The government did not provide information on its criminal law enforcement efforts related to the worst forms of child labor for inclusion in this report. Moreover, gaps continue to exist in labor law enforcement related to child labor, including insufficient financial resource allocation.



## I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Malawi are subjected to the worst forms of child labor, including forced labor in the harvesting of tobacco and in commercial sexual exploitation, sometimes as a result of human trafficking. (1) In 2021, the Government of Malawi, with the support of UNICEF, supported a Multiple Indicator Cluster Survey, which included modules on child labor and children's participation in hazardous work activities. (1,2) Table 1 provides key indicators on children's work and education in Malawi. 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	22.9 (Unavailable)
Attending School (%)	5 to 14	89.5
Combining Work and School (%)	7 to 14	26.1
Primary Completion Rate (%)		80.3

Source for primary completion rate: Data from 2019, published by UNESCO Institute for Statistics, 2022. (3)

Source for all other data: International Labor Organization's analysis of statistics from Multiple Indicator Cluster Survey 6, 2020. (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 tea (1,5-7)
	Planting and harvesting tobacco,† including cutting and bundling, weeding, and plucking (1,5,6,8-10)
	Herding livestock (1,11)
	Fishing (1)
Industry	Brickmaking† (11)
	Construction† (1,11)
Services	Domestic work (1,12,13)
	Begging† (1)
	Vending (1,14,15)

## MODERATE ADVANCEMENT

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

Sector/Industry	Activity
Categorical Worst Forms of Child Labor‡	Commercial sexual exploitation, sometimes as a result of human trafficking (1,6,8,16,17)
	Forced labor in herding goats and cattle, farming including tobacco, fishing, brickmaking, domestic work, and work in small businesses such as rest houses and bars (1,6,17-19)
	Forced begging (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 in Malawi are engaged in hazardous work in the production of tobacco. (1,21-23) Children who handle tobacco risk illness from nicotine absorption, including green tobacco sickness. (22,24) They are exposed to pesticides, chemicals, and harsh weather conditions; they also utilize sharp tools. (22) Some children work alongside family members who are tenants on tobacco farms. (8,22,25) In the tenancy system, tenants’ pay is based on the quantity and quality of the 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. (8,26,27) Many children working under these conditions do not attend school. (22)




Most child trafficking for labor in Malawi takes place within the country. (28) Traffickers transport teenage boys from southern Malawi to the central and northern regions for forced labor on tobacco farms, herding of goats and cattle, and brickmaking. (17,28,29) Children in Malawi are subjected to human trafficking to other countries, including Mozambique, South Africa, Tanzania, and Zambia. (30,31) Traffickers may charge children for their clothing and housing; children may be forced to work in debt bondage because of these charges. (32) 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 bar owners; if unable to find other work, the brothel owners may exploit them as bartenders or in commercial sex work to pay off their debts. (8,17,29) Girls living in the Dzaleka Refugee Camp are vulnerable to commercial sexual exploitation. (17)

Primary education is tuition-free and, since 2018, the government has abolished secondary school fees to facilitate access to secondary education. (33,34) However, considerable barriers to education exist, including families’ inability to pay required school-related expenses, such as books and uniforms. (1,35) 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. (1,12,13,23,35) In addition, safety concerns may negatively affect attendance; reports indicate that children are sometimes survivors of sexual assault at school by both peers and teachers. (35) Additionally, many girls in grades six to eight are withdrawn from school to perform domestic work at home. (13) Orphaned children and 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. (36,37)

## 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	✓

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 lack of legal protections for children working in private homes and on farms.

**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 (38)
Minimum Age for Hazardous Work	Yes	18	Section 22 of the Employment Act; Section 23 of the Constitution (38,39)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Sections 1–9 and Paragraph 6 of the Employment (Prohibition of Hazardous Work for Children) Order (40)
Prohibition of Forced Labor	Yes		Section 4 of the Employment Act (2021); 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; Sections 2 and 14–16 of the Trafficking in Persons Act (39,41–44)
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; Sections 2 and 15–16 of the Trafficking in Persons Act (41–43)
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 (41–43)
Prohibition of Using Children in Illicit Activities	No		
Minimum Age for Voluntary State Military Recruitment	Yes	18	Section 19 of the Defense Force Act (45)
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 (33)
Free Public Education	Yes		Articles 2 and 13 of the Education Act (33)

\* Country has no conscription (45)

In 2021, the President assented to amendments to the Employment Act to ban the use of tenant labor, the final step for legislative approval. (1,29) Under the new law, any person who enacts or imposes forced or tenancy labor will be liable for a fine of \$6,000 and 5 years imprisonment. (44) 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. (26,27)

## MODERATE ADVANCEMENT

Section 21 of the Employment Act sets the minimum age for employment at age 14 for agricultural, industrial, or non-industrial work. (38) 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. (38,46) The minimum working age also is lower than the compulsory education age, which may encourage children to leave school before the completion of compulsory education. (33) Malawian 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. (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)	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. (1,48) Coordinates with the Ministry of Homeland Security and the Ministry of Gender, Children, Disability and Social Welfare (MGCDWSW) 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)
Ministry of Homeland Security	Leads criminal law enforcement and prosecution related to human trafficking laws, coordinating with MGCDWSW on protection and child trafficking issues and MOL on monitoring labor conditions. (29)
Ministry of Justice	Prosecutes criminal offenders of the worst forms of child labor. (1,49)
Tobacco Commission	Oversees regulation of the tobacco industry and enforcement of the Tobacco Industry Bill, including child labor issues. 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, including canceling the registration of growers who fail to satisfactorily report on child labor in their annual reports to the Commission. (1,50)

#### Labor Law Enforcement

In 2021, labor law enforcement agencies in Malawi took actions to address child labor (Table 6). However, gaps exist within the operations of the Ministry of Labor (MOL) that may hinder adequate labor law enforcement, including insufficient financial resource allocation.

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

Overview of Labor Law Enforcement	2020	2021
Labor Inspectorate Funding	Unknown (51)	Unknown (1)
Number of Labor Inspectors	Unknown (5)	Unknown (1)
Mechanism to Assess Civil Penalties	No (5,38)	No (1,38)
Initial Training for New Labor Inspectors	Unknown (5)	Unknown (1)
Training on New Laws Related to Child Labor	N/A	Unknown (1)
Refresher Courses Provided	Yes (5)	Yes (1)
Number of Labor Inspections Conducted	1210† (52)	676 (53)
Number Conducted at Worksite	1210† (52)	676 (53)
Number of Child Labor Violations Found	760† (52)	111 (53)
Number of Child Labor Violations for Which Penalties Were Imposed	Unknown (5)	14 (1)
Number of Child Labor Penalties Imposed that Were Collected	Unknown (5)	Unknown (1)
Routine Inspections Conducted	Yes (5,52)	Yes (1)
Routine Inspections Targeted	Yes (5,52)	Yes (1)



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

Overview of Labor Law Enforcement	2020	2021
Unannounced Inspections Permitted	Yes (38)	Yes (38)
Unannounced Inspections Conducted	Yes (5)	Yes (1)
Complaint Mechanism Exists	Yes (5)	Yes (1)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (5)	Yes (1)

Under Malawian law, child labor is a criminal offense and, as such, labor investigators refer violations related to child labor to criminal law enforcement authorities for investigation and the imposition of penalties. (38) 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. (1,8) 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 about 123 labor inspectors as its workforce consists of more than 5 million workers. (54,55) 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. (1,5) To increase monitoring of the tobacco sector, the MOL and tobacco companies have an 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. (1) 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. (5,56)

Although research could not determine the total number of child labor violations identified through labor inspections during the reporting period, there were 111 child labor violations for the period of July 2021 to February 2022; of this total, 98 children were withdrawn from child labor, of which 44 were sent back to school, 4 were placed in vocational training, and 41 received other rehabilitation measures. (53) Similarly, in fiscal year 2020–2021 (July 2020 to June 2021), there were an estimated 553 children withdrawn from child labor, of which 241 were returned to school, 62 were repatriated, and 11 received rehabilitation measures. There is no publicly available information on the whereabouts of the remaining children. (1) The MOL has a program for individuals to report potential labor law violations through phone calls, social media, and at labor offices. The MOL also maintains a labor information management system to capture and store information on labor law violations, including child labor cases. (1)

### **Criminal Law Enforcement**

Research did not find information on whether criminal law enforcement agencies in Malawi took actions to address child labor.

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

Overview of Criminal Law Enforcement	2020	2021
Initial Training for New Criminal Investigators	Yes (5)	Yes (1)
Training on New Laws Related to the Worst Forms of Child Labor	N/A (5)	Unknown (1)
Refresher Courses Provided	No (5)	Unknown (1)
Number of Investigations	9 (5)	Unknown (1)
Number of Violations Found	16 (5)	Unknown (1)
Number of Prosecutions Initiated	15 (5)	Unknown (1)
Number of Convictions	12 (5)	Unknown (1)
Imposed Penalties for Violations Related to the Worst Forms of Child Labor	Yes (5)	Unknown (1)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (5)	Yes (1)

The government does not operate a hotline, rather it works with a local NGO that operates a 24-hour National Helpline Service; during the reporting period, the NGO received 119 calls related to human trafficking, of which 51 pertained to children. (1) The government did not provide comprehensive information on its criminal law

## MODERATE ADVANCEMENT

enforcement activities for inclusion in this report. (1) Although the Malawi Police Service reported 78 arrests, involving 133 victims, and 7 convictions during the reporting period for crimes related to trafficking in persons, research could not verify the ages of the victims and whether the cases pertained to the worst forms of child labor. (57)

Many children in Malawi lack birth certificates. The inability of law enforcement officials to verify the ages of child survivors of human trafficking and commercial sexual exploitation may have impeded efforts to prosecute traffickers under the Child Care, Protection and Justice Act, and the Trafficking in Persons Act. (58) In addition, police sometimes arrest and detain child sex trafficking survivors alongside adults. In some instances, these children fall victim to abuse, including sexual extortion, by the police. (1,17)

## 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 a lack of standardized guidelines for coordination across 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, including Homeland Security and MGCDSP, as well as trade unions, employers, development partners, and civil society organizations. (1,36,59) 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. (60) Active during the reporting period. (1)
District and Community Child Protection Committees	Coordinate all child protection activities at the district and community levels and improve local coordination of child protection issues. Trained 80 district child protection workers in case management and psychosocial support; 18 case workers were active during the reporting period. (1,61)
National Coordination Committee Against Trafficking in Persons (TIP)	Coordinates and oversees investigations and prosecutions, training, survivor care, and human trafficking data collection. Mandated by the Trafficking in Persons Act of 2015. (62) In 2021, oriented 118 senior traditional leaders on TIP and the smuggling of migrants; sensitized 35 representatives of faith-based organizations on TIP and the smuggling of migrants; trained 82 labor officers, 78 journalists, and 34 investigative journalists on their roles in addressing TIP; carried out meetings to review progress and plans; and conducted monitoring and evaluation of the activities of districts coordination committees in order to strengthen the district level response to TIP. (63)

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. The MOL is coordinating with Winrock International to develop uniform guidance and training procedures to respond to child labor. (5)

## V. GOVERNMENT POLICIES ON CHILD LABOR

The government has established policies related to child labor (Table 9). However, policy gaps exist that hinder efforts to address child labor, including a lack of harmonization of child labor into key national policies.

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

Policy	Description
National Action Plan (NAP) on Child Labor (2020–2025)	Outlines the government's strategies for the elimination of the worst forms of child labor, with a focus on six critical areas: (1) laws and policy; (2) the institutional and human resource capacity of stakeholders in child labor elimination; (3) public education and awareness; (4) prevention, withdrawal, rehabilitation, and social re-integration of children in child labor; (5) mitigating HIV/AIDS and other chronic illnesses; and (6) improving the availability of information on child labor. (64) NAP also includes the Child Labor Mainstreaming Guide, which provides guidance to government ministries, departments, and agencies, as well as other stakeholders in addressing child labor. (65) During the reporting period, the government launched the National Child Labor Advocacy and Communication Strategy under NAP. (1) The Strategy aims to coordinate media messaging to raise awareness and sensitize parents to the risks of child labor. (66)
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. (67) 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 for vulnerable children and children withdrawn from child labor. (51,60) 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: (1) strengthen prevention; (2) provide support and protection for human trafficking survivors; (3) strengthen detection, investigation, and prosecution of offenses; (4) encourage partnership and coordination; and (5) conduct research, monitoring, and evaluation. (68,69) Research was unable to determine whether activities were undertaken to implement the National Plan of Action Against Trafficking in Persons 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. (70,71)

The government is reviewing a draft Child Labor Policy, which will guide the direction of Malawi's efforts to address child labor, including the National Action Plan. The draft policy also includes a light work framework. (5) The government also has drafted an updated National Action Plan for Vulnerable Children, which expired in 2019, but has yet to launch or make these policies available to the public. (5,60)

## VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2021, 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 lack of implementation of programs.

**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†	MGCD SW-led program that supports low-income families in high-risk districts to enable children to stay in school. (1,5) In 2021, the government made monthly social cash transfers to 292,000 households across the country, a slight increase from the previous reporting period. (5)
Education Assistance Programs†	Government-funded programs to provide educational assistance and support for vulnerable families. (5) Includes the Complementary Basic Education Program, a \$1.1 million project that promotes school enrollment for children removed from child labor. (1) As of 2020, the government had 12,000 early childhood development centers, providing services to 2.4 million children through the program; in addition, 2,158,428 primary school learners receive assistance with school meals. (5) Also includes MGCD SW 's Early Childhood Development (ECD) Program. The ECD Program supports preschools and parenting groups, supporting 60 government-constructed preschools and plans for construction of an additional 100. (1) To date, 2.7 million children are enrolled in the program. (1)
Orphans and Vulnerable Children Intervention†	\$4.9 million USAID and President's Emergency Plan for AIDS Relief-supported program with MGCD SW, that 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.

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

Program	Description
ILO-funded Programs	Multiple-country programs, totaling \$9.7 million, aimed at promoting employment, inclusive growth, and social protection; acceleration of progress towards Sustainable Development Goals; elimination of child labor; addressing decent work deficits in the tobacco sector; and other issues related to work and social protection. (72) Include Accelerating Action for the Elimination of Child Labor in Supply Chains (ACCEL), a partnership with the Ministry of Foreign Affairs of the Netherlands, targeting the 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. (51,73,74) In 2021, the project launched a joint program with the Tea Association of Malawi to advance policies and a code of conduct, including child labor elimination, in the tea sector; presented research on the tenancy system to MOL; and entered into an agreement with the Teachers Union of Malawi to advance school improvements and educational access. In addition, the project supported an updated Occupational Safety and Health Profile that mainstreams child labor issues. (72,75,76) The Decent Work Country Program assisted with updates to Malawi's Occupational Safety and Health Profile and conducting a national dialogue on decent work in the tobacco sector. (1) Also include Addressing Decent Work Deficits and Improving Access to Rights in Malawi's Tobacco Sector (ADDRESS), a 4-year project, with support from the Government of Norway, to address decent work deficits in Malawi's tobacco sector. During the reporting period, the project, with partial support from USDOL's MAP-16, began a quantitative assessment of workers and their families under the tenancy system. (72) Finally, through the Research to Action (R2A) program, 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. (77)

† Program is funded by the Government of Malawi.

‡ The government had other social programs that may have included the goal of eliminating or preventing child labor. (5,78,60,79-83)

The government, with the European Union, UNICEF, and the U.S. Centers for Disease Control and Prevention, supports programs to increase birth registration and data collection in various districts across the country. (80,84) During the reporting period, the government, with support of the ILO, the World Food Program and UNICEF implemented a short-term urban cash transfer program aimed at protecting children and vulnerable urban populations affected by the COVID-19 pandemic. Urban cash transfers reached 53,000 people in 7 towns. (85,86) The government has issued birth registration certificates to approximately 60 percent of the population. Preliminary figures indicate that 1.13 percent of children were issued birth registration certificates during the reporting period. Most of these registrations occurred in urban areas. (87)

An evaluation of the National Social Cash Transfer Program found that, although the program provided benefits for other aspects of children's well-being, it had achieved little reduction of child labor as the work of children only shifted from external employment to labor within the household farm, resulting from families using funds from the program to expand their household agricultural activities. (88) 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 in domestic service and commercial sexual exploitation.

## VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE CHILD LABOR

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

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

Area	Suggested Action	Year(s) Suggested
Legal Framework	Ensure that all forms of children's work, including work conducted by children in private homes and on non-commercial farms, receive legal protection, including a minimum age for work that complies with international standards.	2009 – 2021
	Raise the minimum age for work to the age up to which education is compulsory.	2018 – 2021
	Criminalize the use of children in illicit activities.	2020 – 2021
	Ensure that the law criminally prohibits the recruitment of children under age 18 by non-state armed groups.	2016 – 2021
Enforcement	Publish information on labor law enforcement efforts, including labor inspectorate funding, the number of labor inspectors, and inspectorate trainings.	2016 – 2021

**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 – 2021
	Ensure that the number of labor inspectors in Malawi meets the ILO's technical guidance.	2017 – 2021
	Publish information on criminal law enforcement efforts.	2021
	Ensure that criminal law enforcement investigators receive training.	2019 – 2021
	Ensure that child survivors of commercial sexual exploitation do not fall victim to sexual extortion and are not arrested or detained.	2018 – 2021
Coordination	Ensure that there is a standardized approach and guidance for training and responding to child labor to strengthen coordination and referral mechanisms.	2020 – 2021
Government Policies	Make publicly available key national policies, including the National Action Plan for Vulnerable Children.	2019 – 2021
	Ensure that activities are undertaken to implement the National Children's Policy and publish the results from the activities implemented during the reporting period.	2020 – 2021
	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 – 2021
	Integrate child labor elimination and prevention strategies into the National Education Sector Plan and the National Youth Policy.	2011 – 2021
Social Programs	Ensure that additional educational costs, an 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 – 2021
	Ensure that all children are registered at birth, and increase efforts to register children who are not issued birth certificates at birth.	2018 – 2021
	Ensure that activities are undertaken to implement the Child Labor Monitoring System and the Orphans and Vulnerable Children Intervention during the reporting period and make information about implementation measures publicly available.	2017 – 2021
	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 – 2021
	Increase the scope of social programs to reach more children at risk of the worst forms of child labor, and develop specific programs to target children in domestic service and commercial sexual exploitation.	2011 – 2021

**REFERENCES**

- U.S. Embassy- Lilongwe. Reporting. January 19, 2022.
- Government of Malawi. Multiple Indicator Cluster Survey Report 2019-20. December 23, 2021. <https://www.unicef.org/malawi/reports/malawi-multiple-indicator-cluster-survey-report>
- UNESCO Institute for Statistics. Gross intake ratio to the last grade of primary education, both sexes (%). Accessed March 3, 2022. For more information, please see "Children's Work and Education Statistics: Sources and Definitions" in the Reference Materials section of this report. <http://data.uis.unesco.org/>
- ILO. Analysis of Child Economic Activity and School Attendance Statistics from National Household or Child Labor Surveys. Original data from the National Child Labour Survey (SIMPOC), 2015. Analysis received March 2022. For more information, please see "Children's Work and Education Statistics: Sources and Definitions" in the Reference Materials section of this report.
- U.S. Embassy- Lilongwe. Reporting. January 14, 2021.
- ILO Committee of Experts. Individual Observation concerning Worst Forms of Child Labour Convention, 1999 (No. 182) Malawi (ratification: 1999). Published: 2019. [https://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100\\_COMMENT\\_ID:3963492](https://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:3963492)
- Malawi24. We Need to Inspect Estates to Combat Child Labour - Minister. December 18, 2019. <https://malawi24.com/2019/12/18/we-need-to-inspect-estates-to-combat-of-child-labour-minister/>
- U.S. Embassy- Lilongwe official. E-mail communication to USDOL official. January 16, 2018.
- Zegers, Mei, et al. Evaluation of Malawi Child Protection Strategy 2012–2018. UNICEF Malawi, November 2018. Source on file.
- Malekezo, Feston. Child labour in tobacco industry worries ministry. The Times Group, May 6, 2020. <https://times.mw/child-labour-in-tobacco-industry-worries-ministry/>
- Africa News. Poverty, Culture Drive Child Labour in Malawi. June 12, 2019. <https://www.youtube.com/watch?v=tPh1HLhikBw>
- ILO, Fundamental Principles and Rights at Work Branch. Understanding Child Labour and Youth Employment in Malawi. Geneva: ILO, September 2018. [https://www.ilo.org/wcmsp5/groups/public/---ed\\_norm/---ipec/documents/publication/wcms\\_651037.pdf](https://www.ilo.org/wcmsp5/groups/public/---ed_norm/---ipec/documents/publication/wcms_651037.pdf)
- U.S. Embassy- Lilongwe. Reporting. January 31, 2019.
- Kandodo, Ayamba. Child vending exposing girls to sexual violence. The Nation, January 3, 2018. <https://www.mwnation.com/child-vending-exposing-girls-sexual-violence/>
- Malawi News Agency. Child labour worries authorities in Ntcheu. The Nation, May 15, 2020. <https://www.mwnation.com/child-labour-worries-authorities-in-ntcheu/>
- Khamula, Owen. NGO rescues 40 children from sexual exploitation. Nyasa Times, December 4, 2020. <https://www.nyasatimes.com/ngo-rescues-40-children-from-sexual-exploitation/>



## MODERATE ADVANCEMENT

- 17 U.S. Department of State. Trafficking in Persons Report- 2021: Malawi. Washington, DC, July 1, 2021.  
<https://www.state.gov/reports/2021-trafficking-in-persons-report/malawi/>.
- 18 Magalasi, Chikondi. Hot season for child trafficking. The Times Group, October 17, 2020.  
<https://times.mw/hot-season-for-child-trafficking/>
- 19 Staff Reporter. Police arrest child traffickers. Nyasa Times, August 10, 2020.  
<https://www.nyasatimes.com/police-arrest-child-traffickers/>
- 20 Kanjere, Peter. Danger on street corner. The Times Group, June 17, 2019.  
<https://times.mw/danger-on-street-corner/>
- 21 ILO CEACR. Individual Observation concerning Worst Forms of Child Labour Convention, 1999 (No. 182) Malawi (ratification: 1999). Published: 2018.  
[http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100\\_COMMENT\\_ID:3339648:NO](http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:3339648:NO)
- 22 Boseley, Sarah. The children working the tobacco fields: 'I wanted to be a nurse'. The Guardian, June 25, 2018.  
<https://www.theguardian.com/world/ng-interactive/2018/jun/25/tobacco-industry-child-labour-malawi-special-report>
- 23 Matekenya, Zenak. Malawi: Project geared to curb child labour in Mzimba. Nyasa Times, December 22, 2020.  
<https://www.nyasatimes.com/project-geared-to-curb-child-labour-in-mzimba/>
- 24 France 24. Poverty, Culture Drive Child Labour in Malawi. September 13, 2018.  
<https://www.youtube.com/watch?v=5LygDfpGBW4>
- 25 Chirambo, Rodrick. The Burley Tobacco Value Chain Analysis Report. Centre for Social Concern, January 2018. Source on file.
- 26 ILO CEACR. Individual Observation concerning Forced Labour Convention, 1930 (No. 29) Malawi (ratification: 1999). Published: 2017.  
[http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100\\_COMMENT\\_ID:3298802](http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:3298802)
- 27 Milanzi, Tony S. Living on the Edge: Smallholder Growers' Responses to a changing tobacco economy. Lexington: University of Kentucky. 2017: PhD dissertation.  
[https://uknowledge.uky.edu/cgi/viewcontent.cgi?article=1027&context=anthro\\_etds](https://uknowledge.uky.edu/cgi/viewcontent.cgi?article=1027&context=anthro_etds)
- 28 U.S. Embassy- Lilongwe. Reporting. February 14, 2020.
- 29 Chimjeka, Rebecca. Lazarus Chakwera nods to Labour Bill The Times. October 15, 2021.  
<https://times.mw/lazarus-chakwera-nods-to-labour-bill/>
- 30 Pondani, Mandy. Pangs of child trafficking. The Times Group, October 18, 2019.  
<https://times.mw/pangs-of-child-trafficking/>
- 31 U.S. Embassy- Lilongwe. Reporting. February 26, 2021.
- 32 United Nations Office of Drugs and Crime. UNODC Helps Malawi to Tackle Human Trafficking. June 2020.  
<https://www.unodc.org/unodc/en/frontpage/2020/june/unodc-helps-malawi-to-tackle-human-trafficking.html>
- 33 Government of Malawi. Education Bill, 2012. Enacted: 2013. Source on file.
- 34 Nyale, Enelless. Govt abolishes secondary school fees. The Nation, September 26, 2018.  
<https://mw.nation.com/govt-abolishes-secondary-school-fees/>
- 35 Government of Malawi. Improving Education Outcomes Among Children in Malawi's Social Cash Transfer Programme: A Summary of Research Findings and Policy Options. August 2020.  
<https://www.unicef.org/malawi/reports/improving-educational-outcomes-among-children-malawis-social-cash-transfer-programme>
- 36 ILO Committee of Experts. Direct Request concerning Worst Forms of Child Labour Convention, 1999 (No. 182) Malawi (ratification: 1999). Published: 2019.  
[https://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100\\_COMMENT\\_ID:3963489](https://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:3963489)
- 37 Khonje, Vincent. When children turn into breadwinners. The Times Group, September 21, 2020.  
<https://times.mw/when-children-turn-into-breadwinners/>
- 38 Government of Malawi. Employment Act No. 6 of 2000. Enacted: May 14, 2000.  
<http://www.ilo.org/dyn/natlex/docs/WEBTEXT/58791/65218/E00MWIo1.htm>
- 39 Government of Malawi. Constitution of the Republic of Malawi. Enacted: 2004.  
[https://ihl-databases.icrc.org/applic/ihl/ihl-nat.nsf/162d151af444ded44125673e00508141/4953f2286ef1f7c2c1257129003696f4/\\$FILE/Constitution%20Malawi%20-%20EN.pdf](https://ihl-databases.icrc.org/applic/ihl/ihl-nat.nsf/162d151af444ded44125673e00508141/4953f2286ef1f7c2c1257129003696f4/$FILE/Constitution%20Malawi%20-%20EN.pdf)
- 40 Government of Malawi. Employment Act, Employment (Prohibition of Hazardous Work for Children) Order, 2012, Cap. 55:02. Enacted: February 17, 2012. Source on File.
- 41 Government of Malawi. Child Care, Protection and Justice Act, No. 22 of 2010. Enacted: July 29, 2010.  
<http://www.ilo.org/dyn/natlex/docs/ELECTRONIC/90369/104130/F179063148/MW190369.pdf>
- 42 Government of Malawi. Penal Code, Chapter 7:01. Enacted: April 1, 1930.  
[http://ighrc.org/sites/default/files/Malawi Penal Code 7-01.pdf](http://ighrc.org/sites/default/files/Malawi%20Penal%20Code%207-01.pdf)
- 43 Government of Malawi. Trafficking in Persons Act. No. 3 of 2015. Enacted: April 17, 2015.  
<http://www.ilo.org/dyn/natlex/docs/MONOGRAPH/99187/118283/F-139474004/MW1991871.pdf>
- 44 Government of Malawi. Employment Amendment Act (2021). October 14, 2021. Source on file.
- 45 Government of Malawi. Defence Force. Enacted: May 14, 2000.  
[http://www.africanchildforum.org/clr/Legislation Per Country/Malawi/malawi\\_defence\\_2004\\_en.pdf](http://www.africanchildforum.org/clr/Legislation%20Per%20Country/Malawi/malawi_defence_2004_en.pdf)
- 46 U.S. Department of State. Country Reports on Human Rights Practices-2020: Malawi. Washington, DC, March 30 2021.  
<https://www.state.gov/wp-content/uploads/2021/03/MALAWI-2020-HUMAN-RIGHTS-REPORT.pdf>
- 47 Maine, Rebecca, et. al. Interpersonal violence in peacetime Malawi 4th World Trauma Congress Article. 2018.  
<https://www.ncbi.nlm.nih.gov/pmc/articles/PMC6326358/pdf/tsaco-2018-000252.pdf>
- 48 U.S. Embassy- Lilongwe official. E-mail communication to USDOL official. May 15, 2019.
- 49 Government of Malawi. Malawi Ministry of Justice and Constitutional Affairs. Accessed July 9, 2021.  
<https://www.justice.gov.mw/>
- 50 Government of Malawi. Tobacco Industry Bill, 2018. Enacted: May 25, 2018. Source on file.
- 51 U.S. Embassy- Lilongwe. Reporting. January 14, 2020.
- 52 Government of Malawi. Annual Economic Report 2021 2021 Source on file.
- 53 Government of Malawi. Annual Economic Report. 2022 Source on file.
- 54 UN. World Economic Situation and Prospects. 2020 Statistical Annex. New York, 2020. Please see "Labor Law Enforcement: Sources and Definitions" in the Reference Materials section of this report.  
<https://www.un.org/development/desa/dpad/publication/world-economic-situation-and-prospects-2020/>
- 55 ILO Accessed Labor Force Statistics (LFS) – Population and labour force. February 7, 2022. Labor force data is government-reported data collected by the ILO. Please see "Labor Law Enforcement: Sources and Definitions" in the Reference Materials section of this report.  
<https://ilostat.ilo.org/data/>
- 56 U.S. Embassy- Lilongwe official. E-mail communication to USDOL official. February 23, 2021.
- 57 U.S. Embassy- Lilongwe. Reporting March 4, 2022.
- 58 U.S. Embassy- Lilongwe. Reporting. March 1, 2019.
- 59 U.S. Embassy- Lilongwe official. E-mail communication to USDOL official. July 2, 2020.

- 60 U.S. Embassy- Lilongwe official. E-mail communication to USDOL official. March 17, 2020.
- 61 Government of Malawi. Program Based Budget 2022/2023. 2022. Source on file.
- 62 U.S. Embassy- Lilongwe. Reporting. January 10, 2017.
- 63 Government of Malawi. TIP Report to U.S. Embassy- Lilongwe. 2022. Source on file.
- 64 Government of Malawi. National Action Plan on Child Labour, 2020-2025. 2020. Source on file.
- 65 Government of Malawi. National Child Labour Mainstreaming Guide. April 2020. Source on file.
- 66 Government of Malawi. Adopt and Launch the National Child Labour Advocacy and Communication Strategy (NCLAS) and Build Media and Stakeholder Capacity for Implementation. 2021. <https://endchildlabour2021.org/wp-content/uploads/2021/06/Malawi-Ministry-of-Labour.pdf>
- 67 Government of Malawi. National Children's Policy. January 2019. Source on file.
- 68 UNODC. Malawi Launches National Plan of Action Against Trafficking in Persons. August 29, 2017. [https://www.unodc.org/documents/southernafrica/Stories/Webstory\\_on\\_the\\_National\\_Plan\\_of\\_Action\\_against\\_Trafficking\\_in\\_Persons\\_ZA.pdf](https://www.unodc.org/documents/southernafrica/Stories/Webstory_on_the_National_Plan_of_Action_against_Trafficking_in_Persons_ZA.pdf)
- 69 Government of Malawi. National Plan of Action Against Trafficking in Persons, 2017–2022. 2017. Source on file.
- 70 Government of Malawi. Ministry of Education, Science, and Technology. National Education Sector Plan 2008–2017. June 2008. <https://www.globalpartnership.org/sites/default/files/2008-Malawi-Education-Sector-Plans-2008-2017.pdf>
- 71 Government of Malawi. Ministry of Education, Science, and Technology. National Youth Policy. August 2013. [http://www.youthpolicy.org/national/Malawi\\_2013\\_National\\_Youth\\_Policy.pdf](http://www.youthpolicy.org/national/Malawi_2013_National_Youth_Policy.pdf)
- 72 ILO. Factsheet: ILO at a Glance and its Work in Malawi October, 2021. [https://www.ilo.org/africa/countries-covered/mozambique/WCMS\\_824807/lang-en/index.htm](https://www.ilo.org/africa/countries-covered/mozambique/WCMS_824807/lang-en/index.htm)
- 73 U.S. Embassy- Lilongwe official. E-mail communication to USDOL official. June 24, 2020.
- 74 ILO. Project on accelerating action for the elimination of child labour in supply chains in Africa. 2020. Source on file.
- 75 Government of Malawi. National Occupational Safety and Health Profile, 2020. February 2021. [https://www.ilo.org/wcmsp5/groups/public/---africa/---ro-abidjan/---ilo-lusaka/documents/publication/wcms\\_773286.pdf](https://www.ilo.org/wcmsp5/groups/public/---africa/---ro-abidjan/---ilo-lusaka/documents/publication/wcms_773286.pdf)
- 76 Van Tromp, Dylan. ILO Partners with Teachers Union of Malawi to Reduce Child Labour ILO. December 2021. [https://www.ilo.org/africa/countries-covered/zambia/WCMS\\_833226/lang-en/index.htm](https://www.ilo.org/africa/countries-covered/zambia/WCMS_833226/lang-en/index.htm)
- 77 ILO. From Research to Practice: Using Knowledge to Accelerate Progress in the Elimination of Child Labor and Forced Labor. 2020: Technical Progress Report. Source on file.
- 78 ILO CEACR. Individual Observation concerning Minimum Age Convention, 1973 (No. 138) Malawi (ratification: 1999). Published: 2019. [https://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100\\_COMMENT\\_ID:3953519](https://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:3953519)
- 79 United Nations in Malawi. The United Nations Development Assistance Framework Malawi: 2019–2023. May 17, 2018. <https://www.unicef.org/about/execboard/files/Malawi-UNDAF-2019-2023-17May2018.pdf>
- 80 U.S. Embassy- Lilongwe official. E-mail communication to USDOL official. July 11, 2019.
- 81 Save the Children. Save the Children Hosts the National Inclusive Education Conference. September 13, 2018. <https://malawi.savethechildren.net/news/save-children-hosts-national-inclusive-education-conference>
- 82 USAID. USAID-Supported National Strategy for Adolescent Girls and Young Women Launched. August 24, 2018. Source on file.
- 83 World Food Program. Promoting Sustainable School Meals Fact Sheet. April 2018. <https://docs.wfp.org/api/documents/WFP-0000073218/download/?ga=2.204951696.1616830882.1564432892-812763964.1564432892>
- 84 U.S. Department of State. Trafficking in Persons Report- 2018: Malawi. Washington, DC, June 28, 2018. <https://www.state.gov/reports/2018-trafficking-in-persons-report/malawi/>
- 85 World Food Program. COVID-19 Response in Malawi: "The work did not stop". May 2021. <https://www.wfp.org/publications/2021-covid-19-response-malawi-work-did-not-stop-may-2021>
- 86 Lubanga, Symon. COVID-19 Emergency Urban Cash Transfers Commence. National Local Government Finance Committee. 2021. <https://www.nlgfc.gov.mw/index.php/component/k2/item/655-covid-19-emergency-urban-cash-transfers-commence>
- 87 U.S. Embassy-Lilongwe. E-mail with USDOL official. April 27, 2022.
- 88 de Hoop, Jacobus and Valeria Groppo. How Do Cash Transfers Affect Child Work and Schooling? Surprising Evidence from Malawi, the United Republic of Tanzania and Zambia. UNICEF. 2020. <https://www.unicef-irc.org/publications/1113-how-do-cash-transfers-affect-child-work-and-schooling-surprising-evidence-from-malawi.html>

In 2021, Maldives made moderate advancement in efforts to eliminate the worst forms of child labor. The government enacted the Second Amendment to the Prevention of Human Trafficking Act and established an Anti-Trafficking in Persons Office to implement the Anti-Human Trafficking National Action Plan 2020–2022. Moreover, after the newly opened permanent shelter for survivors of trafficking was damaged in a storm, the government opened a different temporary shelter. However, although research is limited, there is evidence that children in Maldives are subjected to the worst forms of child labor, including in forced domestic work, illicit activities, and commercial sexual exploitation, sometimes as a result of human trafficking. Children also engage in child labor in domestic work. 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 in forced domestic work, illicit activities, and commercial sexual exploitation, sometimes as a result of human trafficking. Children also engage in child labor in domestic work. (1-4) 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, 2022. (5)

Source for all other data: International Labor Organization's analysis of statistics from Demographic and Health Survey (DHS), 2009. (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	Domestic work (4)
Categorical Worst Forms of Child Labor‡	Commercial sexual exploitation, sometimes as a result of human trafficking (2-4,7-9)
	Forced labor in domestic work (1,4)
	Use in illicit activities, including the trafficking of drugs (2,4,7,10)

‡ 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. (4,11) In addition, some girls from Bangladesh are believed to be victims of human trafficking to Maldives for the purpose of commercial sexual exploitation. (4) There are also reports of foreign tourists engaging in commercial sexual exploitation of children. (4,9)

The right to free primary and secondary education is provided to all children, but there is a shortage of trained teachers in Maldives. (8,12,13) In addition, while there are primary schools on all islands, some students must

# Maldives




## MODERATE ADVANCEMENT

travel to other islands to attend secondary school. In these instances, some children participate in domestic work in exchange for room and board; however, this practice has decreased in recent years. (7)

## 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 failure to prohibit the use, procurement, and offering of a child for pornographic performances.

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

Standard	Meets International Standards	Age	Legislation
Minimum Age for Work	Yes	16	Sections 6 and 12 of the Employment Act; Article 26 of the Child Rights Protection Act; Section 8 of the General Regulation on Child Rights Protection (10,12,14)
Minimum Age for Hazardous Work	Yes	18	Sections 7 and 12 of the Employment Act (14)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Section 10 of the General Regulation on Child Rights Protection (10,15)
Prohibition of Forced Labor	No		Section 3 of the Employment Act; Sections 10-14, 16-18, 21, and 25 of the Prevention of Human Trafficking Act; Sections 3-8 and 11 of the 2 <sup>nd</sup> Amendment to the Prevention of Human Trafficking Act; Article 25 of the Constitution; Section 26 and 122 of the Child Rights Protection Act; (12-14,16,17)
Prohibition of Child Trafficking	No		Sections 10-14, 17-18, and 21 of the Prevention of Human Trafficking Act; Sections 3-8 and 11 of the 2 <sup>nd</sup> Amendment to the Prevention of Human Trafficking Act (16,17)
Prohibition of Commercial Sexual Exploitation of Children	No		Sections 17-19 of the Special Provisions Act to Deal with Child Sex Abuse Offenders; Sections 11 and 123 of the Child Rights Protection Act; Sections 13-14, 17-18, and 21 of the Prevention of Human Trafficking Act, Sections 4-8 and 11 of the 2 <sup>nd</sup> Amendment to the Prevention of Human Trafficking Act (12,16-18)
Prohibition of Using Children in Illicit Activities	Yes		Section 133(c)(1) of the Drugs Act; Article 122 of the Child Rights Protection Act (10,12,19)
Minimum Age for Voluntary State Military Recruitment	Yes	18	Legislation title unknown
Prohibition of Compulsory Recruitment of Children by (State) Military	N/A*		
Prohibition of Military Recruitment by Non-state Armed Groups	No		

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

Standard	Meets International Standards	Age	Legislation
Compulsory Education Age	Yes	16	Article 36(b) of the Constitution of the Republic of Maldives; Article 14 of the Education Act; Section 21 of the Child Rights Protection Act (12,13,20)
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 (13,20,21)

\* Country has no conscription (22)

Adopted in 2020, the General Regulation on Child Rights Protection established guidelines on children's participation in their family's line of work, along with a list of work in which children may not participate. (10)

In April 2021, the Second Amendment to the Prevention of Human Trafficking Act was enacted. The amended Act expressly criminalizes the trafficking children across borders and internally for purposes of exploitation. (17) The definition of exploitation in the Act includes forced labor, forced marriages, and forced engagement in sexual activities or prostitution. (4,8,10,17) However, the laws prohibiting forced labor in Maldives are not sufficient overall as they do not criminalize slavery. Laws prohibiting child trafficking are also insufficient because they require the use of threats, the use of force, or coercion for the crime of child trafficking. (16,17) Moreover, laws in Maldives do not sufficiently prohibit commercial sexual exploitation, because the use, procurement, and offering of a child for pornographic performances are not criminally prohibited. (12,17,18)

### III. ENFORCEMENT OF LAWS ON CHILD LABOR

The government has established institutional mechanisms for the enforcement of laws and regulations on child labor (Table 5). However, gaps exist within the 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. (10,14)
Maldives Police Service (MPS)	The Family and Child Protection Department 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. (23) Employs eight officers in Malé to investigate child labor cases, including child commercial sexual exploitation and child pornography cases. (23) The Anti-Human Trafficking Department investigates human trafficking-related offenses and enforces laws prohibiting trafficking in persons, including cases of child trafficking. (4,7) During 2021, led two awareness sessions for 151 MPS officers on human trafficking investigations, target areas, and the second amendment to the Prevention of Human Trafficking Act. (24)
Prosecutor General's Office (PGO)	Independent office established to raise charges and oversee the conduct of criminal matters on behalf of the State. Investigates cases of child exploitation referred by MPS. (2,10) In cases regarding child exploitation and domestic violence, a victim support officer from the PGO's Witness and Victims Support Service Unit and a prosecutor will join the case to ensure the safety of the child victim by identifying imminent threats or probable risks. (2) Research was unable to determine whether activities were conducted during the reporting period.
Children's Ombudsperson	Has oversight functions to ensure that the rights of children are not violated. (2) Tasked with determining the extent to which state institutions adhere to the Child Rights Protection Act and the UN CRC, enforcing the implementation of the Act and the CRC, and monitoring and evaluating institutions and personnel involved in protecting children's rights. (25) In 2021, conducted an analysis of the legal framework concerning child labor and disseminated it to key stakeholders. Focus group discussions have been conducted for key stakeholders to identify pathways for collaboration and to highlight gaps in the Child Rights Protection Act and the relevant regulations. (10)
Child and Family Protection Service (CFPS), Ministry of Gender, Family, and Social Services	Oversees efforts to protect children; receives referrals of children who have been exploited, including in commercial sexual exploitation and drug trafficking; investigates cases; and provides care for survivors. (7,10,26) In 2021, the Family and Child Protection Service was absorbed into the CFPS, which has a broader mandate of safeguarding and promoting the interests of children. (26) During the reporting period, two child labor cases were referred to the CFPS. (10)



# Maldives

## MODERATE ADVANCEMENT

### Labor Law Enforcement

In 2021, labor law enforcement agencies in Maldives took actions to address child labor (Table 6). However, gaps exist within the operations of the Labor Relations Authority (LRA) that may hinder adequate labor law enforcement, including a lack of training on new laws related to child labor.

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

Overview of Labor Law Enforcement	2020	2021
Labor Inspectorate Funding	\$929,457 (27)	\$876,727 (10)
Number of Labor Inspectors	17 (2)	15 (10)
Mechanism to Assess Civil Penalties	Yes (14)	Yes (14)
Initial Training for New Labor Inspectors	No (2)	Yes (10)
Training on New Laws Related to Child Labor	N/A (2)	No (10)
Refresher Courses Provided	No (2)	Yes (10)
Number of Labor Inspections Conducted	62 (2)	124 (10)
Number Conducted at Worksite	62 (2)	124 (10)
Number of Child Labor Violations Found	0 (2)	14 (10)
Number of Child Labor Violations for Which Penalties Were Imposed	N/A (2)	0 (10)
Number of Child Labor Penalties Imposed that Were Collected	N/A (2)	N/A (10)
Routine Inspections Conducted	Yes (2)	Yes (10)
Routine Inspections Targeted	Yes (2)	Yes (10)
Unannounced Inspections Permitted	Yes (14)	Yes (14)
Unannounced Inspections Conducted	Yes (2)	Yes (10)
Complaint Mechanism Exists	Yes (2)	Yes (10)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	No (2)	Yes (10,24,26)

During the reporting period, new recruits received on-the-job training and were assigned mentors. Refresher trainings were held for all inspectors and officers; however, labor inspectors were not trained on the new laws related to child labor. (10,24) In addition to labor inspectors, the LRA also utilizes eight investigations officers to conduct inspections. All labor inspections look for child labor violations related to minimum age requirements as well as forced labor and hazardous work, but there are no officers dedicated to child labor issues. (10) The LRA reported that the number of inspections conducted in 2021 was limited due to the COVID-19 pandemic; however, in 2021, the LRA identified 14 children who were not working within the requirements of Section 10 of the General Regulation on Child Rights Protection. (10)

### Criminal Law Enforcement

In 2021, criminal law enforcement agencies in Maldives took actions to address child labor (Table 7). However, gaps exist within the operations of the Family and Child Protection Department of the Maldives Police Service (MPS) that may hinder adequate criminal law enforcement, including a lack of resources for investigators.

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

Overview of Criminal Law Enforcement	2020	2021
Initial Training for New Criminal Investigators	Yes (2)	Yes (10)
Training on New Laws Related to the Worst Forms of Child Labor	N/A (2)	Yes (10)
Refresher Courses Provided	No (2)	Yes (10)
Number of Investigations	0 (26)	0 (26)
Number of Violations Found	0 (26)	0 (10)
Number of Prosecutions Initiated	0 (26)	0 (10)
Number of Convictions	0 (2)	0 (10)
Imposed Penalties for Violations Related to the Worst Forms of Child Labor	No (2)	Unknown (10)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (2)	Yes (10)

Four cases of child exploitation involving the use of children to commit criminal offences have been prosecuted since the enactment of the Child Rights Protection Act in November 2019. (10,15) During the reporting period,

the MPS held two trainings on human trafficking investigations, target areas, and the second Amendment to the Prevention of Human Trafficking Act. In total, 151 officers participated in the trainings. (24)

The MPS also held 12 refresher sensitization trainings, reaching 400 officers. (24) Moreover, members of the National Anti-Human Trafficking Steering Committee and eight frontline MPS officers participated in a virtual regional training workshop for professionals working in law enforcement agencies, focused on preventing child sexual abuse, exploitation, and child trafficking. Ten participants each from Bangladeshi and Sri Lankan law enforcement agencies also participated. (8) However, the MPS lacked sufficient resources and trained staff to be able to conduct investigations focused on child labor. (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
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. (11,16,28) During the reporting period, members participated in a regional training workshop on the prevention of child sexual abuse, exploitation and child-trafficking conducted and funded by ECPAT International and aimed at professionals working in law enforcement agencies. (8) The committee also began implementing the Anti-Human Trafficking National Action Plan and held five virtual meetings. (29)
Council for Protecting the Rights of the Child	Established under the Child Rights Protection Act to inform the Minister on policies related to the rights of children and care provision, observe adherence to the CRC, advise the Minister on measures to stop violence against children, determine which child rights protection policies achieve the objectives of the Act, and bridge the gap between civil society organizations and policymakers on issues related to protection of children's rights. (10,26) During the reporting period, the council held 18 meetings focused on strengthening child state care mechanism policies and infrastructure, and on formulating action plans and programs to protect the rights of children. (30)
Anti-Trafficking in Persons Office (ATO)*	Established at the Ministry of Defense to implement the Anti-Human Trafficking National Action Plan and undertake prevention efforts. In 2021, the ATO received a budget of \$129,450, secured a dedicated office premises, hired a policy and outreach consultant, and began implementing the National Action Plan. (24)

\* 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 coverage of all worst 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 address human trafficking, including creating institutions, coordinating activities, raising awareness, and building capacity. (31) During the reporting period, the National Anti-Human Trafficking Steering Committee worked to revise the Prevention of Human Trafficking Act to align the definition of human trafficking with that of the 2000 United Nations Trafficking in Persons Protocol. It also established a dedicated office (ATO), hired a consultant to conduct policy and outreach work, secured a temporary shelter for survivors of trafficking after the newly constructed shelter was damaged due to weather, and engaged in public awareness efforts with Public Service Media, the IOM, and Mission for Migrant Workers Maldives to improve awareness of human trafficking issues. (8,10,24)

NGOs have stated that the lack of cohesive standard operating procedures that lay out specific roles for all agencies may have resulted in a lack of referrals and the possibility that victims were not identified, given the large number of migrant workers present in the country and the small number of victims identified. (8) However, during the reporting period, the government worked with IOM Maldives to revise the draft Victim Support and Shelter Guidelines, now renamed the Victims Assistance and Shelter Service (VASS) Regulation. The Guidelines aim to create standard operating procedures for victim identification, protection, and reintegration; shelter operations and victim services; and a formal referral system for victims that have been identified. (8) It is anticipated that the Guidelines will be published in 2022. (8)

# Maldives

## MODERATE ADVANCEMENT

Research found no evidence of a policy designed to address other relevant forms of child labor, such as forced labor in domestic work or drug trafficking.

### VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2021, 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 inadequacy to address the problem in all sectors.

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

Program	Description
Family and Children's 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. (2,32) While reported to be active during the reporting period, research was unable to determine what activities were undertaken.
National Victim Support Hotline (Number 1696)†	24-hour hotline dedicated to receiving reports of human trafficking and child labor. Formerly operated by the MPS but is in the process of being relocated to the ATO. (26) During the reporting period, the hotline was suspended as funding and operations for the line were being discussed between the ATO and the International Police and Line Foundation. (8)
Child Helpline (Number 1412)†	Ministry of Gender, Family, and Social Services-operated helpline established with the support of the MPS and UNICEF to provide advice on social support services and receive reports of violence against children. (26,32) During the reporting period, the Helpline was active 24 hours per day, 7 days a week and received 12,927 calls. A total of 430 new referrals were made to Family and Children's Service Centers. (30)

† Program is funded by the Government of Maldives.

Family and Children's Service Centers and shelters lack adequate financial and human resources, and staff are inadequately trained to deal with cases involving abused and exploited children. (32) During the reporting period, the government established a temporary human trafficking victim shelter in Gulhifalhu on Malé Atoll and launched social and digital awareness campaigns to mark World Anti-Trafficking in Persons Day and International Migrants Day. (10)

However, existing social programs do not specifically address commercial sexual exploitation of children, use of children for drug trafficking, or forced labor in domestic work. Furthermore, no actions were taken to reduce demand for commercial sex or child sex tourism during the reporting period. (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	Ensure that laws prohibiting forced labor criminalize slavery.	2021
	Ensure that laws prohibiting child trafficking do not require the use of force, fraud and coercion.	2021
	Criminally prohibit all forms of commercial sexual exploitation of children, including procuring, offering, and using children for pornographic performances.	2016 – 2021
	Ensure that the law criminally prohibits the recruitment of children under age 18 by non-state armed groups.	2016 – 2021
Enforcement	Ensure that labor inspectors receive training that specifically focuses on child labor issues, including training on new laws, training for new employees, and refresher courses.	2009 – 2021
	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 – 2021
	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 – 2021
	Publish updates on cases received and prosecuted by the Prosecutor General's Office.	2021
	Publish activities undertaken by the Council for Protecting the Rights of the Children to coordinate efforts related to child labor.	2021
Coordination	Publish activities undertaken by the Council for Protecting the Rights of the Children to coordinate efforts related to child labor.	2021

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

Area	Suggested Action	Year(s) Suggested
Government Policies	Adopt a policy to address all relevant forms of child labor and forced labor, including domestic work and drug trafficking.	2014 – 2021
	Ensure that adequate standard operating procedures for victim referrals, identification, and services are developed and effectively implemented.	2021
Social Programs	Conduct and publish a national child labor survey and conduct research on the worst forms of child labor, including commercial sexual exploitation and child trafficking.	2009 – 2021
	Publish information about activities undertaken to implement social programs, including the Child Helpline and Family and Children's Service Centers.	2017 – 2021
	Provide sufficient funding, human resources, and staff training for Family and Child Service Centers and shelters that serve abused and exploited children.	2018 – 2021
	Implement and provide sufficient resources for programs that address the worst forms of child labor, including commercial sexual exploitation of children, use of children for drug trafficking, and forced labor in domestic work.	2009 – 2021
	Improve access to secondary education, particularly for girls, including by ensuring an adequate number of teachers and secondary schools.	2021
	Ensure that adequate victim referral mechanisms are established and operational.	2021

### REFERENCES

- U.S. Embassy- Colombo. Reporting. March 7, 2019.
- U.S. Embassy- Colombo. Reporting. January 29, 2021.
- U.S. Embassy- Colombo. Reporting. March 4, 2021.
- U.S. Department of State. Trafficking in Persons Report- 2021: Maldives. Washington, D.C., July 1, 2021. <https://www.state.gov/reports/2021-trafficking-in-persons-report/maldives/>
- UNESCO Institute for Statistics. Gross intake ratio to the last grade of primary education, both sexes (%). Accessed March 3, 2022. For more information, please see "Children's Work and Education Statistics: Sources and Definitions" in the Reference Materials section of this report. <http://data.uis.unesco.org/>
- ILO. Analysis of Child Economic Activity and School Attendance Statistics from National Household or Child Labor Surveys. Original data from Demographic and Health Survey (DHS) 2009. Analysis received March 2022. For more information, please see the "Children's Work and Education Statistics: Sources and Definitions" in the Reference Materials section of this report.
- U.S. Embassy- Colombo. Reporting. March 19, 2020.
- U.S. Embassy- Colombo. Reporting. February 7, 2022.
- U.S. Embassy- Colombo. Reporting. February 19, 2020.
- U.S. Embassy- Colombo. Reporting. January 24, 2022.
- U.S. Embassy- Colombo official. E-mail communication to USDOL official. June 25, 2020.
- Government of Maldives. Child Rights Protection Act. 2019.
- Government of Maldives. Constitution of the Republic of Maldives. Enacted: 2008. <http://www.maldivesinfo.gov.mv/home/upload/downloads/Compilation.pdf>
- Government of Maldives. Employment Act (unofficial translation). Enacted: October 13, 2008. [http://www.ilo.org/dyn/natlex/docs/ELECTRONIC/85764/96218/F1772069692/MDV85764\\_English.pdf](http://www.ilo.org/dyn/natlex/docs/ELECTRONIC/85764/96218/F1772069692/MDV85764_English.pdf)
- U.S. Department of State. Communication with DOL staff. April 17, 2022.
- Government of Maldives. Prevention of Human Trafficking Act, Law No: 12/2013. Enacted: December 8, 2013. Source on file.
- Government of Maldives. Prevention of Human Trafficking Act, Law No: 12/2013 (2nd Amendment). Enacted: April 14, 2021. Source on file.
- Government of Maldives. Special Provisions Act to Deal with Child Sex Abuse Offenders, Act Number 12/2009. Enacted: 2009. Source on file.
- Government of Maldives. Drugs Act. Enacted: 1991. <http://www.drugcourt.gov.mv/documents/laws/17-2011-I-Drug-Act-Translation.pdf>
- Government of Maldives. Education Act. November 25, 2020. [https://www.moe.gov.mv/assets/upload/Education\\_Act.pdf](https://www.moe.gov.mv/assets/upload/Education_Act.pdf)
- Government of Maldives. Law on the Protection of the Rights of Children, Law No. 9/91. Enacted: 2019. Source on file.
- CIA. The World Factbook. Accessed February 11, 2022. <https://www.cia.gov/the-world-factbook/countries/maldives/>
- U.S. Embassy- Colombo. Reporting. January 9, 2017.
- U.S. Embassy- Colombo official. E-mail communication to USDOL official. March 25, 2022.
- The Edition. President Solih appoints Maldives' first Child Rights Ombudsperson. July 23, 2020. <https://edition.mv/news/18082>
- Government of Maldives. E-mail communication. February 24, 2022.
- U.S. Embassy- Colombo official. E-mail communication to USDOL official. March 24, 2021.
- U.S. Embassy- Colombo. Reporting. April 2, 2020.
- U.S. Embassy- Colombo official. E-mail communication to USDOL official. February 24, 2022.
- U.S. Embassy- Colombo official. E-mail communication to USDOL official. June 15, 2022.
- Government of Maldives. Maldives National Anti-Human Trafficking Action Plan 2020–2022. February 25, 2020. Source on file.
- U.S. Embassy- Colombo. Reporting. January 12, 2018.

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

In 2021, Mali made minimal advancement in efforts to eliminate the worst forms of child labor. The transition government imposed and collected penalties for child labor violations, and published data on its labor law enforcement efforts, including the number of labor inspections conducted. However, despite new initiatives to address child labor, Mali is assessed as having made only minimal advancement because it continues to implement a practice that delays advancement to eliminate child labor. The government provided support to a non-state armed group 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 perform 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 of 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, a new National Plan to Eliminate Child Labor has not been finalized or implemented, and social and rehabilitation services remain inadequate for victims of the worst forms of child labor.



## 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. (1-6) Children also perform dangerous tasks in agriculture, particularly in the production of cotton and rice, and in artisanal gold mining. (3,5,7) Table 1 provides key indicators on children's work and education in Mali.

**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, 2022. (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 (3,5,10-13)
	Raising livestock,† including oxen and small ruminants (5,10,11,13)
	Fishing,† including collection, throwing nets, and piloting small boats (10,14)
Industry	Artisanal gold mining,† including digging shafts,† extracting ore from underground tunnels,† crushing ore,† and amalgamating ore with mercury† (11,15-18)
	Rock quarrying† (5)
	Assembling fishing canoes† (10,13)
	Construction† (11)



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

Sector/Industry	Activity
Services	Domestic work† (11)
	Street work,† including market vending,† begging,† and in the transportation sector (7,10,11,13,19)
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) (3,5,11,12,20,21)
	Commercial sexual exploitation, sometimes as a result of human trafficking (7,11,22-24)
	Forced recruitment by non-state armed groups for use in armed conflict (11)
	Hereditary slavery (1,3,19,22)
	Forced begging by Koranic teachers (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, especially of the Bellah community (black Tuareg), are subject to hereditary slavery in northern and southwestern Mali. (1,3,11,14,19,25,26) 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. (25) Enslaved children perform agricultural or domestic labor, and are often sexually abused. (25) In 2021, at least 46 displaced child slaves were identified in Mali. (11)

Children, particularly those of Songhai ethnicity, work in debt bondage in the northern salt mines of Taoudenni. (25) As many as 45,753 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 of water and minerals, and work long hours. (3,5,11,17,18,27) Research indicated that around mining sites, children are also victims of commercial sexual exploitation and domestic servitude. Research also found that children working in mining sites are involved in the trafficking of narcotics, and that they do not go to school. (5,11) Many of the children working in mines are from neighboring countries in the region. (11)

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. (3,25) Research indicates that children forced to beg were not only from Mali, but also from neighboring countries, including Burkina Faso, Senegal, and Côte d'Ivoire. (5,11) While the government frequently encounters cases of child begging, it does 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. (5,11)

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 from armed conflict, the COVID-19 pandemic, and deteriorating socioeconomic conditions. (11) Also in 2021, terrorist and armed groups recruited children as combatants, spies, laborers, and in other capacities, particularly in northern and central Mali. (28) In addition, armed groups controlled some artisanal gold mines in northern Mali and used children for forced labor at those locations. (5,14,27) As in past years, children continued to be forcibly recruited and used by the Platform, the Coordination of Movements for Azawad, Macina Liberation Front, and Dan Na Ambassagou, among other groups; in 2021, there were at least 352 verified cases of children recruited by these groups, compared with 284 the previous year, with 66 eventually rescued. (6,11) Despite banning the military from recruiting for and using children in armed conflict in 2020, a general in the Armed Forces of Mali (FAMa), 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. (13,14,18,29) 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. (12,14,30-32)

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, transportation costs, and

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




supplies, as well as teachers' additional salary payments, all of which are cost prohibitive for many impoverished families. (3,7,11,13,33,34) Long distances between villages and schools, and lack of schools, classes, and teachers, are also significant barriers to education. (5,11) In addition, many children in Mali are not registered at birth, which may prevent them from accessing services such as education. (3,7,33,35) 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. (5,11) Evidence also suggests that incidences of physical, psychological, and sexual abuse, including corporal punishment, prevent some children from remaining in school. (19,33) Furthermore, internally displaced children faced interruptions in their education and barriers to enrolling in school after fleeing their homes. (5,11)

During the reporting period, the pandemic, teacher strikes, and insecurity due to terrorist activity significantly affected the education of hundreds of thousands of children throughout Mali. Teaching was postponed for several months due to a series of teacher strikes. (11) A second COVID-19 wave also prompted the government to close schools in 2021. Research indicates that in December of 2021, close to 1,600 schools remained closed due to insecurity, with 120 verified attacks on schools, resulting in 478,500 students without access to education, mainly in the northern and central regions of the country. (6,11)

**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.

**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 (36,37)
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 (36,38,39)
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 (36,38,39)
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 (37,40)
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 (40-42)

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

Standard	Meets International Standards	Age	Legislation
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 (40-42)
Prohibition of Using Children in Illicit Activities	No		Article 183 of the Penal Code; Articles 18 and 50 of the Child Protection Code (41,42)
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 (41-43)
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 (41-43)
Prohibition of Military Recruitment by Non-state Armed Groups	No		Articles 31.23, 31.31, and 32 of the Penal Code (41)
Compulsory Education Age	Yes	15‡	Articles 26 and 34 of the Law of Education (44)
Free Public Education	Yes		Article 18 of the Constitution (34)

‡ Age calculated based on available information (41)

In 2021, Mali worked to adopt an implementation decree for the amended Labor Code, which was sent to the Ministry of Labor, Civil Service and Social Dialogue (MOL) for signature. (11) Additionally, the National Directorate in Charge of Registering Births, Marriages, and Deaths drafted a law to permit a special session aiming to register and deliver birth certificates and other identity documents, with registrations expected to begin in 2022. (11)

The Ministry of Justice, in collaboration with UNODC, revised the 2012 Anti-Trafficking Law to provide aggravated penalties if human trafficking is committed against anyone 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 anti-trafficking law and the migrant smuggling law, which aims to harmonize Malian law with the UN Protocol Against the Smuggling of Migrants, remained pending. (5,7,11,14,30,45,46)

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. (36) 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. (37,47)

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. (1,7,40,42)

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. (41,42,48) 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. (41,42)

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 Interministerial Circular on the Prevention, Protection, and Rehabilitation of Child Soldiers states that Article 28 of the Penal Code is

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

applicable to children involved in armed conflict, the Circular does not define the age range of the children it covers. (41,49) 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. (41,49)

### III. ENFORCEMENT OF LAWS ON CHILD LABOR

The government has established institutional mechanisms for the enforcement of laws and regulations on child labor (Table 5). However, gaps exist within the operations of 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, Civil Service and Social Dialogue (MOL)	Enforces labor laws and investigates Labor Code infractions, including those regarding child labor. (13,33,50)
National Unit to Fight Against Child Labor (CNLTE)	Coordinates and enforces Mali's efforts to eliminate child labor, especially its worst forms. Chaired by MOL and includes representatives from other government ministries, civil society, and worker and employer organizations. (7,13,51,52) One labor inspector in each region is designated as the point of contact for CNLTE to facilitate regional coordination. (3,5,7,53)
Ministry of Justice's Special Judicial Office and Specialized Investigation Brigade	Enforce 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; initiate and coordinate 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. (3,5,11,13,25,50)
Ministry of Security's Police Brigade for the Protection of Morals and Children, and the Brigade to Fight Migrant and Human Trafficking	Investigate crimes against children, including human trafficking and commercial sexual exploitation. (3,7,11,22) The Narcotics Brigade of the National Police ( <i>Brigade des Stupéfiants</i> ) is responsible for investigating the use of children in drug trafficking. (11)

The National Unit to Fight Against Child Labor (CNLTE) received a budget of \$55,000 (32 million CFA) in 2021. (11) During the reporting period, the CNLTE carried out several activities to address child labor, including commemorating the World Day Against Child Labor. Several awareness campaigns about slavery and artisanal gold mining were conducted, and a TV advertisement for the state cotton company encouraging producers to send children to school was produced. (11) The CNLTE provided training on child labor to unions, held a workshop for organizations involved in child labor issues, and held two meetings of the National Guiding Committee on Child Labor. 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. (5,11)

### Labor Law Enforcement

In 2021, labor law enforcement agencies in Mali took actions to address child labor (Table 6). However, gaps exist within the operations of the MOL 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	2020	2021
Labor Inspectorate Funding	\$123,555 (5)	\$115,000 (11)
Number of Labor Inspectors	113 (5)	113 (11)
Mechanism to Assess Civil Penalties	Yes (36)	Yes (36)
Initial Training for New Labor Inspectors	Yes (5)	N/A (11)
Training on New Laws Related to Child Labor	Yes (5)	N/A (11)
Refresher Courses Provided	Yes (5)	No (11)
Number of Labor Inspections Conducted	571 (5)	571 (11)
Number Conducted at Worksite	571 (5)	571 (11)

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

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

Overview of Labor Law Enforcement	2020	2021
Number of Child Labor Violations Found	Unknown (5)	Unknown (11)
Number of Child Labor Violations for Which Penalties Were Imposed	Unknown (5)	85 (11)
Number of Child Labor Penalties Imposed that Were Collected	Unknown (5)	45 (11)
Routine Inspections Conducted	Yes (5)	Yes (11)
Routine Inspections Targeted	Yes (5)	Yes (11)
Unannounced Inspections Permitted	Yes (36)	Yes (36)
Unannounced Inspections Conducted	Yes (5)	Yes (11)
Complaint Mechanism Exists	Yes (5)	Yes (11)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (5)	Yes (11)

Research indicates that there are 15 inspectors and comptrollers dedicated to child labor issues. (11) 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 need to employ about 161 inspectors. (53,54) 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. (3,7,53) In addition, reports indicate that a lack of trained staff, equipment, vehicles and other 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. (3,13,33,53,55) 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. (14)

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. (3,5) However, the government did not provide specific data for this report regarding the number of child labor law violations found. (11)

### **Criminal Law Enforcement**

In 2021, criminal law enforcement agencies in Mali took actions to address child labor (Table 7). However, gaps exist within the operations of 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	2020	2021
Initial Training for New Criminal Investigators	Yes (5)	No (11)
Training on New Laws Related to the Worst Forms of Child Labor	Unknown (5)	N/A (11)
Refresher Courses Provided	Yes (5)	No (11)
Number of Investigations	Unknown (5)	Unknown (11)
Number of Violations Found	Unknown (5)	Unknown (11)
Number of Prosecutions Initiated	Unknown (5)	Unknown (11)
Number of Convictions	0 (5)	Unknown (11)
Imposed Penalties for Violations Related to the Worst Forms of Child Labor	Unknown (5)	Unknown (11)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (5)	Yes (11)

Research indicates that the number of law enforcement agents working for the Brigade for the Protection of Morals and Children (BPMC), 54 personnel, is inadequate given the prevalence of the worst forms of child labor in the country. (3,11) Furthermore, 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. (3,25,53) Reports indicate that because of political instability, which hinders labor and criminal law enforcement efforts in western and northern Mali, the prevalence of hereditary slavery, forced labor, and trafficking in persons has worsened since the conflict began in 2012. (3,13,25,33,53,56) Research showed that



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

the BPMC budget was insufficient, and the force had only three vehicles to conduct inspections and very limited amounts of fuel for each quarter in 2021. Additionally, there were reports that staff did not receive office materials and had to use personal resources for official documents and furniture. (11) Research indicates that in 2021, ten children associated with armed groups were detained by the transitional government, seven of whom were released to civilian partners. Five children were still detained at the end of 2021. (6,28,57)

During the reporting period, the Brigade to Fight Against Migrant and Human Trafficking (BFMHT) saw an increase in staff to 47, up from 17 in 2020. In 2021, the BFMHT dismantled a trafficking network operating at an artisanal gold mine in Yanfolilla and also intervened in several other locations. (11) In 2021, 98 suspected human traffickers were arrested, with some of the victims being children. (11)

During the reporting period, the government did not provide information on whether new criminal investigators received initial training, whether refresher courses were provided, the number of investigations carried out, whether violations were found, whether prosecutions were initiated, the number of convictions, or imposed penalties for violations related to the worst forms of child labor. In 2021, the BPMC investigated 16 reported cases of mistreatment of children working as domestic staff. (11) Many justice sector actors noted government officials' interference in cases involving slavery-related practices in an effort to have the charges dismissed. (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 a 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 address human trafficking. Chaired by the Ministry of Justice and includes various government agencies and civil society groups. (7,22,58,59) 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. (14)
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. (3,50,60) During the reporting period, MPFEF continued to support and manage agencies responsible for child protection. (11,13)
Interministerial 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. (7) Conducts joint missions with international partners to determine the presence of children in armed conflict. (13,50) During the reporting period, the Committee continued to carry out its mission. (13)
Directorate for the Promotion of Children and Family (DPCF)	Led by MPFEF, coordinates issues related to child labor and child protection. Implements the National Policy for the Promotion and Protection of Children. (5,13) During the reporting period, DPCF supported agencies responsible for birth registrations and supported the process of reuniting children with their families who were affected by the crisis in the north. (11)
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. (13) Research was unable to determine whether the Artisanal Gold Mining Summit Committee was active during the reporting period.

During the reporting period, the Ministry for the Promotion of Women, Children, and the Family's Directorate for the Promotion of Children and Family (DPCF) continued to support other government departments involved in formally registering children at birth, particularly in the north. Research indicates that children born in the midst of security crises are often unable to acquire a birth certificate. (11) Furthermore, the DPCF also worked to reunite children affected by the security crisis in the north with their families. (11)

Reports indicate that there is confusion with regard to roles and a lack of coordination between the CNLTE and the National Coordinating Committee for the Fight Against Trafficking in Persons and Associated Practices. (13,25,56,61)

### 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 a lack of implementation of a new national child labor action plan.

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

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 survivors. Led by the National Coordinating Committee for the Fight Against Trafficking in Persons and Associated Practices. (62) Calls for the establishment of a formal body to coordinate government efforts to address 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. (27,61) During the reporting period, several anti-trafficking trainings and community outreach events were carried out. (13)
Interministerial 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. (7,63-65) During the reporting period, at least 31 child soldiers were removed from armed groups. (11)
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. (13,50) Research was unable to determine whether activities were undertaken to implement the National Strategic Education Sector Plan during the reporting period.

‡ The government had other policies that may have addressed child labor issues or had an impact on child labor. (3,7,66-69)

In 2020, the National Plan to Eliminate Child Labor (PANETEM) ended. While a new PANETEM was being developed during the reporting period, it has not been finalized, and it is expected to be finalized in 2022. The CNLTE organized several regional consultations, and a national workshop to reach final approval was expected to be held at the end of 2021. (11) In November 2021, the Minister of Justice issued a statement directing all public prosecutors to investigate and prosecute perpetrators of hereditary slavery to the fullest extent of the law. (28)

The “Child Travel Card” program (*Titre de Voyage pour Enfant*), created by the DPCF in 2002, remained a part of the directorate's efforts to address child trafficking by facilitating proper identification of children traveling within and outside 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. (11) Research indicates that this program does not cover foreign citizens. (14)

### VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2021, 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 inadequacy 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. (5,14) The Mali Girls Leadership and Empowerment through Education (2018–2021) (Mali GLEE), a \$15 million project implemented by Winrock International, aims to provide educational opportunities to girls by lowering barriers to education, improving girls' safety in school and their communities, and increasing their knowledge and adoption of positive health behaviors. (5,11) 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. (11)

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

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

Program	Description
ILO-Implemented Projects to Combat Child Labor	ILO-implemented projects to address 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)-funded global project to address 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 address child labor in gold mining and cotton supply chains. (11,53,70-72) 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 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. (5)
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. (7,65) Research was unable to determine whether activities were undertaken to implement the National Disarmament, Demobilization, and Reintegration Program during the reporting period.
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 address human trafficking and migrant smuggling. (73,74) Research was unable to determine whether activities were undertaken to implement the GLO.ACT during the reporting period.
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 and implemented by the ILO between 2018 and 2022. The project reinforces the national legal framework for addressing child labor and forced labor in the cotton sector. (5) The project includes mapping the supply chain of cotton and clothing, taking into account gender considerations. It also includes a quantitative survey of child labor and forced labor in the cotton sector, and involves activities and policies at the local, regional, and national levels. (5) Promoting the Principles and Fundamental Rights in the Cotton Supply Chain Work Environment (2018–2022) was extended until 2022, and is a project funded by Inditex, a Spanish multi-national company working in the cotton sector. This project targets cotton producers in the cotton-producing region of Sikasso and aims to promote a favorable work environment for the protection of fundamental worker rights. (5,11) 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. (5) Research was unable to determine whether activities were undertaken to implement the Foreign Government and Company-Implemented Programs during the reporting period.
U.S. Government-Funded Programs	USDOS-funded program to Combat Descent-Based Slavery implemented by the American Bar Association and ILO to address hereditary slavery and forced child labor in Mali. (2,11,30,75,76) The project aims to improve knowledge and awareness of slavery and slavery-based discrimination, increase access to economic empowerment, and strengthen policy, laws, and implementation mechanisms to address slavery and slavery-based discrimination. (11)

† 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. (3,7,77,78)

During the reporting period, Mali continued to carry out a national survey on child labor, which began in October 2020 and is expected to be completed in February 2022. (11) In 2021, the transition government funded an NGO-run training of 60 Koranic teachers (*marabouts*) on addressing trafficking in persons to raise awareness on the issue, and the transition government also conducted a training for community leaders and *marabouts* in the capital city, Bamako. (28) In collaboration with the UN, the transition government trained soldiers and law enforcement authorities on how to treat child soldiers as victims and to refer them to the appropriate rehabilitative centers. (28)

While Mali does not fund or participate in programs to address child labor in domestic work, forced begging, or commercial sexual exploitation, it provides in-kind and financial support to NGOs working on these issues. (13,79)

In August 2021, both factions of the Platform armed group signed action plans with the UN to end the recruitment and use of child soldiers, committing to releasing children and supporting their reintegration with their families and back into society. (11,80)

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

An informal referral mechanism exists among NGOs, UN bodies, police, and other government agencies to allow withdrawal of children from armed conflict and to provide social services to survivors of the worst forms of child labor. (3,53,61) Despite these efforts, reports indicate that resources and facilities available to social services agencies are inadequate. (3,5,33,53)

## 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 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 laws are finalized and adopted.	2020 – 2021
	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 – 2021
	Ensure that the law criminally prohibits hereditary slavery.	2017 – 2021
	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 – 2021
	Criminally prohibit the recruitment of children under age 18 by non-state armed groups and in any armed conflict.	2013 – 2021
	Ensure that the specific ages of children protected by the Interministerial 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 – 2021
Enforcement	Increase labor inspectorate funding and resources, including equipment and transportation to carry out inspections, especially in remote areas of northern Mali.	2012 – 2021
	Significantly increase the number of labor inspectors to meet the ILO's technical advice.	2012 – 2021
	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 – 2021
	Publish information on labor law enforcement efforts, including whether refresher courses were provided to labor inspectors, and the number of child labor violations found.	2010 – 2021
	Collect child labor statistics regularly, and create a database to track data on the worst forms of child labor.	2021
	Ensure that children are not imprisoned for their association with armed groups.	2020 – 2021
	Publish information on criminal law enforcement, including whether new criminal investigators received initial training, whether refresher courses were provided, as well as the number of investigations, violations found, and prosecutions initiated, and whether penalties for violations of the worst forms of child labor were imposed.	2020 – 2021
	Implement the provisions of the Interministerial 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 – 2021
	Ensure that criminal law enforcement efforts related to child labor are properly funded and resourced.	2020 – 2021
	Ensure that government officials are held accountable for interference in legal cases related to crimes concerning the worst forms of child labor, including in cases of slavery and the recruitment and use of child soldiers.	2019 – 2021
	Ensure that perpetrators of the worst forms of child labor are prosecuted and convicted in accordance with the law.	2013 – 2021
	Ensure that the government does not support non-state armed groups that recruit children into their ranks.	2020 – 2021
Coordination	Ensure that all coordinating bodies are active and able to carry out their intended mandates.	2012 – 2021
	Clarify roles for coordinating mechanisms addressing child labor, and improve coordination among relevant agencies.	2010 – 2021
Government Policies	Ensure that the National Plan to Eliminate Child Labor is implemented, including by allocating sufficient financial and human resources.	2012 – 2021
	Publish activities undertaken to implement key policies related to child labor during the reporting period.	2020 – 2021
	Ensure that the Child Travel Card program also covers foreign citizens.	2021

## 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
Social Programs	Ensure activities are undertaken to implement key social programs to address child labor during the reporting period and make information about implementation measures publicly available.	2021
	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 – 2021
	Increase birth registration rates to ensure that children have access to social services, including education.	2010 – 2021
	Ensure that the military and non-state armed groups do not occupy schools.	2018 – 2021
	Institute new programs to address child labor in all relevant sectors, including domestic work, forced begging, and commercial sexual exploitation.	2009 – 2021
	Ensure that government social services have sufficient resources and facilities to provide the necessary care for survivors of the worst forms of child labor, including for children subjected to forced begging and children used in armed conflict.	2016 – 2021

## REFERENCES

- ILO Committee of Experts. Individual Direct Request concerning Forced Labour Convention, 1930 (No. 29) Mali (ratification: 1960). Published: 2017. [http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100\\_COMMENT\\_ID:3276821](http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:3276821)
- American Bar Association. Continuing to Combat Descent-based Slavery and Forced Child Labor in Mali. July 2017. [https://www.americanbar.org/advocacy/rule\\_of\\_law/where\\_we\\_work/africa/mali/news/news-mali-child-labor-slavery-training-0717.html](https://www.americanbar.org/advocacy/rule_of_law/where_we_work/africa/mali/news/news-mali-child-labor-slavery-training-0717.html)
- U.S. Embassy- Bamako. Reporting. February 14, 2020.
- U.S. Department of State. Trafficking in Persons Report- 2020: Mali. Washington, D.C., June 25, 2020. <https://www.state.gov/reports/2020-trafficking-in-persons-report/mali/>
- U.S. Embassy- Bamako. Reporting. January 26, 2021.
- UN Security Council. Report of the Secretary-General: Children and Armed Conflict. A/76/871-S/2022/493. June 23, 2022. <https://www.un.org/unispal/document/children-and-armed-conflict-report-of-the-secretary-general-a-76-871-s-2022-493-excerpts/>
- U.S. Embassy- Bamako. Reporting. February 23, 2018.
- UNESCO Institute for Statistics. Gross intake ratio to the last grade of primary education, both sexes (%). Accessed March 3, 2022. For more information, please see "Children's Work and Education Statistics: Sources and Definitions" in the Reference Materials section of this report. <http://data.uis.unesco.org/>
- ILO. Analysis of Child Economic Activity and School Attendance Statistics from National Household or Child Labor Surveys. Original data from Multiple Indicator Cluster Survey (MICS 5), 2015. Analysis received March 2022. Please see "Children's Work and Education Statistics: Sources and Definitions" in the Reference Materials section of this report.
- Government of Mali. Plan d'Action National pour l'Elimination du Travail des Enfants au Mali. 2010. Source on file.
- U.S. Embassy- Bamako. Reporting. January 14, 2022.
- U.S. Department of State. Trafficking in Persons Report- 2019: Mali. Washington, D.C., June 24, 2019. <https://www.state.gov/reports/2019-trafficking-in-persons-report-2/mali/>
- U.S. Embassy- Bamako official. E-mail communication to USDOL official. June 21, 2022.
- U.S. Embassy- Bamako official. E-mail communication to USDOL official. June 21, 2021.
- Djire, Doussou. Orpaillage: Une nouvelle politique en marche. L'Essor, October 4, 2017. <https://maliactu.net/mali-orpaillage-une-nouvelle-politique-en-marche>
- Human Rights Watch. Submission for the Universal Periodic Review of Mali. June 30, 2017. <https://www.hrw.org/news/2017/06/30/submission-universal-periodic-review-mali>
- Vella, Heidi. Mining in Mali: Balancing Prospects and Problems. Mining Technology, July 2, 2017. <http://www.mining-technology.com/features/featuremining-in-mali-balancing-prospects-and-problems-5852488/>
- UN Security Council. Letter dated 17 February 2021 from the Panel of Experts established pursuant to resolution 2374 (2017) on Mali addressed to the President of the Security Council. February 17, 2021. [https://www.securitycouncilreport.org/atf/cf/{65BFCF9B-6D27-4E9C-8CD3-CF6E4FF96FF9}/S\\_2021\\_151.pdf](https://www.securitycouncilreport.org/atf/cf/{65BFCF9B-6D27-4E9C-8CD3-CF6E4FF96FF9}/S_2021_151.pdf)
- UN Committee on the Elimination of Discrimination against Women. Concluding observations on the combined sixth and seventh periodic reports of Mali. July 25, 2016: CEDAW/C/MLI/CO/6-7. [http://tbinternet.ohchr.org/\\_layouts/treatybodyexternal/Download.aspx?symbolno=CEDAW/C/MLI/CO/6-7&Lang=En](http://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=CEDAW/C/MLI/CO/6-7&Lang=En)
- Connection Ivoirienne. 38 enfants interceptés au Burkina en partance pour des sites d'orpaillage en Côte-d'Ivoire et au Mali. February 4, 2020. <https://www.connectionivoirienne.net/2020/02/04/38-enfants-interceptes-au-burkina-en-partance-pour-des-sites-dorpaillage-en-cote-divoire-et-au-mali/>
- Le Quotidien. Traite et trafic d'enfants dans les sites d'orpaillage : Kédougou, le drame des mineurs. October 2, 2019. <https://www.lequotidien.sn/traite-et-traffic-denfants-dans-les-sites-dorpaillage-kedougou-le-drame-des-mineurs/>
- U.S. Department of State. Trafficking in Persons Report- 2017: Mali. Washington, D.C., June 27, 2017. <https://www.state.gov/reports/2017-trafficking-in-persons-report/mali/>
- Coulibaly, Diango. Exploitation sexuelle des enfants à des fins commerciales: La coordination ECPAT Luxembourg-Mali lance son rapport. Le Reporter, October 11, 2017. <http://maliactu.net/mali-exploitation-sexuelle-des-enfants-a-des-fins-commerciales-la-coordination-ecpat-luxembourg-mali-lance-son-rapport/>
- Nigerian Tribune. Over 5000 Nigerian girls forced into prostitution in Mali - NAPTIP. March 1, 2017. <http://www.tribuneonline.com/5000-nigerian-girls-forced-prostitution-mali-naptip/>
- U.S. Department of State. Trafficking in Persons Report- 2018: Mali. Washington, D.C., June 28, 2018. <https://www.state.gov/reports/2018-trafficking-in-persons-report/mali/>
- Government of the United Kingdom. Country Information and Guidance. Mali: The Bellah (also known as the 'black Tuareg'), April 2016. <http://www.refworld.org/docid/57206bbe4.html>
- U.S. Embassy- Bamako. Reporting. March 1, 2021.
- U.S. Embassy- Bamako. Reporting. January 28, 2022.



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

- 29 Kibaru. Conseil des Ministres: Le Général Gamou nommé inspecteur général des armées et le Colonel Hassan Ag Mehdi comme Haut fonctionnaire de la défense. September 4, 2019. <https://kibaru.ml/fr/art/conseil-des-ministres-le-generel-gamou-nomme-inspecteur-general-des-armees-et-le-colonel-hassan-ag-mehdi-comme-haut-fonctionnaire-de-la-defense->
- 30 U.S. Embassy- Bamako. Reporting. March 2, 2020.
- 31 U.S. Department of State. Country Reports on Human Rights Practices- 2020: Mali. Washington, D.C., March 30, 2021. <https://www.state.gov/wp-content/uploads/2021/03/MALI-2020-HUMAN-RIGHTS-REPORT.pdf>
- 32 U.S. Embassy- Bamako official. E-mail communication to USDOL official. February 21, 2022.
- 33 U.S. Department of State. Country Reports on Human Rights Practices- 2018: Mali. Washington, D.C., March 13, 2019. <https://www.state.gov/reports/2018-country-reports-on-human-rights-practices/mali/>
- 34 Government of Mali. La Constitution du Mali. Enacted: 1992. <https://www.wipo.int/edocs/lexdocs/laws/fr/ml/ml1004fr.pdf>
- 35 U.S. Embassy- Bamako official. E-mail communication to USDOL official. March 29, 2017.
- 36 Government of Mali. Code du Travail, Loi N° 92-020. Enacted: September 23, 1992. <http://www.ilo.org/dyn/travail/docs/1328/Mali - Code du Travail.pdf>
- 37 Government of Mali. Law 2017-021 modifying the Labor Code. June 12, 2017. <http://www.ilo.org/dyn/natlex/docs/ELECTRONIC/104701/127819/F1627870706/MLI-104701.pdf>
- 38 Government of Mali, Ministry of Labor, Civil Service, and State Reforms. Arrête N° 9-0151-MTFPRE/DG du 4 février 2009 completant la liste des travaux dangereux interdits aux enfants de moins de 18 ans. Enacted: February 4, 2009. Source on file.
- 39 Government of Mali. Arrête 2017-4388 Amendment to List of Hazardous Work for Children Under 18. December 29, 2017. Source on file.
- 40 Government of Mali. Projet de loi relatif a la lutte contre la traite des personnes et les pratiques assimilées, Depot N°20 10 1 51 1 4L. Enacted: 2012. Source on file.
- 41 Government of Mali. Code pénal, Loi N° 01-079. Enacted: August 20, 2001. <https://www.ilo.org/dyn/natlex/docs/ELECTRONIC/64577/73899/F1148099431/MLI-64577.pdf>
- 42 Government of Mali. Code de protection de l'enfant, Loi N° 02-062/P-RM. Enacted: June 5, 2002. <http://www.unesco.org/education/edurights/media/docs/c1c5d5eb0edb7d18bb8134184f16ac64533fe9b.pdf>
- 43 Government of Mali. Ordonnance n°2016–020 Portant Statut General des Militaires. August 18, 2016. Source on file.
- 44 Government of Mali. Portant loi d'orientation sur l'éducation, Loi 99 – 046. Enacted: December 29, 1999. <http://www.ilo.org/dyn/natlex/docs/ELECTRONIC/97009/114926/F-568307560/MLI-97009.pdf>
- 45 Government of Mali. Draft Loi sur la traite de personnes. November 7, 2019. Source on file.
- 46 Government of Mali. Portant sur le trafic illicite de migrants. November 7, 2019. Source on file.
- 47 ILO Committee of Experts. Individual Observation concerning Minimum Age Convention, 1973 (No. 138) Mali (ratification: 2002). Published: 2018. [https://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100::PI3100\\_COMMENT\\_ID:3957128](https://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100::PI3100_COMMENT_ID:3957128)
- 48 ILO Committee of Experts. Individual Observation concerning Worst Forms of Child Labour Convention, 1999 (No. 182) Mali (ratification: 2000). Published: 2019. [https://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100::PI3100\\_COMMENT\\_ID:PI3100\\_COUNTRY\\_ID:3957132,103081](https://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100::PI3100_COMMENT_ID:PI3100_COUNTRY_ID:3957132,103081)
- 49 Government of Mali. Circulaire Interministérielle Relative à la Prévention, la Protection, et le Retour en Famille des Enfants associe aux Forces et Groupes Armes. 2013. Source on file.
- 50 U.S. Embassy- Bamako. Reporting. January 19, 2017.
- 51 Government of Mali. Fixant l'Organisation et les Modalités de Fonctionnement de la Cellule Nationale de Lutte Contre le Travail des Enfants, Decret N° 10-474/P-RM. Enacted: September 20, 2010. Source on file.
- 52 Government of Mali. Portant Creation de la Cellule Nationale de Lutte Contre le Travail des Enfants, Ordonnance N° 10 036/ P-RM. Enacted: August 5, 2010. Source on file.
- 53 U.S. Embassy- Bamako. Reporting. January 30, 2019.
- 54 UN. The World Economic Situation and Prospects 2017 Statistical Annex. New York, 2017. Please see “Labor Law Enforcement: Sources and Definitions” in the Reference Materials section of this report. [https://www.un.org/development/desa/dpad/wp-content/uploads/sites/45/publication/2017wesp\\_full\\_en.pdf](https://www.un.org/development/desa/dpad/wp-content/uploads/sites/45/publication/2017wesp_full_en.pdf)
- 55 Mali Actu. Communiqué du conseil des ministres du mercredi 2 août 2017. August 2, 2017. <http://maliactu.net/mali-communique-du-conseil-des-ministres-du-mercredi-2-aout-2017/>
- 56 U.S. Embassy- Bamako. Reporting. February 12, 2018.
- 57 U.S. Embassy- Bamako official. E-mail communication to USDOL official. July 6, 2022.
- 58 U.S. Embassy- Bamako. Reporting. February 14, 2017.
- 59 Government of Mali. Decree 2011-036 to create a National Coordinating Committee for the Fight Against Trafficking in Persons and Associated Practices. Enacted: 2011. <http://extwprlegs1.fao.org/docs/pdf/mli152170.pdf>
- 60 Government of Mali. Ministère de la Promotion de la Femme, de l'Enfant et de la Famille. Exposé liminaire De Madame la ministre de la promotion de la femme de l'enfant et de la famille. July 15, 2016. [http://tbinternet.ohchr.org/Treaties/CEDAW/Shared Documents/MLI/INT\\_CEDAW\\_STA\\_MLI\\_24543\\_F.pdf](http://tbinternet.ohchr.org/Treaties/CEDAW/Shared%20Documents/MLI/INT_CEDAW_STA_MLI_24543_F.pdf)
- 61 U.S. Embassy- Bamako. Reporting. February 28, 2019.
- 62 Government of Mali. National Plan of Action to Combat Trafficking of Persons 2018–2022. December 2018. Source on file.
- 63 UN Secretary General. Report of the Secretary-General: Children and Armed Conflict. June 9, 2020: A/74/845–S/2020/525. Source on file.
- 64 UN Security Council. Report of the Secretary-General: Children and Armed Conflict. A/73/907–S/2019/509. June 20, 2019. [https://www.un.org/ga/search/view\\_doc.asp?symbol=S/2019/509&Lang=E](https://www.un.org/ga/search/view_doc.asp?symbol=S/2019/509&Lang=E)
- 65 UN Security Council. Report of the Secretary-General on children and armed conflict in Mali. August 24, 2017. Source on file.
- 66 UN Security Council. Report of the Secretary-General: Children and Armed Conflict. May 16, 2018: A/72/865–S/2018/465. <https://undocs.org/s/2018/465>
- 67 Government of Mali. Roadmap to Combat Child Labor in Agriculture, 2015–2020. 2015. Source on file.
- 68 ILO-IPEC. Global Action Program on Child Labor Issues. October 2017: Technical Progress Report. Source on file.
- 69 UN Food and Agriculture Organization Rome official. E-mail communication to USDOL official. April 11, 2017.
- 70 ILO. Clear Cotton Project on Child Labour and Forced Labour. Accessed February 22, 2019. [https://www.ilo.org/ipec/projects/global/WCMS\\_649126/lang--en/index.htm](https://www.ilo.org/ipec/projects/global/WCMS_649126/lang--en/index.htm)
- 71 ILO. Accelerating action for the elimination of child labour in supply chains in Africa (ACCEL Africa). Accessed: December 27, 2019. <https://www.ilo.org/africa/technical-cooperation/accel-africa/lang--en/index.htm>
- 72 ILO. Accélérer l'action pour l'élimination du travail des enfants dans les chaînes d'approvisionnement en Afrique. November 2018. <https://www.ilo.org/africa/technical-cooperation/accel-africa/lang--fr/index.htm>

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

- 73 IOM. Training Governmental and Non-Governmental Actors for Better Identification and Assistance to Victims of Human Trafficking. July 3, 2017. <https://www.iom.int/news/training-governmental-and-non-governmental-actors-better-identification-and-assistance-victims>
- 74 Global Action against Trafficking in Persons and the Smuggling of Migrants. Newsletter 2017: Special Edition. June 2017. [http://www.unodc.org/documents/human-trafficking/2017/GLO.ACT\\_Newsletter\\_Special\\_Edition\\_June\\_2017.pdf](http://www.unodc.org/documents/human-trafficking/2017/GLO.ACT_Newsletter_Special_Edition_June_2017.pdf)
- 75 U.S. Embassy- Bamako official. E-mail communication to USDOL official. January 17, 2020.
- 76 American Bar Association. Mali Programs. Accessed February 28, 2018. [https://www.americanbar.org/advocacy/rule\\_of\\_law/where\\_we\\_work/africa/mali/programs.html](https://www.americanbar.org/advocacy/rule_of_law/where_we_work/africa/mali/programs.html)
- 77 Cisse, Bouba. Mali: Sikasso : lancement d'un projet de lutte contre le travail des enfants. Le Reporter, April 12, 2017. <http://maliactu.net/mali-sikasso-lancement-dun-projet-de-lutte-contre-le-travail-des-enfants/>
- 78 World Bank. Mali Emergency Education For All Project (P123503). April 14, 2017: Implementation Status & Results Report - Sequence 08. <http://documents.worldbank.org/curated/en/465281492209342424/pdf/ISR-Disclosable-P123503-04-14-2017-1492209331118.pdf>
- 79 ILO. Pledges during IV Global Conference on the Sustained Eradication of Child Labor. November 10, 2017. Source on file.
- 80 United Nations. Mali Platform Signs Action Plans to End and Prevent Recruitment and Use of Children and Other Grave Violations. September 2, 2021. <https://reliefweb.int/report/mali/mali-platform-signs-action-plans-end-and-prevent-recruitment-and-use-children-and-other>

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

In 2021, Mauritania made minimal advancement in efforts to eliminate the worst forms of child labor. In January 2022, the Ministry of Labor and Professional Education enacted a decree creating a hazardous work list, identifying 44 forbidden activities.

Further, in a major shift in policy, anti-slavery non-governmental organizations were formally registered, allowing them to operate officially and legally. Lastly, Mauritania reported for the first time the number of labor inspections conducted. 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 address slavery and its vestiges during the reporting period. 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 the COVID-19 pandemic severely limited the government's ability to fully implement policies. Furthermore, social programs to address 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 perform 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.

**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, 2022. (8)

Source for all other data: International Labor Organization's analysis of statistics from Multiple Indicator Cluster Survey 2015 (MICS), 2015. (9)

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

# Mauritania

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

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

Sector/Industry	Activity
Agriculture	Herding† and caring for cattle, camels, goats, and sheep (1,5,7,10-12)
	Harvesting fish and shrimp,† including accompanying fishermen on boats† and selling fish (1,5,7,10,13-16)
Industry	Crushing gravel† (13,17)
	Construction† (7,10)
Services	Domestic work† (1,5-7,10,18,19)
	Working as car mechanics,† painters, and carpenters† (1,5-7)
	Garbage scavenging (1,6,19)
	Street work, including vending, shoe shining,† begging,† and in the transportation sector (1,5-7,10,13,19)
Categorical Worst Forms of Child Labor‡	Forced begging,† sometimes as a result of criminal gang recruitment and coercion by Koranic teachers (1,5,7,10,14,18,20)
	Commercial sexual exploitation, sometimes as a result of human trafficking (4,6)
	Use in illicit activities, including the production and transportation of drugs (4,6,19,21)
	Indentured and hereditary slavery (1-4,7,10,11,21-23)
	Forced labor in domestic work† (5,7,10,19,21)

† 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 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) Enslaved children herd animals, such as cattle and goats, and perform domestic labor. (3,4,7,10,16,17) Young girls from poor families of Haratine, Wolof, Halpulaar, and Soninké communities are sometimes forced to work as domestic servants in Mauritania’s urban areas. (7)

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. (4,7,10,14,18,21)

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. (7,19,24,25) 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. (24-27) In early 2021, Mauritania canceled the requirement for students to possess a national identity card to take part in the national examinations to obtain the Certificate of Primary Education Studies (CEP). However, national identity cards are still required to take exams necessary to enroll in high school. (7,12,16) 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. (6,10,11,19,25,28)

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 birth certificates, and provide them with the support needed to complete the registration process. (29) 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

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




process. (29,30) During the reporting period, the government continued to collaborate with UNHCR to issue birth certificates to Malian refugee children. (10,14,18,31,32)

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. (5,7) In addition, children from families of slave descent, especially from the Haratine ethnic minority, face barriers to accessing education due to ethnic discrimination. (11,22,33) Furthermore, refugee children may have difficulty accessing education or finding available classrooms, which makes them particularly vulnerable to the worst forms of child labor. (4,7,10,12,34,35)

## 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 with the compulsory education age.

**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 (27)
Minimum Age for Hazardous Work	Yes	18	Article 76 of the General Child Protection Code; Article 247 of the Labor Code (27,36)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Articles 76 and 77 of the General Child Protection Code; Article 4 of the List of Hazardous Work Forbidden to Children (27,37)
Prohibition of Forced Labor	Yes		Articles 1, 3, and 4 of the 2003 Anti-Trafficking Law; Article 1 of the 2013 Law Against Slavery and Torture Crimes; the 2015 Bill modifying the Anti-Slavery Law (38-40)
Prohibition of Child Trafficking	Yes		Articles 1 and 3 of the 2003 Anti-Trafficking Law; Article 54 of the Penal Protection Code for Children; Articles 2 and 4 of the 2020 Law Regarding the Prevention and Suppression of Trafficking in Persons and Victim Protection; Articles 18, 43, and 67 of the 2020 Law Regarding the Fight Against Migrant Trafficking (38,41-43)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Articles 72 and 76 of the General Child Protection Code; Article 1 of the 2003 Anti-Trafficking Law; Articles 24–26 of the Penal Protection Code for Children; Article 2 of the 2020 Law Regarding the Prevention and Suppression of Trafficking in Persons and Victim Protection (27,38,41,42)
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 (44)



# Mauritania

## MINIMAL ADVANCEMENT – EFFORTS MADE BUT CONTINUED POLICY AND 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 7 of the 1962 Military Recruitment Law (45)
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 (41)
Compulsory Education Age	No	14	Article I of the Basic Education Law (46)
Free Public Education	Yes		Article I of the Basic Education Law (46)

\* Country has no conscription

In January 2022, the Mauritanian Ministry of Labor and Professional Education (MEFP) enacted a hazardous work list. The list identified 44 types of activities that are prohibited for children, including street vending, domestic work, and stone crushing. (12,37) In addition, in January 2021, the government adopted 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. (7,47,48) In October 2021, the government adopted implementation procedures for the law, and in December 2021, the NGO Resurgence of the Abolitionist Movement (IRA) was officially registered by the government. (49) The IRA had been previously blocked from being registered and its members were arrested. (50) Several other human rights NGOs working on non-slavery issues were also officially registered, and have begun to operate officially. (49-51)

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. (36) However, the Labor Code does not specify the activities in which light work may be permitted. (52) 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. (27,46)

### III. ENFORCEMENT OF LAWS ON CHILD LABOR

The government has established institutional mechanisms for the enforcement of laws and regulations on child labor (Table 5). However, gaps exist within the operations of 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 Professional Education's Directorate of Labor and Inspection	Enforces labor laws and investigates labor code infractions, including violations related to minimum wage and hazardous work. (33,53)
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. (6,33,54) During the reporting period, continued to employ 30 officers. (7)
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. (17)
Anti-Slavery Courts	Prosecute crimes related to slavery and provide free legal assistance to victims, including children. Located in Nema, Nouakchott, and Nouadhibou. (4,55-57)
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. (6,7,33)

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

During the reporting period, the Ministry of Interior created the Central Office for the Suppression of Migrant Smuggling and Human Trafficking. This unit is tasked with disrupting irregular migration, and actively searching for trafficking indicators among migrants. (12,49) In November, the National Commission for Human Rights (CNDH) conducted an informational campaign caravan on anti-slavery laws in the northern region of the country in collaboration with the local authorities, the NGO *SOS Esclaves*, and the UN Human Rights Office. (49)

### Labor Law Enforcement

In 2021, labor law enforcement agencies in Mauritania took actions to address child labor (Table 6). However, gaps exist within the operations of the MEFP that may hinder adequate labor law enforcement, including insufficient financial resource allocation.

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

Overview of Labor Law Enforcement	2020	2021
Labor Inspectorate Funding	\$33,300 (10,58)	\$33,300 (7)
Number of Labor Inspectors	72 (58)	233 (7)
Mechanism to Assess Civil Penalties	Yes (36)	Yes (36)
Initial Training for New Labor Inspectors	Yes (58)	Yes (51)
Training on New Laws Related to Child Labor	N/A (10)	Yes (7)
Refresher Courses Provided	No (10)	Yes (51)
Number of Labor Inspections Conducted	Unknown (10)	570 (7)
Number Conducted at Worksite	Unknown (10)	570 (7)
Number of Child Labor Violations Found	Unknown (10)	Unknown (7)
Number of Child Labor Violations for Which Penalties Were Imposed	Unknown (10)	Unknown (7)
Number of Child Labor Penalties Imposed that Were Collected	Unknown (10)	Unknown (7)
Routine Inspections Conducted	No (10)	Yes (7)
Routine Inspections Targeted	N/A (10)	Unknown (7)
Unannounced Inspections Permitted	Yes (36)	Yes (36)
Unannounced Inspections Conducted	Yes (10,58)	Yes (7)
Complaint Mechanism Exists	Yes (10)	Yes (7)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (10)	Yes (7)

In 2021, the government hired an additional 161 new labor inspectors. (7) New inspectors receive training on the Labor Code, child labor laws, and on all labor-related conventions the country has ratified. (58) During the reporting period, labor inspectors also received training on child protection issues and on the new List of Hazardous Work Forbidden to Children. (7) Mauritania carried out 570 inspections; this is the first time that these data have been provided for inclusion in this report. However, none of the inspections were carried out in the informal sector, in which child labor is known to occur. (7)

Research found that the MEFP lacked equipment, training, transportation, and funding to conduct inspections, especially in remote locations and in the informal sector, which employs more than 40 percent of the workforce. (5,7,53,59,60) The government did not provide information on its labor law enforcement efforts, including the number of child labor violations found, the number of child labor violations for which penalties were imposed, the number of child labor penalties imposed that were collected, and whether routine inspections were targeted for inclusion in this report. (10)

Labor inspectors prepare reports when they find a labor violation and may include a recommendation for a penalty, but they are not empowered to assess penalties; they then are required to file the reports with the Ministry of Justice (MOJ). The MOJ, in turn, assesses the penalty for the violation. (7,16)

During the reporting period, the MASEF, in coordination with the MEFP and UNICEF, organized roundtables nationwide to sensitize against child labor and promote the role of inspectors in deterring child labor. Also during the reporting period, the Federation of Artisanal Fisheries organized two campaigns in Nouadhibou and

# Mauritania

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

Nouakchott to sensitize fishing communities on the importance of protecting children from apprenticeship activities in the fishing sector. (7)

### **Criminal Law Enforcement**

In 2021, criminal law enforcement agencies in Mauritania took actions to address child labor (Table 7). However, gaps exist within the operations of enforcement agencies that may hinder adequate criminal law enforcement, including insufficient investigation and prosecution of criminal cases related to hereditary slavery.

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

Overview of Criminal Law Enforcement	2020	2021
Initial Training for New Criminal Investigators	No (10)	No (7)
Training on New Laws Related to the Worst Forms of Child Labor	N/A (10)	No (7)
Refresher Courses Provided	No (10)	Yes (7)
Number of Investigations	N/A (10)	Unknown (7)
Number of Violations Found	N/A (10)	Unknown (7)
Number of Prosecutions Initiated	0 (10)	Unknown (7)
Number of Convictions	0 (10)	2 (12)
Imposed Penalties for Violations Related to the Worst Forms of Child Labor	N/A (10)	Unknown (7)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (10)	Yes (7)

During the reporting period, the UNODC coordinated four 5-day training sessions that covered identifying, investigating, and prosecuting human trafficking cases. Trainings benefited a total of 56 magistrates, 18 gendarmes, 14 police officers, and 14 representatives of civil society. (49) Furthermore, the MOJ established legal aid offices throughout the country, tasked with providing legal assistance to trafficking victims. The legal aid offices are managed by representatives from the local government, MASEF, and the Mauritanian Bar Association. (49) However, efforts made by criminal law enforcement authorities to address the worst forms of child labor, including hereditary slavery, remained inadequate given the magnitude of the problem. (61) 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 as 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 misunderstanding of the 2015 Anti-Slavery Law. (7,14,61,62) 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, accept mediation in lieu of prosecution, or reclassify cases as a lesser crime. (10,15,59,60,63) In addition, there are reports that some cases of slavery are resolved through social mediation rather than through the criminal justice system. (14,21)

During the reporting period, the Anti-Slavery Courts handed down two convictions for slavery-related offenses and processed five cases overall. (7,12) 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. (3,4,11,14,55,57,59,64,65) 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. (15,59,60,63) During the reporting period, criminal and anti-slavery courts were closed for several months due to the COVID-19 pandemic, resulting in a decline in total cases processed. (49)

The government did not provide information on the number of investigations, number of violations found, number of prosecutions initiated, number of convictions, or imposed penalties for violations related to the worst forms of child labor for inclusion in this report. (7) Furthermore, research found that there was little to no coordination among enforcement agencies. (15,66)

#### 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 inclusion of all relevant agencies to address all forms of child labor.

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

Coordinating Body	Role & Description
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. (6,53) The Ministry continued to run seven children's shelters during the reporting period. (7)
Human Rights Inter-Ministerial Committee	Created in 2020, and led by the Prime Minister with bimonthly meetings planned. Tasked with coordinating anti-trafficking efforts, implementing the National Action Plan to Combat Trafficking in Persons, carrying out USDOS Trafficking in Persons Report recommendations, and monitoring the human rights situation in the country. (7,16,20,49) The Committee met at least once during the reporting period. (12)
Inter-Ministerial Technical Committee on Human Rights	Coordinates and monitors government efforts to promote human rights in Mauritania, including those related to UN CRC. Led by the Commissioner for Human Rights, Humanitarian Action, and Civil Society Relations and includes representatives from <i>Taazour</i> , CNDH, and other ministries. (53,67) The Technical Committee was active during the reporting period. (12)
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. (4,53,68,69) Carries out awareness-raising campaigns to combat slavery and human trafficking and 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. (4,16,53,68,69) 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. (14,30,70) In 2021, the Commissariat led the Inter-Ministerial Committee, which met twice. (49) It also worked with the Mauritanian Association for Maternal and Children's Health (AMSME) to operate a hotline for human trafficking and gender-based violence. The hotline has been operational since 2020, and AMSME reported that 546 people called and benefitted from services. The Ministry of Social Affairs also ran radio and television advertisements to promote the hotline. (49)
National Child Protection Council (NCPC)	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. (26,63,71-74) During the reporting period, NCPC met regularly. (12)
General Delegation for National Solidarity and the Fight Against Exclusion ( <i>Taazour</i> )	Coordinates and implements government programs to provide social cohesion, education, economic opportunity, and health services to vulnerable and marginalized populations, including communities of slave descent. (14,75-77) During the reporting period, the government continued to fund <i>Taazour</i> . (49)

During the reporting period, the Commissariat on Human Rights, Humanitarian Action, and Civil Society Relations funded six awareness-raising campaigns on human trafficking in partnership with anti-slavery NGOs such as *SOS Esclaves* and *Flambeau de la Liberté*. (49) Between April and July of 2021, the Commissariat also organized 15 workshops with 760 participants to raise awareness and train administrative, judicial, and security authorities. The trainings touched on several criminal law enforcement topics, including Mauritania's legal and institutional framework for combating human trafficking; Mauritania's national commitments to combatting human trafficking; the National Action Plan to Combat Trafficking in Persons (2020–2022); the establishment of the National Authority to Combat Trafficking in Persons and Smuggling of Migrants; and the complaints mechanism of the Office of the Commissioner for Human Rights, Humanitarian Action and Relations with Civil Society. (49) In June, the Commissariat organized a roundtable discussion on the application of the anti-slavery law with participants that included UNHCR, the ILO, the MOJ, the CNDH, the General Prosecutor's Office, the Supreme Court, the presidents of specialized anti-slavery criminal courts, and CSO representatives. Recommendations from the sessions included: appointing someone at the MOJ to be a point of contact on all slavery-related cases, as well as more training sessions for those charged with implementing the anti-slavery law. (49) Additionally, the MOJ, the Commissariat on Human Rights, and the ILO created a follow-up committee to ensure that slavery cases were processed and recommendations from the June roundtable were implemented. (49)

# Mauritania

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

From June 9 to 13, the Union for the Republic—President Ghazouani’s ruling political party—held workshops throughout the country that discussed slavery. The workshops not only allowed for open debate on the issue, but they also helped spread awareness about the country’s anti-slavery laws. (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 insufficient funding.

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

Policy	Description
Strategy for Accelerated Growth and Sustainable Development (SCAPP) (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. (78,79) 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. (78) During the reporting period, the government held a regional and a national workshop to evaluate and further define the second phase of the SCAPP. (12)
National Action Plan to Combat Trafficking in Persons (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 on Human Rights, Humanitarian Action, and Civil Society Relations with a budget of \$145,946 (5.4 million MRU) for implementation. (20,80) During the reporting period, the government carried out trainings on trafficking in persons, and ran awareness campaigns for government officials and civil society. (12)
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. (10,81) Research was unable to determine whether activities were undertaken to implement the National Child Protection Strategy during the reporting period.

While the National Action Plan to Eliminate Child Labor (PANETE-RIM) ended in December 2020, the government and the ILO approved a draft PANETE-RIM II in December 2021, which will replace the original plan. (7) Efforts to implement most of the key policies related to child labor continue to be delayed due to insufficient allocation of resources. (12,15,63,82,83)

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. (84)

## VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2021, 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 inadequacy 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. (85) Research was unable to determine whether activities were undertaken to implement the Program to Eradicate the Effects of Slavery during the reporting period.
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. (58,76,77) Was extended for an additional 5 years and allocated an additional \$72 million in 2020 to reinforce efforts in the social protection system. (58) Contributes to the G5 Sahel’s Emergency Development Program, as part of new phase. (58) During the reporting period, about 200,000 households in extreme poverty benefited from the program, and 100,000 households were provided with free health insurance. (12)
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 seven centers in Aleg, Kiffa, Nouadhibou, Rosso, and Nouakchott. (5–7) With financial support from an NGO, managed seven centers around the country in 2021, offering short-term protection and social integration services to vulnerable children, including potential human trafficking victims. (7)



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

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

Program	Description
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. (21) The Ministry continued to implement the Model <i>Mahadras</i> Program during the reporting period. (12)
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. The program was active during the reporting period. (10,12,86)
Decent Work for Migrant Youth in the Fishing Sector (2017–2024)	A \$17 million ILO- and Government of Germany-funded project that aims to promote decent work among youth working in the artisanal fishing sector in Mauritania by reaching at least 9,000 recipients and conducting an analysis of child labor in the fishing sector. ILO continued to implement the program during the reporting period, and the program was extended to 2024. (10,12)
USDOL-Funded Projects	USDOL-funded global projects implemented by ILO to support global and national efforts aimed at countering child labor and the forced labor of adults and children. Include From Protocol to Practice: A Bridge to Global Action on Forced Labor (The Bridge Project); and the Measurement, Awareness-Raising, and Policy Engagement (MAP 16) Project on Child Labor and Forced Labor (2019–2021), a \$300,000 program. (14,87,88) Additional information is available on the USDOL website.

† 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, domestic work, and for children in hereditary and indentured slavery. (7,14,15,53) Moreover, some government officials do not acknowledge that slavery continues to exist. (2,3,21,53,64,89) 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 formerly enslaved persons and awareness of the national laws on slavery are insufficient. (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 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 – 2021
	Ensure that the law's light work provisions specify the activities in which light work may be permitted.	2015 – 2021
	Raise the compulsory education age to align with the minimum age for work.	2018 – 2021
Enforcement	Publish complete information on labor law enforcement efforts, including the number of child labor law violations found, the number of child labor violations for which penalties were imposed, the number of child labor penalties imposed that were collected, and whether routine inspections were targeted.	2019 – 2021
	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 – 2021
	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 – 2021
	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 – 2021
	Ensure that information on criminal law enforcement efforts and data are collected and published each year.	2020 – 2021
	Increase collaboration and coordination between labor and criminal law enforcement agencies.	2020 – 2021
	Ensure that key policies related to child labor receive sufficient resources, including funds, for effective implementation.	2016 – 2021
Government Policies	Ensure that activities are undertaken to implement key policies related to child labor and publish results from activities implemented during the reporting period.	2021

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

Area	Suggested Action	Year(s) Suggested
Social Programs	Ensure that activities are undertaken to implement the Program to Eradicate the Effects of Slavery during the reporting period and make information about implementation measures publicly available.	2021
	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 – 2021
	Implement a continuous awareness-raising program for government officials on the laws related to slavery and the worst forms of child labor.	2012 – 2021
	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 – 2021
	Increase funding for social programs that provide services to formerly enslaved persons.	2015 – 2021
	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 – 2021
	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 – 2021

### REFERENCES

- Government of Mauritania. Plan d'Action National d'Elimination du Travail des Enfants (2015–2020). April 2015. Source on file.
- ILO Committee of Experts. Individual Observation concerning Forced Labour Convention, 1930 (No. 29) Mauritania (ratification: 1961). Published: 2016. [http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100\\_COMMENT\\_ID:3298344](http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:3298344)
- AFL-CIO. Concerning the failure of the Government of Mauritania to comply with section 104 of the African Growth and Opportunity Act. June 17, 2017. Source on file.
- U.S. Department of State. Trafficking in Persons Report– 2021: Mauritania. Washington, D.C., June, 2021. <https://www.state.gov/reports/2021-trafficking-in-persons-report/mauritania/>
- ILO Committee of Experts. Individual Observation concerning Worst Forms of Child Labour Convention, 1999 (No. 182) Mauritania (ratification: 2001). Published: 2016. [http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100\\_COMMENT\\_ID:3248994:NO](http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:3248994:NO)
- Government of Mauritania. Commission Nationale des Droits de l'Homme. Rapport annuel sur la situation des enfants en Mauritanie. 2016. Source on file.
- U.S. Embassy- Nouakchott. Reporting. January 14, 2022.
- UNESCO Institute for Statistics. Gross intake ratio to the last grade of primary education, both sexes (%). Accessed: March 3, 2022. For more information, please see "Children's Work and Education Statistics: Sources and Definitions" in the Reference Materials section of this report. <http://data.uis.unesco.org/>
- ILO. Analysis of Child Economic Activity and School Attendance Statistics from National Household or Child Labor Surveys. Original data from Multiple Indicator Cluster Survey (MICS), 2015. Analysis received March 2022. Please see "Children's Work and Education Statistics: Sources and Definitions" in the Reference Materials section of this report.
- U.S. Embassy- Nouakchott. Reporting. January 14, 2021.
- The African Committee of Experts on the Rights and Welfare of the Child (ACERWC). Decision on the communication submitted by minority rights group international and SOS-Esclaves on behalf of Said Ould Salem and Yarg Ould Salem against the Government of Mauritania. 2017. Source on file.
- U.S. Embassy- Nouakchott official. E-mail communication to USDOL official. June 22, 2022.
- Association des Femmes Chefs de Manage official. Interview with USDOL. September 19, 2017.
- U.S. Embassy- Nouakchott. Reporting. January 17, 2020.
- U.S. Embassy- Nouakchott. Reporting. January 15, 2019.
- U.S. Embassy- Nouakchott official. E-mail communication to USDOL official. June 21, 2021.
- U.S. Embassy- Nouakchott. Reporting. January 24, 2017.
- U.S. Embassy- Nouakchott. Reporting. February 14, 2020.
- U.S. Embassy- Nouakchott. Reporting. January 9, 2018.
- U.S. Embassy- Nouakchott. Reporting. February 11, 2021.
- U.S. Embassy- Nouakchott. Reporting. October 16, 2019.
- Higgs, Johanna. It Still Exists: Slavery Drags On in Mauritania Despite Being Illegal. PassBlue, February 15, 2017. <http://www.passblue.com/2017/02/15/it-still-exists-slavery-drags-on-in-mauritania-despite-being-illegal/>
- Pressafrik. Mauritanie: des cas d'esclavage dans la communauté noire soninké. December 24, 2019. [https://www.pressafrik.com/Mauritanie-des-cas-d-esclavage-dans-la-communaute-noire-soninke\\_a209553.html](https://www.pressafrik.com/Mauritanie-des-cas-d-esclavage-dans-la-communaute-noire-soninke_a209553.html)
- Government of Mauritania. Loi n° 2011-003 abrogeant et remplaçant la loi n°96.019 du 19 Juin 1996 portant Code de l'Etat Civil. January 12, 2011. <https://data.unicef.org/wp-content/uploads/2017/12/Mauritanie-Code-2011-etat-civil.pdf>
- Human Rights Watch. Mauritania: Administrative Obstacles Keep Kids From School. March 29, 2018. <https://www.hrw.org/news/2018/03/29/mauritania-administrative-obstacles-keep-kids-school>
- UN Committee on the Rights of the Child. Concluding observations on the combined third to fifth periodic reports of Mauritania. November 26, 2018. [https://tbinternet.ohchr.org/\\_layouts/treatybodyexternal/Download.aspx?symbolno=CRC/C/MRT/CO/3-5&Lang=En](https://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=CRC/C/MRT/CO/3-5&Lang=En)
- Government of Mauritania. Loi n°2018-024 Code Général de Protection de l'Enfant. Enacted: June 2018. Source on file.
- L'Association des Femmes Chefs de Familles, La Coalition des Organisations Mauritanienes pour l'Education, and Global Initiative for Economic, Social and Cultural Rights. Alternative Report submitted to the Committee on the Rights of the Child. July 2018. <https://static1.squarespace.com/static/5a6e0958f6576ebde0e78c18/t/5beba3a9cd83669970c1678a/1542169526649/Rapport+Droit+à+l'éducation+et+privatisation+Mauritanie+CDE+-+juillet+2018+-+final+-+FR.pdf>
- U.S. Embassy- Nouakchott official. E-mail communication to USDOL official. March 27, 2020.
- U.S. Embassy- Nouakchott official. E-mail communication to USDOL official. February 7, 2020.

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

- 31 UNHCR. Operational Update – Mauritania. October 15, 2018. <https://data2.unhcr.org/en/documents/download/72080>
- 32 UNHCR. Operational Update – Mauritania. June 15, 2019. <https://data2.unhcr.org/en/documents/download/70004>
- 33 U.S. Department of State. Country Reports on Human Rights Practices-2020: Mauritania. Washington, D.C., March 30, 2021. <https://www.state.gov/reports/2020-country-reports-on-human-rights-practices/mauritania/>
- 34 Child Soldiers International. Alternative report to the Committee on the Rights of the Child on implementation of the Convention on the Rights of the Child – Mauritania. October 31, 2017. [https://reliefweb.int/sites/reliefweb.int/files/resources/Child\\_Soldiers\\_International.CRC\\_Alternative\\_Report.OPAC\\_Mauritania-2017.pdf](https://reliefweb.int/sites/reliefweb.int/files/resources/Child_Soldiers_International.CRC_Alternative_Report.OPAC_Mauritania-2017.pdf)
- 35 UNHCR. Operational Update – Mauritania. January 15, 2018. <https://reliefweb.int/sites/reliefweb.int/files/resources/61593.pdf>
- 36 Government of Mauritania. Code du travail. Loi N° 2004-017. Enacted: July 2004. <https://www.ilo.org/dyn/natlex/docs/ELECTRONIC/68212/139359/F868252464/MRT-68212.pdf>
- 37 Government of Mauritania. Arrêté N° 0066 relatif à la liste des travaux dangereux interdits aux enfants. Enacted: January 17 2022. Source on file.
- 38 Government of Mauritania. Loi N° 025/2003 portant répression de la traite des personnes. Enacted: 2003. <http://www.ilo.org/dyn/natlex/docs/ELECTRONIC/65094/113865/F-1222953954/MRT-65094.pdf>
- 39 Government of Mauritania. Loi N° 2013-011. Enacted: January 2013. Source on file.
- 40 Government of Mauritania. Loi N° 052/15 du 12 août 2015 abrogeant et remplaçant la loi n° 2007-048 du 3 septembre 2007 portant incrimination de l'esclavage et des pratiques esclavagistes. Enacted: August 12, 2015. [http://www.ilo.org/dyn/natlex/natlex4.detail?p\\_lang=fr&p\\_isn=100117&p\\_count=2&p\\_classification=03](http://www.ilo.org/dyn/natlex/natlex4.detail?p_lang=fr&p_isn=100117&p_count=2&p_classification=03)
- 41 Government of Mauritania. Ordonnance 2005-015 portant protection pénale de l'enfant. Enacted: December 5, 2005. Source on file.
- 42 Government of Mauritania. Loi n° 2020-017 relative à la prévention et la répression de la traite des personnes et la protection des victimes. Enacted: August 6, 2020. Source on file.
- 43 Government of Mauritania. Loi n° 2020-018 modifiant et complétant certaines dispositions de la loi n°2010-021 du 15 février 2010 relative à la lutte contre le trafic illicite des migrants. Enacted: August 6, 2020. Source on file.
- 44 Government of Mauritania. Loi N° 93-37 relative à la répression de la production, du trafic et de l'usage illicite des stupéfiants et substances psychotropes. July 20, 1993. [https://sherloc.unodc.org/cld/uploads/res/document/mrt/loi-93-37\\_html/mauritania-loi\\_stupefiants.pdf](https://sherloc.unodc.org/cld/uploads/res/document/mrt/loi-93-37_html/mauritania-loi_stupefiants.pdf)
- 45 Government of Mauritania. Loi N° 62132 du 29 Juin 1962. Enacted: June 29, 1962. Source on file.
- 46 Government of Mauritania. Loi N° 2001-054 du portant obligation de l'enseignement. Enacted: July 19, 2001. Source on file.
- 47 Government of Mauritania. Projet de Texte de l'Avant-Projet de loi relative aux Associations, Réseaux et Fondations en Mauritanie. January 27, 2020. Source on file.
- 48 Government of Mauritania. Loi n°2021-004. Associations, Fondations et Réseaux. February 10, 2021. Source on file.
- 49 U.S. Embassy- Nouakchott. Reporting. January 26, 2022.
- 50 U.S. Embassy- Nouakchott. Reporting. January 6, 2022.
- 51 U.S. Embassy- Nouakchott official. E-mail communication to USDOL official. February 10, 2022.
- 52 ILO Committee of Experts. Individual Observation concerning Minimum Age Convention, 1973 (No. 138) Mauritania (ratification: 2001). Published: 2021. [https://www.ilo.org/dyn/normlex/en/?p=1000:13100:0::NO:13100:PI3100\\_COMMENT\\_ID:4054277:YES](https://www.ilo.org/dyn/normlex/en/?p=1000:13100:0::NO:13100:PI3100_COMMENT_ID:4054277:YES)
- 53 ILO. The Bridge Project: Pre-situational Analysis Report. 2017. Source on file.
- 54 U.S. Embassy- Nouakchott. Reporting. January 25, 2018.
- 55 ILO. Application of International Labour Standards – Report of the Committee of Experts on the Application of Conventions and Recommendations. 2017. [http://www.ilo.org/wcmsp5/groups/public/---ed\\_norm/---relconf/documents/meetingdocument/wcms\\_543646.pdf](http://www.ilo.org/wcmsp5/groups/public/---ed_norm/---relconf/documents/meetingdocument/wcms_543646.pdf)
- 56 Government of Mauritania. Decree 2016.002 establishing the seat and jurisdiction of the slavery criminal courts. Enacted: January 1, 2016. Source on file.
- 57 Anti-Slavery Courts Judges official. Interview with USDOL official. September 20, 2017.
- 58 U.S. Embassy- Nouakchott official. E-mail communication to USDOL official. April 5, 2021.
- 59 UN Committee on the Elimination of Racial Discrimination. Concluding observations on the combined eighth to fourteenth periodic reports of Mauritania. May 30, 2018. [https://tbinternet.ohchr.org/\\_layouts/treatybodyexternal/Download.aspx?symbolno=CERD/C/MRT/CO/8-14&Lang=En](https://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=CERD/C/MRT/CO/8-14&Lang=En)
- 60 ILO CEACR. Individual Observation concerning Forced Labour Convention, 1930 (No. 29) Mauritania (ratification: 1961). Published: 2020. [https://www.ilo.org/dyn/normlex/en/?p=1000:13100:0::NO:13100:PI3100\\_COMMENT\\_ID:4023376](https://www.ilo.org/dyn/normlex/en/?p=1000:13100:0::NO:13100:PI3100_COMMENT_ID:4023376)
- 61 U.S. Department of State. Trafficking in Persons Report- 2019: Mauritania. Washington, D.C., June 20, 2019. <https://www.state.gov/reports/2019-trafficking-in-persons-report-2/mauritania/>
- 62 U.S. Embassy- Nouakchott. Reporting. February 13, 2017.
- 63 U.S. Embassy- Nouakchott. Reporting. February 25, 2019.
- 64 ILO. Individual Case (CAS) Discussion: 105th ILC session (No.29). 2016. [http://www.ilo.org/dyn/normlex/en/?p=1000:13100:0::NO:13100:PI3100\\_COMMENT\\_ID:3284576](http://www.ilo.org/dyn/normlex/en/?p=1000:13100:0::NO:13100:PI3100_COMMENT_ID:3284576)
- 65 Ministry of Justice official. Interview with USDOL official. September 18, 2017.
- 66 U.S. Embassy- Nouakchott. Reporting. February 7, 2019.
- 67 Government of Mauritania. Decree for Creation Interministerial Technical Committee on Human Rights. Enacted: January 14, 2015. Source on file.
- 68 Government of Mauritania. Commissariat aux Droits de l'Homme et à l'Action Humanitaire- Rapport d'Activités 2016. 2017. [http://www.cdah.gov.mr/images/Rapport\\_activites2016\\_CDHAH.pdf](http://www.cdah.gov.mr/images/Rapport_activites2016_CDHAH.pdf)
- 69 U.S. Embassy- Nouakchott official. E-mail communication to USDOL official. March 11, 2020.
- 70 Agence Mauritanienne d'Information. Création d'une Délégation Générale à la Solidarité Nationale et à la Lutte contre l'Exclusion « TAAZOUR ». November 29, 2019. <http://fr.ami.mr/Depeche-51399.html>
- 71 Agence Mauritanienne d'Information. Mise en place du Conseil National de protection de l'Enfance. July 20, 2018. <http://fr.ami.mr/Depeche-45607.html>
- 72 ECPAT International. Sexual Exploitation of Children in Mauritania. August 14, 2018. [https://tbinternet.ohchr.org/Treaties/CRC/Shared Documents/MRT/INT\\_CRC\\_NGO\\_MRT\\_32098\\_E.docx](https://tbinternet.ohchr.org/Treaties/CRC/Shared%20Documents/MRT/INT_CRC_NGO_MRT_32098_E.docx)
- 73 UN Committee on the Rights of the Child. Committee on the Rights of the Child examines the situation of children in Mauritania. September 18, 2018. <https://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=23585&LangID=E>
- 74 UN Committee on the Rights of the Child. Replies of Mauritania to the list of issues in relation to the combined third to fifth periodic reports of Mauritania. July 12, 2018. [https://tbinternet.ohchr.org/\\_layouts/treatybodyexternal/Download.aspx?symbolno=CRC/C/MRT/Q/3-5/Add.1&Lang=en](https://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=CRC/C/MRT/Q/3-5/Add.1&Lang=en)
- 75 U.S. Embassy- Nouakchott. Reporting. January 8, 2020.

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

- 76 World Bank. Mauritania Social Safety Net System Project II (P171125). July 8, 2019.  
<http://documents.worldbank.org/curated/en/380011562674279503/pdf/Concept-Project-Information-Document-PID-Mauritania-Social-Safety-Net-System-Project-II-P171125.pdf>
- 77 World Bank. Social Safety Net System Project II (P171125). December 27, 2019.  
<http://documents.worldbank.org/curated/en/313941577486295863/text/Appraisal-Environmental-and-Social-Review-Summary-ESRS-Social-Safety-Net-System-Project-II-P171125.txt>
- 78 Government of Mauritania. STRATEGIE NATIONALE DE CROISSANCE ACCELEREE ET DE PROSPERITE PARTAGEE. 2016.  
[http://www.economie.gov.mr/IMG/pdf/scapp\\_volume\\_2\\_-\\_fr\\_16-11-2017.pdf](http://www.economie.gov.mr/IMG/pdf/scapp_volume_2_-_fr_16-11-2017.pdf)
- 79 Le360. Mauritania: Une nouvelle stratégie de développement. March 22, 2017.  
<http://afrique.le360.ma/mauritania/economie/2017/03/21/10506-mauritania-une-nouvelle-strategie-de-developpement-10506>
- 80 Government of Mauritania. Plan d'Action National de Lutte Contre la Traite des Personnes 2020–2022. March 23, 2020. Source on file.
- 81 Government of Mauritania. National Child Protection Strategy. August 27, 2018. Source on file.
- 82 ILO CEACR. Individual Observation concerning Minimum Age Convention, 1973 (No. 138) Mauritania (ratification: 2001). Published: 2020.  
[https://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:13100:0::NO::P13100\\_COMMENT\\_ID:4012392](https://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:13100:0::NO::P13100_COMMENT_ID:4012392)
- 83 Ministry of Labor official. Interview with USDOL official. September 18, 2017.
- 84 Alliance 8.7. Alliance 8.7 Pathfinder Countries. Accessed March 8, 2021.  
[https://www.alliance87.org/pathfinder\\_countries/mauritania/](https://www.alliance87.org/pathfinder_countries/mauritania/)
- 85 Tadamoun official. Interview with USDOL official. September 18, 2017.
- 86 UNICEF Country Programme Document Mauritania 2018–2022. December 22, 2018.  
<https://sites.unicef.org/about/execboard/files/2018-PL3-Mauritania-CPD-ODS-EN.pdf>
- 87 ILO. From Protocol to Practice: A Bridge to Global Action on Forced Labor. Statement of Work. 2015. Source on file.
- 88 Department of Labor. Measurement, Awareness-Raising, and Policy Engagement (MAP I6) Project on Child Labor and Forced Labor. Accessed January 29, 2020.  
<https://www.dol.gov/agencies/ilab/measurement-awareness-raising-and-policy-engagement-map-i6-project-child-labor-and>
- 89 U.S. Embassy- Nouakchott. Reporting. November 26, 2019.

In 2021, Mauritius made moderate advancement in efforts to eliminate the worst forms of child labor. The Ministry of Gender Equality and Family Welfare enacted the long-awaited Children's Act, which includes more robust provisions related to child prostitution and child pornography violations. The government also enacted the Children's Court Act, which sets out to ensure a child-friendly environment during court proceedings and establishes a Criminal Division with jurisdiction over sexual offenses against children. In addition, the government enacted the Child Sex Offender Register Act, which establishes the Child Sex Offender Register that will assist in monitoring, tracking, and investigating sexual offenses 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. There are many barriers to education access, including conditions created by the COVID-19 pandemic, that place children at greater risk of child labor. In addition, gaps remain 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. (1,2) Children also engage in child labor in construction and street work. (2) 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 (%)		96.4

Source for primary completion rate: Data from 2021, published by UNESCO Institute for Statistics, 2022. (3)  
Data were unavailable from International Labor Organization's analysis, 2022. (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, animal rearing (2,5)
	Fishing, including diving, and casting nets and traps (2,6)
Industry	Construction (2)
Services	Domestic work (2)
	Working in shops and restaurants (5-7)
	Street work, including vending, begging, carrying goods in public markets, and in the transportation sector (2,8,9)
Categorical Worst Forms of Child Labor†	Commercial sexual exploitation, sometimes as a result of human trafficking (2)
	Use in illicit activities, including selling drugs (2)

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



# Mauritius

## MODERATE ADVANCEMENT




Some children in Mauritius are subjected to commercial sexual exploitation by their peers or family members, or through fraudulent offers of other employment. (1,7) There are reports that some children in Mauritius are sexually abused and exploited through online channels. (2,10) Mauritius has never conducted a national child labor survey; accordingly, information on the prevalence of child labor in the country is limited. (2,11,12)

During the reporting period, the COVID-19 pandemic created conditions that put children at more risk of child labor, including school closures in March, April, and November. (2,13,14) The Ministry of Education provided online and televised classes during school closures, but children from low-income households lacked the resources to keep up. (2,15) There are reports of an increase in child labor activities during school closures and the holiday season (November and December), including street work and other informal work. (2,7,16) In addition, children with disabilities faced significant barriers to education due to discrimination and a lack of special services and resources. (17,18)

## 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	✓

On July 1, 2021, the government ratified ILO C.190, which obligates each Member State to respect, promote, and realize the fundamental principles and rights at work, including the effective abolition of child labor. (19,20) The Convention entered into force for Mauritius on July 1, 2022. (21)

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 military recruitment of children by non-state armed groups.

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

Standard	Meets International Standards	Age	Legislation
Minimum Age for Work	Yes	16	Articles 2 and 8 of the Workers' Rights Act (22)
Minimum Age for Hazardous Work	Yes	18	Articles 2 and 9 of the Workers' Rights Act (22)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Section 8 of the Occupational Safety and Health Act (23)
Prohibition of Forced Labor	Yes		Articles 2, 11, 14, and 21 of the Combating Trafficking in Persons Act; Article 6 of the Constitution (24,25)
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 (25,26)
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; Articles 19, 20, and 21 of the Children's Act (25-28)

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

Standard	Meets International Standards	Age	Legislation
Prohibition of Using Children in Illicit Activities	Yes		Articles 30.1b–e, 38a, 41.1f, and 41.2 of the Dangerous Drugs Act (29)
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 63 of the Criminal Code (27)
Compulsory Education Age	Yes	16	Article 37.2 of the Education Act (30)
Free Public Education	Yes		Article 35 of the Education Act (30)

\* Country has no conscription (15)

† Country has no standing military (15)

In January 2022, the government enacted three laws aimed at reinforcing the legal framework on the protection of children. (2,31) The long-awaited Children's Act replaced the Child Protection Act with a more comprehensive and modern legislative framework. The Children's Act 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 offenses of child prostitution and child pornography than the Child Protection Act. (28) The second law is the Children's Court Act, 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. (32) The third law, the Child Sex Offender Register Act, seeks to reduce the risk of sexual offenses against children by establishing a Child Sex Offender Register that will assist in monitoring, tracking, and investigating sexual offenses against children. (33) The Ministry of Social Security is also currently drafting a Disability Bill, which aims to address different forms of discrimination based on disability and support inclusion for disabled persons. (34)

The Workers' Rights Act specifies that a child under age 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. (11,22)

### 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
Ministry of Labor, Human Resource Development and Training (MOLHRDT)	Enforces all labor laws, including those related to child labor. (2,18,35)
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. (10,36,37)
Police Brigade for the Protection of Minors (Family Protection Brigade)	Investigates crimes related to the worst forms of child labor, including child trafficking, use of children in illicit activities, and commercial sexual exploitation. (2,5) Maintains a database of all human trafficking incidents involving children and refers all cases of commercial sexual exploitation to the Child Development Unit. (38)
Office of the Director of Public Prosecutions	Undertakes criminal proceedings on laws related to the worst forms of child labor in coordination with the Family Protection Brigade and the judicial courts. (2,39,40)

# Mauritius

## MODERATE ADVANCEMENT

The Office of the Ombudsperson for Children implemented multiple activities to advance children's well-being during the reporting period, including data collection and disseminating more than 60,000 brochures in June and July 2021 to sensitize the public against online commercial sexual exploitation. (2,10) The Family Protection Brigade conducted 250 awareness-raising sessions at primary and secondary schools, youth centers, and community organizations, reaching a total of 52,036 attendees. (34)

Section 34 of the Children's Act imposes a mandatory reporting obligation on persons performing professional or official duties with respect to children, including health care professionals, employees of childcare institutions, and social workers. Failure of these professionals to report cases in which a child has been or is likely to be exposed to harm makes them liable to a fine of up to \$4,500 and to imprisonment of up to 5 years. (28,41)

### Labor Law Enforcement

In 2021, labor law enforcement agencies in Mauritius took actions to address child labor (Table 6). However, gaps exist within the operations of the Ministry of Labor, Human Resource Development and Training (MOLHRDT) that may hinder adequate labor law enforcement, including insufficient coverage in inspection planning.

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

Overview of Labor Law Enforcement	2020	2021
Labor Inspectorate Funding	\$1,685,568† (5)	\$1,456,841‡ (2)
Number of Labor Inspectors	114 (5)	109 (2)
Mechanism to Assess Civil Penalties	Yes (22)	Yes (22)
Initial Training for New Labor Inspectors	Yes (5)	Yes (2)
Training on New Laws Related to Child Labor	Yes (5)	Yes (2)
Refresher Courses Provided	Yes (5)	Yes (2)
Number of Labor Inspections Conducted	1,406 (42)	6,890 (41)
Number Conducted at Worksite	1,406 (42)	6,890 (41)
Number of Child Labor Violations Found	0 (5)	Unknown
Number of Child Labor Violations for Which Penalties Were Imposed	1 (5)	1 (2)
Number of Child Labor Penalties Imposed that Were Collected	1 (5)	1 (2)
Routine Inspections Conducted	Yes (5)	Yes (2)
Routine Inspections Targeted	Yes (5)	Yes (2)
Unannounced Inspections Permitted	Yes (22)	Yes (22)
Unannounced Inspections Conducted	Yes (5)	Yes (2)
Complaint Mechanism Exists	Yes (5)	Yes (2)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (5)	Yes (2)

† Data are from January 2020 to December 2020.

‡ Data are from January 2021 to December 2021.

In 2021, the MOLHRDT held 20 training sessions for new recruits and 50 sessions for other officers. The ministry's Labor and Industrial Relations Division also received training on child labor regulations enumerated in the Workers' Rights Act. (2) This division is responsible for enforcing child labor law compliance and manages complaints—including those related to child labor—at 17 regional labor offices. However, the hotline service operated by MOLHRDT did not receive any calls related to child labor during the reporting period. (2) Research indicates that the one child labor violation imposed with penalties collected during the reporting period was from a 2019 case. (2) The government did not provide information on the number of child labor violations found during the reporting period for inclusion in this report. (2)

Research found approximately 15 cases of children between the ages of 12 and 14, and 30 cases of children between the ages of 15 and 16, engaging in child labor activities on construction sites and in street vending, domestic work, animal rearing, agriculture, and the transportation sector. (2) NGOs noted that children were exposed to risk health hazards and accidents while working without personal protective equipment or

doing work not suitable for their age, including a 14-year-old who reportedly was burned while working for a mechanic. (2) No inspections were made during the pandemic confinement period from March 10 to April 30, and inspections remained lower than their pre-pandemic rates. The MOLHRDT reported that no children were removed from child labor due to labor inspections during the reporting period. (2) 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. (5) While the Workers' Rights Act permits unannounced inspections, the 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. (2,5,42,43)

### **Criminal Law Enforcement**

In 2021, criminal law enforcement agencies in Mauritius took actions to address child labor (Table 7). However, gaps exist within the operations of criminal enforcement agencies that may hinder adequate criminal law enforcement, including lack of training for criminal investigators.

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

Overview of Criminal Law Enforcement	2020	2021
Initial Training for New Criminal Investigators	Yes (5)	Yes (2)
Training on New Laws Related to the Worst Forms of Child Labor	N/A (5)	Yes (2)
Refresher Courses Provided	Yes (5)	Yes (2)
Number of Investigations	3 (5)	3 (2)
Number of Violations Found	3 (5)	16 (2)
Number of Prosecutions Initiated	0 (5)	0 (2)
Number of Convictions	1 (5)	2 (2)
Imposed Penalties for Violations Related to the Worst Forms of Child Labor	Yes (5)	Yes (2)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (5)	Yes (2)

The Ministry of Gender Equality and Family Welfare (MOGE) reported 23 cases (9 males and 14 females) of alleged child labor during the reporting period. Of these, 17 cases involved commercial sexual exploitation, 7 cases involved child trafficking, and 5 cases were related to begging. (2,41)

During the reporting period, new employees of the Mauritius Police received initial training, which covered the worst forms of child labor and the three new laws (the Children's Act, the Child Sex Offender Register, and the Children's Court Act). (2) The Cybercrime Unit opened an investigation in response to the online commercial sexual exploitation of minors, including one case on Rodrigues Island. (2,44) Two suspects were arrested and a third is under investigation. (45) The Mauritius Police reported 3 new investigations into child labor and 16 violations; however, there were no child labor prosecutions initiated. In February, a court sentenced a man to 4 years of prison time for child trafficking. (2) In October, a court sentenced the same man to 5 years in prison in relation to commercial sexual exploitation of children, to serve part of the sentence concurrently with his previous conviction for a total of 7 years of imprisonment. (2,34,41)

Research indicates that Mauritius Police lacked sufficient human resources, with many officers required to isolate due to COVID-19 symptoms. (46) Additionally, criminal law enforcement agencies continue to lack training, equipment, and technology to properly enforce criminal laws related to the worst forms of child labor, including capacity-building on child-sensitive interview techniques. (2)

## **IV. COORDINATION OF GOVERNMENT EFFORTS ON CHILD LABOR**

The government has established mechanisms to coordinate its efforts to address child labor (Table 8). However, gaps exist that hinder the effective coordination of efforts to address child labor, including the 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 survivors of the worst forms of child labor, including human trafficking. Also provides trainings and awareness campaigns on human trafficking, including the commercial sexual exploitation of children, and operates the 113 hotline for any offenses involving children. (2,47-49) Managed by the Ministry of Gender Equality and Family Welfare (MOGE), the budget for child protection, welfare, and development was \$3.9 million for fiscal year 2021–2022, which mainly funded the Child Development Unit. (2,5)
High Powered and Working Together Committee	Chaired by MOGE, coordinates and implements activities on children's rights, including efforts to address the worst forms of child labor. (2,5,7,12,49) Met once in 2021. (2)
Inter-Ministerial Committee on Human Trafficking	Comprises representatives from the Attorney General's Office, MOLHRDT, MOGE, and other ministries. Chaired by the Attorney General's Office and coordinates anti-trafficking efforts in Mauritius. (2,5,34,50) Reactivated by the cabinet and met once in July 2021. (2)
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. (1,5) The National Steering Committee on Trafficking in Persons met regularly during the reporting period. (41,46)
Community Child Watch Committee	Conducts surveillance of children exposed to any form of violence, including commercial sexual exploitation and human trafficking, at the community level. Operates with the collaboration of volunteers, social workers, NGOs, and other key stakeholders. Did not meet in 2021. (2)

The Children's Act that took effect in January 2022 provides for the creation of a Child Services Coordinating Panel, which will be responsible for the coordination of all activities relating to the implementation of this new law, the United Nations Convention on the Rights of the Child, and the African Charter on the Rights and Welfare of the Child. (2,5,28) The Child Services Coordinating Panel was launched by MOGE in October 2021 and delivered training to its members in the same month. (2) In April 2021, MOGE established a Technical Committee to address child pornography. (34,44,51)

The government's efforts to address the worst forms of child labor were hindered by a lack of coordination, interagency communication, and information sharing between key coordinating mechanisms. In addition, there is no coordinating body whose primary focus is child labor. (2,5,7)

## 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 coverage of all worst forms of child labor.

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

Policy	Description
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. (53,54)
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. (43,55)

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 address the worst forms of child labor, such as commercial sexual exploitation. In December 2021, the government and an international organization received a final draft of a National Action Plan to Combat Human Trafficking, which was initially drafted in 2016 and has yet to be adopted by the government. (34,41,46,56) The government expects to complete the National Action Plan in 2022. (46) Research was unable to determine whether activities were undertaken to implement key policies related to child labor in Mauritius during the reporting period. (2)

## VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2021, the government funded and participated in programs that include the goal of eliminating or preventing child labor (Table 10). However, gaps exist in these social programs, including adequacy of programs to address the full scope of the problem.



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

Program	Description
National 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. (7,57) Awareness-raising campaigns reached 1,659 primary school students and 145 secondary school students from January to November 2021. (34)
Eradication of Absolute Poverty Program†	Provides support to families living in absolute poverty through empowerment and income programs administered by the Ministry of Social Integration, Social Security and National Solidarity. Activities include a monthly child allowance, provision of free school materials, examination fees support, medical screening, housing support, and counseling. (6) Research determined that this program was active during the reporting period. (34)
Awareness-Raising Programs on Commercial Sexual Exploitation and Human Trafficking†	Educate the public on preventing commercial sexual exploitation of children and human trafficking, created by MOGE. (2,7) Between January and September 2021, MOGE held 12 awareness campaigns led by the Child Development Unit and the Mauritius Family Welfare Planning Association for approximately 150 people. (2)
National Education Counseling Service†	Identifies truant children, conducts visits to vulnerable families, and refers suspected child labor cases to MOLHRDT. Also conducts community outreach and parental involvement programs. (2) Handles approximately 2,000 cases every year. Research determined that this program was active during the reporting period. (6)
Atelier Partage Parents Program	Aims to educate parents, covers good parenting practices, and focuses on violence and child abuse issues. (7,49) Carried out 6 meetings during the reporting period and reached 162 parents. (34)

† Program is funded by the Government of Mauritius.

The government has established the National Children's Council to improve the effectiveness of institutional care facilities and shelters. During the reporting period, MOGE provided training on child abuse and commercial sexual exploitation for staff working in residential care facilities, delivered psychological support and counseling for child residents, and offered facilities to attend online and in-person classes. (34) However, 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 survivors of commercial sexual exploitation, and child survivors of other types of abuses. (6) There are reports that pandemic movement restrictions created staffing shortages in shelters. (46) The decline in the number of awareness campaigns related to the worst forms of child labor is reportedly attributed to the pandemic. (2)

During the reporting period, the government reported progress in improving access to education for children with disabilities. The Ministry of Education undertook infrastructural work in primary and secondary schools to facilitate physical access to all classrooms, operated 6 dedicated Special Education Needs resource development centers, supported 83 centers privately run by NGOs, and refunded transport costs for 1 accompanying parent of children with disabilities attending schools and day care centers. (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 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 – 2021
	Ensure that the law's light work provisions limit the number of hours for light work.	2019 – 2021
Enforcement	Ensure that labor inspections are conducted in all sectors in which children work.	2020 – 2021
	Allow labor inspectors to conduct unannounced inspections on private properties and throughout the informal sector.	2018 – 2021
	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 – 2021

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

Area	Suggested Action	Year(s) Suggested
Coordination	Ensure that all coordinating bodies are active and are able to carry out their intended mandates.	2018 – 2021
	Ensure that coordination mechanisms to address the worst forms of child labor share information and policy-making decisions, improve coordination, and prevent overlap.	2012 – 2021
	Ensure that a coordinating body exists that comprehensively addresses child labor.	2019 – 2021
Government Policies	Adopt a policy that addresses the worst forms of child labor, including commercial sexual exploitation.	2014 – 2021
	Adopt a comprehensive National Action Plan to address human trafficking.	2017 – 2021
	Ensure that activities are undertaken to implement key policies related to child labor and publish results from activities implemented during the reporting period	2019 – 2021
Social Programs	Collect and publish data on the extent and nature of child labor in Mauritius to inform policies and programs.	2013 – 2021
	Ensure that all children, including those with disabilities, have equal access to education.	2014 – 2021
	Ensure that child survivors of commercial sexual exploitation have access to comprehensive and quality social services and standards of care.	2010 – 2021
	Publish activities undertaken to implement the Eradication of Absolute Poverty Program during the reporting period.	2019 – 2021
	Conduct research to further identify children's activities in farming to inform policies and programs.	2020 – 2021
	Publish activities undertaken by the National Children's Council during the reporting period.	2020 – 2021

## REFERENCES

- U.S. Department of State. Trafficking in Persons Report- 2021: Mauritius. Washington, D.C., July 1, 2021. <https://www.state.gov/reports/2021-trafficking-in-persons-report/mauritius/>
- U.S. Embassy- Port Louis. Reporting. February 4, 2022.
- UNESCO Institute for Statistics. Gross intake ratio to the last grade of primary education, both sexes (%). Accessed March 3, 2022. For more information, please see "Children's Work and Education Statistics: Sources and Definitions" in the Reference Materials section of this report. <http://data.uis.unesco.org/>
- ILO. Analysis of Child Economic Activity and School Attendance Statistics from National Household or Child Labor Surveys. Analysis received March 2022. For more information, please see "Children's Work and Education Statistics: Sources and Definitions" in the Reference Materials section of this report.
- U.S. Embassy- Port Louis. Reporting. January 29, 2021.
- U.S. Embassy- Port Louis. Reporting. March 17, 2022.
- U.S. Embassy- Port Louis. Reporting. January 31, 2020.
- Office of the High Commissioner of Human Rights. Human Rights Committee considers the report of Mauritius. October 24, 2017. <http://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=22287&LangID=E>
- Ramgoolam, Anju. Célia, 12 ans: la petite fille qui vendait de l'eau. L'express. mu, November 4, 2017. <https://www.lexpress.mu/article/320041/celia-12-ans-petite-fille-qui-vendait-leau>
- Government of Mauritius. Ombudsperson for Children: Annual Report 2020-2021. 2021. [https://oco.govmu.org/Documents/Annual Reports/OC Annual Report 2020-2021 \(FINAL\).pdf](https://oco.govmu.org/Documents/Annual Reports/OC Annual Report 2020-2021 (FINAL).pdf)
- U.S. Embassy- Port Louis. Reporting. June 18, 2021.
- African Partnership to End Violence Against Children and African Child Policy Forum. National Capacity to Address Violence Against Children. 2021. [https://violenceagainstchildren.un.org/sites/violenceagainstchildren.un.org/files/2021/national\\_capacity\\_to\\_address\\_violence\\_against\\_children\\_assessment\\_in\\_ten\\_african\\_countries.pdf](https://violenceagainstchildren.un.org/sites/violenceagainstchildren.un.org/files/2021/national_capacity_to_address_violence_against_children_assessment_in_ten_african_countries.pdf)
- BBC. Mauritius closes schools amid rise in Covid-19 cases. November 10, 2021. [https://www.bbc.com/news/topics/cdl8n2edxept/mauritius?ns\\_mchannel=social&ns\\_source=twitter&ns\\_campaign=bbc\\_live&ns\\_lnkname=618b4aed3a9a0d18b6f0e68e%26Mauritius%20closes%20schools%20amid%20rise%20in%20Covid%20cases%262021-11-10T06%3A35%3A46.681Z&ns\\_fee=0&pinned\\_post\\_locator=urn:asset:25b4d11a-0f4d-4289-816f-b6a6246ddffb&pinned\\_post\\_asset\\_id=618b4aed3a9a0d18b6f0e68e&pinned\\_post\\_type=share](https://www.bbc.com/news/topics/cdl8n2edxept/mauritius?ns_mchannel=social&ns_source=twitter&ns_campaign=bbc_live&ns_lnkname=618b4aed3a9a0d18b6f0e68e%26Mauritius%20closes%20schools%20amid%20rise%20in%20Covid%20cases%262021-11-10T06%3A35%3A46.681Z&ns_fee=0&pinned_post_locator=urn:asset:25b4d11a-0f4d-4289-816f-b6a6246ddffb&pinned_post_asset_id=618b4aed3a9a0d18b6f0e68e&pinned_post_type=share)
- Overseas Security Advisory Council. Health Alert: Mauritius, New COVID-19 Measures: Contact Tracing, School Closures, and Flight Suspensions. March 7, 2021. <https://www.osac.gov/Country/Mauritius/Content/Detail/Report/37195fb0-b737-443d-8fb6-1b0b2c60d5cd>
- U.S. Embassy- Port Louis official. E-mail communication to USDOL official. January 5, 2022.
- Mauritius Times. You don't fire-fight in education. September 10, 2021. <http://www.mauritiustimes.com/mt/you-dont-fire-fight-in-education-covid-19-could-have-been-a-real-opportunity-to-bring-about-a-total-paradigm-shift/>
- UN Committee on Economic, Social and Cultural Rights. Concluding Observations on the fifth periodic report of Mauritius. April 5, 2019: E/C.12/MUS/CO/5. <https://www.ohchr.org/en/documents/concluding-observations/ec12musco5-committee-economic-social-and-cultural-rights>
- U.S. Department of State. Country Reports on Human Rights Practices- 2020: Mauritius. Washington, D.C., March 30, 2021. <https://www.state.gov/reports/2021-country-reports-on-human-rights-practices/mauritius/>
- ILO. Mauritius ratifies the Violence and Harassment Convention. July 1, 2021. [https://www.ilo.org/global/standards/subjects-covered-by-international-labour-standards/equality-of-opportunity-and-treatment/WCMS\\_809404/lang--en/index.htm](https://www.ilo.org/global/standards/subjects-covered-by-international-labour-standards/equality-of-opportunity-and-treatment/WCMS_809404/lang--en/index.htm)
- ILO. C190 - Violence and Harassment Convention, 2019 (No. 190). Adopted June 21, 2019. [https://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO::P12100\\_ILO\\_CODE:C190](https://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO::P12100_ILO_CODE:C190)
- ILO. NORMLEX – Ratifications for Mauritius. Accessed: December 13, 2021. [https://www.ilo.org/dyn/normlex/en/f?p=1000:11200:0::NO:11200:P11200\\_COUNTRY\\_ID:103106](https://www.ilo.org/dyn/normlex/en/f?p=1000:11200:0::NO:11200:P11200_COUNTRY_ID:103106)

- 22 Government of Mauritius. Workers' Rights Act 2019. August 23, 2019. [https://labour.govmu.org/Documents/Legislations/THE WORKERS RIGHTS Act 2019/20\\_THE WORKERS' RIGHTS Act 2019 .pdf](https://labour.govmu.org/Documents/Legislations/THE WORKERS RIGHTS Act 2019/20_THE WORKERS' RIGHTS Act 2019 .pdf)
- 23 Government of Mauritius. The Occupational Safety and Health Act, Act No. 28 of 2005. Enacted: October 28, 2005. Source on file.
- 24 Government of Mauritius. Constitution of the Republic of Mauritius. Enacted: March 12, 1968. [https://www.ilo.org/dyn/natlex/natlex4.detail?p\\_lang=en&p\\_isn=44027](https://www.ilo.org/dyn/natlex/natlex4.detail?p_lang=en&p_isn=44027)
- 25 Government of Mauritius. The Combating of Trafficking in Persons Act 2009, Act No. 2 of 2009. Enacted: May 8, 2009. [http://www.ilo.org/wcmsp5/groups/public/---ed\\_protect/---protrav/---ilo\\_aids/documents/legaldocument/wcms\\_126787.pdf](http://www.ilo.org/wcmsp5/groups/public/---ed_protect/---protrav/---ilo_aids/documents/legaldocument/wcms_126787.pdf)
- 26 Government of Mauritius. Child Protection Act, Act No. 30 of 1994. Enacted: April 1, 1995. Source on file.
- 27 Government of Mauritius. Criminal Code. Enacted: December 29, 1838. Source on file.
- 28 Government of Mauritius. The Children's Act, No. XVII of 2020. Enacted: January 24, 2022. Source on file.
- 29 Government of Mauritius. The Dangerous Drugs Act 2000, Act No. 41 of 2000. Enacted: December 29, 2000. Source on file.
- 30 Government of Mauritius. Education Act. Enacted: December 28, 1957. Source on file.
- 31 Government of Mauritius. Minister Koonjoo-Shah details three new legislations to safeguard rights of children. January 25, 2022. <https://govmu.org/EN/newsgov/SitePages/Minister-Koonjoo-Shah-details-three-new-legislations-to-safeguard-rights-of-children.aspx>
- 32 Government of Mauritius. The Children's Court Act of 2020. No. XVIII of 2020. Enacted: January 24, 2022. Source on file. <https://mauritiusassembly.govmu.org/Documents/Acts/2020/act142020.pdf>
- 33 Government of Mauritius. The Child Sex Offender Register Act of 2020. No. XIX of 2020. Enacted: January 24, 2022. Source on file. <https://mauritiusassembly.govmu.org/Documents/Acts/2020/act152020.pdf>
- 34 U.S. Embassy- Port Louis official. E-mail communication to USDOL official. February 14, 2022.
- 35 Government of Mauritius. The Ministry of Labour, Human Resource Development and Training. Accessed December 28, 2021. <https://labour.govmu.org/Pages/TheMinistry.aspx>
- 36 Government of Mauritius. The Ombudsperson for Children Act, Act No. 41 of 2003. Enacted: November 20, 2003. Source on file.
- 37 Government of Mauritius. Ombudsperson for Children: Annual Report 2017–2018. 2018. <https://oco.govmu.org/Documents/Annual Reports/Ombudsperson AR 2017-2018.pdf>
- 38 U.S. Embassy- Port Louis. Reporting. March 2, 2017.
- 39 U.S. Embassy- Port Louis. Reporting. January 10, 2018.
- 40 Government of Mauritius. Office of the Director of Public Prosecutions. Accessed December 28, 2021. <https://dpp.govmu.org/Pages/About Us/The-DPP.aspx>
- 41 U.S. Department of State official. E-mail communication to USDOL official. June 29, 2022.
- 42 U.S. Department of State official. E-mail communication to USDOL official. June 21, 2021.
- 43 U.S. Embassy- Port Louis. Reporting. February 8, 2019.
- 44 Le Mauricien. Child / Revenge Pornography: concerned ministries and NGOs tune their violins. April 15, 2021. <https://mauritiushindinews.com/hindi-newspaper-in-mauritius/child-revenge-pornography-concerned-ministries-and-ngos-tune-their-violins-le-mauricien/>
- 45 MAU News Mauritius. Porn and trafficking of child pornography photos. June 18, 2021. <https://sw-ke.facebook.com/MAUNews3/posts/176050667812989>
- 46 U.S. Embassy- Port Louis. Reporting. February 22, 2022.
- 47 U.S. Embassy- Port Louis. Reporting. January 24, 2018.
- 48 U.S. Department of State. Trafficking in Persons Report- 2019: Mauritius. Washington, D.C., June 20, 2019. <https://www.state.gov/reports/2019-trafficking-in-persons-report-2/mauritius/>
- 49 Government of Mauritius. Child Development Unit. Accessed December 28, 2021. <https://gender.govmu.org/Pages/Child-Development-Unit.aspx>
- 50 U.S. Embassy- Port Louis. Reporting. February 2, 2017.
- 51 Government of Mauritius. Mauritius: PM Jugnauth Reiterates Government's Commitment to Improve Quality of Life of Children. October 16, 2021. <https://govmu.org/EN/Pages/NewsDetails.aspx?n=PM-Jugnauth-reiterates-Government's-commitment-to-improve-quality-of-life-of-children.aspx>
- 52 Government of Mauritius. Education and Human Resources Strategy Plan 2008–2020. October 2009. Source on file.
- 53 U.S. Embassy- Port Louis official. E-mail communication to USDOL official. April 15, 2021.
- 54 Government of Mauritius. Nine Year Continuous Basic Education Policy. January 2017. Source on file.
- 55 Government of Mauritius. National Sport and Physical Activity Policy: For the Republic of Mauritius 2018-2028. August 22, 2018. <https://mys.govmu.org/Documents/Publications/National Sport and Physical Activity Policy.pdf>
- 56 Government of Mauritius. Validation Workshop on Dev. of a Comprehensive Strategy on Street Children in Mauritius. 2017. Source on file.
- 57 Government of Mauritius. National Children's Council. Accessed March 21, 2021. <https://gender.govmu.org/Pages/National-Children-Council.aspx>

In 2021, Mexico made moderate advancement in efforts to eliminate the worst forms of child labor. The government carried out 5,000 more labor inspections compared to the previous year and established a new voluntary labor reporting system for businesses to confirm compliance with the Labor Code. The Commission on the Rights of Refugee and Migrant Children and Adolescents also published a report on its activities during the year aiming to ensure the best interests of migrant and refugee children, including unaccompanied minors. Additionally, the government published and implemented the National Program for Children and Adolescents 2021–2024, and the Benito Juárez Wellbeing National Scholarship Program reached 9.8 million students. 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. In 2021, the government eliminated many social programs that increased educational access and reduced risk for child labor in marginalized communities. 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 and the government published limited information on its labor and criminal law enforcement efforts. Social programs to eliminate child labor also 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. (1-4) Children also perform dangerous tasks in agriculture, including in the production of chile peppers, coffee, sugarcane, and tomatoes. (5,6) 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, with 52 percent of these children engaging in hazardous work. It also shows that 25 percent of child laborers do not attend school, 61 percent of child laborers are boys, and that child labor primarily occurs in the central and southern states of Oaxaca, Puebla, Chiapas, and Michoacán. (7,8) Table I provides key indicators on children's work and education in Mexico.

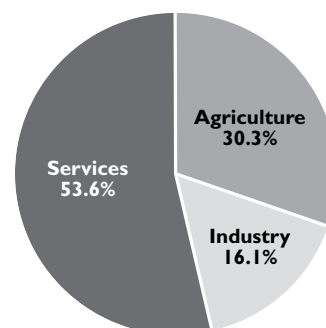
**Table I. Statistics on Children's Work and Education**

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 (%)		102.5

Source for primary completion rate: Data from 2019, published by UNESCO Institute for Statistics, 2022. (9)

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. (10)

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



# Mexico

## 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	Working in agriculture,† including in the production of avocados, beans, chile peppers, coffee, cotton, cucumbers, eggplants, beans (green), guayabas, melons, nuts, onions, pineapples, sugarcane, tobacco,† and tomatoes (5-6,11-18) Cattle raising (19)
Industry	Manufacturing† footwear, furniture, garments, leather goods, and textiles (7,11,19-21) Producing baked goods (7,19,22) Construction,† activities unknown (7,11,19) Mining,† including amber and charcoal (7,19,23-26) Working in woodworking and welding shops (7,11,19)
Services	Street work† as vendors, shoe shiners, beggars, car washers, and porters (5,22,27-30) Working in auto repair garages, beauty salons, restaurants, bars,† and coffee shops (7,11,29) Scavenging in landfills (5,31) Domestic work (7,8,19,32)
Categorical Worst Forms of Child Labor‡	Forced labor in domestic work, street vending, and begging (4,23,30,32-36) Commercial sexual exploitation, including in the production of pornography, sometimes as a result of human trafficking (1-3,11,17,23,37) 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 (4,23,38-45)

† 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 2021, reports suggest that almost 850,000 children did not continue their basic education. This includes 656,000 students who did not transition from elementary school to lower secondary school. (46,47) Government reports also show that at least 1,200 schools closed between 2020 and 2021. In addition, students reported difficulty accessing distance learning programs 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. (47,48) The lack of access to education and school abandonment leaves children more vulnerable to the worst forms of child labor. (4,17,49,50)

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. Experts estimate that as many as 250,000 children are at risk of being recruited by these criminal groups. (4,43,44,51-53) 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. (4,44,45,51) 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. (1,2,23,53,54) 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. Mexico's National System for Integral Family Development (SNDIF) estimates that each year at least 70,000 children and adolescents are trafficked for the purpose of commercial sexual exploitation. (23,55) 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 age 18 while 45 percent of child trafficking victims are children of indigenous descent. (1,4,36,56,57)

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. (7,8) Children's work in agriculture often includes long working hours, use of sharp tools, handling pesticides, and carrying heavy loads. (6,58,59) A 2018 report by the *Centro de Derechos*



*Humanos de la Montaña Tlachinollan* found that 42 percent of Mexican migrant agricultural worker households had at least one child engaged in child labor. (13,60,61) In addition, organized criminal groups operating in rural areas throughout the country actively recruit children, making some children in agricultural export-producing communities vulnerable to involvement in illicit activities. (16,45,62-64) An April 2022 labor law reform requires the Secretariat of Labor and Social Welfare (STPS) to establish regulations regarding hazardous occupations in agriculture, which may allow older children who cannot legally work in agriculture to obtain employment in this sector in the future. (65-67)

Children from indigenous populations are more likely to work across all sectors, including in agriculture, than non-indigenous children. (13,60,68) Children from indigenous populations also work at road intersections, often begging for money or performing juggling acts for motorists at traffic lights. (69) Indigenous children are also less likely to attend school due to the lack of schools near their homes, educational materials, and instruction in native languages. (68,70,71) According to CNDH, because of these low educational levels, as well as linguistic barriers and discrimination, indigenous populations are especially vulnerable to child labor and human trafficking. (36,52,72,73)




Migrants, mostly from the northern Central America 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 addition, thousands of Haitians, including children, crossed into Mexico, some from Central America, throughout 2021. (74,75) 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. (4,76,77) In addition, many migrant children do not have access to education. (77,78)

The National Institute of Migration (INM) is responsible for enforcing the rights of migrant children in coordination with the 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 did not have sufficient funding to carry out their mandates. (23,79-81) 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. (75,76,82-84) Moreover, many SNDIF shelters, in which migrant families and unaccompanied children are housed, have reached or are nearing capacity, and poor coordination by INM and SNDIF left some of these children and families without access to shelter. (81,85,86) Authorities also did not effectively identify human trafficking victims among migrant populations, and trafficking victims did not have access to comprehensive protections and services. (87)

## 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	✓

# Mexico

## MODERATE ADVANCEMENT

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 (16,88-90)
Minimum Age for Hazardous Work	Yes	18	Article 175 of the Labor Code (16)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Articles 175 and 176 of the Labor Code (16)
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 (88,89,91)
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 (89,91)
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 (89,91,92)
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 (91-93)
Prohibition of Compulsory Recruitment of Children by (State) Military	Yes		Article 5 of the Military Service Law (94)
Minimum Age for Voluntary State Military Recruitment	Yes	18	Article 24 of the Military Service Law (94)
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 (89,92)
Compulsory Education Age	Yes	18	Articles 6 and 129 of the General Law on Education (90)
Free Public Education	Yes		Article 3 of the Constitution (88)

In April 2022, Mexico enacted a reform to the Labor Code that would permit children as young as 15 to work in some agricultural employment. Previously, Article 176 of the Labor Code deemed work in agriculture, hunting and fishing as hazardous and, accordingly, prohibited children under the age of 18 from engaging in this kind of work. (16,65,66,95) The reform qualified the language in Art. 176 to prohibit minors from engaging in these activities while using chemicals, handling machinery, operating heavy vehicles, and carrying out other tasks as determined by the competent authority. The STPS has 180 days after the entry in force of the reform to classify activities in Art. 176 and determine which activities would be lower risk and thus permissible for minors. (65,66,95) Proponents of the reform state that permitting minors to work in low-risk agricultural activities may create formal employment opportunities in rural areas. (17,66,67) However, critics suggests that the reform may jeopardize the health and safety of children by exposing them to the hazards and extreme conditions involved in agricultural work. Others view the reform as a setback for child labor protections and note that the reform lacks corresponding mechanisms and resources for ensuring labor law enforcement. (17,66,67)

The United States-Mexico-Canada Agreement entered into force on July 1, 2020. The agreement contains a labor chapter with fully enforceable labor obligations, including on internationally recognized labor rights. (96,97) Under this chapter, Mexico committed 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 into its territory from other countries of any goods produced in whole or in part by forced or compulsory labor, including forced or compulsory child labor. (97) While the Government of Mexico established a working group to continue reviewing existing laws related to the prohibition of the importation of goods produced by forced or compulsory child labor and is developing a plan to implement the

prohibition, including determining legal sufficiency for subsequent enforcement actions, the working group did not provide an update on the status of the draft plan during the reporting period. (17,53,98)

As the minimum age for work at age 15 is lower than the compulsory education age, children may be encouraged to leave school before the completion of compulsory education. (16,90)

### 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. (16,99-104) The STPS inspectorate is responsible for labor law enforcement in 22 industrial sectors under federal jurisdiction, including the sugar and tobacco industries, 3 types of enterprises, and labor matters affecting 2 or more states. The state-level labor inspectorates are responsible for labor law enforcement in all other situations. (16,88,105)
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 FGR's Specialized Unit for Crimes against Women and Trafficking in Persons (FEVIMTRA) and the Specialized Unit on Trafficking in Minors, People, and Organs are responsible for investigating and prosecuting human trafficking cases at the federal level. (4,104,106-109) In addition, all 32 states have specialized trafficking in persons prosecutors or units, which are responsible for investigating and prosecuting cases of human trafficking at the state level. Some state trafficking in persons units or prosecutors also prosecute cases of gender-based violence. (52,64,110,111) Federal and state trafficking in persons units receive some cases of child trafficking from the National Institute of Migration and the Mexican Commission for Refugee Assistance. (80,83,112-115)
National Commission on Human Rights (CNDH)	Receives complaints and conducts investigations on human rights violations, including cases involving the worst forms of child labor. Independent ombudsman body. (116)
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 and ending in 2022, these boards are being replaced by federal- and state-level Labor Tribunals and Conciliation Centers, which will oversee conciliation and adjudication of labor disputes, respectively. (16,42,88,117-120)
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. (89,104,121) 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. (89,104,121) During school holidays, some state-level SNDIF ministries conduct operations to monitor for child labor in the informal sector. (122-134)

Since 2019, the Government of Mexico has implemented austerity measures that left many secretariats and agencies, including the Attorney General of the Republic (FGR) and CNDH, at both the federal and state levels, without the appropriate personnel, expertise, and leadership to carry out core government functions, including enforcing laws and establishing and implementing policies and programs related to the worst forms of child labor. (17,53,135,136)

Federal and state labor inspectorates carry out labor inspections in formally registered businesses. (99,100,137,138) Although these inspectorates have the authority to conduct unannounced inspections in the informal sector, in practice, inspections in the informal sector are only conducted in response to a formal complaint. As the informal sector accounts for 57 percent of employment in Mexico, including agricultural employment, the lack of inspections in this sector leaves children vulnerable to labor exploitation. (11,98,99,101,137-140)

# Mexico

## MODERATE ADVANCEMENT

### Labor Law Enforcement

In 2021, labor law enforcement agencies in Mexico took actions to address 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 insufficient human and financial resource allocation.

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

Overview of Labor Law Enforcement	2020	2021
Labor Inspectorate Funding	\$1,420,784 (141)	\$1,536,366 (17)
Number of Labor Inspectors	447 (42)	471 (17)
Mechanism to Assess Civil Penalties	Yes (138)	Yes (138)
Initial Training for New Labor Inspectors	Yes (141)	Yes (17)
Training on New Laws Related to Child Labor	N/A (141)	N/A (17)
Refresher Courses Provided	No (42)	No (17)
Number of Labor Inspections Conducted	29,177† (42)	35,098‡ (17)
Number Conducted at Worksite	29,177† (42)	35,098‡ (17)
Number of Child Labor Violations Found	1† (142)	2‡ (17)
Number of Child Labor Violations for Which Penalties Were Imposed	Unknown (141)	2‡ (17)
Number of Child Labor Penalties Imposed that Were Collected	Unknown (141)	Unknown (17)
Routine Inspections Conducted	Yes (42)	Yes (17)
Routine Inspections Targeted	Yes (42)	Yes (17)
Unannounced Inspections Permitted	Yes (42,138)	Yes (17,138)
Unannounced Inspections Conducted	Yes (42)	Yes (17)
Complaint Mechanism Exists	Yes (42)	Yes (17)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (141)	Yes (17,141)

† Data are for federal inspectorate only. (42)

‡ Data are for federal inspectorate only. (17)

In 2021, 25 out of 32 states provided information on their state labor inspectorates and reported employing a total of 304 labor inspectors. In addition, STPS hired 24 labor inspectors, bringing their total number of labor inspectors to 471. (17) However, the number of labor inspectors at the federal and state levels is likely insufficient for the size of Mexico's workforce, which includes approximately 53 million workers. According to the ILO's technical advice of a ratio approaching 1 inspector for every 15,000 workers in developing economies, Mexico would need to employ roughly 3,552 labor inspectors. (143-145)

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 FGR. (100,104,137,146) The STPS did not report carrying out inspections specific to child labor in 2021. The total number of child labor complaints received is unknown, as the STPS does not have an internal system to track cases of child labor violations. (105,138,147,148)

During the reporting period, STPS identified 2 child labor violations and an additional 8 states out of 32 reported identifying a total of 215 violations related to child labor. However, STPS and the states did not provide information on penalties imposed or collected. (17,42,100,104,122-126) STPS is not authorized to collect any fines and must refer fine collection to the Tax Administration Service (SAT), which rarely enforces fine collection for any labor law violations. Moreover, 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". (17,42,98,100,104,122-126) However, the States of Chiapas, Puebla, Queretaro, Tabasco, and Veracruz provided their labor inspectors with training on child labor, including applying labor inspection protocols to identify and sanction child labor violations. (17) In 2021, STPS increased the budget

dedicated to the labor inspectorate by over \$100,000 compared to 2020. In addition, the States of Mexico, Hidalgo, Sonora, Tamaulipas, and Veracruz provided information on the budget allocated to each state's labor inspectorate for a total of almost \$1.4 million. (17)

In 2021, STPS implemented a new voluntary reporting system called the Voluntary Labor Verification Program (VELAVO), which allows formally registered businesses to enroll and self-identify as compliant with the program's requirements related to working conditions, including provisions related to child labor. Registered businesses deemed to be in compliance according to the documentation submitted will be exempt from routine labor inspections for one year, although this does not prevent the STPS from conducting complaint-based labor inspections in these businesses. (149,150)

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. (99,138,148) 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. (53,66,151)

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. (17,99,137,141,148)

### **Criminal Law Enforcement**

In 2021, criminal law enforcement agencies in Mexico took actions to address child labor (Table 7). However, gaps exist within the operations of criminal enforcement agencies that may hinder adequate criminal law enforcement, including insufficient financial resource allocation.

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

Overview of Criminal Law Enforcement	2020	2021
Initial Training for New Criminal Investigators	Yes (85)	Yes (17)
Training on New Laws Related to the Worst Forms of Child Labor	No (42)	Unknown (17)
Refresher Courses Provided	Yes (85)	Yes (17)
Number of Investigations	845 (54)	484 <sup>‡</sup> (54)
Number of Violations Found	Unknown	Unknown
Number of Prosecutions Initiated	Unknown (85)	Unknown (17)
Number of Convictions	43 <sup>†</sup> (85)	42 <sup>†</sup> (53)
Imposed Penalties for Violations Related to the Worst Forms of Child Labor	Yes (85)	Yes (17,53,152)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (85)	Yes (17)

<sup>†</sup> Data reported may not be complete (53,85)

<sup>‡</sup> Data are for January 1, 2021 through July 31, 2021. (54)

Between January and October 2021, the Secretariat for Security and Citizen Protection (SSPC) conducted 638 investigations into potential cases of human trafficking, representing an increase of almost 10 percent from the previous year. As a result of these inspections, the SSPC identified 650 trafficking victims. (153,154) However, the SSPC did not disaggregate the number of child and adult victims. (153,154) In addition, research conducted by the Consejo Ciudadano, which operates the National Trafficking Line, found fraudulent job offers for work in factories and in agriculture was the main form of recruitment used by human traffickers during the reporting period. The National Trafficking Line also registered an increase in the proportion of calls involving children being trafficked, making up as many as 47 percent of calls to the hotline, up from 32 percent in 2019. (155)



# Mexico

## MODERATE ADVANCEMENT

During 2021, the FGR's Specialized Unit for Crimes Against Women and Trafficking in Persons (FEVIMTRA) had a budget of \$3.3 million, and conducted 16 investigations related to trafficking in persons and identified 3 child trafficking victims. The states of Chiapas and Guanajuato each reported carrying out four child trafficking investigations while Zacatecas reported conducting one child trafficking investigation. (17,53,54) Moreover, the State of Mexico achieved 5 convictions for child trafficking, Michoacán reported 2 child trafficking convictions, the states of Guanajuato, Morelos, and Queretaro each reported 1 child trafficking conviction, and 15 individuals were prosecuted for trafficking in persons by the states of Chiapas, Hidalgo, Puebla, and Zacatecas. (17,53,54) These investigations included at least six public officials accused of involvement in crimes related to trafficking in persons, and in February 2022, a police officer in Mexico City was convicted of possession of child pornography and sentenced to 5 years' imprisonment. (53,54, 152) Additionally, the Financial Intelligence Unit (UIF), which detects and combats criminal operations using illicit funds, identified 201 possible cases of trafficking in persons, of which 43 cases involved minors. (53)

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. (4,17,53,54) 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. (4,17,53,54) Moreover, state prosecutors had limited financial resources available for investigations, training, and outreach. (54,156,157)

According to public sources, the government conducted 484 investigations between January and July 2021, and made at least 42 convictions at the federal and state levels for crimes related to the worst forms of child labor; however, the complete number of investigations conducted, prosecutions initiated, and convictions achieved is unknown. (53,54,85) Although the government provided some information on its criminal law enforcement efforts related to the worst forms of child labor at the federal level and for some states, weak coordination and inconsistent data sharing among government agencies prevented comprehensive statistics from being compiled. (17,53,54) Research also 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. (17,53,54,64,158,159)

## 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 inefficacy in accomplishing mandates.

**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 eliminate 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. (17,141) Meets on a quarterly basis and includes NGO networks and international technical and financial partners, such as UNODC and IOM. During the reporting period, the CITI finalized the Plan of Action on Child Labor 2021–2024. (17,141,148)
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 partners. (91,160) Although the commission met seven times in 2021, research was unable to determine what activities this committee carried out during the reporting period. (17,53)
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. (90) During the reporting period, SIPINNA was active and held various meetings to review, finalize, and publish the National Program for Children and Adolescents (PRONAPPINA) 2021–2024. (17)

**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 <i>Estatales</i> )	Implement and evaluate 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. (42,101) Research could not confirm whether all state committees met during the reporting period. (17)
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. (141,161,162) During the reporting period, the Commission published an annual report on its activities, including efforts to ensure the best interests of unaccompanied migrant and refugee children. (163)

## 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 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 addressing child labor as part of STPS' social inclusion strategy. (164) During the reporting period, a training program on child labor and the rights of children and adolescents was developed for representatives from each of the 32 federal entities, federal labor inspectors, and STPS staff. (17,165)
National Program for Children and Adolescents (PRONAPPINA) 2021–2024†	Aims to guarantee the rights of children and adolescents by establishing mechanisms to support their growth and development. (166)
Plan of Action on Child Labor 2021–2024†	Aims to promote a culture of prevention against child labor and to protect the human and labor rights of children and adolescents. (167)
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 address child labor. (141,168) Research confirmed that during the year Secretaría de Gobernación (SEGOB's) Sub-Secretariat of Human Rights, Migration, and Population held meetings with 16 of the 32 federal entities to design and establish policies at the state level linked to the National Human Rights Program 2020–2024. (17,169)
National Strategy for Inclusive Education (2019–2024)	Supports inclusive education for vulnerable children, including migrant and indigenous children. (170,171) During the 2020–2021 school year, approximately 53,221 students with special needs benefited from the program. (17)
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. (172–175) Research confirms that the plan was implemented during the year, although only 7 percent of the \$90 million promised for the plan implementation have thus far been disbursed. (174,175)

† 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. (176)

Mexico became a Pathfinder country under Alliance 8.7 in 2019 to accelerate 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. (177,178) 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 address child and forced labor in supply chains. (177,179) In addition, as part of the efforts to improve information generation and coordination between the CITI and the Inter-Institutional Commission on Trafficking, STPS led the Working Group on Information Strategies and Preventative Campaigns between the two Commissions. STPS is also developing a Labor Inspection Program for 2022 focusing on the agricultural industry and the carbon-mining sector to prevent child labor and forced labor in these supply chains. (180)

## MODERATE ADVANCEMENT

During the reporting period, the government finalized the Plan of Action on Child Labor 2021–2024 and published the National Program for the Protection of Children and Adolescents (PRONAPPINA) 2021–2024. In addition, the government published the National Program for Equality between Men and Women (PROIGUALDAD) 2020–2024, which includes actions to improve the labor conditions of young women and girls and actions to reduce child labor. (17,166,167,181) However, even though the government drafted the National Action Plan on Trafficking in Persons 2020–2024 in 2019, this plan has not been officially approved. (17,182) Although the government has policies to address some worst forms of child labor, research found no evidence of a policy to address commercial sexual exploitation or the use of children in illicit activities. (141,164,168)

## 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 inadequacy to address the problem in all sectors and in all states.

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

Program	Description
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. (183-185) 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. (186-190) In 2021, the program reached 9.8 million students. (191)
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. (192) In 2021, the program assisted 63,049 children through the program's <i>Casas y Comedores de la Niñez Indígena</i> and <i>Casas y Comedores Comunitarios del Estudiante Indígena</i> . (193)
Assistance for At-Risk Children and Adolescents Program (PAMAR)†	Implemented by the 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. In 2021, this program was implemented by the SNDIF in 26 states and 445 municipalities benefiting 68,503 children and adolescents, but it is not implemented across all states and municipalities in which the program is needed. (17,53)
USDOL-Funded Projects	USDOL-funded projects that aim to eliminate child labor through research, increase labor inspection capacity, and expand participation in education, training, and social protection programs. <i>Campos de Esperanza</i> is an \$11 million project implemented by World Vision which has worked with the sugarcane sector to help improve working conditions for over 5,300 sugarcane workers in targeted agricultural communities in Oaxaca and Veracruz. MAPI6 is an ILO-implemented global project, with \$2.4 million dedicated to support the National Child Labor Survey (ENTI 2019) with the results released in 2020. (7,194,195) MAPI6 also supported the Regional Initiative Latin America and the Caribbean Free of Child Labor (RILAC) program to develop maps that show communities at risk of child labor and has worked with local government in the States of Mexico and Chiapas to develop policy responses. (7,194,195) Other projects include: <i>Senderos</i> , an \$8 million project implemented by Verité to address child and forced labor in the sugarcane and tobacco sectors in Jalisco and Nayarit; <i>EQUAL</i> , a \$5 million project implemented by World Vision to increase women's and adolescent girls' economic empowerment in the agricultural sector; <i>COFFEE</i> , a \$2.2 million project implemented by Verité in Brazil, Colombia, and Mexico to promote social compliance and develop tools for businesses to establish systems to prevent, detect, and combat child and forced labor in coffee supply chains; and <i>Improving Workers' Occupational Safety and Health in Selected Supply Chains in Mexico – A Vision Zero Fund</i> , a \$5 million project implemented by the ILO's Vision Zero Fund to improve the occupational safety and health of workers, with a focus on COVID-19, female workers, and workers in vulnerable conditions. Two new additional projects include: <i>Building a Comprehensive Government of Mexico Approach to Combating Child Labor and Forced Labor*</i> , a \$13 million ILO-implemented project to strengthen the capacity and enhance the effectiveness of the Government of Mexico to collect and analyze data on child labor, forced labor, and human trafficking for the purposes of informing federal policies and programming; and <i>Sustentar*</i> , a \$5 million project implemented by Social Accountability International to increase private sector stakeholders' accountability to uphold core labor standards focusing on the chile pepper and tomato sector. (196-201) In 2021, USDOL-funded projects trained 130 labor inspectors and 399 teachers on identifying and preventing child labor and provided over 1,400 children in child labor or at risk of child labor with education services. (195,196,198) For additional information, please visit our website.

† Program is funded by the Government of Mexico.

\*Program was launched during the reporting period.

‡ The government had other social programs that may have included the goal of eliminating or preventing child labor. (42,141,202-206)

During the reporting period, the government eliminated many social programs that increased education access and reduced risk for child labor for indigenous children, migrant and refugee children, and children from other vulnerable groups. These programs included the Indigenous People's Education Diversity Program (PADEI), Educational Program for Migrant School Population (PAPEM), and the Full-Time Schools Program (PETC). (17,207-211) Research could not confirm whether these programs will be replaced by new programs in future years.

## 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).

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

Area	Suggested Action	Year(s) Suggested
Legal Framework	Raise the minimum age for work to align with the compulsory education age of 18.	2019 – 2021
Enforcement	Significantly increase the number of labor inspectors in accordance with the ILO's technical advice to provide adequate coverage of the workforce.	2019 – 2021
	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 – 2021
	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 – 2021
	Improve cooperation and information sharing between federal and state-level labor inspectorates.	2019 – 2021
	Publish information at the federal and state level on the number of child labor violations found and the number of child labor penalties imposed and collected.	2019 – 2021
	Ensure that the Secretariat of Labor and Social Welfare case tracking system allows for comprehensive identification of labor law violations, including violations of child labor law.	2019 – 2021
	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 – 2021
Enforcement	Increase coordination among government ministries to ensure adequate criminal prosecutions of perpetrators of the worst forms of child labor.	2019 – 2021
	Increase training for enforcement officials, prosecutors, and judges to ensure adequate criminal law enforcement related to the worst forms of child labor.	2019 – 2021
	Publish complete information at the federal and state level on the number of investigations and prosecutions initiated and convictions secured.	2019 – 2021
	Ensure that all coordinating bodies are active and able to carry out their mandates.	2019 – 2021
Government Policies	Adopt a policy that addresses all worst forms of child labor, including child trafficking, the use of children in commercial sexual exploitation, and the use of children in illicit activities.	2019 – 2021
Social Programs	Expand access to education by increasing school infrastructure, providing education materials and instruction in native languages, expanding internet access, and ensuring that all children are able to attend school, including those in migrant or indigenous communities.	2019 – 2021
	Ensure that unaccompanied migrant children are placed in child protection centers instead of detention centers and receive access to education.	2019 – 2021
	Remove children from organized criminal groups and ensure that they are provided with adequate social services.	2019 – 2021
	Ensure that government agencies assisting migrants and refugees effectively coordinate and fund programs to assist these populations.	2020 – 2021
	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 – 2021
	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 – 2021

### REFERENCES

- 1 ECPAT. Sexual Exploitation of Children in Mexico. March 29, 2018. <https://www.ecpat.org/wp-content/uploads/2018/07/Universal-Periodical-Review-Sexual-Exploitation-of-Children-Mexico.pdf>
- 2 Digital Journal. Tenancingo, the sex slavery capital of Mexico. February 2, 2018. <http://www.digitaljournal.com/news/world/tenancingo-the-sex-slavery-capital-of-mexico/article/513841>
- 3 U.S. Department of State. Trafficking in Persons Report- 2021: Mexico. Washington, D.C. July 1, 2021. <https://www.state.gov/reports/2021-trafficking-in-persons-report/mexico/>
- 4 REDIM. Balance Anual 2020: El año de la pandemia y el abandono de la niñez en México. January 5, 2021. [https://issuu.com/infanciacuental/docs/balance\\_anual\\_redim\\_2020](https://issuu.com/infanciacuental/docs/balance_anual_redim_2020)
- 5 La Silla Rota. El trabajo infantil en Mexico, su unica opcion. June 11, 2018. <https://lasillarota.com/el-trabajo-infantil-en-mexico-su-unica-opcion/227902>
- 6 CEDRSSA. Trabajadores Mexicanos Agrícolas en el Tratado Mexico, Estados Unidos de America y Canada. August 2020. [http://www.cedrssa.gob.mx/files/b/13/37Trabajadores\\_Mexicanos\\_Agrícolas\\_T-MEC.pdf](http://www.cedrssa.gob.mx/files/b/13/37Trabajadores_Mexicanos_Agrícolas_T-MEC.pdf)
- 7 Instituto Nacional de Geografía y Estadística (INEGI). Encuesta Nacional de Trabajo Infantil (ENTI) 2019 Presentación de resultados. December 7, 2020. [https://www.inegi.org.mx/contenidos/programas/enti/2019/doc/enti\\_2019\\_presentacion\\_resultados.pdf](https://www.inegi.org.mx/contenidos/programas/enti/2019/doc/enti_2019_presentacion_resultados.pdf)
- 8 Instituto Nacional de Geografía y Estadística (INEGI). Encuesta Nacional de Trabajo Infantil (ENTI) 2019 Indicadores básicos. December 7, 2020. <https://www.inegi.org.mx/programas/enti/2019/#Tabulados>
- 9 UNESCO Institute for Statistics. Gross intake ratio to the last grade of primary education, both sexes (%). Accessed March 25, 2022. For more information, please see "Children's Work and Education Statistics: Sources and Definitions" in the Reference Materials section of this report. <http://data.uis.unesco.org/>
- 10 ILO. Analysis of Child Economic Activity and School Attendance Statistics from National Household or Child Labor Surveys. Original data from Encuesta Nacional de Trabajo Infantil (ENTI) 2019, December 2020. Analysis received March 2021. Please see "Children's Work and Education Statistics: Sources and Definitions" in the Reference Materials section of this report.
- 11 U.S. Embassy- Mexico City. Reporting. January 16, 2020.
- 12 Verisk Maplecroft. Are Mexican avocados the next 'conflict commodity'? December 5, 2019. <https://www.maplecroft.com/insights/analysis/are-mexican-avocados-the-next-conflict-commodity/>
- 13 Animal Político. Niños indígenas sufren explotación laboral en SLP. February 7, 2017. <https://www.animalpolitico.com/2017/02/trabajo-ninos-indigenas-rancho/>
- 14 El Universal. Niños jornaleros: 20 pesos diarios y apenas van a clases. May 1, 2019. <https://www.eluniversal.com.mx/estados/ninos-jornaleros-20-pesos-diarios-y- apenas-van-clases>
- 15 Los Replicantes. Los cárteles mexicanos de la droga, en guerra por el mercado del aguacate. January 10, 2020. <https://www.losreplicantes.com/articulos/carteles-mexicanos-droga-guerra-por-aguacate/>
- 16 Government of Mexico. Ley Federal de Trabajo. 2021. [http://www.diputados.gob.mx/LeyesBiblio/pdf/125\\_230421.pdf](http://www.diputados.gob.mx/LeyesBiblio/pdf/125_230421.pdf)
- 17 U.S. Embassy- Mexico City. Reporting. April 12, 2022.
- 18 Jornaleros en la agricultura mexicana de exportación (JORNAMEX). Municipal Maps on Labor Condition Enforcement. Accessed: April 17, 2022. <https://jornamex.com/mapas.html>
- 19 Instituto Nacional de Geografía y Estadística (INEGI). Modulo de Trabajo Infantil (MTI). 2017. [https://www.inegi.org.mx/contenidos/programas/mti/2017/doc/mti2017\\_resultados.pdf](https://www.inegi.org.mx/contenidos/programas/mti/2017/doc/mti2017_resultados.pdf)
- 20 REDIM. Acercamiento al trabajo infantil y adolescente en la Industria de la Confección y del calzado en el Estado de Guanajuato. July 9, 2019. <http://derechosinfancia.org.mx/documentos/diagnostico-completo.pdf>
- 21 Díaz, Joaquín Cortez. Esclavitud de la infancia en México: el caso de los niños y niñas indígenas explotados laboralmente en las maquiladoras del vestido en el municipio de Ajalpan, Puebla. February 10, 2020. <https://ichan.ciesas.edu.mx/esclavitud-de-la-infancia-en-mexico-el-caso-de-los-ninos-y-ninas-indigenas-explotados-laboralmente-en-las-maquiladoras-del-vestido-en-el-municipio-de-ajalpan-puebla/>
- 22 Estacion Pacifico. Colima, en el top 3 de entidades con mayor porcentaje de trabajo infantil: Unicef. April 30, 2019. <https://estacionpacifico.com/2019/04/30/colima-en-el-top-3-de-entidades-con-mayor-porcentaje-de-trabajo-infantil-unicef/>
- 23 U.S. Embassy- Mexico City. Reporting. February 17, 2021.
- 24 La Jornada. Cierre de aulas y crisis orilla al trabajo infantil en la pandemia. October 15, 2020. <https://www.jornada.com.mx/ultimas/sociedad/2020/10/15/crece-trabajo-infantil-para-sobrevivir-en-medio-de-la-pandemia-2722.html>
- 25 Cuarto Poder. En Chiapas aumentan cifras de trabajo infantil. October 29, 2018. <https://www.cuartopoder.mx/chiapas/en-chiapas-aumentan-cifras-de-trabajo-infantil/263861>
- 26 Senado de la República. Senado de la República pide investigar trabajo infantil en minas de carbón de Coahuila. September 15, 2021. <https://comunicacionsocial.senado.gob.mx/informacion/comunicados/669-senado-de-la-republica-pide-investigar-trabajo-infantil-en-minas-de-carbon-de-coahuila>
- 27 Infobae. Explotación laboral infantil creció en la Ciudad de México durante los últimos dos años. January 24, 2020. <https://www.infobae.com/america/mexico/2020/01/24/explotacion-laboral-infantil-crecio-en-la-ciudad-de-mexico-durante-los-ultimos-dos-anos/>
- 28 Animal Político. Niños trabajadores en el Metro y Central de Abasto enfrentan rezago educativo, discriminación y violencia. January 23, 2020. <https://www.animalpolitico.com/2020/01/ninos-trabajadores-discriminacion-violencia/>
- 29 El Español. Niños y 'chamba', la triste normalidad del trabajo infantil en México. December 23, 2017. [https://www.elespanol.com/mundo/america/20171223/ninos-chamba-triste-normalidad-trabajo-infantil-mexico/271473684\\_0.html](https://www.elespanol.com/mundo/america/20171223/ninos-chamba-triste-normalidad-trabajo-infantil-mexico/271473684_0.html)
- 30 Comisión de Derechos Humanos de la Ciudad de México. Informe Especial: La situación del trabajo infantil y el trabajo adolescente en edad permitida en el Sistema de Transporte Colectivo Metro, la Central de Abasto y otros espacios públicos de la Ciudad de México. 2019. <https://piensadh.cdhdh.org.mx/index.php/informes-tematicos-1/informe-especial-la-situacion-del-trabajo-infantil-y-el-trabajo-adolescente-en-edad-permitida-en-el-sistema-de-transporte-colectivo-metro-la-central-de-abasto-y-otros-espacios-publicos-de-la-ciudad-de-mexico>
- 31 Univision. La mayor planta de reciclaje de envases para Coca-Cola en el mundo se aprovecha de mano de obra infantil en México. March 12, 2017. <https://www.univision.com/noticias/univision-investiga/la-mayor-planta-de-reciclaje-de-envases-para-coca-cola-en-el-mundo-se-aprovecha-de-mano-de-obra-infantil-en-mexico?spaMode=false&forceRedirect=true>
- 32 Cultura Colectiva. "Esclavas modernas", así trabajan miles de niñas en el empleo doméstico. Julio 23, 2018. <https://news.culturacolectiva.com/mundo/dia-internacional-del-trabajo-domestico-ninas-esclavas-modernas-en-mexico/>
- 33 SDP. Niños tzotziles que eran explotados en Oaxaca también sufrieron golpes y abuso sexual. October 18, 2018. <https://www.sdpnoticias.com/local/oaxaca/explotados-sufrieron-tzotziles-oaxaca-ninos.html>



- 34 Animal Politico. Rescatan a 7 mujeres y 56 niños tzotziles en Oaxaca; eran obligados a pedir dinero. October 15, 2018.  
<https://www.animalpolitico.com/2018/10/rescatan-tzotziles-trata-oaxaca/>
- 35 El Universal. El negocio detras de los mendigos que piden dinero. December 22, 2019.  
<https://www.eluniversal.com.mx/nacion/el-negocio-detras-de-los-mendigos-que-piden-dinero>
- 36 Polaris Project. Diagnostico - Trata de Personas con Fines Laborales en Mexico. May 8, 2018.  
<https://polarisproject.org/wp-content/uploads/2019/09/Diagnóstico-Trata-De-Personas-Con-Fines-Laborales-En-México.pdf>
- 37 Contralinea. Pornografía infantil aumentó 73% en confinamiento por Covid-19. May 13, 2020. Source on file.
- 38 El Telegrafo. La amapola florece en Guerrero con el trabajo infantil. May 12, 2016.  
<https://www.eltelegrafo.com.ec/noticias/septimo/1/la-ampola-florece-en-guerrero-con-el-trabajo-infantil>
- 39 La Voz de Michoacan. Niños y delincuencia: cuando el crimen ha robado la inocencia a más de 30 mil menores. April 30, 2020.  
<https://www.lavozdemichoacan.com.mx/michoacan/criminalidad/ninos-y-delincuencia-cuando-la-inocencia-se-pierde-mas-de-30-mil-menores-han-caido-en-las-garras-del-crimen/>
- 40 REDIM. Infancia y Adolescencia en Mexico - Entre la Invisibilidad y la Violencia. 2020. Source on file.
- 41 Infobae. Redim estimó en 30 mil los niños y adolescentes cooptados por el crimen organizado. March 5, 2020.  
<https://www.infobae.com/america/mexico/2020/03/06/redim-estimo-en-30-mil-los-ninos-y-adolescentes-cooptados-por-el-crimen-organizado/>
- 42 U.S. Embassy- Mexico City. Reporting. March 9, 2021.
- 43 Stevenson, Mark. In Mexico, children as young as 10 recruited by drug cartels. October 14, 2021.  
<https://apnews.com/article/caribbean-mexico-city-mexico-drug-cartels-6f73f0a2277ea91eb5a39a098238ae6b>
- 44 REDIM. Reclutamiento y utilización de niñas, niños y adolescentes por grupos delictivos en México. Análisis desde las políticas públicas y la legislación. December 7, 2021.  
[https://issuu.com/infanciacueta/docs/reclutamiento\\_final\\_7\\_de-diciembre\\_compressed\\_1\\_](https://issuu.com/infanciacueta/docs/reclutamiento_final_7_de-diciembre_compressed_1_)
- 45 REDIM Reclutamiento y utilización de niñas, niños y adolescentes por grupos delictivos en México. September 7, 2021.  
[https://issuu.com/infanciacueta/docs/reclutamiento.v.digital-6\\_sept-final](https://issuu.com/infanciacueta/docs/reclutamiento.v.digital-6_sept-final)
- 46 El Economista. Ciclo escolar 2020-2021: 656,000 estudiantes de primaria menos. September 8, 2021.  
<https://www.eleconomista.com.mx/politica/Ciclo-escolar-2020-2021-656000-estudiantes-de-primaria-menos-20210908-0061.html>
- 47 Yo Tambien. Educación 2021: menos alumnos, menos maestros y escasa evaluación. January 24, 2022.  
<https://www.yotambien.mx/actualidad/educacion-2021-menos-alumnos-menos-maestros-y-escasa-evaluacion/>
- 48 Milenio. Por falta de internet, 1 de cada 4 alumnos no tiene acceso a la educación a distancia. February 8, 2021.  
<https://www.milenio.com/negocios/mexico-25-alumnos-acceso-educacion-distancia>
- 49 Expansion. La tragedia laboral de niñas, niños y adolescentes. February 22, 2021.  
<https://expansion.mx/opinion/2021/02/22/la-tragedia-laboral-de-ninas-ninos-y-adolescentes>
- 50 El Diario de Chihuahua. David y otros 2.5 millones de menores dejarán la escuela y empezarán a laborar. February 23, 2021.  
<https://www.eldiariodechihuahua.mx/economia/david-y-otros-25-millones-de-menores-dejaran-la-escuela-y-empezaran-a-laborar-20210223-1765882.html>
- 51 El Economista. En riesgo de enrolarse al crimen, hasta 250,000 menores. September 7, 2021.  
<https://www.eleconomista.com.mx/politica/Mas-de-200000-menores-de-edad-en-riesgo-de-ser-reclutados-o-utilizados-por-grupos-delictivos-en-Mexico-ONC-20210907-0105.html>
- 52 CNDH. Diagnostico sobre la Situacion de Trata de Personas en Mexico 2019. July 9, 2019.  
[https://www.cndh.org.mx/sites/default/files/documentos/2019-07/DIAGNOSTICO-TDP-2019\\_0.pdf](https://www.cndh.org.mx/sites/default/files/documentos/2019-07/DIAGNOSTICO-TDP-2019_0.pdf)
- 53 U.S. Embassy- Mexico City. Reporting. January 28, 2022.
- 54 CNDH. Diagnóstico sobre la situación de la trata de personas en México 2021. December 8, 2021.  
[https://www.cndh.org.mx/sites/default/files/documentos/2021-12/DIAGNOSTICO\\_TDP\\_2021.pdf](https://www.cndh.org.mx/sites/default/files/documentos/2021-12/DIAGNOSTICO_TDP_2021.pdf)
- 55 Milenio. Hasta 70 mil menores son víctimas de trata, según SNDIF. August 31, 2021.  
<https://www.milenio.com/policia/hasta-70-mil-menores-son-victimas-de-trata-segun-sndif>
- 56 El Universal. Alertan diputados sobre altos índices de trata. September 23, 2018.  
<https://www.eluniversal.com.mx/nacion/alertan-diputados-de-altos-indices-de-trata>
- 57 UNODC. La trata de personas y los Pueblos Indígenas. August 9, 2020.  
[https://www.unodc.org/documents/mexicoandcentralamerica/2020/Mexico/INF\\_TRATA\\_DIA\\_PUEBLOS\\_INDIGENAS.pdf](https://www.unodc.org/documents/mexicoandcentralamerica/2020/Mexico/INF_TRATA_DIA_PUEBLOS_INDIGENAS.pdf)
- 58 Imparcial. Trabajo infantil sigue cancelando esperanzas. January 7, 2020.  
<https://imparcialoaxaca.mx/oaxaca/392610/trabajo-infantil-sigue-cancelando-esperanzas/>
- 59 Uniradio Noticias. Trabajo infantil, pobreza y desigualdad en el agro mexicano. May 1, 2019.  
<https://www.uniradionoticias.com/noticias/mexico/564118/trabajo-infantil-pobreza-y-desigualdad-en-el-agro-mexicano.html>
- 60 La Jornada de Guerrero. Casi la mitad de jornaleros migrantes son menores de edad, informa Tlachinollan. February 14, 2018.  
<https://www.lajornadaguerrero.com.mx/index.php/sociedadjusticia/item/1714-casi-la-mitad-de-jornaleros-migrantes-son-menores-de-edad-informa-tlachinollan>
- 61 Comisión Nacional de los Salarios Mínimos. Apoya Gobierno de México a menores jornaleros agrícolas con programas de Bienestar. BOLETÍN No. 12/2020. June 23, 2020.  
<https://www.gob.mx/conasami/prensa/apoya-gobierno-de-mexico-a-menores-jornaleros-agricolas-con-programas-de-bienestar?idiom=es>
- 62 El Sol de Zacatecas. Crimen organizado absorbe trabajo infantil en comunidades rurales. April 29, 2019.  
<https://www.elsoldezacatecas.com.mx/local/crimen-organizado-absorbe-trabajo-infantil-en-comunidades-rurales-3440170.html>
- 63 InSight Crime. Grupos criminales refuerzan tácticas de reclutamiento infantil en México. July 27, 2019.  
<https://es.insightcrime.org/noticias/analisis/grupos-criminales-refuerzan-tacticas-de-reclutamiento-infantil-en-mexico/>
- 64 U.S. Embassy-Mexico City official. E-mail communication to USDOL official. June 30, 2020. Source on file.
- 65 Government of Mexico. Reforma a la Ley Federal de Trabajo. February 23, 2022.  
[https://infosen.senado.gob.mx/sgsp/gaceta/65/1/2022-02-23-1/assets/documentos/Dict\\_Trabajo\\_CTPS.pdf](https://infosen.senado.gob.mx/sgsp/gaceta/65/1/2022-02-23-1/assets/documentos/Dict_Trabajo_CTPS.pdf)
- 66 El Economista. Senadores aprueban reforma que abre la posibilidad de más contrataciones de menores en el campo. February 23, 2022.  
<https://www.eleconomista.com.mx/empresas/Senadores-aprueban-reforma-que-abre-la-posibilidad-de-mas-contrataciones-de-menores-en-el-campo-20220223-0110.html>
- 67 Infobae. Exigen a AMLO vetar reforma que permitiría el trabajo de adolescentes en el sector agrícola. March 3, 2022.  
<https://www.infobae.com/america/mexico/2022/03/03/exigen-a-amlo-vetar-reforma-que-permitiria-el-trabajo-de-adolescentes-en-el-sector-agricola/>

## MODERATE ADVANCEMENT

- 68 National Institute of Indigenous Peoples. Niñas, niños y adolescentes indígenas. Datos de la Encuesta Intercensal 2015. April 28, 2017. <https://www.gob.mx/inpi/articulos/ninas-ninos-y-adolescentes-indigenas-datos-de-la-encuesta-intercensal-2015>
- 69 La Voz de la Frontera. Hay 200 menores trabajando en las calles de Mexicali. December 26, 2021. <https://www.lavozdelafrontera.com.mx/local/hay-200-menores-trabajando-en-las-calles-de-mexicali-7654446.html>
- 70 BBC Mundo. Los 4 problemas de fondo de la educación en México que la mayor inversión de la historia no puede resolver. June 7, 2017. <https://www.bbc.com/mundo/noticias-america-latina-40168555>
- 71 El Economista. Educación en México: insuficiente, desigual y la calidad es difícil de medir. December 25, 2018. <https://www.eleconomista.com.mx/politica/Educacion-en-Mexico-insuficiente-desigual-y-la-calidad-es-dificil-de-medir-20181225-0028.html>
- 72 Comisión Nacional de Derechos Humanos. Informe Contra la Trata de Personas. 2017. [http://informe.cndh.org.mx/images/uploads/menus/30110/content/files/Informe\\_cndh\\_2017.pdf](http://informe.cndh.org.mx/images/uploads/menus/30110/content/files/Informe_cndh_2017.pdf)
- 73 La Jornada. Indígenas, con el menor acceso al mercado laboral. February 7, 2021. <https://www.jornada.com.mx/notas/2021/02/07/economia/indigenas-con-el-menor-acceso-al-mercado-laboral/>
- 74 Mexico News Daily. 4,000 Haitian migrants estimated to have arrived in Chiapas this week. April 30, 2021. <https://mexiconewsdaily.com/news/massive-wave-of-haitian-migrants-arriving-chiapas/>
- 75 Chiapas Paralelo. Más del 20 por ciento de personas migrantes que ingresan a México son niños, niñas o adolescentes. March 31, 2020. <https://www.chiapasparalelo.com/trazos/tecnologia/2020/03/mas-del-20-por-ciento-de-personas-migrantes-que-ingresan-a-mexico-son-ninos-ninas-o-adolescentes/>
- 76 UNICEF. Migración de niñas, niños y adolescentes. Accessed: February 27, 2020. <https://www.unicef.org/mexico/migración-de-niñas-niños-y-adolescentes>
- 77 Conexión Migrante. Indiferencia y maltrato, algunos de los obstáculos que niños migrantes atraviesan en México. February 4, 2020. <https://conexionmigrante.com/2020-02-04/indiferencia-y-maltrato-algunos-de-los-obstaculos-que-ninos-migrantes-atravesan-en-mexico/>
- 78 Expansion Política. El COVID-19 recrudesció los riesgos para niños migrantes en su paso por México. January 9, 2020. <https://politica.expansion.mx/mexico/2021/01/09/el-covid-19-recrudescio-los-riesgos-para-ninos-migrantes-en-su-paso-por-mexico>
- 79 Instituto Nacional de Migración. Aumenta 132% migración infantil. July 17, 2019. <https://www.inm.gob.mx/gobmx/word/index.php/aumenta-132-migracion-infantil/>
- 80 Instituto Nacional de Migración. La SRE, el DIF y la UNICEF, presentan el "Modelo de cuidados alternativos para niñas, niños y adolescentes." July 7, 2019. <https://www.inm.gob.mx/gobmx/word/index.php/la-sre-el-dif-y-la-unicef-presentan-el-modelo-de-cuidados-alternativos-para-ninas-ninos-y-adolescentes-migrantes-solicitantes-de-asilo-y-refugiados-en-mexico-guia-para-su-implementacion/>
- 81 Chiapas Paralelo. Piden aumentar presupuesto del INM para que apoyen a casas migrantes y albergues February 22, 2021. <https://www.chiapasparalelo.com/noticias/chiapas/2021/02/piden-aumentar-presupuesto-del-inm-para-que-apoyen-a-casas-migrantes-y-albergues/>
- 82 New York Times. La oleada histórica de niños migrantes que cruzan solos la frontera surge de la desesperación. October 30, 2019. <https://www.nytimes.com/es/2019/10/30/espanol/america-latina/menores-migrantes-estados-unidos.html>
- 83 SNDIF. Modelo de cuidados alternativos para niñas, niños y adolescentes migrantes, solicitantes de asilo y refugiados en México: guía para su implementación. July 31, 2019. [https://www.unicef.org/mexico/media/1866/file/Cuidados alternativos ninez migrante.pdf](https://www.unicef.org/mexico/media/1866/file/Cuidados%20alternativos%20ninez%20migrante.pdf)
- 84 Government of Mexico. Ley sobre Refugiados, Protección Complementaria y Asilo Político. November 11, 2020. [http://www.diputados.gob.mx/LeyesBiblio/pdf/LRPCAP\\_111120.pdf](http://www.diputados.gob.mx/LeyesBiblio/pdf/LRPCAP_111120.pdf)
- 85 U.S. Embassy- Mexico City. Reporting. February 12, 2021.
- 86 U.S. Embassy- Mexico City. Reporting. April 7, 2021.
- 87 U.S. Department of State official. E-mail communication to USDOL official. June 30, 2022. Source on file.
- 88 Government of Mexico. Constitución Política de los Estados Unidos Mexicanos. 2019. [http://www.diputados.gob.mx/LeyesBiblio/pdf\\_mov/Constitucion\\_Politica.pdf](http://www.diputados.gob.mx/LeyesBiblio/pdf_mov/Constitucion_Politica.pdf)
- 89 Government of Mexico. Ley General de los Derechos de Niñas, Niños y Adolescentes. 2021. <https://www.gob.mx/sipinna/documentos/ley-general-de-los-derechos-de-ninas-ninos-y-adolescentes-lgdna>
- 90 Government of Mexico. Ley General de Educación. 2019. [http://www.diputados.gob.mx/LeyesBiblio/pdf/LGE\\_300919.pdf](http://www.diputados.gob.mx/LeyesBiblio/pdf/LGE_300919.pdf)
- 91 Government of Mexico. Ley General para Prevenir, Sancionar y Erradicar los Delitos en Materia de Trata de Personas y para la Protección y Asistencia a las Víctimas de estos Delitos. 2018. <https://www.gob.mx/indesol/documentos/ley-general-para-prevenir-sancionar-y-erradicar-los-delitos-en-materia-de-trata-de-personas-y>
- 92 Government of Mexico. Código Penal Federal. 2017. [https://www.gob.mx/cms/uploads/attachment/file/235549/Co\\_digo\\_Penal\\_Federal\\_22\\_06\\_2017.pdf](https://www.gob.mx/cms/uploads/attachment/file/235549/Co_digo_Penal_Federal_22_06_2017.pdf)
- 93 Government of Mexico. Ley Federal Contra la Delincuencia Organizada. August 11, 2019. Source on file.
- 94 Government of Mexico. Ley de Servicio Militar. 2021. Source on file.
- 95 Diario Oficial de la Federación. DECRETO por el que se reforma el artículo 176, fracción II, numeral 8 de la Ley Federal del Trabajo. April 5, 2022. [https://www.dof.gob.mx/nota\\_detalle.php?codigo=5648007&fecha=05/04/2022#gsc.tab=0](https://www.dof.gob.mx/nota_detalle.php?codigo=5648007&fecha=05/04/2022#gsc.tab=0)
- 96 United States Trade Representative. Agreement Between the United States of America, the United Mexican States, and Canada. Accessed January 16, 2020. <https://ustr.gov/trade-agreements/free-trade-agreements/united-states-mexico-canada-agreement/agreement-between>
- 97 United States Trade Representative. USMCA Labor Chapter. Accessed February 2019. <https://ustr.gov/sites/default/files/files/agreements/FTA/USMCA/Text/23-Labor.pdf>
- 98 U.S. Embassy official. E-mail communication to USDOL official. July 5, 2022. Source on file.
- 99 STPS official. Interview with USDOL official. November 16, 2018.
- 100 STPS. Protocolo de Inspección del Trabajo en Materia de Erradicación de Trabajo Infantil y Protección al Trabajo Adolescente Permitido. 2015. [http://www.stps.gob.mx/bp/secciones/conoce/quienes\\_somos/quienes\\_somos/inspeccion/Protocolo de Inspección en materia de Trabajo Infantil .pdf](http://www.stps.gob.mx/bp/secciones/conoce/quienes_somos/quienes_somos/inspeccion/Protocolo%20de%20Inspeccion%20en%20materia%20de%20Trabajo%20Infantil.pdf)
- 101 Ortiz de Rosas, Ambassador. ILO Regional Meeting Panama 2018. October 4, 2018. Source on file.
- 102 STPS. Acciones de la STPS en contra del Trabajo infantil 2018. November 28, 2018. Source on file.
- 103 Procuraduría Federal de la Defensa del Trabajo. ¿Qué es la PROFEDET y cuáles son sus funciones? Accessed: February 25, 2020. <https://www.gob.mx/profedet/que-hacemos>

- 104 STPS. Respuesta de Integrantes de la CITI al Cuestionario de Consulta sobre Acciones del Gobierno de Mexico en Materia de Combate al Trabajo Infantil. February 24, 2020. Source on file.
- 105 Government of Mexico. Autoridades Administrativas y Jurisdiccionales En Materia Laboral Y Sindicatos. May 2016. <https://colaboracion.uv.mx/rept/files/2017/03/040/ANEXO-XI-AUTORIDADES-ADMINISTRATIVAS-Y-JURISDICCIONALES-EN-MATERIA-LABORAL-Y-SINDICATOS.pdf>
- 106 FEVIMTRA. Binational Exchange – State Attorneys General and Special Prosecutors, Human Trafficking. 2018. Source on file.
- 107 FEVIMTRA. ¿Cuáles son las obligaciones de las y los Agentes del Ministerio Público? August 2019. [https://www.gob.mx/cms/uploads/attachment/file/487787/Cu\\_les\\_son\\_las\\_obligaciones\\_del\\_Ministerio\\_P\\_blico\\_Agosto\\_2019.pdf](https://www.gob.mx/cms/uploads/attachment/file/487787/Cu_les_son_las_obligaciones_del_Ministerio_P_blico_Agosto_2019.pdf)
- 108 Fiscalía Especial para los Delitos de Violencia Contra las Mujeres y Trata de Personas. August 28, 2015. <https://www.gob.mx/fgr/acciones-y-programas/trata-de-personas-10311>
- 109 Fiscalía General de la República. Subprocuraduría Especializada en Investigación de Delincuencia Organizada. October 13, 2017. <https://www.gob.mx/fgr/articulos/subprocuraduria-especializada-en-investigacion-de-delincuencia-organizada-130486>
- 110 U.S. Embassy- Mexico City. Reporting. February 27, 2019.
- 111 SEGOB official. E-mail communication to U.S. Embassy official. May 25, 2021. Source on file.
- 112 Instituto Nacional de Migración. Oficiales de Protección a la Infancia (OPI). October 11, 2019. <https://www.gob.mx/inm/acciones-y-programas/oficiales-de-proteccion-a-la-infancia-opi>
- 113 Comisión Mexicana de Ayuda a Refugiados. COMAR: oficinas, presencia y acciones. January 10, 2020. <https://www.gob.mx/comar/articulos/comar-oficinas-presencia-y-acciones?idiom=es>
- 114 Sin Embargo. INM atiende a 11 mil 290 menores migrantes no acompañados en 2019; la mayoría centroamericanos. November 13, 2019. <https://www.sinembargo.mx/13-11-2019/3677910>
- 115 Instituto Nacional de Migración. Protege Instituto Nacional de Migración los derechos de niñas, niños y adolescentes migrantes. July 18, 2019. <https://www.gob.mx/inm/prensa/protege-instituto-nacional-de-migracion-los-derechos-de-ninas-ninos-y-adolescentes-migrantes>
- 116 Comisión Nacional de Derechos Humanos. CNDH website. Accessed December 15, 2018. <https://www.cndh.org.mx/>
- 117 El Economista. 20 temas fundamentales de la reforma laboral. July 18, 2019. <https://www.eleconomista.com.mx/gestion/20-temas-fundamentales-de-la-reforma-laboral-20190718-0078.html>
- 118 Junta Federal de Conciliación y Arbitraje. Conoce qué es la Junta Federal de Conciliación y Arbitraje. Accessed February, 2019. <https://www.gob.mx/stps/articulos/conoce-que-es-la-junta-federal-de-conciliacion-y-arbitraje>
- 119 COPARMEX. Reforma Laboral para la Competitividad. March 4, 2019. <https://coparmex.org.mx/reforma-laboral-para-la-competitividad/>
- 120 MVS Noticias. En 2020 podría iniciar la transición de las Juntas de Conciliación a Tribunales laborales: STPS. January 2, 2019. <https://mvsnoticias.com/noticias/nacionales/en-2020-podria-iniciar-la-transicion-de-las-juntas-de-conciliacion-a-tribunales-laborales-stps/>
- 121 SNDIF. Directorio de Procuradurías de Protección de Niñas, Niños y Adolescentes. December 2018. Source on file.
- 122 El Occidental. En Jalisco trabajan 156 mil niños. January 6, 2020. <https://www.eloccidental.com.mx/local/en-jalisco-trabajan-156-mil-ninos-4667021.html>
- 123 Milenio. Laboran en el estado 270 mil menores: Sipinna. August 11, 2019. <https://www.milenio.com/negocios/puebla-270-mil-infantes-adolescentes-laboran>
- 124 Hoja de Ruta. #SIPINNA coordina campañas y programas para evitar el trabajo infantil e impulsar el desarrollo integral de las niñas y niños. June 11, 2019. <https://hojaderutadigital.mx/sipinna-coordina-campanas-y-programas-para-evitar-el-trabajo-infantil-e-impulsar-el-desarrollo-integral-de-las-ninas-y-ninos/>
- 125 Enlace Informativo. Sancionan a Cuatro Empresas por Trabajo Infantil en B.C. April 24, 2019. Source on file.
- 126 Uniradio Noticias. Trabajan para erradicar el trabajo infantil en Baja California. April 24, 2019. <https://www.uniradioinforma.com/noticias/bajacalifornia/563497/trabajan-para-erradicar-el-trabajo-infantil-en-baja-california.html>
- 127 Expreso. Toman protesta a comité municipal que combatirá el trabajo infantil. June 13, 2019. <https://www.expreso.com.mx/seccion/sonora/61846-toman-protesta-a-comite-municipal-que-combatira-el-trabajo-infantil.html>
- 128 El Sol de Hermosillo. Van por erradicación del trabajo infantil en Sonora. September 12, 2019. <https://www.elsoldehermosillo.com.mx/local/van-por-erradicacion-del-trabajo-infantil-en-sonora-4174433.html>
- 129 El Heraldo de Chihuahua. Inspecciona STPS ranchos agrícolas. June 27, 2019. <https://www.elheraldodechihuahua.com.mx/local/delicias/inspecciona-stps-ranchos-agricolas-3823460.html>
- 130 El Debate. Sipinna detecta 40 casos de trabajo infantil en el campo. December 16, 2019. <https://www.debate.com.mx/guasave/Sipinna-detecta-40-casos-de-trabajo-infantil-en-el-campo-20191216-0078.html>
- 131 Diario Puntual. Invita Sedif y Sipinna a colaborar para reducir trabajo infantil en Puebla. November 10, 2019. <https://www.diariopuntual.com/estado/2019/11/10/31607/invita-sedif-y-sipinna-colaborar-para-reducir-trabajo-infantil-en-puebla>
- 132 State of San Luis Potosí. Presentación del 2020, Año de la Cultura para Erradicación del Trabajo Infantil en el H. Congreso del Estado. January 3, 2020. <https://slp.gob.mx/sipinna/Paginas/Noticias/PRESENTACIÓN-DEL-2020,-AÑO-DE-LA-CULTURA-PARA-ERRADICACIÓN-DEL--TRABAJO-INFANTIL-EN-EL-H--CONGRESO-DEL-ESTADO.aspx>
- 133 El Debate. Incrementa trabajo infantil en las calles durante periodo vacacional. July 28, 2019. <https://www.debate.com.mx/culiacan/Incrementa-trabajo-infantil-en-las-calles-durante-periodo-vacacional-20190728-0009.html>
- 134 El Sol de Mazatlán. Sensibilizan sobre los derechos de niñas, niños y adolescentes. December 11, 2019. <https://www.elsoldemazatlan.com.mx/local/sensibilizan-sobre-los-derechos-de-ninas-ninos-y-adolescentes-4574321.html>
- 135 Animal Político. Dejan a niños sin clases extra y alimentos: SEP recorta 100% presupuesto a Escuelas de Tiempo Completo. September 17, 2020. <https://www.animalpolitico.com/2020/09/sep-recorta-presupuesto-escuelas-tiempo-completo/>
- 136 El Economista. Escopetazo presupuestal fastidia a la STPS. November 17, 2021. <https://www.eleconomista.com.mx/opinion/Escopetazo-presupuestal-fastidia-a-la-STPS-20211117-0143.html>
- 137 STPS official. Interview with USDOL official. November 14, 2019.
- 138 STPS. REGLAMENTO General de Inspección del Trabajo y Aplicación de Sanciones. June 17, 2014. <http://www.diputados.gob.mx/LeyesBiblio/regla/n395.pdf>
- 139 U.S. Embassy- Mexico City. Reporting. February 21, 2020.

## MODERATE ADVANCEMENT

- 140 Government of Mexico. Reglamento General para la Inspección y Aplicación de Sanciones por Violaciones a la Legislación Laboral. June 17, 2014.  
[http://dof.gob.mx/nota\\_detalle.php?codigo=5348879&fecha=17/06/2014](http://dof.gob.mx/nota_detalle.php?codigo=5348879&fecha=17/06/2014)
- 141 STPS. Respuestas al Cuestionario sobre el Trabajo Infantil. February 5, 2020. Source on file.
- 142 U.S. Embassy- Mexico City official. E-mail communication to USDOL official. June 11, 2021.
- 143 UN. World Economic Situation and Prospects 2019 Statistical Annex. New York: 2019. Please see "Labor Law Enforcement: Sources and Definitions" in the Reference Materials section of this report.  
[https://www.un.org/development/desa/dpad/wp-content/uploads/sites/45/WESP2019\\_BOOK-web.pdf](https://www.un.org/development/desa/dpad/wp-content/uploads/sites/45/WESP2019_BOOK-web.pdf)
- 144 ILOSTAT. ILO Labor Force Statistics (LFS) – Population and labour force. Accessed January 25, 2022. Labor force data is government-reported data collected by the ILO. Please see "Labor Law Enforcement: Sources and Definitions" in the Reference Materials section of this report.  
<https://ilostat.ilo.org/data/>
- 145 El Economista. Inspectores laborales en México son insuficientes para cumplir con nuevos compromisos. December 15, 2020.  
<https://www.eleconomista.com.mx/empresas/Inspectores-laborales-en-Mexico-son-insuficientes-para-cumplir-con-nuevos-compromisos-20201215-0066.html>
- 146 El Economista. STPS incorpora inspectores para cumplir reforma laboral. October 22, 2019.  
<https://www.eleconomista.com.mx/empresas/STPS-incorpora-inspectores-para-cumplir-reforma-laboral-20191023-0012.html>
- 147 STPS. Unidad de Trabajo Digno. March 4, 2020. Source on file.
- 148 STPS. Notas del Departamento de Trabajo sobre la reunión del 14 de noviembre de 2019. January 28, 2020. Source on file.
- 149 Diario Oficial de la Federación. ACUERDO por el que se crea el Programa de Verificación Laboral Voluntaria. November 1, 2021.  
[https://www.dof.gob.mx/nota\\_detalle.php?codigo=5634193&fecha=01/11/2021](https://www.dof.gob.mx/nota_detalle.php?codigo=5634193&fecha=01/11/2021)
- 150 Prevencionar México. La STPS lanza programa de verificación laboral voluntaria. November 2, 2021.  
<https://prevencionar.com.mx/2021/11/02/la-stps-lanza-programa-de-verificacion-laboral-voluntaria/>
- 151 Government of Mexico. DECRETO por el que se reforman, adicionan y derogan diversas disposiciones de la Ley Federal del Trabajo. May 1, 2019.  
[http://www.diputados.gob.mx/LeyesBiblio/ref/lft/LFT\\_ref30\\_01may19.pdf](http://www.diputados.gob.mx/LeyesBiblio/ref/lft/LFT_ref30_01may19.pdf)
- 152 Latinus. Sentencian a cinco años de cárcel en el Edomex a policía que almacenaba pornografía infantil. February 12, 2022.  
<https://latinus.us/2022/02/12/sentencian-cinco-anios-carcel-edomex-policia-pornografia-infantil/>
- 153 Cortez, Roberto. Tráfico de personas se dispara 173.6%; la SSPC registra 1,535 denuncias. November 23, 2021.  
<https://www.razon.com.mx/mexico/dispara-173-6-trafico-personas-pais-sspc-460699>
- 154 Infobae. Quintana Roo: FGE rescata a menor de edad víctima del delito de trata. December 15, 2021.  
<https://www.infobae.com/america/mexico/2021/12/15/quintana-roo-fge-rescata-a-menor-de-edad-victima-del-delito-de-trata/>
- 155 Consejo Ciudadano. Informe Anual - 6. Trata de Personas: nuevas dinámicas delictivas. 2021.  
[https://consejociudadanomx.org/media/attachments/2021/12/20/informe\\_cap6.2021.pdf](https://consejociudadanomx.org/media/attachments/2021/12/20/informe_cap6.2021.pdf)
- 156 U.S. Embassy- Mexico City. Reporting. January 8, 2021.
- 157 EME EQUIS. Sobreviví a la Trata de Personas: Cómo un Refugio Cambió Mi Destino. February 24, 2021.  
<https://www.m-x.com.mx/al-dia/sobrevivi-a-la-trata-de-personas-como-un-refugio-cambio-mi-destino>
- 158 Thomson Reuters. Mexico criticized for misreporting data on migrant trafficking victims. July 8, 2020.  
<https://news.trust.org/item/20200708134656-mbhp2/>
- 159 Thomson Reuters. Mexico human trafficking cases stall as coronavirus bites. January 22, 2021.  
<https://news.trust.org/item/20210122151456-79lt3>
- 160 Government of Mexico. Decreto por el que se aprueba el Programa Nacional para Prevenir, Sancionar y Erradicar los Delitos en Materia de Trata de Personas y para la Protección y Asistencia a las Víctimas de estos Delitos 2014-2018. March 26, 2018.  
<https://www.gob.mx/indesol/documentos/decreto-por-el-que-se-aprueba-el-programa-nacional-para-prevenir-sancionar-y-erradicar-los-delitos-en-materia-de-trata-de-personas>
- 161 Sistema Nacional de Protección de Niñas, Niños y Adolescentes. Comisión Protección Integral de Niñas, Niños y Adolescentes Migrantes y Solicitantes de la Condición de Refugiado. February 27, 2020.  
<https://www.gob.mx/sipinna/documentos/comision-proteccion-integral-de-ninas-ninos-y-adolescentes-migrantes-y-solicitantes-de-la-condicion-de-refugiado>
- 162 Secretaría de Gobernación. Trabaja Gobierno de México en la Protección de Niñas, Niños y Adolescentes en Situación de Migración. June 1, 2019.  
<https://www.gob.mx/segob/prensa/trabajara-gobierno-de-mexico-en-la-proteccion-de-ninas-ninos-y-adolescentes-en-situacion-de-migracion-202470>
- 163 Comisión para la Protección Integral de Niñas, Niños y Adolescentes Migrantes y Solicitantes de la Condición de Refugiados. Informe 2021. 2021.  
[https://www.gob.mx/cms/uploads/attachment/file/702929/Informe\\_2021\\_-\\_Comisi\\_n\\_Migraci\\_n\\_SIPINNA\\_\\_VERSI\\_N\\_FINAL\\_-\\_10feb2022.pdf](https://www.gob.mx/cms/uploads/attachment/file/702929/Informe_2021_-_Comisi_n_Migraci_n_SIPINNA__VERSI_N_FINAL_-_10feb2022.pdf)
- 164 STPS. PROGRAMA Sectorial de Trabajo y Previsión Social 2020-2024. June 6, 2020.  
[http://dof.gob.mx/nota\\_detalle.php?codigo=5595490&fecha=24/06/2020](http://dof.gob.mx/nota_detalle.php?codigo=5595490&fecha=24/06/2020)
- 165 U.S. Embassy official. E-mail communication to USDOL official. June 6, 2022. Source on file.
- 166 SIPINNA. Programa Nacional de Protección de Niñas, Niños y Adolescentes 2021-2024. December 31, 2021.  
[https://www.gob.mx/cms/uploads/attachment/file/691437/PRONAPINNA\\_2021-2024.pdf](https://www.gob.mx/cms/uploads/attachment/file/691437/PRONAPINNA_2021-2024.pdf)
- 167 Secretaría del Trabajo y Previsión Social. Se publica Plan de Trabajo de la CITI 2021-2024, bajo el compromiso de prevenir y erradicar el trabajo infantil. Febrero 7, 2022.  
<https://www.gob.mx/stps/prensa/se-publica-plan-de-trabajo-de-la-citi-2021-2024-bajo-el-compromiso-de-prevenir-y-erradicar-el-trabajo-infantil?idiom=es>
- 168 Government of Mexico. Programa Nacional de Derechos Humanos 2020-2024. December 10, 2020.  
[https://dof.gob.mx/nota\\_detalle.php?codigo=5607366&fecha=10/12/2020](https://dof.gob.mx/nota_detalle.php?codigo=5607366&fecha=10/12/2020)
- 169 Secretaría de Gobernación. Vinculación con entidades federativas. May 27, 2022.  
[http://portales.segob.gob.mx/es/Derechos\\_Humanos/Boletines\\_Entidades](http://portales.segob.gob.mx/es/Derechos_Humanos/Boletines_Entidades)
- 170 Secretaría de Educación Pública. Boletín No. 211 La SEP hizo llegar al Congreso de la Unión las estrategias que mandataron las reformas constitucionales en materia educativa. November 13, 2019.  
<https://www.gob.mx/sep/articulos/la-sep-hizo-llegar-al-congreso-de-la-union-las-estrategias-que-mandataron-las-reformas-constitucionales-en-materia-educativa>
- 171 Secretaría de Educación Pública. Estrategia Nacional de Educación Inclusiva. November 22, 2019.  
[https://drive.google.com/file/d/1G83N833F5nyrhC6RhO3dgsMTtVUYR\\_Sj/view](https://drive.google.com/file/d/1G83N833F5nyrhC6RhO3dgsMTtVUYR_Sj/view)
- 172 U.S. Embassy- Mexico City. Reporting. January 17, 2020.
- 173 Proceso. La 4T desatendió cooperación con Centroamérica y fortaleció esquema de deportación. February 21, 2021.  
<https://www.proceso.com.mx/nacional/2021/2/21/la-4t-desatendio-cooperacion-con-centroamerica-fortalecio-esquema-de-deportacion-258740.html>



- 174 Secretaría de Relaciones Exteriores. Entrega oficial del Plan de Desarrollo Integral a El Salvador, Guatemala, Honduras y México por parte de la Cepal. September 17, 2021.  
<https://www.gob.mx/sre/prensa/entrega-oficial-del-plan-de-desarrollo-integral-a-el-salvador-guatemala-honduras-y-mexico-por-parte-de-la-cepal>
- 175 Latinus. Plan de AMLO para Centroamérica se atasca; tres años a paso lento. December 27, 2021.  
<https://latinus.us/2021/12/27/plan-de-amlo-para-centroamerica-se-atasca-tres-anos-a-paso-lento/>
- 176 Government of Mexico. Plan Nacional de Desarrollo (2019–2024). July 12, 2019.  
[https://www.dof.gob.mx/nota\\_detalle.php?codigo=5565599&fecha=12/07/2019](https://www.dof.gob.mx/nota_detalle.php?codigo=5565599&fecha=12/07/2019)
- 177 Alliance 8.7.org. Alliance 8.7 Pathfinder Countries. Accessed: April 16, 2020.  
<https://www.alliance87.org/partners/#tab-1>
- 178 Government of Mexico. Alliance 8.7 Roadmap. September 27, 2019. Source on file.
- 179 Government of Mexico. First Report on Advancements. January 21, 2021. Source on file.
- 180 STPS. Mexico Pathfinder Country Progress Report 2021–2022. July 2022.  
[https://alliance87.org/wp-content/uploads/2022/07/ES\\_Progress\\_Report\\_MEXICO\\_21-22.pdf](https://alliance87.org/wp-content/uploads/2022/07/ES_Progress_Report_MEXICO_21-22.pdf)
- 181 Instituto Nacional de Mujeres. Programa Nacional para la Igualdad entre Mujeres y Hombres 2020–2024. December 22, 2020.  
[http://www.dof.gob.mx/nota\\_detalle.php?codigo=5608467&fecha=22/12/2020](http://www.dof.gob.mx/nota_detalle.php?codigo=5608467&fecha=22/12/2020)
- 182 Government of Mexico. Informe Trata de Personas 2020 Preguntas para Reporte. March 3, 2020. Source on file.
- 183 Coordinación Nacional de Becas para el Bienestar Benito Juárez. Beca Bienestar para las Familias de Educación Básica. December 1, 2018.  
<https://www.gob.mx/becasbenitojuarez/articulos/be-ca-bienestar-para-las-familias-de-educacion-basica>
- 184 Coordinación Nacional de Becas para el Bienestar Benito Juárez. Beca Benito Juárez para jóvenes de Educación Media Superior. January 1, 2019.  
<https://www.gob.mx/becasbenitojuarez/articulos/be-ca-benito-juarez-para-jovenes-de-educacion-media-superior-216589>
- 185 La Verdad. AMLO: Becas para el Bienestar Benito Juárez. December 13, 2019.  
<https://laverdadnoticias.com/mexico/AMLO-Becas-para-el-Bienestar-Benito-Juarez-20191213-0210.html>
- 186 Milenio. Incorporar becas y pensiones de la 4T a Constitución es “un reto financiero”: Delgado. February 24, 2020.  
<https://www.milenio.com/politica/reto-financiero-agregar-constitucion-becas-pensiones-4t>
- 187 Milenio. Becas no llegan y jóvenes sin poder inscribirse en escuelas. January 27, 2020.  
<https://www.milenio.com/politica/comunidad/tamaulipas-becas-llegan-jovenes-inscribirse-escuela>
- 188 Milenio. Alumnos hacen largas filas para cobrar beca 'Benito Juárez'. November 11, 2019.  
<https://www.milenio.com/estados/torre-on-alumnos-largas-filas-cobrar-be-ca-benito-juarez>
- 189 Milenio. “No hemos recibido nada”; estudiantes sobre becas Benito Juárez. November 5, 2019.  
<https://www.milenio.com/politica/comunidad/tamaulipas-estudiantes-molestos-retiro-be-ca-benito-juarez>
- 190 Milenio. AMLO sustituye Prospera con su programa de becas. September 23, 2019.  
<https://www.milenio.com/especiales/amlo-sustituye-prospera-con-su-programa-de-becas>
- 191 Coordinación Nacional de Becas para el Bienestar Benito Juárez. Alcanzan Becas para el Bienestar Benito Juárez cobertura de 9.8 millones de estudiantes en 2021. December 30, 2021.  
<https://www.gob.mx/becasbenitojuarez/prensa/alcanzan-becas-para-el-bienestar-benito-juarez-cobertura-de-9-8-millones-de-estudiantes-en-2021?idiom=es>
- 192 Instituto Nacional de los Pueblos Indígenas. Programa de Apoyo a la Educación Indígena. Accessed: February 21, 2020. Source on file.
- 193 Instituto Nacional de los Pueblos Indígenas. El INPI apoya a estudiantes indígenas con el Programa de Apoyo a la Educación Indígena. 2021.  
<http://www.inpi.gob.mx/focalizada/2021/paei/index.html>
- 194 Department of Labor. Measurement, Awareness-Raising, and Policy Engagement (MAP I6) Project on Child Labor and Forced Labor. Accessed: March 2, 2020.  
<https://www.dol.gov/agencies/ilab/measurement-awareness-raising-and-policy-engagement-map-i6-project-child-labor-and>
- 195 U.S. Department of Labor. Campos de Esperanza (Fields of Hope) Project Summary. 2020.  
<https://www.dol.gov/agencies/ilab/campos-de-esperanza-fields-hope>
- 196 U.S. Department of Labor. Senderos: Sembrando Derechos, Cosechando Mejores Futuros Project Summary. 2020.  
<https://www.dol.gov/agencies/ilab/senderos-sembrando-derechos-cosechando-mejores-futuros>
- 197 U.S. Department of Labor. Building a Comprehensive Government of Mexico Approach to Combating Child Labor and Forced Labor Project Summary. 2022.  
<https://www.dol.gov/agencies/ilab/building-comprehensive-government-mexico-approach-combating-child-labor-and-forced#>
- 198 U.S. Department of Labor. EQUAL Project Summary. 2020.  
<https://www.dol.gov/agencies/ilab/equal-equal-access-quality-jobs-women-and-girls-mexico>
- 199 U.S. Department of Labor. Sustentar: Project to Build and Strengthen Sustainability Systems in the Tomato and Chile Sectors in Mexico Project Summary. 2022.  
<https://www.dol.gov/agencies/ilab/sustentar-project-build-and-strengthen-sustainability-systems-tomato-and-chile#>
- 200 U.S. Department of Labor. COFFEE Project Summary. 2020.  
<https://www.dol.gov/agencies/ilab/cooperation-fair-free-equitable-employment-coffee-project>
- 201 U.S. Department of Labor. Improving Workers' Occupational Safety and Health in Selected Supply Chains in Mexico – A Vision Zero Fund Project Summary. 2020.  
<https://www.dol.gov/agencies/ilab/improving-workers-occupational-safety-and-health-selected-supply-chains-mexico-vision>
- 202 STPS. Comunicado: Trabajo Infantil. August 21, 2019.  
<https://www.gob.mx/stps/prensa/comunicado-trabajo-infantil-213904>
- 203 Americas Quarterly. What AMLO's Anti-Poverty Overhaul Says About His Government. February 26, 2019.  
<https://www.americasquarterly.org/content/what-amlos-anti-poverty-overhaul-says-about-his-government>
- 204 Revista Espejo. Mexicanos Primero Sinaloa señala aciertos y desafíos ante presupuesto educativo 2021. December 18, 2020.  
<https://revistaespejo.com/2020/12/18/mexicanos-primero-sinaloa-senala-aciertos-y-desafios-ante-presupuesto-educativo-2021/>
- 205 UNODC. Detección y prevención de la trata de personas en comunidades indígenas de México. Accessed: February 23, 2021.  
[https://www.unodc.org/mexicoandcentralamerica/es/sectors/Proyecto\\_Trata\\_Personas\\_comunidades\\_indigenas.html](https://www.unodc.org/mexicoandcentralamerica/es/sectors/Proyecto_Trata_Personas_comunidades_indigenas.html)
- 206 ILO. Taller de formación para periodistas: Migración Laboral, Trabajo Forzoso y Contratación Equitativa. September 28, 2019.  
[https://www.ilo.org/global/topics/labour-migration/events-training/WCMS\\_726006/lang--en/index.htm](https://www.ilo.org/global/topics/labour-migration/events-training/WCMS_726006/lang--en/index.htm)

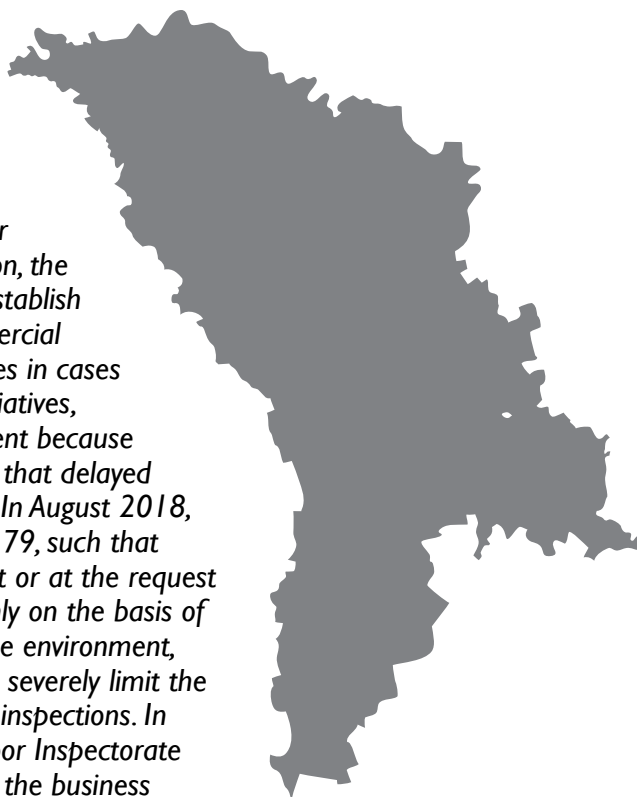


## MODERATE ADVANCEMENT

- 207 El Pais. La educación de 3,6 millones de niños pobres a la deriva: el Gobierno elimina el programa Escuelas a Tiempo Completo. March 2, 2022.  
<https://elpais.com/mexico/2022-03-02/la-educacion-de-36-millones-de-ninos-pobres-a-la-deriva-el-gobierno-elimina-el-programa-escuelas-a-tiempo-completo.html>
- 208 El Sol de Mexico. Indígenas tienen casi 4 años menos de escolaridad que el resto de la población. November 30, 2020.  
<https://www.elsoldemexico.com.mx/mexico/sociedad/indigenas-tienen-casi-4-anos-menos-de-escolaridad-que-el-resto-de-la-poblacion-6079686.html>
- 209 Animal Politico. Trabajo infantil: un problema que el gobierno ignorará. December 3, 2020.  
<https://www.animalpolitico.com/blog-invitado/trabajo-infantil-un-problema-que-el-gobierno-ignorara/>
- 210 Forbes Mexico. La 4T busca desaparecer Escuelas de Tiempo Completo, a pesar de resultados positivos. September 11, 2021.  
<https://www.forbes.com.mx/noticias-desaparece-programa-escuelas-tiempo-completo-ppef2021/>
- 211 La Silla Rota. Sin Presupuesto, Escuelas de Tiempo Completo, adeudan 28 mmdp. February 24, 2021.  
<https://lasillarota.com/estados/sin-presupuesto-escuelas-de-tiempo-completo-adeudan-28-mdp/489770>

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

In 2021, Moldova made minimal advancement in efforts to eliminate the worst forms of child labor. In January, Law No. 191 went into effect, 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. Legislation was passed to permit a staffing increase at the State Labor Inspectorate from 73 to 104 full-time inspectors. In addition, the Prosecutor General's Office introduced new legislation to establish prescriptive sentences for trafficking in persons and commercial sexual exploitation, including provisions for harsher penalties in cases with aggravated circumstances. However, despite these initiatives, 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 that 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 labor inspections, including of hazardous child labor, lack adequate funding, personnel, and equipment. 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. (I-5) Table I provides key indicators on children's work and education in Moldova.

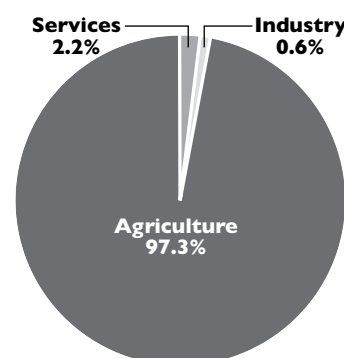
**Table I. Statistics on Children's Work and Education**

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 (%)		103.9

Source for primary completion rate: Data from 2020, published by UNESCO Institute for Statistics, 2022. (6)

Source for all other data: International Labor Organization's analysis of statistics from Labour Force Survey-Child Labour Survey (LFS-SIMPOC), 2009. (7)

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



# Moldova

## MINIMAL ADVANCEMENT – EFFORTS MADE BUT CONTINUED LAW 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	Agriculture,† including growing and harvesting crops, picking fruits, and raising farm animals (1-3,5,8-13)
	Forestry, including transporting heavy loads (8)
	Fishing, including feeding fish (8)
Industry	Construction,† including carrying heavy loads and welding† (2,5,8,9)
	Manufacturing (1)
	Working in the garment sector (1,3)
	Baking,† including confectionary and food preservation (1,3)
	Sanitation and waste management (2)
Services	Street work, including portering, begging, and washing cars (1,2,4,13-16)
	Domestic work (3,16)
	Working in wholesale, retail, restaurants, amusement parks, and transportation (1-3,12,16)
Categorical Worst Forms of Child Labor‡	Commercial sexual exploitation, sometimes as a result of human trafficking (1,3,5,13,16-18)
	Forced begging (1,3,5,13,16,18)
	Use in illicit activities, including the trafficking of drugs (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.

Lack of information limits an assessment of the types of work that children perform and the sectors in which they work, including in the separatist region of Transnistria, which is not under the control of Moldovan authorities. (1-3,8,16) Civil society sources report that the child labor situation in Transnistria does not differ significantly from the rest of Moldova. (1,2) However, survivors of child labor and human trafficking in Transnistria do not have access to Moldovan legal protections or social services. (5)

Both boys and girls as young as age 10 are forced into various forms of commercial sexual exploitation. (3,4,14,17,18) Online sexual exploitation of children, including the production and distribution of child pornography, has increased in recent years. (1,8) Moldova is also a destination country for tourism for the purpose of commercial sexual exploitation of children. (4,17) Due to travel restrictions related to the COVID-19 pandemic, reports of human trafficking outside of the country decreased during the reporting period. Most cases of commercial sexual exploitation of children occurred in the capital city of Chisinau. (1)

Trafficking of children, particularly those suffering from familial neglect, continues to be a concern in Moldova and Transnistria. (4,5,10,13,16,19,20) Traffickers exploit children ages 5 to 14 for the purpose of commercial sexual exploitation and child labor, mainly in the agricultural, service, and industrial sectors. (17) Children living on the street or abandoned by parents migrating abroad remain particularly vulnerable to child labor and human trafficking, and observers express concern that corrupt management in state institutions like orphanages and boarding schools exploits children in domestic services or on farms. (1,5,8,13,16-19) Vulnerable children from Transnistria are at an increased risk of being trafficked through Ukraine's Odessa region. (18,21,22)







During the reporting period, the Ministry of Education, Culture and Research mandated the reporting of daily attendance in all preschool, 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. (1,2) 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. (1,2,13,17) 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. (1,2)

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

## II. LEGAL FRAMEWORK FOR CHILD LABOR

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

**Table 3. Ratification of International Conventions on Child Labor**

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

The government 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 (23)
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 (23,24)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Government Decision No. 541; Articles 2 and 3 of the Collective Convention on Elimination of the Worst Forms of Child Labor; Articles 103, 105, 255, and 256 of the Labor Code (23-25)
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 (23,24,26,27)
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; Article 206 of the Criminal Code (24,27,29)
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 (24,27,30,31)
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 (24,27)
Minimum Age for Voluntary State Military Recruitment	Yes	18	Article 12 of Law No. 162-XVI on the Status of Military Servicemembers (32)
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 (33)
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 (27,30)
Compulsory Education Age	Yes	18	Articles 13 and 152 of the Education Code of 2014 (34)
Free Public Education	Yes		Article 35 of the Constitution; Article 9 of the Education Code of 2014 (26,34)

In 2021, the Prosecutor General's Office (PGO) introduced legislation aimed at standardizing sentences for individuals convicted of offenses related to human trafficking and commercial sexual exploitation. The draft legislation also includes provisions for harsher sentences in cases involving aggravated circumstances. (1)

The Labor Code's minimum age provisions do not meet international standards because they do not apply to all children working in the informal sector. Although Article 46(3) of the Labor Code permits children as young as age 15 to work, the law does not specify the conditions in which light work may be undertaken. (23) 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. (23,34)

### 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 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. (1,2,8,35) Publishes an annual report on the previous year's activities. (1,36) Oversees the National Coordination Unit, as well as the Child Labor Monitoring Unit which is responsible for coordinating activities related to the protection of survivors and those vulnerable to human trafficking. (22) In November 2021, the SLI collaborated with the ILO to launch an online platform for reporting worksite accidents, which is also designed to serve as a resource for labor inspectors to plan inspections. (37) 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. (38)
Committee for Combating Trafficking in Persons within the Ministry of Internal Affairs	Leads criminal investigations and arrests perpetrators of human trafficking offenses, including the trafficking of children for labor or commercial sexual exploitation. (8,17) Cooperates with the Border Police Inspectorate, National Anti-Corruption Center, and Customs Service. (2,8) Provides partial funding for the operation of a 24/7 trafficking in persons hotline. (17,18)
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 the PGO. (2,4,5) Includes a unit that investigates and prosecutes cases. (14)
Center for Combating Cybercrime within the Ministry of Internal Affairs	Investigates cybercrime, including online commercial exploitation of children, and is the unit with primary responsibility for investigating these crimes at the National Inspectorate for Investigations of the General Inspectorate of Police of the Ministry of Internal Affairs. (1,39)

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. (1,2,8,17,40-44) 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. (2,5,8,40-44) These laws permit 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. (40,44)

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." (1,2,38) Although the SLI is able to receive complaints, procedures to submit a complaint can be cumbersome, and complaints cannot be anonymous. (1,2,8,45) 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. (5,38,41) Labor inspectors may face disciplinary action or civil liability for investigating issues outside the scope of the specific complaint that triggered the inspection. (38) In 2021, these strict measures continued to limit the number and scope of onsite inspections, including unannounced inspections, that labor inspectors were empowered to conduct. (1,8,40,42,43)



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

The Transnistrian region is not under the control of Moldovan authorities, who are prevented from carrying out inspections and law enforcement there. (1,2,5,46,47)

**Labor Law Enforcement**

In 2021, labor law enforcement agencies in Moldova took actions to address child labor (Table 6). However, gaps exist within the authority of the Ministry of Health, Labor, and Social Protection that may hinder adequate labor law enforcement, including a 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	2020	2021
Labor Inspectorate Funding	\$795,613 (2)	\$705,364 (1)
Number of Labor Inspectors	78 (2)	104 (1)
Mechanism to Assess Civil Penalties	Yes (48)	Yes (48)
Initial Training for New Labor Inspectors	Yes (2)	Yes (1)
Training on New Laws Related to Child Labor	N/A (2)	N/A (1)
Refresher Courses Provided	Yes (2)	Yes (1)
Number of Labor Inspections Conducted	2,153 (2)	2,279 (1)
Number Conducted at Worksite	1,330 (2)	1,172 (1)
Number of Child Labor Violations Found	19 (2)	31 (1)
Number of Child Labor Violations for Which Penalties Were Imposed	2 (2)	6 (1)
Number of Child Labor Penalties Imposed that Were Collected	Unknown (2)	3 (1)
Routine Inspections Conducted	Yes (2)	Yes (1)
Routine Inspections Targeted	Yes (2)	Yes (1)
Unannounced Inspections Permitted	No (44)	No (44)
Unannounced Inspections Conducted	Unknown (49)	Unknown (1)
Complaint Mechanism Exists	Yes (2)	Yes (1)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (2)	Yes (1)

In January 2021, Law No. 191 went into effect and returned all labor inspection responsibilities to the SLI. (1,8) Moldova reported employing 104 labor inspectors in 2021, all of whom are permanent employees of the SLI. This staffing increase was the result of Government Decision 149, which increased the SLI staff limit to 104, up from 78 in previous years. (1) According to the ILO's technical advice of a ratio approaching 1 inspector for every 20,000 workers in transition economies, Moldova would need to employ roughly 65 labor inspectors. (50,51) However, the SLI has reported that its funding and the number of labor inspectors are insufficient to adequately conduct child labor inspections. (1,2,8) Although the SLI can recommend that penalties be assessed for labor violations, the authority to impose and collect these penalties remains with the courts. If an inspector finds that a violation of labor law has occurred, they must issue recommendations to the offender on how to resolve the violation. (1,2) If the violation is not resolved after the prescribed period (no less than 30 days, but no more than 90 days), then the SLI may refer the case to a competent court. This approach often results in employers making the recommended remediation to avoid a fine, then resuming the offending practice after the case has been cleared. (1)

By law, labor inspections must begin 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. (1,2,38) When reporting inspection data, the SLI divides inspections into two categories—those that appear on the annual inspection plan and those that arise during the year when triggered by complaints or incidents. The latter are considered to be unannounced whether they are preceded by a desk audit or not. (1) It is therefore not possible to determine whether any truly unannounced inspections took place in 2021, and if so, how many. During the reporting period, the SLI reported 31 labor violations involving minors. (1) The SLI also referred six cases to courts for penalties, one of which was rejected. Courts imposed fines in three cases, and two remain

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

outstanding. (1) In one case, the SLI found that a firm illegally employed minors at a clothing factory and made recommendations to the firm on how to bring their employment into conformity with Moldovan labor standards. However, before any further action could be taken, the minors reportedly left the firm. (1) 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. The number of child survivors of abuse, trauma, and exploitation supported by NGOs is substantially greater than the number of government investigations of such cases. (1,5)

During the reporting period, the government did not provide labor inspectors with any training specific to child labor. However, the ILO supported a training for 83 inspectors on creating a modern and effective labor inspection system. (1)

### Criminal Law Enforcement

In 2021, criminal law enforcement agencies in Moldova took actions to address child labor (Table 7). However, gaps exist within the operations of enforcement agencies that may hinder adequate criminal law enforcement, including a lack of training for new criminal investigators.

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

Overview of Criminal Law Enforcement	2020	2021
Initial Training for New Criminal Investigators	Yes (2)	Yes (1)
Training on New Laws Related to the Worst Forms of Child Labor	No (2)	N/A (1)
Refresher Courses Provided	Yes (2)	Yes (1)
Number of Investigations	16 (2)	55 (52)
Number of Violations Found	32 (2)	34 (52)
Number of Prosecutions Initiated	21 (2)	15 (52)
Number of Convictions	1 (2)	22 (52)
Imposed Penalties for Violations Related to the Worst Forms of Child Labor	No (2)	Yes (52)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (2)	Yes (1)

During the reporting period, law enforcement authorities took several steps to prevent and eliminate the rise in cases of online commercial sexual exploitation of children, such as obtaining new specialized equipment from the U.S. Government to investigate cybercrime, including child pornography. The Committee for Combating Trafficking in Persons (CCTIP) and other law enforcement agencies sent officers, both newly employed and veterans, to at least 15 different trainings on human trafficking, child pornography, child online sexual exploitation, and child protection. (1,53) Additionally, the PGO, in coordination with an NGO, created a guide on addressing sexual abuse and exploitation of children through information technologies among children who spent significant amounts of time online as a result of the pandemic. The government also made efforts to reduce the demand for commercial sex acts by developing, in collaboration with an NGO, the methodology for a behavioral analysis study of convicted child sex offenders. (5)

In 2021, authorities initiated 14 new investigations into cases of trafficking children for commercial exploitation, and 4 new investigations of trafficking children for labor exploitation. Courts also convicted 25 individuals for child trafficking and 24 individuals for child pornography offenses. (53) The government reported additional investigations, prosecutions, and convictions for child labor offenses, but did not provide any further details for inclusion in this report. (52) However, reports indicate that many authorities still lack adequate training to identify potential child trafficking survivors. (5) Laws providing special interview services for child survivors of human trafficking are also not uniformly applied, which can result in re-traumatization of survivors. In some cases involving child survivors ages 14 to 18, judges permitted traffickers to be present during child interviews and often refused to apply special interviewing measures, such as conducting interviews in specially equipped rooms and with a psychologist present. (4,5,53) Even in cases in which children are provided with alternate means of

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

testifying, such as from a separate room with video and audio recording, these rooms are often not adequately soundproofed which results in the child being able to hear everything that is happening in the main courtroom, including the suspect's reactions to their testimony. (53)

The PGO expanded its mandate to investigate child sexual exploitation cases involving information and communication technologies, and approved guidelines for identifying, investigating, and prosecuting such cases. (4) Within the judiciary, specialized judges are trained specifically to handle cases involving human trafficking and other related crimes, such as child pornography. (13) Judges sometimes reclassified cases from human trafficking crimes to crimes with lesser penalties, such as pimping. When such reclassification occurs, survivors of human trafficking are no longer protected by the provision of the criminal code that exempts trafficking survivors from criminal liability for offenses committed because of their exploitation. (5) Sources report that child survivors of human trafficking were in some cases charged for their participation in unlawful acts that they were compelled to commit as a result of being trafficked. (5)

Criminal investigators within the CCTIP have well-furnished offices as a result of U.S. Government support over the last 10 years. However, the CCTIP does not have sufficient vehicles or fuel allocations for its daily investigation activities, nor does it have updated computer equipment. (1,2) High staff turnover in the past year has also hindered the CCTIP's effectiveness. (1,2,17)

## 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 effective coordination of efforts to address child labor, including a lack of 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 preventing exploitation of children, including in child labor. (2,8,54,55) 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. (54) Research was unable to determine whether the council was active during the reporting period.
National Committee for Combating Trafficking in Persons	Coordinates efforts to prevent and eliminate child trafficking and child sexual exploitation. Members include SLI, Security and Intelligence Service, Agency for Public Services, and other government departments. (1,3,9,16,21) Drafts legislation related to human trafficking, participates in human anti-trafficking campaigns, and develops national action plans. In April 2021, published a report on the previous year's activities. (56)
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 survivor identification and referral for crisis intervention and rehabilitation. (2,16) Part of MHLSP, and represents the main institutional mechanism for the provision of rehabilitation and reintegration assistance to survivors of labor exploitation and sexual violence. NRS continued to operate during the reporting period. (1,2,57)
Intersectorial Collaboration Mechanism for the Protection of Children	Enables social services to refer cases to law enforcement when children are presumed to be at risk of violence, neglect, exploitation, or human trafficking. Implemented through collaboration between public authorities at the central or local level. (1,5) Research was unable to determine whether this mechanism was active during the reporting period.
National Council for the Protection of Child Rights	Coordinates national efforts to address child exploitation and improve access to education. (9) Chaired by the Prime Minister, and includes the Deputy Minister of Health, Labor, and Social Protection, as well as representatives from the Ministries of Justice, Education, Interior, Foreign Affairs and European Integration, and others. (2) Has a working group to discuss existing gaps in the current birth registration process and develop recommendations. (58) Research was unable to determine whether the council was active during the reporting period.
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. (59) In 2021, published several reports on child welfare including impacts of the COVID-19 pandemic, progress on compliance with UN conventions, and an analysis of the Ombudsman's activities between 2016 and 2020. (60-62)

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

The expansion of the National Referral System into a National Referral Mechanism that would merge with other survivor assistance mechanisms and offer protection and services to additional vulnerable populations, proposed in 2020, has not yet been approved. (2,5) As in previous years, the number of survivors referred for services continues to be far lower than the number of victims identified due to limited resources. (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 a lack of implementation.

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

Policy	Description
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 parental migration. (65) 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. (8,55)

### VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2021, 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 inadequacy to address the problem in all sectors.

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

Program	Description
Decent Work Country Program (2021–2024)	ILO program that aims to gather statistics on the prevalence of child labor; build the capacity of the labor inspectorate, and eliminate labor exploitation in the construction and agriculture sectors. In 2021, the government signed a new Decent Work agreement for 2021 through 2024, which focuses on creating inclusive and productive employment for youth, effective protection at work, and improved social dialogue. (66)
Center for Protection and Assistance for Victims of Human Trafficking†	Government-funded shelter for survivors of human trafficking from Moldova that offers accommodations, rehabilitation, and reintegration services, and which contains a special wing for child survivors. (1,2,8) In 2021, 57 children received services at this shelter. (1)
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. (1,8,13) In 2021, the helpline received 3,349 calls. (1)
Hotlines‡	A dedicated children's hotline is managed by MHLSP, and refers cases within NRS. (1,4,8) In 2021, the child hotline received seven calls, all of which resulted in investigations of either child labor or child trafficking. (53) PGO manages the Anti-Trafficking Green Line Telephone for specialist prosecutors. (1,2,8) In addition, the NGO La Strada manages the national hotline for women and children, which received 2,040 calls in 2021. (1)
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 2021. (1,2,67) The Social Support Service for Families with Children program has operated since 2013. The government allocated \$1.85 million for families in 2021. (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. (4,8,18)

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 survivors of sexual exploitation and sexual abuse. (1,2,5,13) Existing social programs do not meet the current level of need, particularly for children working in agriculture and child survivors of human trafficking who require long-term care. (4,8)

### 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 Moldova (Table 11).

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

**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.	2020 – 2021
	Ensure that the law's light work provisions are sufficiently specific to prevent children from involvement in child labor.	2020 – 2021
	Raise the minimum age for work to the age up to which education is compulsory.	2018 – 2021
Enforcement	Clearly define the responsibilities of the Child Labor Monitoring Unit and ensure that it is able to carry out its mandate.	2019 – 2021
	Strengthen the labor inspection system by eliminating barriers for onsite inspections and conducting unannounced inspections.	2018 – 2021
	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 – 2021
	Increase funding for the State Labor Inspectorate to ensure that it provides inspectors with the resources necessary to inspect for child labor.	2012 – 2021
	Ensure that the process to file child labor complaints is simple, transparent, and can be done anonymously.	2019 – 2021
	Ensure that labor inspectors receive training specific to child labor.	2021
	Ensure that judicial authorities and 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 – 2021
	Pursue prosecution of the worst forms of child labor under the appropriate statutes and maintain protection for survivors who commit crimes as a result of their exploitation.	2020 – 2021
	Ensure that all coordinating bodies are active and able to carry out their intended mandates.	2019 – 2021
Government Policies	Ensure that activities are undertaken to implement the Moldova Strategy Country Note Program Priorities and publish results from activities implemented during the reporting period.	2019 – 2021
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 – 2021
	Provide adequate resources for schools in rural and poorer communities, as well as those serving children with disabilities.	2020 – 2021
	Implement oversight of state children's institutions to prevent exploitation of children by management.	2021
	Enhance efforts to eliminate barriers to education by removing informal fees for school supplies.	2018 – 2021
	Institute targeted support programs that eliminate discrimination and violence against Roma children and promote equal access to education.	2014 – 2021
	Ensure sufficient support for child trafficking survivors and children working in agriculture.	2015 – 2021

## REFERENCES

- U.S. Embassy- Chisinau. Reporting. January 13, 2022.
- U.S. Embassy- Chisinau. Reporting. February 1, 2021.
- U.S. Embassy- Chisinau. Reporting. January 23, 2018.
- U.S. Embassy- Chisinau. Reporting. February 28, 2019.
- U.S. Department of State. Trafficking in Persons Report- 2021: Moldova. Washington, D.C., June 30, 2021. <https://www.state.gov/reports/2021-trafficking-in-persons-report/moldova/>
- UNESCO Institute for Statistics. Gross intake ratio to the last grade of primary education, both sexes (%). Accessed March 3, 2022. For more information, please see "Children's Work and Education Statistics: Sources and Definitions" in the Reference Materials section of this report. <http://data.uis.unesco.org/>
- ILO. Analysis of Child Economic Activity and School Attendance Statistics from National Household or Child Labor Surveys. Original Data from Labour Force Survey-Child Labour Survey (LFS-SIMPOC), 2009. Analysis received March 2021. Please see "Children's Work and Education Statistics: Sources and Definitions" in the Reference Materials section of this report.
- U.S. Embassy- Chisinau. Reporting. January 22, 2020.
- U.S. Embassy- Chisinau. Reporting. January 17, 2017.
- National Farmer's Federation of Moldova official. Interview with USDOL official. May 23, 2017.
- CNPAC official. Interview with USDOL official. May 22, 2017.
- UN Committee on Economic, Social, and Cultural Rights. Concluding observation on the third periodic report of the Republic of Moldova. October 17, 2017: E/C.12/MDACO/3. [http://tbinternet.ohchr.org/\\_layouts/treatybodyexternal/Download.aspx?symbolno=E/C.12/MDA/CO/3&Lang=en](http://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=E/C.12/MDA/CO/3&Lang=en)
- U.S. Embassy- Chisinau. Reporting. March 12, 2021.
- U.S. Embassy- Chisinau. Reporting. February 9, 2018.
- UN Committee on the Rights of the Child. Combined fourth and fifth periodic reports of the Republic of Moldova (continued). September 25, 2017: CRC/C/SR.2234. [http://tbinternet.ohchr.org/\\_layouts/treatybodyexternal/Download.aspx?symbolno=CRC/C/SR.2234&Lang=en](http://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=CRC/C/SR.2234&Lang=en)
- U.S. Embassy- Chisinau. Reporting. January 15, 2019.
- U.S. Department of State. Trafficking in Persons Report- 2020: Moldova. Washington, DC, June 24, 2020. <https://www.state.gov/reports/2020-trafficking-in-persons-report/moldova/>
- U.S. Embassy- Chisinau. Reporting. March 6, 2020.



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

- 19 Jarzabek, Hanna. Transnistria the price of unilateral independence. *Equal Times*. January 11, 2019.  
<https://www.equaltimes.org/transnistria-the-price-off#.XD9ST1xKi70>
- 20 Government of Moldova. As many as 2,600 children without parental care to daily receive state allowances. April 18, 2018.  
<https://gov.md/en/content/many-2600-children-without-parental-care-daily-receive-state-allowances>
- 21 U.S. Embassy- Chisinau. Reporting. February 10, 2017.
- 22 U.S. Embassy- Chisinau official. E-mail communication to USDOL official. March 5, 2019.
- 23 Government of Moldova. Labor Code of the Republic of Moldova, N 154-XV from 28.03.2003. Enacted: 2003.  
<http://www.lexadin.nl/wlg/legis/nofr/oeur/arch/mol/labour.doc>
- 24 Government of Moldova. Collective Convention on Elimination of Worst Forms of Child Labor, No. 8. Enacted: July 12, 2007. Source on file.
- 25 Government of Moldova. List of Jobs with Difficult, Harmful and/or Dangerous Working Conditions Prohibited for Children Under Age 18, Nr. 541. Enacted: July 7, 2014. Source on file.
- 26 Government of Moldova. Constitution of the Republic of Moldova. Enacted: 1994.  
<http://www.e-democracy.md/en/legislation/constitution>
- 27 Government of Moldova. Criminal Code of the Republic of Moldova. Enacted: April 18, 2002.  
<http://lex.justice.md/viewdoc.php?action=view&view=doc&id=331268&lang=2>
- 28 Government of Moldova. Request for Information on Efforts by Certain Countries to Eliminate the Worst Forms of Child Labor. December 28, 2016. Written communication. Source on file.
- 29 Government of Moldova. Law on Preventing and Combating Trafficking in Human Beings, No. 241-XVI. Enacted: October 20, 2005. As amended by Law No. 32. Enacted: March 15, 2018.  
<http://lex.justice.md/viewdoc.php?action=view&view=doc&id=375030&lang=2>
- 30 Government of Moldova. Law on the Rights of the Child, No. 338. Enacted: December 15, 1994.  
<http://lex.justice.md/index.php?action=view&view=doc&lang=1&id=311654>
- 31 Government of Moldova. Law No. 207, Amendments to Criminal Code. Enacted: July 7, 2016.  
<http://lex.justice.md/viewdoc.php?action=view&view=doc&id=367243&lang=2>
- 32 Government of Moldova. On the Status of Military Personnel, No. 162. XVI. Enacted: July 7, 2005.  
[http://lex.justice.md/document\\_rom.php?id=7F265895:857C7FF0](http://lex.justice.md/document_rom.php?id=7F265895:857C7FF0)
- 33 Government of Moldova. On the Preparation of Citizens for Homeland Defense, No. 1245-XV. Enacted: July 18, 2002.  
<http://lex.justice.md/md/312749/>
- 34 Government of Moldova. Education Code, Nr. 152 Enacted: November 23, 2014.  
<http://lex.justice.md/md/355156/>
- 35 Government of Moldova. Government Decree 788 on the organization and functioning of the State Labor Inspectorate. Chisinau. February 28, 2018.  
<http://lex.justice.md/viewdoc.php?action=view&view=doc&id=349841&lang=2>
- 36 Government of Moldova. Report on the Activity of Competent Authorities in the Field of Control of Compliance with Labor Relations and Occupational Health and Safety. May 2021.  
[https://ism.gov.md/sites/default/files/document/attachments/Raportul\\_privind\\_activitatea\\_autorităților\\_competente\\_în\\_domeniul\\_controlului\\_respectării\\_legislației\\_RM\\_SSM\\_pe\\_anul\\_2020.pdf](https://ism.gov.md/sites/default/files/document/attachments/Raportul_privind_activitatea_autorităților_competente_în_domeniul_controlului_respectării_legislației_RM_SSM_pe_anul_2020.pdf)
- 37 Mirage News. Laying foundation for safer workplaces in Moldova – Labour Inspectorate and ILO launch new IT platform on work accident reporting. December 9, 2021.  
<https://www.miragenews.com/laying-foundation-for-safer-workplaces-in-690697/>
- 38 U.S. Embassy- Chisinau. Reporting. March 24, 2021.
- 39 Council of Europe. Ministry of Internal Affairs of Moldova. Accessed January 14, 2022.  
<https://www.coe.int/en/.web/cybercrime/ministry-of-internal-affairs-md>
- 40 Government of Moldova. Law on State Control of Business Activities, No. 131. Enacted: June 6, 2012.  
<http://lex.justice.md/viewdoc.php?action=view&view=doc&id=344613&lang=2>
- 41 U.S. Embassy- Chisinau. Reporting. May 20, 2019.
- 42 ILO. Application of International Labour Standards 2019: Report of the Committee of Experts on the Application of Conventions and Recommendations. Geneva: ILO. February 8, 2019.  
[https://www.ilo.org/wcmsp5/groups/public/---ed\\_norm/---relconf/documents/meetingdocument/wcms\\_670146.pdf](https://www.ilo.org/wcmsp5/groups/public/---ed_norm/---relconf/documents/meetingdocument/wcms_670146.pdf)
- 43 ILO CEACR. Observation (CEACR) - adopted 2017, published 107th ILC session. 2018.  
[http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100\\_COMMENT\\_ID:3417448](http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:3417448)
- 44 Government of Moldova. Law No. 179. For amending some legislative acts. July 26, 2018.  
<http://lex.justice.md/md/376851/>
- 45 Government of Moldova. Law no. 116, Administrative Code of the Republic of Moldova. Enacted: July 19, 2019.  
<http://lex.justice.md/viewdoc.php?action=view&view=doc&id=376815&lang=2>
- 46 U.S. Department of State. Country Reports on Human Rights Practices- 2019: Moldova. Washington, D.C., March 11, 2020.  
<https://www.state.gov/reports/2019-country-reports-on-human-rights-practices/moldova/>
- 47 U.S. Embassy- Chisinau official. E-mail communication to USDOL official. July 24, 2019.
- 48 Government of Moldova. Law no. 218-XVI, the Contravention Code of the Republic of Moldova. Enacted: October 2008.  
<https://www.ilo.org/dyn/natlex/docs/ELECTRONIC/86500/97673/F144678591/MDA86500.pdf>
- 49 USDOS official. E-mail communication to USDOL official. June 10, 2021.
- 50 UN. World Economic Situation and Prospects 2012 Statistical Annex. New York. 2012.  
<http://www.un.org/en/development/desa/policy/wesp>
- 51 ILO modelled estimates and projections (ILOEST) – Population and labour force. Accessed (January 25, 2022). <https://ilostat.ilo.org/data/> Labor force data is modelled on a combination of demographic and economic explanatory variables by the ILO. Please see "Labor Law Enforcement: Sources and Definitions" in the Reference Materials section of this report.
- 52 U.S. Embassy- Chisinau. Communication to USDOL official. June 14, 2022.
- 53 U.S. Embassy- Chisinau. Reporting. February 3, 2022.
- 54 Government of Moldova. Government Decision No. 65 on the National Council on Human Rights. Enacted: February 11, 2019.  
[https://www.legis.md/cautare/getResults?doc\\_id=112706&lang=ru](https://www.legis.md/cautare/getResults?doc_id=112706&lang=ru)
- 55 Government of Moldova. Human Rights National Action Plan for 2018–2022. Adopted May 24, 2018.  
[http://lex.justice.md/UserFiles/File/2018/mo309-320ru/plan\\_89.docx](http://lex.justice.md/UserFiles/File/2018/mo309-320ru/plan_89.docx)
- 56 Government of Moldova. National Report on the implementation of the 2020 policy for preventing and combating trafficking in human beings. April 6, 2021.  
[http://www.antitrafic.gov.md/public/files/Raport\\_TFU\\_2020\\_ENG.pdf](http://www.antitrafic.gov.md/public/files/Raport_TFU_2020_ENG.pdf)
- 57 The Ministry of Labor, Social Protection, and Family of the Republic of Moldova. NRS: A Framework for Cooperation Between Public Authorities and Civil Society for Preventing and Combating Trafficking in Human Beings. 2013. Report No. 1316.037. Source on file.

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

- 58 Government of Moldova. National Council for Protection of Child Rights Rule Nr. 1. Enacted: April 4, 2016.  
[http://www.cnpdc.gov.md/sites/default/files/document/attachments/hotarire\\_var\\_5\\_semnata.pdf](http://www.cnpdc.gov.md/sites/default/files/document/attachments/hotarire_var_5_semnata.pdf)
- 59 Government of Moldova. Office of the Ombudsman: About Us, General Presentation. Accessed July 6, 2020.  
<http://ombudsman.md/en/despre/prezentare-general/>
- 60 Government of Moldova. Office of the Ombudsman. Moldova: Child Rights Impact Assessment in the Context of the COVID-19 Pandemic. 2021.  
[http://ombudsman.md/wp-content/uploads/2022/01/Moldova-2021-CRIA-Report\\_EN-fin-1.pdf](http://ombudsman.md/wp-content/uploads/2022/01/Moldova-2021-CRIA-Report_EN-fin-1.pdf)
- 61 Government of Moldova. Office of the Ombudsman. Тематический Доклад «Мониторинг и реализация рекомендаций Детского Омбудсмана в течение срока мандата 2016 – 2020 гг.». 2021.  
<http://ombudsman.md/wp-content/uploads/2021/09/implem-recom-omb-2016-2020.pdf>
- 62 Government of Moldova. Office of the Ombudsman. Оценка потребностей в приведении регулирующей базы механизмов, через которые обеспечивается защита детей, находящихся в ситуациях риска, в соответствие с международными стандартами для обеспечения надлежащего мониторинга конвенции ООН о правах ребенка. 2021.  
[http://ombudsman.md/wp-content/uploads/2021/09/rus\\_STUDIU\\_copii\\_Gorincioi-1.pdf](http://ombudsman.md/wp-content/uploads/2021/09/rus_STUDIU_copii_Gorincioi-1.pdf)
- 63 Government of Moldova. Child Protection Strategy, No. 434. Enacted: October 6, 2014.  
<http://lex.justice.md/md/353459/>
- 64 Government of Moldova. Decision No. 461. On the approval of the National Strategy for Preventing and Combating Trafficking in Human Beings for the years 2018–2023 and the Action Plan for the years 2018–2020 regarding its implementation. Chisinau. May 22, 2018.  
[http://antitrafic.gov.md/public/files/Strategy\\_and\\_Plan\\_antitrafic\\_ENG\\_publicat.pdf](http://antitrafic.gov.md/public/files/Strategy_and_Plan_antitrafic_ENG_publicat.pdf)
- 65 UNICEF. Moldova Strategy Note Country Program Priorities 2018–2022. 2018.  
[http://files.unicef.org/transparency/documents/Moldova Strategy Note Final.pdf](http://files.unicef.org/transparency/documents/Moldova%20Strategy%20Note%20Final.pdf)
- 66 ILO. Republic of Moldova and ILO sign new cooperation agreement to ensure best results in delivering decent work. October 12, 2021.  
[https://www.ilo.org/budapest/whats-new/WCMS\\_822570/lang--en/index.htm](https://www.ilo.org/budapest/whats-new/WCMS_822570/lang--en/index.htm)
- 67 Government of Moldova. Law No. 133 on Social Benefits. June 13, 2008.  
<http://lex.justice.md/viewdoc.php?action=view&view=doc&id=329197&lang=1>

In 2021, Mongolia made moderate advancement in efforts to eliminate the worst forms of child labor. Through the United States-Mongolia Child Protection Compact Partnership, the government formed a Multi-Disciplinary Taskforce of more than 18 governmental and non-governmental organizations to address human trafficking. It also revised its Labor Law to set the minimum age for work at 15 and the minimum age for light work at 13. In addition, the National Statistical Committee, in cooperation with International Labor Organization Mongolia, started collecting information



for a national-level survey on child labor. However, 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. Mongolia's Revised Labor Law allows for unannounced inspections, but only in the formal work sector, which may impede the enforcement of child labor laws. Mongolia also lacks sustained training opportunities for child protection officers and labor inspectors. In addition, the government did not provide full information on its criminal law enforcement efforts, including information on training for criminal investigators and the number of prosecutions initiated, for inclusion in this report.

## 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. (1-6) 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, 2022. (7)

Source for all other data: International Labor Organization's analysis of statistics from Multiple Indicator Cluster Survey 6 (MICS 6), 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	Animal husbandry,† including herding† (2,6,9,10)
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† (2,6,9,10) Mining† coal,† gold, and fluorspar (2,6,10,12,13)
Services	Horse jockeying† (1,3,6,9,14,15) Scavenging in garbage dumpsites (2,6,9) Handling freight† (2,6) Domestic work† (6,9) Ticket-taking for public transportation† (6,10,14) Street work, including vending,† and washing cars (6,10,13,17)

**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 (6,9,10,15-19)
	Forced labor in begging (9,10,16,17)
	Forced labor in construction, mining, horse jockeying, animal husbandry, industrial sectors, and contortionist work (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.

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 victims were forced to work from client's homes, making it difficult to detect child trafficking. (6,9,15,16,18,20-22) During the reporting year, online sexual trafficking of children, especially for sexual abuse, pornography, grooming, and sextortion, increased, including 23 underaged victims found to be involved in online sexual trafficking. (6,23)

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. (2,12,16) 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. (1,3,4,10,17,18,24-26) 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. (3,4,12,15,17,27-30) 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. (12,15,26,27) During the reporting year, there were 1,918 instances of child jockey participation. (6)

In October 2021, the Government of Mongolia, in cooperation with ILO Mongolia, started collecting information for a national-level survey on child labor. Survey results will be published in 2023. (6)

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 may become victims of sex trafficking while their parents are on extended shift rotations. (9,12) 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. (9)







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. (10,12,15,17,30,31) In addition, families must register their residence and provide an original copy of a child's birth certificate for their children to have access to a free public education. (10,17) Many children—including many children with disabilities—lacked appropriate resources to access these services, such as electricity, laptops, and televisions. (10,32) According to educators, although Government Resolution No. 235 (Measures Regarding Inclusive Education) mandates that all mainstream schools accept students with disabilities, the infrastructure is inadequate to allow full accessibility to students with disabilities. (10,30,32,33) According to Mongolia’s National Statistics Office, more than 100,000 persons live with disabilities in Mongolia, including 12,000 children. Outside Ulaanbaatar, none of Mongolia’s provinces have schools appropriate for children with special needs, which means about 40 percent of these children stay home. (34)

During the reporting period, most in-class education was suspended until September 2021 due to the pandemic. Virtual learning was not available for families in poverty, which has inadvertently pushed vulnerable children into hazardous working conditions, including working longer hours. (6)

## 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 a minimum age for work that is lower than the compulsory school age.

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

Standard	Meets International Standards	Age	Legislation
Minimum Age for Work	Yes	15	Articles 3, 142.1 and 165 of the Revised Labor Law (35)
Minimum Age for Hazardous Work	Yes	18	Article 142.2 of the Revised Labor Law; List of Jobs and Occupations Prohibited to Minors (35-37)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Articles 2 and 3 of the List of Jobs and Occupations Prohibited to Minors; Article 8 of the Law on the National Naadam Holiday (27,37)
Prohibition of Forced Labor	Yes		Article 142.2 of the Revised Labor Law; Articles 13.1, 16.4, and 16.10 of the Criminal Code; Articles 2, 3, 15, and 17 of the Law on Combating Trafficking in Persons; Article 7 of the Law on Labor; Article 7 of the Law on the Rights of the Child (35,38-40)
Prohibition of Child Trafficking	Yes		Article 3 of the Law on Combating Trafficking in Persons; Article 13.1 of the Criminal Code (38,39,41)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Articles 12.3, 13.1, 16.8, 16.9 and 115 of the Criminal Code; Articles 8.1.3 and 10.2 of the Combating Pornography and Prostitution Act; Article 3 of the Law on Combating Trafficking in Persons (38,41,42)
Prohibition of Using Children in Illicit Activities	Yes		Article 142.2 of the Revised Labor Law; Article 192 of the Criminal Code (35)
Minimum Age for Voluntary State Military Recruitment	Yes	18	Article 12 of the Law on Military (43)
Prohibition of Compulsory Recruitment of Children by (State) Military	Yes		Article 12 of the Law on Military (43)
Prohibition of Military Recruitment by Non-state Armed Groups	No		
Compulsory Education Age	Yes	16	Article 46 of the Law on Education (44)
Free Public Education	Yes		Article 16 of the Constitution of Mongolia; Articles 6.1–6.3 of the Law on Education (44,45)

The Revised Labor Law was enacted on July 2, 2021, and its provisions went into effect on January 1, 2022. It has several provisions related to child labor: (6,35) The law includes a formal prohibition of child labor exploitation; sets the minimum age for work at 15, with light work permitted for children ages 13 and older; requires a tripartite labor agreement between the employer, a legal guardian, and the child for underage children to be able



## MODERATE ADVANCEMENT

to work; and permits unannounced inspections in the formal work sector. (6,35) However, light work activities have not yet been defined.

As the minimum age for work is lower than the compulsory education age, children may be encouraged to leave school before the completion of compulsory education

### III. ENFORCEMENT OF LAWS ON CHILD LABOR

The government has established institutional mechanisms for the enforcement of laws and regulations on child labor (Table 5). However, gaps exist within the authority of 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 (GASI)	Enforces labor laws, including those related to child labor. (9,22,28) Conducts inspections at registered businesses in the formal sector. (9,28)
National Police Agency (NPA)	Maintains primary responsibility for investigating criminal cases. (21,22) Provides protection to victims and witnesses throughout the judicial process. Reports to the Ministry of Justice and Home Affairs. (21,22) In 2021, created a specific Division for Combating Against Domestic Violence and Crimes Against Children, which increased the nationwide police capacity to 103 officers who work on crimes against children. (46) 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. The Juvenile Crime Prevention Unit protects children from being victims of crime and prevents them from committing crimes. (18) 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 comprises of one chief police officer and four junior investigators. (9,19,20,22) Uses an 11-question risk assessment checklist to help accurately identify human trafficking victims and refers them to short- or long-term care facilities. (9,10,16,19,22) The Criminal Police Department can take action against individuals complicit in the worst forms of child labor but is not empowered to close venues in which child labor is found. (22)
Anti-Trafficking Enforcement: Mongolian Immigration Agency and General Authority for Border Protection	Responsible for investigating trafficking cases involving victims who cross international borders, including children. Both agencies track and identify minors who cross the border, including minors who cross the border with adults but are left behind when the accompanying adult returns to Mongolia. (22)
Family, Child, and Youth Development Agency (FCYDA)	Employs 41 child rights officers who oversee child protection issues, including child labor, and identifies and removes children working under hazardous conditions. Maintains a nationwide, toll-free child helpline for reporting child labor and child rights violations. (6) Helpline is staffed by 22 employees, a social worker, and a response team that is available 24 hours a day. (6)

During the reporting period, a special division to address crimes against children was created under the Investigation Department of the National Police Agency (NPA). The NPA assigned 53 police officers nationwide (1 officer per 8,000 children) to protect children from domestic violence and crimes against children. (6,23)

In September 2021, the Anti-Trafficking in Persons Division of the Criminal Police Department, along with the Ministry of Labor and Social Protection (MLSP) and the Gender Equality Center (GEC), jointly organized anti-trafficking training for 60 police officers, investigators, child protection officers, and prosecutors. In December 2021, it also co-organized training with the GEC on interagency cooperation to identify trafficking victims for 21 investigators and prosecutors. (6)

During the reporting period, the Family, Child, and Youth Development Agency (FCYDA) helpline received 108 hazardous child labor calls, 359 sexual abuse calls, and 5 child trafficking-related calls that were referred for further assistance to appropriate agencies. (6,23) In addition, the FCYDA maintains a nationwide database for tracking case status and the social services needs of vulnerable children, which is accessible from all FCYDA local and central offices. In 2021, the FCYDA reported it assisted 144 child laborers nationwide. (6)

**Labor Law Enforcement**

In 2021, labor law enforcement agencies in Mongolia took actions to address child labor (Table 6). However, gaps exist within the operations of enforcement agencies that may hinder adequate labor law enforcement, including insufficient financial resource allocation.

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

Overview of Labor Law Enforcement	2020	2021
Labor Inspectorate Funding	\$709,330 (32)	Unknown (6)
Number of Labor Inspectors	83 (32)	86 (6)
Mechanism to Assess Civil Penalties	Yes (36)	Yes (36)
Initial Training for New Labor Inspectors	No (32)	Yes (6)
Training on New Laws Related to Child Labor	N/A (10)	Yes (6)
Refresher Courses Provided	Yes (32)	Yes (6)
Number of Labor Inspections Conducted	1,566 (32)	1,364 (6)
Number Conducted at Worksite	1,566 (32)	1,364 (6)
Number of Child Labor Violations Found	0 (32)	Unknown (6)
Number of Child Labor Violations for Which Penalties Were Imposed	0 (32)	Unknown (6)
Number of Child Labor Penalties Imposed that Were Collected	0 (32)	Unknown (6)
Routine Inspections Conducted	Yes (32)	Unknown (6)
Routine Inspections Targeted	Yes (32)	Yes (6)
Unannounced Inspections Permitted	No (47)	No (35)
Unannounced Inspections Conducted	N/A (10)	No (6)
Complaint Mechanism Exists	Yes (10)	Yes (6)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (10)	Yes (6)

During the reporting period, NGO and government officials reported that the enforcement of child labor laws remained challenging due to the legal requirement that the General Agency for Specialized Inspection (GASI) must give employers 48 hours advance notification before conducting an inspection, particularly in the informal sector, which provides employers with enough time to conceal violations. (6,15,30)

During the reporting period, the government and NGOs noted that funding and resources for inspectors remained insufficient. (6,9,48) Many labor inspectors were transferred to full-time COVID-19 prevention and operations duties for most of the year, and the government cancelled all mining, road, and construction inspections in 2021. (6) Although the FCYDA reported that its child rights officers did not receive any training in 2021, 145 GASI inspectors were trained in addressing and preventing trafficking in persons, including labor exploitation and child labor, under the project co-implemented by the Mongolian MLSP and the South Korean Ministry of Gender Equity and Family. (6)

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 the required insurance; however, GASI does not have the authority to impose penalties for child labor law violations found in horse-racing. (10,17,18,30) 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. (49,50) In addition, liability for violations related to horse racing appears to extend only to stakeholders and the 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. (49,50)

The government did not publicly release information on its labor law enforcement efforts, including information on labor inspectorate funding, the number of child labor violations found, and whether routine inspections were conducted.

# Mongolia

## MODERATE ADVANCEMENT

### **Criminal Law Enforcement**

In 2021, criminal law enforcement agencies in Mongolia took actions to address child labor (Table 7). However, gaps exist within the operations of criminal enforcement agencies that may hinder adequate criminal law enforcement, including lack of training for criminal investigators.

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

Overview of Criminal Law Enforcement	2020	2021
Initial Training for New Criminal Investigators	Yes (10)	Unknown (6)
Training on New Laws Related to the Worst Forms of Child Labor	N/A (10)	Unknown (6)
Refresher Courses Provided	Unknown (10)	Unknown (6)
Number of Investigations	41 (10)	23 (6)
Number of Violations Found	Unknown (10)	Unknown (6)
Number of Prosecutions Initiated	12 (32)	Unknown (6)
Number of Convictions	Unknown (10)	0 (6)
Imposed Penalties for Violations Related to the Worst Forms of Child Labor	Unknown (10)	Unknown (6)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (10)	Yes (6)

Mongolian police reported one case of a child in forced hazardous labor. There also were reports of 14 potential underage victims of sexual exploitation who were identified and whose cases were under investigation in 2021. (6)

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. (6,9,17,21,22) 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. (9,12) 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. (9,12,51)

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. (9,10) 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. (9,32,41)

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. (9,32,52) The NPA 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. (10,22,32) 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. (9,13,22,53)

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. (10)

## **IV. COORDINATION OF GOVERNMENT EFFORTS ON CHILD LABOR**

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

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

Coordinating Body	Role & Description
National Committee for Children	Serves as the overall coordinating body for nationwide child protection efforts. Implements the National Program on Child Development and Protection (2017–2021). (6,10) Established in 2018 and headed by the Prime Minister, with the Minister of Labor and Social Protection (MLSP) as deputy head. (6,10) Mandate for the committee was renewed in December 2020 and remained active. (6)
National Anti-Trafficking Sub-Council	Mandate renewed in February 2021. Chaired by the Crime Prevention and Coordination Council. (54) Coordinates government efforts to address human trafficking and monitors implementation of anti-trafficking legislation. (22,52) Functions as part of the Council on Crime Prevention under the Ministry of Justice and Home Affairs. (48) In 2020, 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 interagency coordination of identification and protection of child trafficking victims, and investigation and prosecution of child trafficking crimes. (22) Met once in 2021. (6)
Ministry of Justice and Home Affairs, Crime Prevention and Coordination Council	Coordinates working-level law enforcement efforts related to trafficking in persons. Overseen by the Ministry of Justice and Home Affairs. (22) Remained active during the reporting year. (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 a lack of 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 the National Action Plan. (16) Coordinates child labor and child protection issues through the MLSP; Education, Culture, Science and Sports; and Health. (16,55) In an effort to advance the National Program on Child Development and Protection, FCYDA accredited 41 NGOs to assist in providing child protection services. (18) During the reporting period, it was reported that no specific funding was allocated for this program. (6)
Child Protection Compact Partnership (2020–2024)	Partnership between the Governments of Mongolia and the United States. (10,22,51,53,56) A \$5.5 million cooperative agreement to fight all forms of child trafficking led by World Vision. Works with the Crime Prevention and Coordinating Council and National Sub-Council on Trafficking in Persons. (51,53–57) Objectives include: improving interagency coordination and collaboration of child trafficking investigation, prosecution, protection, and prevention efforts by establishing and maintaining an operational Multi-Disciplinary Task Force under the National Sub-Council on Trafficking in Persons; improving the quality of victim-centered investigations and prosecutions with the goal of increasing the number of effective prosecutions and convictions of child trafficking cases; strengthening the Government of Mongolia's and civil society's capacity to identify victims of child trafficking and provide comprehensive specialized services to victims of child sex trafficking and forced child labor; and increasing efforts to prevent child sex trafficking and forced child labor through school, community, and online mechanisms that educate relevant stakeholders regarding the risks and indicators of child trafficking and increase the capacity of public officials, civil society, and private sector stakeholders to take appropriate action. (53–58) In 2021, created a multi-disciplinary task force representing 18 governmental and non-governmental organizations to implement victim-centered, collaborative, and sustainable approaches to identifying human trafficking victims, especially child trafficking victims. (6,23) Held a bilateral dialogue between U.S. and Mongolian government officials and civil society organizations in November 2021. (59)
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. (9,21,22,52) Implemented and managed by the National Anti-Trafficking Sub-Council. (9,21,22) Aims to strengthen efforts to prevent different types of human trafficking, including the commercial sexual exploitation of children, and improve protective services for survivors by using the internationally recognized principles of the "Four Ps"—prevention, protection, prosecution, and partnership. (13,16,20,22,24,52) During the reporting year, budgeted \$141,140 to implement its programs and \$117,403 for planned activities, while the remaining funds were redirected to respond to the pandemic. (46)
State Policy on Herders (2020–2024)	Describes the acceptable minimum conditions and criteria for employing children in herding. (60) 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. (61) Revised policy was adopted in 2020; however, changes did not relate to child labor or child protection. (46)

# Mongolia

## MODERATE ADVANCEMENT

### VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2021, 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 inadequacy of programs to address the full scope of the problem.

**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 the 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. (16,62) In 2021, the government provided \$35 per child to mitigate some of the economic impacts of the pandemic. (6,30,63)
School Lunch Program†	Government-mandated program that subsidizes meals to encourage low-income children to attend school, particularly at the primary level. (28) Program was halted during pandemic-related school closures and funds were used to provide emergency assistance to children of families in need. (6)
Dream Umbrella*	Coordination Council of Crimes Prevention of Mongolia, in partnership with the IOM, launched a public information campaign to raise awareness among young women on what human trafficking entails, where to report the crime or access reliable and trustworthy information, and how to refer a case or seek help. Funded by the Government of the Netherlands' Ministry for Foreign Trade and Development Cooperation. (64) In March 2021, organized a 21-day public information campaign to raise awareness among young women on what human trafficking entails, where to report the crime or access reliable and trustworthy information, and how to refer a case or seek help. Moreover, during the reporting year shared 98 public posts on the prevention of human trafficking. (46)

\* Program was launched during the reporting period.

† 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.

Research found that there is a shortage of long-term stay shelters, and most temporary shelters are not accessible to victims with disabilities. (9,16-18,21,22,30) Although Mongolia has programs that target child labor, the scope of these programs is insufficient to fully address the extent of the problem. (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 Mongolia (Table 11).

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

Area	Suggested Action	Year(s) Suggested
Legal Framework	Ensure that laws or regulations define what constitutes light labor work activities for children working at age 13.	2021
	Ensure that the law criminally prohibits the recruitment of children under age 18 by non-state armed groups.	2016 – 2021
	Ensure that laws adequately prohibit children under age 18 from horse racing at all times of the year.	2017 – 2021
	Raise the minimum age for work to the age up to which education is compulsory.	2021
Enforcement	Empower the Criminal Police Department to close venues found to be complicit in the worst forms of child labor.	2013 – 2021
	Publish and increase funding and resources for labor inspectors to conduct inspections.	2014 – 2021
	Conduct regular labor inspections—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 – 2021
	Provide sufficient training opportunities for criminal law enforcement officials, including training on new laws related to the worst forms of child labor.	2018 – 2021
	Permit child rights officers to impose child labor violations related to horse racing without requiring that the child suffer harm to prove a violation.	2021
	Provide adequate funding for law enforcement agencies and ensure that the procedural checklists used to identify human trafficking victims are used consistently.	2019 – 2021
	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 – 2021



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

Area	Suggested Action	Year(s) Suggested
Enforcement	Ensure that child trafficking victims are not fined, arrested, detained, or charged with crimes and administrative offenses as a result of having been subjected to human trafficking.	2020 – 2021
	Allow anti-trafficking police and prosecutors to work with one another and ensure that evidence related to human trafficking cases is collected to support investigations.	2020 – 2021
	Address malfeasance in all law enforcement agencies and investigate, prosecute, and convict government officials complicit in the worst forms of child labor.	2020 – 2021
	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 – 2021
Government Policies	Ensure that activities are undertaken to implement the National Program on Child Development and Protection and the National Program on Combating Trafficking in Persons.	2020 – 2021
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 infrastructure to allow full accessibility options for children with disabilities.	2019 – 2021
	Ensure that the School Lunch Program is implemented once schools reopen for in-person learning.	2020 – 2021
	Increase the availability of long-term stay shelter homes.	2019 – 2021
	Ensure that all government-run, government-funded shelter homes are accessible to children with disabilities.	2019 – 2021
	Expand existing programs to address the scope of the child labor problem.	2020 – 2021

**REFERENCES**

- Ambrose, Drew, & Connell. Mongolia's child jockeys risk death to race. Al Jazeera, August 28, 2017. <https://www.aljazeera.com/indepth/features/2017/08/mongolia-child-jockeys-risk-death-race-170826063128607.html>
- ILO & National Statistical Office of Mongolia. Report of National Child Labour Survey: 2011–2012. 2013. Source on file.
- Hogan, Libby. Mongolia's child jockeys risk injury and death to race, but is it tradition or just child labour? ABC News, October 14, 2019. <https://www.abc.net.au/news/2019-10-12/mongolia-child-jockeys-risk-injury-deaths-race-naadam-festival/11537892>
- Menarndt, Aubrey, & Bayartsogt, K. Mongolia puts the brakes on 'dangerous' winter horse racing. Al Jazeera, March 26, 2019. <https://www.aljazeera.com/indepth/inpictures/mongolia-puts-brakes-dangerous-winter-horse-racing-190314080106644.html>
- U.S. Department of State. Trafficking in Persons Report- 2021: Mongolia. Washington, D.C., July 1, 2021. [https://www.state.gov/reports/2021-trafficking-in-persons-report/mongolia\\_\\_trashed/](https://www.state.gov/reports/2021-trafficking-in-persons-report/mongolia__trashed/)
- U.S. Embassy- Ulaanbaatar. Reporting. January 27, 2022.
- UNESCO Institute for Statistics. Gross intake ratio to the last grade of primary education, both sexes (%). Accessed March 3, 2022. For more information, please see "Children's Work and Education Statistics: Sources and Definitions" in the Reference Materials section of this report. <http://data.uis.unesco.org/>
- ILO. Analysis of Child Economic Activity and School Attendance Statistics from National Household or Child Labor Surveys. Original data from Multiple Indicator Cluster Survey 6 (MICS 6), 2018. Analysis received March 2022. Please see "Children's Work and Education Statistics: Sources and Definitions" in the Reference Materials section of this report.
- U.S. Department of State. Trafficking in Persons Report- 2020: Mongolia. Washington, D.C., June 2020. <https://www.state.gov/reports/2020-trafficking-in-persons-report/mongolia/>
- U.S. Embassy- Ulaanbaatar. Reporting. January 21, 2021.
- U.S. Department of State. Trafficking in Persons Report- 2017: Mongolia. Washington, D.C., June 27, 2017. [https://www.state.gov/reports/2017-trafficking-in-persons-report/mongolia\\_\\_trashed/](https://www.state.gov/reports/2017-trafficking-in-persons-report/mongolia__trashed/)
- U.S. Embassy- Ulaanbaatar official. E-mail communication to USDOL official. February 12, 2020.
- ILO CEACR. Individual Direct Request concerning Worst Forms of Child Labour Convention, 1999 (No. 182) Mongolia (ratification: 2001). Published: 2021. [https://www.ilo.org/dyn/normlex/en/?p=1000:13100:0::NO:13100:P13100\\_COMMENT\\_ID:3998161](https://www.ilo.org/dyn/normlex/en/?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:3998161)
- U.S. Embassy- Ulaanbaatar official. E-mail communication to USDOL official. April 4, 2018.
- ILO CEACR. Individual Observation concerning Worst Forms of Child Labour Convention, 1999 (No. 182) Mongolia (ratification: 2001). Published: 2021. [https://www.ilo.org/dyn/normlex/en/?p=1000:13100:0::NO:13100:P13100\\_COMMENT\\_ID:3998161](https://www.ilo.org/dyn/normlex/en/?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:3998161)
- U.S. Embassy- Ulaanbaatar. Reporting. January 30, 2018.
- U.S. Embassy- Ulaanbaatar. Reporting. January 21, 2020.
- U.S. Embassy- Ulaanbaatar. Reporting. January 30, 2019.
- U.S. Embassy- Ulaanbaatar. Reporting. January 13, 2017.
- U.S. Embassy- Ulaanbaatar. Reporting. February 14, 2018.
- U.S. Embassy- Ulaanbaatar. Reporting. February 18, 2020.
- U.S. Embassy- Ulaanbaatar. Reporting. February 19, 2021.
- U.S. Embassy- Ulaanbaatar. Reporting. February 9, 2022.
- U.S. Department of State. Trafficking in Persons Report- 2019: Mongolia. Washington, D.C., June 20, 2019. [https://www.state.gov/reports/2019-trafficking-in-persons-report-2/mongolia\\_\\_trashed/](https://www.state.gov/reports/2019-trafficking-in-persons-report-2/mongolia__trashed/)
- The Straits Times. No joy ride: Mongolian child jockeys risk their lives in dangerous horse races despite ban. March 10, 2017. <http://www.straitstimes.com/asia/east-asia/no-joy-ride-mongolian-child-jockeys-risk-their-lives-in-dangerous-horse-races-despite>
- Davaasharav, Munkchimeg. Rights groups urge better treatment for Mongolia child jockeys. Reuters, July 14, 2018. Source on file.
- Government of Mongolia. Law on the National Naadam Holiday. Enacted: June 19, 2003. <http://legalinfo.mn/law/details/17?lawid=17>
- U.S. Department of State official. E-mail communication to USDOL official. June 30, 2020.
- Government of Mongolia. Government Resolution No. 57 (Actions to be taken regarding Horse Racings). January 31, 2019. Source on file.

## MODERATE ADVANCEMENT

- 30 U.S. Department of State. Country Reports on Human Rights Practices-2020: Mongolia. Washington, D.C., March 2020.  
<https://www.state.gov/wp-content/uploads/2021/03/MONGOLIA-2020-HUMAN-RIGHTS-REPORT.pdf>
- 31 UN Committee on Economic, Social and Cultural Rights. List of issues prior to submission of the fifth periodic report of Mongolia. November 21, 2019: E/C.12/MNG/QPR/5. Source on file.
- 32 U.S. Embassy- Ulaanbaatar official. E-mail communication with USDOL official. February 18, 2021.
- 33 Government of Mongolia. Government Resolution No. 235- Measures Regarding Inclusive Education. December 23, 2020.  
<https://legalinfo.mn/law/details/15845?lawid=15845>
- 34 U.S. Embassy- Ulaanbaatar. Reporting. June 15, 2021.
- 35 Government of Mongolia. Revised Labor Law. July 2, 2021. Source on File.
- 36 Government of Mongolia. Law of February 5, 2016, Amending the Labor Code of Mongolia, No. 25. Enacted: 1999. Source on file.
- 37 Government of Mongolia. The List of Jobs Prohibited to Minors (unofficial translation). Enacted: 2016. Source on file.
- 38 Government of Mongolia. Criminal Code of Mongolia (Revised). Enacted: 2002. Source on file.
- 39 Government of Mongolia. Law on Combating Trafficking in Persons. Enacted: 2012. Source on file.
- 40 Government of Mongolia. Law on the Protection of the Rights of the Child with Amendments. Enacted: 1999. Amended: 2003. Source on file.
- 41 Government of Mongolia. Criminal Code (Amended). Enacted: July 1, 2017. Source on file.
- 42 Government of Mongolia. Combating Pornography and Prostitution Act. Enacted: 1998. Source on file.
- 43 Government of Mongolia. Law on Military. Enacted: September 1, 2016.  
<http://legalinfo.mn/law/details/12124?lawid=12124>
- 44 Government of Mongolia. Law on Education. Enacted: May 3, 2002.  
<http://legalinfo.mn/law/details/9020?lawid=9020>
- 45 Government of Mongolia. Constitution of Mongolia. Enacted: 1992. Source on file.
- 46 U.S. Embassy-Ulaanbaatar official. E-mail communication with USDOL official. May 12, 2022.
- 47 Government of Mongolia. Law of Mongolia on State Supervision and Inspection. Ulaanbaatar, January 3, 2003. Source on file.
- 48 U.S. Embassy- Ulaanbaatar. Reporting. February 19, 2019.
- 49 Government of Mongolia. Law on Child Protection. Enacted: February 5, 2016. Source on file.
- 50 U.S. Embassy- Ulaanbaatar official. E-mail communication to USDOL official. July 6, 2020.
- 51 Unurzul, M. Mongolia-U.S. Child Protection Compact Partnership launches. Ulaanbaatar: Montsame, October 27, 2020.  
<https://montsame.mn/en/read/240916>
- 52 ILO CEACR. Individual Observation concerning Forced Labour Convention, 1930 (No. 29) Mongolia (ratification: 2005). Published: 2021.  
[https://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100\\_COMMENT\\_ID:4025033](https://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:4025033)
- 53 U.S. Department of State. Child Protection Compact Partnerships – Mongolia. October 27, 2020.  
<https://www.state.gov/child-protection-compact-partnerships-mongolia/>
- 54 U.S. Embassy- Ulaanbaatar official. E-mail communication with USDOL official. March 11, 2021.
- 55 ILO CEACR. Individual Observation concerning Minimum Age Convention, 1973 (No. 138) Mongolia (ratification: 2002). Published: 2021.  
[https://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100\\_COMMENT\\_ID:3997813](https://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:3997813)
- 56 AKIpress. U.S., Mongolia sign \$5 million child protection compact partnership deal. April 2, 2020.  
[https://akipress.com/news:638685:U\\_S\\_Mongolia\\_sign\\_\\$5\\_million\\_child\\_protection\\_compact\\_partnership\\_deal/](https://akipress.com/news:638685:U_S_Mongolia_sign_$5_million_child_protection_compact_partnership_deal/)
- 57 U.S. Department of State. Child Protection Compact Partnership Between the United States of America and Mongolia. April 2, 2020.  
<https://www.state.gov/child-protection-compact-partnership-between-the-united-states-of-america-and-mongolia/>
- 58 U.S. Embassy- Ulaanbaatar official. E-mail communication with USDOL official. July 6, 2022.
- 59 U.S. Department of State. United States and Mongolia Convene First Child Protection Compact (CPC) Partnership Bilateral Dialogue, U.S. Commits Additional \$500k in Funds. U.S. Embassy in Mongolia, November 21, 2021.  
<https://mn.usembassy.gov/pr-111921/>
- 60 Government of Mongolia. Approval of Government Policy on Herders. Ulaanbaatar, 2009. Source on file.
- 61 U.S. Embassy- Ulaanbaatar official. E-mail communication to USDOL official. March 23, 2016.
- 62 U.S. Department of State official. E-mail communication to USDOL official. May 22, 2018.
- 63 Bayarjargal, Ariun-Erdene. Mongolia's success and challenges against COVID-19. East Asia Forum, August 13, 2020.  
<https://www.eastasiaforum.org/2020/08/13/mongolias-success-and-challenges-against-covid-19/>
- 64 International Organization for Migration. IOM Launches New Anti-Trafficking Campaign in Mongolia. March 5, 2021.  
<https://www.iom.int/news/iom-launches-new-anti-trafficking-campaign-mongolia>

In 2021, Montenegro made moderate advancement in efforts to eliminate the worst forms of child labor. The government took several steps to counter child begging, including by establishing a new Coordination Body for Monitoring and Implementing the Protocol on How Bodies, Institutions, and Organizations in Montenegro Treat Children Living and Working on the Streets, which started revising the text of the Protocol. Additionally, the Parliament approved a new monthly cash allowance for children under age 6 and adopted the new Strategy for the Social Inclusion of Roma and Egyptians (2021–2025). However, children in Montenegro are subjected to the worst forms of child labor, including in commercial sexual exploitation, sometimes as a result of human trafficking. In addition, research found that the scope of programs to address child labor in street work is insufficient.



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

Children in Montenegro are subjected to the worst forms of child labor, including in commercial sexual exploitation, 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 (%)		103.8

Source for primary completion rate: Data from 2020, published by UNESCO Institute for Statistics, 2022. (3)

Source for all other data: International Labor Organization's analysis of statistics from Multiple Indicator Cluster Survey 5 (MICS 5), 2013. (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
Services	Street work, including vending small goods and begging (2)
Categorical Worst Forms of Child Labor‡	Commercial sexual exploitation, sometimes as a result of human trafficking (1,2,5,7,8)
	Forced begging (2)
	Forced domestic work (9-12)
	Use in illicit activities, including the harvesting and trafficking of drugs (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. (1,7,13) Some Roma, Ashkali, and Balkan Egyptian girls from Montenegro are sold and forced into domestic servitude in both Montenegro and Kosovo. (1,10,11) Children, especially girls, are victims of trafficking for commercial sexual exploitation internally and transnationally within the region. (1,7)

# Montenegro




## MODERATE ADVANCEMENT

The inability to enroll in school makes some Montenegrin children vulnerable to child labor. Some Roma, Ashkali, and Balkan Egyptian children, as well as some Kosovar children who are internally displaced, have difficulty accessing education services (along with other social services) because they lack birth registration documents. (2,7,12,14) This lack of birth records is often due to parents not registering their births or because their birth records were destroyed during recent conflicts. (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 and 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 and 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)

\* Country has no conscription (20)

During the reporting period, the new Law on Changes to the Law on Social and Child Protection was adopted by Parliament. The law declared that all children under the age of 6 should receive a monthly allowance; eligible children began receiving monthly allowances of approximately \$34 in October 2021. (6,23) Other children at risk for child labor, including those living at or below the national poverty level, may also be entitled to monthly allowances. (23)

During the reporting period, the government continued collaborating with the ILO to create a comprehensive list of hazardous jobs. (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 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	Leads and monitors the enforcement of labor laws, including those that protect working children and affect working conditions throughout the country. (13,24,25) Part of the Inspectorate General. (26)
Ministry of Interior	Houses the Police Directorate and the Office for the Fight Against Trafficking in Humans (Trafficking in Persons Department). Through its 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. (24,25) Prevents and investigates child begging by removing child beggars from the streets through the Beggar Task Force. (7,8) Through its 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. (24) Collects data on the number of police investigations, convictions, and court rulings, and submits them to the TIP Department. (24)
Ministry of Justice, Human, and Minority Rights	Enforces the Criminal Code by prosecuting crimes against children, including human trafficking, child begging, and child abuse. (24)
Ministry of Finance and Social Welfare (MFSW)	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. (24)

During the reporting period, the former Ministry of Justice was renamed the Ministry of Justice, Human, and Minority Rights. Additionally, the Ministry of Labor and Social Welfare divided its responsibilities between the newly formed Ministry of Finance and the Ministry of Economic Development, which also coordinates and monitors all labor relations on behalf of the government. (6)

#### **Labor Law Enforcement**

In 2021, labor law enforcement agencies in Montenegro took actions to address child labor (Table 6). However, gaps exist within the operations of the Ministry of Finance and Social Welfare that may hinder adequate labor law enforcement, including inadequate resource allocation.

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

Overview of Labor Law Enforcement	2020	2021
Labor Inspectorate Funding	\$887,498 (24)	Unknown (6)
Number of Labor Inspectors	42 (24)	44 (6)
Mechanism to Assess Civil Penalties	Yes (24)	Yes (16)
Initial Training for New Labor Inspectors	Yes (24)	Yes (6)
Training on New Laws Related to Child Labor	Yes (24)	N/A (6)
Refresher Courses Provided	No (24)	Yes (6)
Number of Labor Inspections Conducted	8,747 (24)	11,127 (6)
Number Conducted at Worksites	8,747 (24)	11,127 (6)



# Montenegro

## MODERATE ADVANCEMENT

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

Overview of Labor Law Enforcement	2020	2021
Number of Child Labor Violations Found	7 (24)	0 (6)
Number of Child Labor Violations for Which Penalties Were Imposed	0 (24)	N/A (6)
Number of Child Labor Penalties Imposed that Were Collected	0 (24)	N/A (6)
Routine Inspections Conducted	Yes (24)	Yes (6)
Routine Inspections Targeted	Yes (24)	Yes (6)
Unannounced Inspections Permitted	Yes (27)	Yes (27)
Unannounced Inspections Conducted	Yes (24)	Yes (6)
Complaint Mechanism Exists	Yes (24)	Yes (6)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (24)	Yes (6)

The Labor Inspectorate has 15 offices that proactively plan labor inspections. (24) 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. (24,25) The government maintains a database on children involved in begging, but it 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. (6) Children found during labor inspections can be sent to SWCs and accommodated in a government-financed, NGO-run shelter for human trafficking victims. (6) 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, particularly in the tourism sector throughout the coastal region. (6,24,28) Although Montenegro's number of labor inspectors is in line with the ILO's technical advice, reports indicate that the number of inspectors is still insufficient to adequately enforce its labor laws, particularly during the COVID-19 pandemic. (6)

During the reporting period, police assisted 119 children engaged in forced begging as part of the new "Operation Beggar" initiative. (6) Additionally, inspectors attended a number of trainings designed by the Human Resources Administration and the Trafficking in Persons Department of the Ministry of Interior about identification of victims of forced labor and trafficking in persons. The Strategy for Combating Trafficking in Persons 2019–2024 indicates that the Labor Inspectorate should conduct regular inspections to flag potential labor trafficking cases for follow-up. (6)

### Criminal Law Enforcement

In 2021, 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	2020	2021
Initial Training for New Criminal Investigators	Yes (24)	Yes (6)
Training on New Laws Related to the Worst Forms of Child Labor	Yes (24)	Yes (6)
Refresher Courses Provided	Yes (24)	Yes (6)
Number of Investigations	5 (24)	4 (6)
Number of Violations Found	4 (24)	4 (6)
Number of Prosecutions Initiated	3 (24)	0 (6)
Number of Convictions	2 (29)	1 (6)
Imposed Penalties for Violations Related to the Worst Forms of Child Labor	Yes (24)	Yes (6)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (24)	Yes (6)

An eight-member police unit within the Police Directorate investigates human trafficking and illegal migration throughout the country. (14) 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. The institution provides accommodation, protection, education, and therapy for children found living on the streets, and when parents are not available, children are referred to local SWCs for longer-term shelter and resources. (2,24)

In 2021, police pursued criminal charges against four individuals for trafficking in persons, with two cases related to labor exploitation of minors. Additionally, one individual was convicted and sentenced to two years in prison for exploitation of a minor through forced marriage. (6) Furthermore, 23 police investigators attended ILO-sponsored trainings on the identification and prevention of forced child labor. Also in 2021, the TIP Department collaborated with the OSCE Mission in Montenegro to train 68 investigators on suppression of trafficking in persons, including trafficking in persons for the purposes of the worst forms of child labor. (6)

#### IV. COORDINATION OF GOVERNMENT EFFORTS ON CHILD LABOR

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

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

Coordinating Body	Role & Description
Office of the National Anti-Trafficking Coordinator (TIP Department)	Coordinates efforts, projects, and legislation to prevent and eliminate 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. (2) Operates Trafficking in Persons working group to monitor and promote activities related to addressing 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. (2,25,28) During the reporting period, the Office expanded its membership to include representation from the new MFSW. (6)
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 MFSW and has 12 other members, including 4 NGO members. (2) In 2021, the Deputy Prime Minister assumed chairmanship of the Council (via the Minister of Finance and Social Welfare). The Council met once during the reporting period. (6)

During the reporting period, a number of government agencies worked to draft changes to the Protocol on How Bodies, Institutions, and Organizations in Montenegro Treat Children Living and Working on the Streets, including the creation of specific instructions and measures on how government and non-government entities interact when working with at-risk children. To this end, in March 2021, the Minister of Interior formed a new Monitoring Coordination Body that includes representatives from the Ministry of the Interior; the Police Administration; the Ministry of Education, Science, Culture and Sports; the Ministry of Health; the Ministry of Finance and Social Welfare; the Ministry of Justice, Human, and Minority Rights; and the Ombudsman's office. (6) The Monitoring Coordination Body met four times in 2021. (6)

#### 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 addressing human trafficking by raising public awareness, strengthening the capacity for victim identification and services provision, improving interagency coordination, and raising the efficiency of prosecutions. (30) During the reporting period, the Government of Montenegro approved the National Action Plan for 2021, which covered all forms of trafficking in persons and forced labor. (31)
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 is tasked with producing an annual report detailing the steps it has taken toward achieving the plan's goals. (32) Research was unable to determine whether the policy was active during the reporting period.

# Montenegro

## MODERATE ADVANCEMENT

**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. (33) Research was unable to determine whether the policy was active during the reporting period.
Strategy for the Social Inclusion of Roma and Egyptians (2021–2025)†	Aims 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 of Justice, Human, and Minority Rights. (6,34)
Strategy for Prevention and Protection of Children from Violence (2017–2021)	Strengthened the national framework in preventing violence against children, including improving legislation and the judicial system. (13,35) Included providing care and services for child victims or those at risk of violence. Aimed to improve protections for children in the country by 2021. (35) Research was unable to determine whether the policy was active during the reporting period.

† 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)

The government has not included child labor elimination and prevention strategies in the Strategy for Prevention and Protection of Children from Violence. (33)

## VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2021, 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 inadequacy 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)	Addressed access to social services for children, synchronized the legal framework with EU and UN standards, implemented and monitored policies relevant to children, and applied the principles of the UN CRC. (10,14,36) Research was unable to determine whether the program was active during the reporting period.
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. (37) Includes procedures on identifying, accommodating, and integrating these children. (37) Research was unable to determine whether the program was active during the reporting period.
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. (6) During the reporting period, the Hotline received 2,692 calls. (6)
Measurement, Awareness-Raising, and Policy Engagement (MAP 16) Project on Child Labor and Forced Labor	The government collaborated with ILO to implement the USDOL-funded MAP 16 project in Montenegro. Specific goals included 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 address child labor; and strengthening partnerships to accelerate progress in addressing child labor. (38) Additional information is available on the USDOL website.

† 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. (7,38,39)

In 2021, the government provided the Shelter for Victims of Human Trafficking with \$11,327 in funding. (6) 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. (7,24)

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. (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 Montenegro (Table 11).

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

Area	Suggested Action	Year(s) Suggested
Enforcement	Consistently track and publish information about children involved in the worst forms of child labor.	2017 – 2021
	Increase the number of prosecutions and convictions of perpetrators involved in commercial sexual exploitation.	2017 – 2021
Government Policies	Ensure that activities are undertaken to implement key policies related to child labor during the reporting period and that data on these activities are published.	2020 – 2021
Social Programs	Build the capacity of schools and other services and programs to accommodate and provide support for children with disabilities.	2015 – 2021
	Increase funding for human trafficking shelters, including for individuals with disabilities who are victims of human trafficking.	2018 – 2021
	Expand existing programs to address the scope of the child labor problem, especially in street work and forced begging.	2018 – 2021
	Make additional efforts to bolster birth registration for children from the Ashkali, Balkan Egyptian, and Roma communities.	2019 – 2021
	Ensure that activities are undertaken to implement key social programs to address child labor during the reporting period and make information about implementation measures publicly available.	2020 – 2021

### REFERENCES

- U.S. Department of State. Trafficking in Persons Report- 2019: Montenegro. Washington, D.C., June 20, 2019. <https://www.state.gov/reports/2019-trafficking-in-persons-report-2/montenegro/>
- U.S. Embassy- Podgorica. Reporting. February 5, 2020.
- UNESCO Institute for Statistics. Gross intake ratio to the last grade of primary education, both sexes (%). Accessed: March 16, 2022. For more information, please see “Children’s Work and Education Statistics: Sources and Definitions” in the Reference Materials section of this report. <http://data.uis.unesco.org/>
- ILO. Analysis of Child Economic Activity and School Attendance Statistics from National Household or Child Labor Surveys. Original data from Multiple Indicator Cluster Survey 5 (MICS 5), 2013. Analysis received March 2022. Please see “Children’s Work and Education Statistics: Sources and Definitions” in the Reference Materials section of this report.
- U.S. Embassy- Podgorica. Reporting. February 10, 2017.
- U.S. Embassy- Podgorica. Reporting. January 14, 2022.
- U.S. Embassy- Podgorica. Reporting. March 4, 2019.
- U.S. Embassy- Podgorica. Reporting. February 12, 2018.
- U.S. Department of State. Trafficking in Persons Report- 2017: Montenegro. Washington, D.C., June 27, 2017. <https://www.state.gov/reports/2017-trafficking-in-persons-report/montenegro/>
- U.S. Embassy- Podgorica official. E-mail communication to USDOL official. March 9, 2017.
- UN Committee on the Elimination of Discrimination against Women. Concluding Observations on the second periodic report of Montenegro: CEDW/C/MNE/CO/2. July 24, 2017. [http://tbinternet.ohchr.org/\\_layouts/treatybodyexternal/Download.aspx?symbolno=CEDAW/C/MNE/CO/2&Lang=En](http://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=CEDAW/C/MNE/CO/2&Lang=En)
- U.S. Department of State. Country Reports on Human Rights Practices- 2019: Montenegro. Washington, D.C., March 11, 2020. <https://www.state.gov/reports/2019-country-reports-on-human-rights-practices/montenegro/>
- U.S. Embassy- Podgorica. Reporting. January 22, 2019.
- U.S. Embassy- Podgorica official. E-mail communication to USDOL official. February 15, 2019.
- U.S. Department of State. Country Reports on Human Rights Practices- 2020: Montenegro. Washington, D.C., March 30, 2021. <https://www.state.gov/reports/2020-country-reports-on-human-rights-practices/montenegro/>
- Government of Montenegro. Labor Law, No. 49/08. Enacted: 2008. [https://www.ilo.org/dyn/natlex/docs/ELECTRONIC/80457/86884/F-68295504/MGO80457\\_Mgo\\_2012.pdf](https://www.ilo.org/dyn/natlex/docs/ELECTRONIC/80457/86884/F-68295504/MGO80457_Mgo_2012.pdf)
- Government of Montenegro. Regulations on Measures of Protection in the Workplace. Enacted: 2015. Source on file.
- Government of Montenegro. Constitution of the Republic of Montenegro. Enacted: October 22, 2007. [http://www.ilo.org/dyn/natlex/natlex\\_browse.details?p\\_lang=en&p\\_country=MGO&p\\_classification=01.01&p\\_origin=COUNTRY&p\\_sortby=SORTBY\\_COUNTRY](http://www.ilo.org/dyn/natlex/natlex_browse.details?p_lang=en&p_country=MGO&p_classification=01.01&p_origin=COUNTRY&p_sortby=SORTBY_COUNTRY)
- Government of Montenegro. Criminal Code of Montenegro. Enacted: November 1, 1996. <http://www.mpa.gov.me/en/library/zakoni?alphabet=lat?query=criminalcode&sortDirection=desc>
- Government of Montenegro. Law on the Armed Forces of Montenegro. Enacted: December 29, 2009. <http://www.mod.gov.me/ResourceManager/FileDownload.aspx?rid=283610&rType=2&file=Zakon o Vojsci Crne Gore.pdf>
- Government of Montenegro. Declaration of the Law on the Army of Montenegro. Podgorica. July 28, 2017. <http://www.mod.gov.me/ResourceManager/FileDownload.aspx?rid=283610&rType=2&file=Zakon o Vojsci Crne Gore.pdf>
- Government of Montenegro. Law on Primary Education. Enacted: July 30, 2013. <http://www.mpin.gov.me/biblioteka/zakoni>
- European Commission. Montenegrin Parliament adopts changes to minimum wage and child allowance. July 1, 2021. <https://ec.europa.eu/social/BlobServlet?docId=24692&langId=en#:~:text=At the same session, the,Parliament of Montenegro, 2021d>
- U.S. Embassy- Podgorica. Reporting. January 15, 2021.
- U.S. Embassy- Podgorica. Reporting. January 12, 2018.
- U.S. Embassy- Podgorica official. E-mail communication to USDOL official. May 11, 2018.
- Government of Montenegro. Law on Labor Inspections. Enacted: 2008. Source on file.
- U.S. Embassy- Podgorica. Reporting. February 23, 2021.
- U.S. Embassy- Podgorica. Reporting. May 17, 2021.
- Government of Montenegro. Strategy for Combatting Trafficking in Human Beings 2019–2024. Podgorica. 2019. Source on file.
- U.S. Embassy- Podgorica. Reporting. January 28, 2022.
- Government of Montenegro. Strategy for Exercising the Rights of the Child in Montenegro 2019–2023. Podgorica. May 2019. Source on file.

## MODERATE ADVANCEMENT

- 33 Government of Montenegro. Strategy for Developing Social and Child Protection for 2018 to 2022. Podgorica. September 2017.  
[http://www.zsdzcg.me/images/Biblioteka/Strategija\\_razvoja\\_sistema\\_socijalne\\_i\\_djecje\\_zastite\\_za\\_period\\_od\\_2018\\_do\\_2022\\_godine.docx](http://www.zsdzcg.me/images/Biblioteka/Strategija_razvoja_sistema_socijalne_i_djecje_zastite_za_period_od_2018_do_2022_godine.docx)
- 34 U.S. Embassy- Podgorica official. Communication with USDOL official. April 28, 2022.
- 35 Government of Montenegro. Strategy for Prevention and Protection of Children from Violence 2017–2021. Podgorica. March 2017.  
<http://www.mrs.gov.me/ResourceManager/FileDownload.aspx?rid=274449&rType=2&file=Strategija>
- 36 U.S. Embassy- Podgorica official. E-mail communication to USDOL official. June 4, 2019.
- 37 Government of Montenegro. Standard operating procedures for dealing with children who are divided from parents or without family, with special action on proactive identification of potential human trafficking victims. 2017. Source on file.
- 38 Radio Televizija Crne Gore. Books for first grade students. Herceg Novi: Radio Televizija Crne Gore, August 9, 2018.  
<http://www.rtcg.me/vijesti/drustvo/211327/knjige-za-ucenike-prva-tri-razreda.html>
- 39 Radio Televizija Crne Gore. Data for improving the program for children. Radio Televizija Crne Gore, September 26, 2018.  
<http://www.rtcg.me/vijesti/drustvo/215847/podaci-za-unapredjenje-programa-za-djecu.html>



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

Although research found no evidence that child labor exists in Montserrat, in 2021, the government made minimal advancement in efforts to prevent the worst forms of child labor. The government issued one-time cash payments to families with children as part of its COVID-19 relief efforts. However, Montserrat is assessed as having made only minimal advancement because it continued to implement a law that delays advancement to prevent the worst forms of child labor. Labor inspectors do not have the authority to conduct unannounced inspections, as they must obtain either the business owner's consent or a search warrant in order to enter a business for the purposes of performing an inspection. The lack of unannounced inspections may leave potential violations of child labor laws and other labor abuses undetected in workplaces. Additionally, 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) Table 1 provides one key indicator on children's education in Montserrat.

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




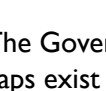


Children	Age	Percent
Primary Completion Rate (%)		96.8

Source for primary completion rate: Data from 2019 published by UNESCO Institute for Statistics, 2022. (2)

### II. LEGAL FRAMEWORK FOR CHILD LABOR

British Overseas Territories (BOTs) recognize the jurisdiction and sovereignty of the United Kingdom (UK), but are constitutionally not part of the UK. They are self-governing, except in the areas of foreign affairs and defense. (3) Domestic UK law does not generally apply unless explicitly extended to Montserrat. (3) 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. (3) 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 failure to criminalize the use of children in illicit activities.

# Montserrat

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

**Table 3. Laws and Regulations on Child Labor**

Standard	Meets International Standards	Age	Legislation
Minimum Age for Work	Yes	16	Parts 3 and 9 of the Labor Code (4)
Minimum Age for Hazardous Work	Yes	18	Parts 3, 9, and 10 of the Labor Code (4)
Identification of Hazardous Occupations or Activities Prohibited for Children	No		Part 9 of the Labor Code (4)
Prohibition of Forced Labor	Yes		Part VIII-A, Sections 138A, 138D, and 202D of the Penal Code; Part IV, No. 55 of the Constitution Order (5,6)
Prohibition of Child Trafficking	Yes		Part VIII-A, Sections 138A–D, and Part XIV-A of the Penal Code (5)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Part VIII-A, Sections 138A–B of the Penal Code (5)
Prohibition of Using Children in Illicit Activities	No		Articles 3 and 96(8) of the Labor Code (4)
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 (4)
Compulsory Education Age	Yes	16	Chapter II, Part 3 of the Education Act (7)
Free Public Education	Yes		Chapter II, Part 1 of the Education Act (7)

\* Country has no conscription (8)

Children under age 18 may not be employed at night or in occupations designated as hazardous. (4) The Labor Code allows children as young as age 14 to engage in light work; however, Montserrat does not have a list of activities that constitute light work, nor does it specify the conditions under which light work may be undertaken, or limit the number of hours for light work. (4) The Minister of Labor for Montserrat is responsible for deciding what constitutes hazardous work; however, Montserrat has not determined by national law or regulation the types of hazardous work prohibited for children. (4,9) 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. (4,8,9)

### 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, Montserrat 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	Prohibits the employment of children, pursuant to the Labor Code under the Labor Commissioner. (10)
Royal Montserrat Police Service	Enforces the laws of Montserrat, including child labor laws. (11)
Department of Social Services	Employs social workers to work on child protection issues. (12) In 2021, issued one-time cash payments to all families with children as part of COVID-19 relief efforts. (13)

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. (9) According to Article 8 of the Labor Code, labor inspectors must obtain either the employer's permission or a search warrant to enter a business for the purposes of performing an inspection. As a result, labor inspectors do not have the authority to conduct unannounced inspections. (4) When a report is made of any form of abuse involving a child, 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. (9)

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

### IV. COORDINATION OF GOVERNMENT EFFORTS ON CHILD LABOR

As there is no evidence of a problem, there appears to be no need for mechanisms to coordinate efforts to address child labor.

### V. GOVERNMENT POLICIES ON CHILD LABOR

As there is no evidence of a problem, there appears to be no need for policies to address child labor.

### 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, during the reporting period, the Statistics Department of Montserrat within the Ministry of Finance and Economic Management published the results of a 2020 labor force survey which includes information on working children. However, the survey only targets workers over age 15, and, as such, does not account for children below the minimum age who may be working. (14)

### 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 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 – 2021
	Ensure that the law specifies the types of light work acceptable for children as young as age 14 as well as permitted working conditions and hours.	2020 – 2021
	Determine the types of hazardous work prohibited for children, in consultation with employers' and workers' organizations.	2017 – 2021
	Establish laws to prohibit the use of children in illicit activities.	2020 – 2021
	Ensure that the law criminally prohibits the recruitment of children under age 18 by non-state armed groups.	2016 – 2021
Enforcement	Ensure that the labor inspectorate is authorized to conduct unannounced inspections.	2019 – 2021
Social Programs	Ensure that national labor surveys capture information about all workers, including children working below the minimum age for employment.	2021

### REFERENCES

- U.S. Embassy- London. Reporting. February 3, 2022.
- UNESCO Institute for Statistics. Gross intake ratio to the last grade of primary education, both sexes (%). Accessed March 3, 2022. For more information, please see "Children's Work and Education Statistics: Sources and Definitions" in the Reference Materials section of this report. <http://data.uis.unesco.org/>
- U.S. Embassy- London. Reporting. January 24, 2017.
- Government of Montserrat. Labor Code. Enacted: December 27, 2012. <https://www.ilo.org/dyn/natlex/docs/ELECTRONIC/100191/120080/F148320011/GBR100186.pdf>
- Government of Montserrat. Penal Code (Amendment) Act 2010. Enacted: April 15, 2010. <http://agc.gov.ms/wp-content/uploads/2009/03/No.-7-of-2010-Penal-Code-Amendment-Act-20102.pdf>
- Government of Montserrat. The Montserrat Constitution Order 1989. Enacted: January 8, 1990. <http://www.legislation.gov.uk/uksi/1989/2401/contents/made>
- Government of Montserrat. Education Act. Enacted: January 1, 2008. <http://agc.gov.ms/wp-content/uploads/2011/10/Education-Act.pdf>
- CIA. The World Factbook: Montserrat. Accessed August 6, 2018. <https://www.cia.gov/the-world-factbook/countries/montserrat/>
- U.S. Embassy- London. Reporting. January 14, 2020.
- U.S. Embassy- London official. E-mail communication to USDOL official. January 24, 2017.
- Government of Montserrat. Website of the Royal Montserrat Police Service. Accessed March 11, 2022. <https://www.gov.ms/government/ministries/non-ministerial-departments/royal-montserrat-police-service-rmps/>
- Government of Montserrat. Website of the Ministry of Health and Social Services, Department of Social Services. Accessed March 11, 2022. <https://www.gov.ms/government/ministries/ministry-of-health-and-social-services/social-services/>
- Government of Montserrat. Details of COVID-19 Relief from the Social Services Department. March 11, 2021. <https://www.gov.ms/2021/03/11/details-of-covid-19-relief-from-the-social-services-department/>
- Government of Montserrat. Statistics Department Releases Infographic on Labour Force Survey Main Indicators. May 3, 2021. <https://www.gov.ms/2021/05/03/statistics-department-releases-infographic-on-labour-force-survey-main-indicators/>

In 2021, Morocco made moderate advancement in efforts to eliminate the worst forms of child labor. The government increased the number of labor inspectors by over 43 percent and launched a new labor inspectorate information technology management system that enabled remote training sessions for inspectors in compliance with COVID-19 pandemic countermeasures. In addition, the government signed eight partnership agreements with local non-government organizations in various regions of Morocco to counter the prevalence of child labor. However, children in Morocco are subjected to the worst forms of child labor, including forced domestic work. Moroccan law on the minimum age for work does not meet international standards. 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. Children also engage in child labor in producing artisanal handicrafts. (1,2) 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. (1,3) 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 (%)		100.1

Source for primary completion rate: Data from 2020, published by UNESCO Institute for Statistics, 2022. (4)

Source for all other data: International Labor Organization's analysis of statistics from Enquête sur la Population et la Santé Familiale (DHS), 2003–2004. (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 (1,6,7)
	Fishing (1,6,7)
	Forestry, activities unknown (1,7)
Industry	Textiles (2)
	Construction† (8)
	Production of artisanal crafts (1,7)
Services	Begging (2)
	Domestic work (1,6,7,9,10)
	Maintenance and repair of motor vehicles (2)
Categorical Worst Forms of Child Labor‡	Commercial sexual exploitation, sometimes as a result of human trafficking (2,7,11)
	Forced domestic work (2,9,11,12)
	Forced begging (2,7,11)

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

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

Rural Moroccan girls, some as young as age 8, are recruited for domestic work in private urban homes, a practice known locally as *petites bonnes*. (12,13) Some of these girls are subjected to physical and verbal abuse, excessive working hours, and denied access to educational opportunities by their employers. (9,12–14) Furthermore, some employers confiscate the identity papers of child domestic workers. (12,13) In addition, exploitation in domestic work makes children vulnerable to child sex trafficking in Morocco, neighboring countries such as Spain, and the Persian Gulf. (15) Since 2018, over 18,000 child migrants have gone missing in Europe and most of these minors

# Morocco

## MODERATE ADVANCEMENT

were from Morocco. (16) These unaccompanied children lack access to stable housing, exposing them to poverty and social exclusion. (16)




Children in Morocco, particularly in rural areas, face barriers to education, including the cost of school materials, poor facilities, and transportation issues. (1) Over 80 percent of children who are economically active have left schooling. (7) Some children must reside in boarding houses to attend school due to long commutes and 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. Other barriers to education include fees associated with pre-school and after-school activities and required documentation for school enrollment. (1) The COVID-19 pandemic has also deepened the digital divide in Morocco between those who have access to Internet technology and those who do not. (17,18)

However, in 2021 the Government of Morocco took actions to remove barriers to education. Enrollment procedures have been simplified to allow for non-discriminatory access to public education for all. (7) Moreover, the Government of Morocco reports that 895 migrant and refugee children have received direct aid, while 180 children were beneficiaries of scholarships. In total, 1,800 children received educational support as part of the "AMAL" program. (7,19)

## 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 a minimum age for work that does not meet international standards.

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

Standard	Meets International Standards	Age	Legislation
Minimum Age for Work	No	15	Articles 4 and 143 of the Labor Code (20)
Minimum Age for Hazardous Work	Yes	18	Article 147 of the Labor Code; Article 6 of Law No. 19-12 (20,21)
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 (20,22)
Prohibition of Forced Labor	Yes		Articles 448.1, 448.4-448.5 of the Law on Trafficking in Human Beings; Articles 10 and 12 of the Labor Code; Article 467-2 of the Penal Code (20,23,24)
Prohibition of Child Trafficking	Yes		Articles 448.1, 448.4, and 448.5 of the Law on Trafficking in Human Beings (24)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Articles 497, 498, 499, and 503-2 of the Penal Code; Articles 448.1 and 448.4 of the Law on Trafficking in Human Beings (23,24)



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

Standard	Meets International Standards	Age	Legislation
Prohibition of Using Children in Illicit Activities	Yes		Law number 1-73-282; Article 467-2 of the Penal Code; Articles 448.1 and 448.4 of the Law on Trafficking in Human Beings (23-25)
Minimum Age for Voluntary State Military Recruitment	Yes	18	Article 4 of Royal Decree of 9 June 1966 (26)
Prohibition of Compulsory Recruitment of Children by (State) Military	Yes		Article 4 of Law No. 44-18 (27)
Prohibition of Military Recruitment by Non-state Armed Groups	Yes		Articles 448.1 and 448.4 of the Law on Trafficking in Human Beings (24)
Compulsory Education Age	Yes	15	Article 1 of Law No. 04-00 (28)
Free Public Education	Yes		Article 1 of Law No. 04-00 (28)

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. (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 child labor laws.

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

Organization/Agency	Role
Ministry of Economic Inclusion, Small Business, Employment and Skills (MEIPEEC)	Enforces child labor laws with its 54 inspection offices throughout the country. (7)
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. (1)
General Prosecutor	Prosecutes criminal offenses against children and processes cases involving women and children in the court system. (1, 11, 29, 30) Serves independently as a judiciary body separate from the Ministry of Justice. (1)
Ministry of Solidarity, Social Inclusion, and Family (MSVFSFSD)	Leads all public policy on child protection. (7)

In 2021, a Moroccan judge from the Taroudant province ordered the parents of 24 girls to follow the law and enroll their daughters in high school. This represents an unprecedented intervention by the Moroccan judge, who through his decision enforced the education laws of the country. (31)

#### **Labor Law Enforcement**

In 2021, labor law enforcement agencies in Morocco took actions to address child labor (Table 6). However, gaps exist within the authority of the Ministry of Economic Inclusion, Small Business, Employment and Skills 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	2020	2021
Labor Inspectorate Funding	Unknown (1)	Unknown (7)
Number of Labor Inspectors	282 (1)	404 (7)
Mechanism to Assess Civil Penalties	Yes (1)	Yes (7)
Initial Training for New Labor Inspectors	Yes (1)	Yes (7)
Training on New Laws Related to Child Labor	Yes (1)	Yes (7)
Refresher Courses Provided	Yes (1)	No (7)

# Morocco

## MODERATE ADVANCEMENT

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

Overview of Labor Law Enforcement	2020	2021
Number of Labor Inspections Conducted	19,302† (1)	18,776 (7)
Number Conducted at Worksite	19,302† (1)	18,776 (7)
Number of Child Labor Violations Found	56 (1)	24 (7)
Number of Child Labor Violations for Which Penalties Were Imposed	0 (1)	5 (7)
Number of Child Labor Penalties Imposed that Were Collected	0 (1)	Unknown (7)
Routine Inspections Conducted	Yes (1)	Yes (7)
Routine Inspections Targeted	Yes (1)	Yes (7)
Unannounced Inspections Permitted	Yes (20)	Yes (20)
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)

† Data are from January 1, 2020, to September 30, 2020. (1)

In 2021, the Government of Morocco increased the number of labor inspectors by more than 43 percent, from 282 to 404 inspectors in total. (1,7) In addition, the government launched a new labor inspectorate information technology management system which enabled remote training sessions for inspectors in compliance with pandemic countermeasures. (7) During the reporting period, 998 children were removed from worksites considered dangerous by inspectors. The Government of Morocco maintains 54 "designated focal points," which serve to coordinate efforts among labor inspectors as they work to deal with the prevalence of child labor. (7)

Despite these efforts, the number of labor inspectors remains likely insufficient for the size of Morocco's workforce, which includes more than 11 million workers. According to the ILO's technical advice of a ratio approaching 1 inspector for every 15,000 workers in industrializing economies, Morocco would need to employ about 797 labor inspectors. (32,33) Government officials report that funding for the labor inspectorate is insufficient and prevents the inspectorate from fully performing its duties. (7)

In addition, the official procedures involved in processing child labor violations require the participation of several agencies for each case, which places considerable administrative burden on labor inspectors. Penalties for employing children in hazardous work are also insufficient to act as a deterrent to child labor. (1,34,35) Despite regulations to inform agencies on implementing the 2016 Law on Setting Up Employment Conditions of Domestic Workers, there remain enforcement issues, such as the lack of inspections of closed private residences, in which many child domestic workers are employed. (7,29,36)

### Criminal Law Enforcement

In 2021, criminal law enforcement agencies in Morocco took actions to address child labor (Table 7). However, gaps exist within the operations of the criminal enforcement agencies that may hinder adequate criminal law enforcement, including the lack of publication of criminal law enforcement data.

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

Overview of Criminal Law Enforcement	2020	2021
Initial Training for New Criminal Investigators	Yes (1)	Yes (7)
Training on New Laws Related to the Worst Forms of Child Labor	N/A (1)	Yes (7)
Refresher Courses Provided	Yes (1)	Unknown (7)
Number of Investigations	Unknown (1)	Unknown (7)
Number of Violations Found	Unknown (1)	Unknown (7)
Number of Prosecutions Initiated	22 (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)	No (37)

In 2021, 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 laws on violence against children. (7) In addition, the Ministry of Justice provided a training session for law enforcement officials and prosecutors pertaining to the implementation of Domestic Labor Law 19.12. (7) The Public Prosecutor's Office also organized trainings to help prosecutors recognize the indicators of human trafficking of child victims. The Ministry of the Interior held online trainings on human trafficking and smuggling of migrants. (10)

However, the government did not provide information on the number of investigations, violations found, prosecutions initiated, convictions, or penalties imposed for the worst forms of child labor for inclusion of this report. (7) In addition, no formal referral mechanism exists between criminal authorities and social services and coordination varies from region to region. (37)

#### IV. COORDINATION OF GOVERNMENT EFFORTS ON CHILD LABOR

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

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

Coordinating Body	Role & Description
Technical Committee Under the Special Ministerial Commission for Children for the Protection and Improvement of Childhood	Ensures intersectoral 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. (1,38) Due to pandemic restrictions, no meetings took place under this coordinating body during the reporting period. (37)
Commission for the Support of Women Victims of Violence	Monitors policies and actions against child labor, ensuring coordination on child labor issues between labor inspectors and those NGOs that have partnership projects with the government of Morocco. Made up of 19 ministerial departments and is chaired by the Head of Government. (7) Research was unable to determine whether this coordinating body was active during the reporting period.
Interministerial Committee for Combating Trafficking in Persons	Coordinates the government's approach to trafficking in persons on an interministerial level. Conducts training sessions for members of the security services. (2) Chaired by the Head of the Government of Morocco and led by the Ministry of Justice, with representation from civil society. (7,37) Established in May 2019. (1,2,39) In 2021, the Committee carried out four training sessions with the Council of Europe, covering themes of human trafficking and management of crime scenes. (10)

Due to the restrictions associated with the pandemic, a number of coordination activities including regular meetings were cancelled in 2021. (7,37)

#### 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 Inclusion, and Family (MSWFSD) Integrated Public Policy on the Protection of Children in Morocco	Promotes an interdisciplinary approach to respond to the exploitation of children and other issues. (40) Under this policy, MEIPEEC continued administering grant programs to associations and NGOs in 2021 to address child labor. In this context, MEIPEEC signed eight partnership agreements with local NGOs in multiple regions of Morocco to counter the prevalence of child labor. (7) These agreements support the removal of children under age 15 from work, with a particular focus on domestic work, while also seeking to improve working conditions and raise awareness of the hazards associated with child labor. (7)

In March 2021, Labor Minister Mohamed Amekraz appeared on a virtual conference marking 2021 as the ILO-sponsored International Year for the Elimination of Child Labor and addressed attendees with an elaboration on the government's 10-year plan to eliminate child labor. (41) Morocco 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. (1)

# Morocco

## MODERATE ADVANCEMENT

### VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2021, 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 inadequate efforts to address child labor 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 MSWFSD-funded Tayssir Conditional Cash Transfer Program that provides direct cash transfers to qualifying families whose children meet school attendance criteria. (1) In 2021, the Government of Morocco reported its continued support for this social program, but did not provide further information. (7)
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. (30,36,42,43) Other types of shelters and service centers include student dormitories and training and integration programs for vulnerable children. (30,34,36,42) In 2021, the Government of Morocco reported its continued support for this social program, but did not provide further information. (7)
Government-Funded Projects†	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 programs; <i>Mouwakaba</i> , 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 Meknes. (30,34,43,44) In 2021, the Government of Morocco reported its continued support for this social program, but did not provide further information. (7)
Measurement, Awareness-Raising, and Policy Engagement Project on Child Labor and Forced Labor (MAP 16)	The MAP 16 USDOL-funded project is 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, during the reporting period, project activities supported the enforcement of the 2016 Law on Setting Up Employment Conditions of Domestic Workers, which protects children from hazardous domestic work. (1) In collaboration with this project, the General Confederation of Moroccan Enterprises launched the ILTESAM Platform: Initiative for the Fight Against Child Labor by the Private Sector in Morocco, which supports member companies by providing them with information on child labor, including awareness toolkits and online training. The platform also fosters the exchange of good practices of companies in addressing child labor. (8) Additional information is available on the USDOL website.
AMAL Program	Supports the efforts of the Moroccan authorities to ensure an environment conducive to the development and autonomy of children and young people in migration and refugee status. Implemented by UNHCR, IOM, and UNICEF under the coordination of the UN's Office of the Resident Coordinator. (37,45)

† Program is funded by the Government of Morocco.

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. (44)

### VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE CHILD LABOR

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

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

Area	Suggested Action	Year(s) Suggested
Legal Framework	Ensure that all children age 15 and under are protected by law, including children who work in the traditional artisan and handicraft sectors for family businesses.	2009 – 2021
Enforcement	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 – 2021
	Publish information on labor law enforcement efforts, including the amount of labor inspectorate funding, and penalties collected for violations of the worst forms of child labor.	2015 – 2021
	Reduce administrative burdens and streamline child labor enforcement procedures among government agencies.	2013 – 2021
	Increase penalties for employers who use children in hazardous work to be an effective deterrent.	2012 – 2021

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

Area	Suggested Action	Year(s) Suggested
Enforcement	Publish information on criminal enforcement efforts, including whether investigators received refresher training course, the number of investigations, violations found, prosecutions initiated, number of convictions, and penalties imposed for violations related to the worst forms of child labor.	2012 – 2021
	Ensure that a formal referral mechanism exists between criminal authorities and social services to ensure effective coordination on cases of the worst forms of child labor.	2021
Coordination	Ensure that key coordinating bodies related to the worst forms of child labor are active.	2021
Social Programs	Ensure programs address barriers to education such as the cost of school supplies, poor facilities, transportation issues, and lack of documentation.	2013 – 2021
	Expand existing programs to address the full scope of the child labor problem, including in forced domestic work.	2013 – 2021
	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 – 2021

**REFERENCES**

- U.S. Consulate- Casablanca. Reporting. February 9, 2021.
- U.S. Department of State. Trafficking in Persons Report- 2020: Morocco. Washington, D.C., June 25, 2020. <https://www.state.gov/reports/2020-trafficking-in-persons-report/morocco/>
- Haut Commissariat au Plan du Maroc. Activité, emploi et chômage, troisième trimestre 2017. Division des Enquêtes sur L'Emploi, 2018. <https://www.hcp.ma/file/199279/>
- UNESCO Institute for Statistics. Gross intake ratio to the last grade of primary education, both sexes (%). Accessed March 3, 2022. For more information, please see "Children's Work and Education Statistics: Sources and Definitions" in the Reference Materials section of this report. <http://data.uis.unesco.org/>
- ILO. Analysis of Child Economic Activity and School Attendance Statistics From National Household or Child Labor Surveys. Original data from Enquête sur la Population et la Santé Familiale (DHS), 2003–2004. Analysis received March 2022. For more information, please see "Children's Work and Education Statistics: Sources and Definitions" in the Reference Materials section of this report.
- Ouest-France. Le travail des enfants perdure au Maroc. November 1, 2017. <https://www.ouest-france.fr/monde/maroc/le-travail-des-enfants-perdure-au-maroc-5349922>
- U.S. Consulate- Casablanca. Reporting. January 24, 2022.
- International Labour Organization. Technical Progress Report: MAP-16. October 2021. Source on file.
- Human Rights Watch. Human Rights Watch Submission to the Committee on the Elimination of Discrimination against Women on Morocco. October 21, 2020. <https://www.hrw.org/news/2020/10/21/human-rights-watch-submission-committee-elimination-discrimination-against-women>
- U.S. Embassy- Casablanca. Reporting. February 11, 2022.
- U.S. Consulate- Casablanca. Reporting. March 4, 2019.
- The Globe Post. Child Maids in Morocco Suffer Like 'Slaves'. April 18, 2018. <https://theglobepost.com/2018/04/19/morocco-child-maids/>
- AFP. Au Maroc, le calvaire des "petites bonnes". April 12, 2018. [https://www.lepoint.fr/monde/au-maroc-le-calvaire-des-petites-bonnes-12-04-2018-2210123\\_24.php#](https://www.lepoint.fr/monde/au-maroc-le-calvaire-des-petites-bonnes-12-04-2018-2210123_24.php#)
- Becker, Jo. What Congress can do to end child labor in the US. The Hill: Washington, D.C. 06.12.2019. <https://thehill.com/opinion/civil-rights/447542-what-congress-can-do-to-end-child-labor-in-the-us>
- Melgar, P., Merodio, G., Duque, E., and Ramis-Salas, M. "Petites Bonnes" minors sex trafficked in Morocco and Spain. Children and Youth Services Review, Volume 120. November 17, 2020. <https://www.sciencedirect.com/science/article/pii/S0190740920321423>
- Dumpis, Toms. Majority of Child Migrants Gone Missing in Europe are from Morocco. Rabat: Morocco World News. 04.23.2021. <https://www.morocoworldnews.com/2021/04/340564/majority-of-child-migrants-gone-missing-in-europe-are-from-morocco>
- Koronka, Poppy. Inside Morocco's digital divide: girls fighting for education in lockdown. Al Monitor. 07.31.2020. <https://www.al-monitor.com/originals/2020/07/morocco-lockdown-online-education-women-gap.html>
- Daoudi, Safae. UN Report: COVID-19 Led to Rise in Global Child Labor Rates. Rabat: Morocco World News. 06.10.2021. <https://www.morocoworldnews.com/2021/06/342839/un-report-covid-19-led-to-rise-in-global-child-labor-rates>
- United Nations Morocco. Resultats AMAL. Accessed April 7, 2022. Source on file.
- Government of Morocco. Le nouveau code de travail. Enacted: May 6, 2004. [http://adapt.it/adapt-indice-a-z/wp-content/uploads/2015/01/Code\\_du\\_travail\\_2004.pdf](http://adapt.it/adapt-indice-a-z/wp-content/uploads/2015/01/Code_du_travail_2004.pdf)
- Government of Morocco. Dahir n° 1-16 -121 du 6 kaada 1437 (10A 2016) portant promulgation de la loi n° 19-12 fixant les conditions de travail et d'emploi des travailleuses et travailleurs domestiques. Enacted 2018. <https://www.ilo.org/dyn/natlex/docs/ELECTRONIC/105362/128832/F-1170153818/MAR-105362.pdf>
- Government of Morocco. Décret n° 2-10-183 du 9 hija 1431 (16 novembre 2010) fixant la liste des travaux auxquels il est interdit d'occuper certaines catégories de personnes, No. 2-10-183. Enacted: November 16, 2010. <https://www.ilo.org/dyn/natlex/docs/SERIAL/86187/97101/F-1362261362/MAR-86187.pdf>
- Government of Morocco. Dahir n° 1-59-413 du 28 jourmada II 1382 (26 novembre 1962) portant approbation du texte du code pénal, No. 1-59-413. Version consolidée en date du 15 septembre 2011. Enacted: 1963. <https://www.ilo.org/dyn/natlex/docs/SERIAL/69975/69182/F1186528577/MAR-69975.pdf>
- Government of Morocco. Loi n° 27-14 relative à la lutte contre la traite des êtres humains, No. 27-14. Enacted: December 15, 2016. <http://www.ilo.org/dyn/natlex/docs/ELECTRONIC/103357/125489/F1582466313/MAR-103357.pdf>
- Government of Morocco. Law number 1-73-282. Enacted: May 21, 1974. <https://www.sante.gov.ma/Reglementation/REGLEMENTATIONAPPLICABLEAUPRODUITSDESANTE/1-73-282.pdf>
- Government of Morocco. Décret royal n° 137-66 du 20 safar 1386 (9 juin 1966) portant loi relatif à l'institution et à l'organisation du service militaire, No. 137-66. Enacted: June 9, 1966. Source on file.
- Government of Morocco. Law No. 44-18. Enacted: 2018. Source on file.



## MODERATE ADVANCEMENT

- 28 Government of Morocco. Loi n° 04-00, modifiant et complétant le dahir n° I-63-071 du 25 joumada II 1383 (13 novembre 1963) relatif à l'obligation de l'enseignement fondamental. Enacted: 2000. Source on file.
- 29 U.S. Consulate- Casablanca. Reporting. February 8, 2019.
- 30 U.S. Consulate- Casablanca. Reporting. February 12, 2018.
- 31 Haskouri, Khoulood. Moroccan Judge Forces Parents To Enroll Daughters in High School. Rabat: Morocco World News. 07.26.21. <https://www.moroccoworldnews.com/2021/07/343596/moroccan-judge-forces-parents-to-allow-girls-to-continue-education>
- 32 UN. World Economic Situation and Prospects 2019 Statistical Annex. New York. 2019. Please see "Labor Law Enforcement Sources and Definitions" in the Reference Materials section of this report. [https://www.un.org/development/desa/dpad/wp-content/uploads/sites/45/WESP2019\\_FullReport.pdf](https://www.un.org/development/desa/dpad/wp-content/uploads/sites/45/WESP2019_FullReport.pdf)
- 33 ILOEST. Modelled Estimates and Projections (ILOEST) - Population and Labour Force. Accessed (January 25, 2022). Labor force data is modelled on a combination of demographic and economic explanatory variables by the ILO. Please see "Labor Law Enforcement: Sources and Definitions" in the Reference Materials section of this report. <https://ilostat.ilo.org/data/>
- 34 U.S. Consulate- Casablanca. Reporting. May 20, 2019.
- 35 ILO. 2019 Report of the Committee of Experts on the Application of Conventions and Recommendations. February 8, 2019. [https://www.ilo.org/ilc/ILCSessions/108/reports/reports-to-the-conference/WCMS\\_670146/lang--en/index.htm](https://www.ilo.org/ilc/ILCSessions/108/reports/reports-to-the-conference/WCMS_670146/lang--en/index.htm)
- 36 U.S. Consulate- Casablanca. Reporting. January 17, 2017.
- 37 U.S. Consulate- Casablanca official. E-mail communication to USDOL official. March 31, 2022.
- 38 U.S. Consulate- Casablanca official. E-mail communication to USDOL official. June 6, 2017.
- 39 Morocco: Protection and assistance to victims of human trafficking. Danish Immigration Service. October 1, 2019. [https://www.ecoi.net/en/file/local/2018054/COI\\_report\\_morocco\\_protection\\_assistance\\_victims\\_of\\_human\\_trafficking\\_oct\\_2019.pdf](https://www.ecoi.net/en/file/local/2018054/COI_report_morocco_protection_assistance_victims_of_human_trafficking_oct_2019.pdf)
- 40 Government of Morocco. Politique Publique Intégrée de Protection de l'Enfance 2015–2025. Rabat, 2016. <https://www.iltasam-cgem.ma/la-politique-publique-integree-de-la-protection-de-lenfance/>
- 41 Sauers, Michael. International Year for Elimination of Child Labor Launches in Morocco. Rabat: Morocco World News. 04.01.2021. <https://www.moroccoworldnews.com/2021/04/338717/international-year-for-elimination-of-child-labor-launches-in-morocco>
- 42 Government of Morocco. Les éléments de réponse au questionnaire émanant de l'Ambassade des Etats-Unis d'Amérique. Submitted in response to U.S. Department of Labor Federal Register Notice (September 6, 2016) "Request for Information on Efforts by Certain Countries to Eliminate the Worst Forms of Child Labor". Rabat, February 24, 2017. Source on file.
- 43 Government of Morocco. Flyers Related to Entraide Nationale Services. 2019. Source on file.
- 44 U.S. Consulate- Casablanca. Reporting. February 18, 2020.
- 45 United Nations Morocco. Fiche Programme AMAL. Accessed April 7, 2022. Source on file.
- 46 Government of Morocco. Données relatives au questionnaire du département d'Etat Américain sur la traite des êtres humains et le travail des enfants au titre de l'année 2014 et 2015. Submitted in response to U.S. Department of Labor Federal Register Notice (October 27, 2015) "Request for Information on Efforts by Certain Countries to Eliminate the Worst Forms of Child Labor". Rabat. February 17, 2016. Source on file.

In 2021, Mozambique made moderate advancement in efforts to eliminate the worst forms of child labor. The government launched an initiative to reduce the risks of human trafficking and child labor due to emergencies, such as armed conflict and natural disasters. In addition, in order to reduce the economic impact of the COVID-19 pandemic, the government augmented a support program, with subsidies of \$25 (1,500 meticaís), as well as food distribution for vulnerable families. The government also launched an Education Strategic Plan with the aim of ensuring the continuity of safe, quality education nationwide during and after emergency situations. However, children in Mozambique are subjected to the worst forms of child labor, including in forced domestic work. 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 social 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 (%)		58.2

Source for primary completion rate: Data from 2020, published by UNESCO Institute for Statistics, 2022. (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 cashews, coconuts, cotton,† sugarcane,† tea, tobacco,† and tomatoes (2,5,6)
	Fishing,† including handling nets (2,7-9)
	Forestry,† including cutting wood, and climbing trees to collect fruit (2,9)
	Herding livestock, including cattle (2)
	Hunting, including small and wild animals (2,5)
Industry	Artisanal mining,† including gold and gemstones,† and breaking stone†(2,7,9,10)
	Construction† (2,7)
Services	Domestic work,† including childcare† (2,7,10)
	Street work, including car washing† and street vending (2,9-11)
Categorical Worst Forms of Child Labor‡	Commercial sexual exploitation, sometimes as a result of human trafficking (1,2,7,9,12)
	Forced labor in agriculture, domestic work, mining, and vending (13)
	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

## MODERATE ADVANCEMENT

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. (1,7,14) 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. (9) Research indicates that a U.S. Government-designated terrorist group, ISIS-Mozambique, abducted and used children as soldiers, cooks, and laborers in northern Mozambique. (8,9,15-17)

Although primary education is free through the ninth grade, families must provide school supplies and uniforms. (7,9,18) Barriers to education for children include a lack of schools, classroom space, and trained teachers. Many students, particularly in rural areas, also face difficulties traveling long distances to get to school. (19,20) In addition, physical and sexual abuse is common in schools. Research found that some male teachers coerce female students into sex. (6,21) The government estimates that only 49 percent of children complete their primary education. During the reporting period, restrictions put in place in response to the COVID-19 pandemic continued to disrupt in-person learning and cause schools to rely on online learning, but as many as 8.5 million students lacked access to online learning. (6,9,22) Further, some LGBTQI+ students faced discrimination at secondary schools, with documented cases of discrimination in the major cities of Beira, Maputo, and Nampula. (6,9)




By the end of 2021, approximately 800,000 people, more than 40 percent of them children, were displaced due to increased terrorist-related violence in Cabo Delgado Province, up from more than 500,000 people the previous year; this increased rate of displacement increased barriers to education for some children due to a lack of schools in displaced communities. (6,7,9,23-25) Research indicates that, as a result of terrorist attacks, at least 626 schools have been destroyed in the province since the beginning of the conflict. (8)

In addition, research found that during 2021 hundreds of children, including girls, were kidnapped by the terrorist group ISIS-Mozambique in Cabo Delgado Province. Hundreds of boys have been kidnapped, trained, and forcibly recruited and used in armed combat against Mozambican government forces. (16,17,25)

## 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 (26,27)
Minimum Age for Hazardous Work	Yes	18	Article 23 of the Labor Law (27)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes	18	Hazardous Work List (28)
Prohibition of Forced Labor	Yes		Articles 10, 11, and 17 of the Trafficking in Persons Law; Articles 196 and 198 of the Penal Code (29,30)
Prohibition of Child Trafficking	Yes		Articles 5, 10, and 11 of the Trafficking in Persons Law (29)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Articles 5, 10, and 11 of the Trafficking in Persons Law; Articles 226 and 227 of the Penal Code (29,30)
Prohibition of Using Children in Illicit Activities	Yes		Articles 33 and 40 of the Law on Drugs (31)
Minimum Age for Voluntary State Military Recruitment	Yes	18	Articles 2 and 23 of the Law on Military Service (32)
Prohibition of Compulsory Recruitment of Children by (State) Military	Yes		Article 2 of the Law on Military Service (32)
Prohibition of Military Recruitment by Non-state Armed Groups	Yes		Articles 5 and 10 of the Trafficking in Persons Law (29)
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 (33,34)
Free Public Education	Yes		Article 41 of the Law of Basic Child Protection; Article 7 of the Law on the National System of Education (33,34)

‡ Age calculated based on available information (33,34)

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 third consecutive reporting period. (24) The updated legislation is expected to be considered by the Parliament in 2022. (6,14,24)

The Regulations on Domestic Work allow children ages 12 to 15 to perform domestic work with the permission of their legal guardian. (26) The Labor Law also states that children ages 12 to 15 may work under certain conditions defined by the Council of Ministers. (27) The minimum age of 12 for light work is not in compliance with international standards. (35,36) In 2021, the Government of Mozambique drafted legislation to revise the labor law, which would raise the minimum working age to 18. It is expected to be submitted to Parliament for approval in 2022. (9)

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. (27,34,36,37)

### III. ENFORCEMENT OF LAWS ON CHILD LABOR

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

# Mozambique

## MODERATE ADVANCEMENT

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

Organization/Agency	Role
Ministry of Labor, Employment, and Social Security (MITESS)	Enforces child labor laws and regulations. The labor inspectorate works with the National Police Force to enforce criminal law. (9) Monitors implementation of the National Action Plan to Combat the Worst Forms of Child Labor. (9,18,38)
Ministry of Industry and Trade's General Inspectorate of Economic Activities	Enforces child labor laws and regulations related to business activities. (9,18)
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. (9,18)
Attorney General's Office	Coordinates the government's efforts against human trafficking and child labor. (9,18)

### Labor Law Enforcement

In 2021, labor law enforcement agencies in Mozambique took actions to address 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	2020	2021
Labor Inspectorate Funding	Unknown (7)	Unknown (9)
Number of Labor Inspectors	117 (7)	129 (9)
Mechanism to Assess Civil Penalties	Yes (27)	Yes (27)
Initial Training for New Labor Inspectors	Yes (7)	Yes (9)
Training on New Laws Related to Child Labor	Yes (7)	N/A (9)
Refresher Courses Provided	Yes (7)	Yes (9)
Number of Labor Inspections Conducted	6,126 (7)	8,650 (9)
Number Conducted at Worksite	Unknown (7)	Unknown (9)
Number of Child Labor Violations Found	Unknown (7)	0 (9)
Number of Child Labor Violations for Which Penalties Were Imposed	Unknown (7)	N/A (9)
Number of Child Labor Penalties Imposed that Were Collected	Unknown (7)	N/A (9)
Routine Inspections Conducted	Yes (7)	Yes (9)
Routine Inspections Targeted	Unknown (7)	Unknown (9)
Unannounced Inspections Permitted	Yes (27)	Yes (27)
Unannounced Inspections Conducted	Yes (7)	Unknown (9)
Complaint Mechanism Exists	Yes (7)	Yes (9)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (7)	Yes (9)

Mozambique hired an additional 12 labor inspectors in 2021, but research indicates that the number of labor inspectors is likely insufficient for the size of Mozambique's workforce, which includes approximately 14 million workers. (9,18) According to the ILO's technical advice of a ratio approaching 1 inspector for every 40,000 workers in less developed countries, Mozambique would need to employ about 354 labor inspectors. (39,40) Limited financial resources and limited resources such as fuel and vehicles may also hamper the labor inspectorate's ability to enforce child labor laws. (7,9,18)

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. (7,9) During the reporting period, MITESS worked with police and immigration officials to conduct awareness-raising activities in markets, schools, and locations where there may be child labor. These activities included disseminating information about work considered dangerous for children and the risk of trafficking of children for labor purposes. (6,9)



### Criminal Law Enforcement

In 2021, criminal law enforcement agencies in Mozambique took actions to address 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 enforcement data related to child labor.

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

Overview of Criminal Law Enforcement	2020	2021
Initial Training for New Criminal Investigators	Yes (7)	Yes (9)
Training on New Laws Related to the Worst Forms of Child Labor	Yes (7)	N/A (24)
Refresher Courses Provided	Yes (7)	Yes (9)
Number of Investigations	Unknown (7)	Unknown (9)
Number of Violations Found	Unknown (7)	Unknown (9)
Number of Prosecutions Initiated	Unknown (7)	Unknown (9)
Number of Convictions	Unknown (7)	Unknown (9)
Imposed Penalties for Violations Related to the Worst Forms of Child Labor	Unknown (7)	Unknown (9)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (18)	Yes (9)

The government did not publish data on criminal law enforcement efforts in 2021. (9)

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. (18) MGCAS has a standard operating procedure for handling victims of domestic abuse, including human trafficking victims. This procedure incorporates an intake form used nationwide by law enforcement officials, including border officials, to collect the necessary data from victims and ensure that they receive professional care and referrals to appropriate services. (35)

During the reporting period, child soldiers who had been forcibly recruited and used by ISIS-Mozambique were rescued by government forces. (41)

## IV. COORDINATION OF GOVERNMENT EFFORTS ON CHILD LABOR

The government has established mechanisms to coordinate its efforts to address child labor (Table 8). However, gaps exist that hinder the effective coordination of efforts to address child labor, including the lack of a coordination mechanism dedicated to addressing child labor beyond the scope of human trafficking.

**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 addressing trafficking in persons nationally. Led by the Attorney General, in partnership with local leaders and NGO stakeholders, holds regular meetings to discuss child labor issues. (9,14) In collaboration with provincial-level reference groups, uses a national referral mechanism to connect child labor and human trafficking victims to services, and facilitates training of officials and sensitization campaigns. (6) Every province has a reference group which coordinates regional efforts to address human trafficking. (1) By the end of 2021, the government also set up cross-border reference groups with each of its neighbors. (9) During the reporting period, national and provincial reference groups met regularly and held trainings for front-line officials on child labor, human trafficking, and irregular migration. National and provincial reference groups collaborated with reference groups from Mozambique's six neighboring countries. (9,25) The cross-border reference groups helped ensure that children returning to Mozambique received safe repatriation, social assistance, family tracing and reunification, and access to an assistance center when needed. The groups also conducted awareness campaigns on the protection of children on the move. (6) They also launched an initiative with the Ministry of State Administration's National Institute of Disaster Management ( <i>Instituto Nacional de Gestão e Redução de Riscos do Desastre</i> ) focused on reducing the risk of human trafficking and child labor due to emergencies, such as armed conflict and natural disasters. (9,25)
Ministry of Gender, Children, and Social Action (MGCAS)	Part of the government's efforts to implement the National Action Plan for the Fight Against the Worst Forms of Child Labor. (7) Operates three shelters that provide support and reintegration services for human trafficking victims, including to victims of child trafficking. (37) During the reporting period, MGCAS removed 44 children from situations of child labor and reintegrated them with their families. (6,9)

# Mozambique

## MODERATE ADVANCEMENT

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

Coordinating Body	Role & Description
National Commission on Children's Rights	Led by MGCAS, 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. (7,9,20) Research was unable to determine whether the National Commission on Children's Rights was active during the reporting period.
Ministry of the Interior's Women and Children's Victim Assistance Units	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) Research was unable to determine whether the Women and Children's Victim Assistance Units were active during the reporting period.

The Council of Ministers is charged with monitoring the government's coordination efforts in addressing child labor, and each ministry has a designated point of contact for child issues. (8) Research did not find a coordination mechanism dedicated to addressing child labor beyond the scope of human trafficking.

During the reporting period, Mozambique held sensitization campaigns nationwide, raising awareness about child labor issues on community radio. It also held several events marking the International Year for the Elimination of Child Labor. (9)

## 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. (38) 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 MGCAS, among others. 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. (7) Research was unable to determine whether activities were undertaken to implement the National Action Plan to Combat the Worst Forms of Child Labor during the reporting period.
2020–2024 Five Year Plan	Includes goals to implement the policies related to child labor. Under Priority One and Strategic Objective Four, stresses preventing and addressing violence against children, including sexual abuse, forced marriages, kidnappings, human trafficking, and exploitation of child labor. (9,42) Research was unable to determine whether activities were undertaken to implement the 2020–2024 Five Year Plan during the reporting period.
Strategic Plan for the Preparation, Response and Recuperation of the Education Sector in Cases of Emergency†	Newly launched 10-year strategic plan that aims to provide safe, quality education nationwide during and after emergency situations, focusing on the need for strong interventions to protect children, as well as the harmful effects of child labor. (9,43)

† 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. (42)

Although a National Action Plan to Combat Trafficking in Persons was drafted in 2019, it has not yet been fully implemented. (9,14,25) The current National Action Plan to Combat 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 sectors in which child labor occurs (mining, domestic work, and agriculture). (7)

## VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2021, 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 inadequacy 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 3.3 million direct program participants by 2024. (44,45) During the reporting period, to reduce the economic impact of the pandemic, the government augmented a support program with subsidies of \$25 (1,500 <i>meticaís</i> ), as well as food distribution for vulnerable families. (9)
Programs for Street Children†	Comprise 176 shelters that provide education, occupational training activities, and health and psychosocial care for street children. Operated by government and civil society organizations. (46) During the reporting period, 5 shelters for children were closed, with 1,043 children provided with home care due to the closures. The government continued to operate the other 171 shelters. (9)
Child Talk Line ( <i>Linha Fala Criança</i> )	NGO-funded program working with the government to run a hotline that receives complaints of child abuse, including those related to child labor and sexual exploitation. (7,25) During the reporting year, the government continued to provide logistical and technical support, and the line remained active. (9,25) In 2021, the hotline also opened a call center in Cabo Delgado staffed with a team that speaks local languages. (6) During the reporting period, the hotline received 18 reports of alleged child trafficking or kidnapping and 111 reports of child labor, and recorded 363 referrals to the national police and the Office for the Assistance of Family and Minor Victims of Violence, resulting in 171 instances of assistance. (25)
Memorandum of Understanding to Combat Child Labor in Tobacco Growing (2018–2021)	\$1.2 million, 3-year project funded by the Eliminating Child Labor in Tobacco Growing Foundation, focusing on education, awareness-raising, institutional capacity building, and revision of the government's legal framework. Incorporated training for law enforcement officials. (47–49) Although the program was active in 2021, research was unable to determine whether activities were undertaken to implement the Memorandum of Understanding to Combat Child Labor in Tobacco Growing program during the reporting period. (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. (50–52) Research was unable to determine whether activities were undertaken to implement the Internet Watch Foundation Website program during the reporting period.

† Program is funded by the Government of Mozambique.

‡ The government had other social programs that may have included the goal of eliminating or preventing child labor. (53)

Although a draft report on the analysis of national child labor data from the Integrated Household Survey was completed in 2017, no child labor data were published. The MITESS planned to carry out a child labor and forced labor study in 2021, but it did not have the necessary funding. (6,20) 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).

**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 – 2021
	Ensure that the minimum age for light work is in compliance with international labor standards.	2018 – 2021
Enforcement	Publish all data on labor law enforcement efforts, including the labor inspectorate's funding, whether target and unannounced inspections were carried out.	2009 – 2021
	Increase the number of labor inspectors to meet the ILO's technical advice.	2009 – 2021
	Provide labor inspectors with adequate financial resources, including vehicles and fuel, to ensure their capacity to enforce child labor laws.	2009 – 2021
	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 – 2021
	Establish coordinating mechanisms to prevent and eliminate all worst forms of child labor.	2010 – 2021
Coordination	Ensure that the National Commission on Children's Rights and the Women and Children's Victim Assistance Units publish activities during the reporting period.	2020 – 2021

# Mozambique

## MODERATE ADVANCEMENT

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

Area	Suggested Action	Year(s) Suggested
Government Policies	Publish activities undertaken to implement the National Action Plan to Combat the Worst Forms of Child Labor and the 2020–2024 Five Year Plan during the reporting period.	2020 – 2021
	Finalize and fully implement the National Action Plan to Combat Trafficking in Persons.	2021
Social Programs	Ensure that the government publishes yearly data on child labor and the worst forms of child labor.	2020 – 2021
	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 – 2021
	Ensure that children in displaced communities have access to schools.	2021
	Publish activities undertaken to implement the Memorandum of Understanding to Combat Child Labor in Tobacco Growing and the Internet Watch Foundation Website during the reporting period.	2018 – 2021
	Publish the results of the Integrated Household Survey and use the findings to inform policies and programs.	2015 – 2021
	Institute programs to address child labor in domestic work, and expand existing programs to address the full scope of the child labor problem.	2010 – 2021

## REFERENCES

- U.S. Department of State. 2021 Trafficking in Persons Report: Mozambique. Washington, D.C., June, 2021. <https://www.state.gov/reports/2021-trafficking-in-persons-report/mozambique/>
- Government of Mozambique. Estudo Qualitativo sobre o Fenómeno do Trabalho Infantil e o seu Impacto em Moçambique (2014–2016). Ministério do Trabalho, Emprego e Segurança Social. July 2016. [http://www.mitess.gov.mz/sites/default/files/documents/files/RELATORIO\\_FINAL\\_ESTUDO\\_TRABALHO\\_INFANTIL\\_PDF.pdf](http://www.mitess.gov.mz/sites/default/files/documents/files/RELATORIO_FINAL_ESTUDO_TRABALHO_INFANTIL_PDF.pdf)
- UNESCO Institute for Statistics. Gross intake ratio to the last grade of primary education, both sexes (%). Accessed March 3, 2022. For more information, please see "Children's Work and Education Statistics: Sources and Definitions" in the Reference Materials section of this report. <http://data.uis.unesco.org/>
- ILO. Analysis of Child Economic Activity and School Attendance Statistics from National Household or Child Labor Surveys. Original data from Multiple Indicator Clusters Survey 3 (MICS 3), 2008, Analysis received March 2021. Please see "Children's Work and Education Statistics: Sources and Definitions" in the Reference Materials section of this report.
- Government of Mozambique. Estudo sobre as Lacunas (Gaps ou Deficits) de Trabalho Digno na Cadeia de Valor da Produção e Comercialização do Algodão em Moçambique, 2016. Ministério do Trabalho, Emprego e Segurança Social. February 2017. Source on file.
- U.S. Embassy- Maputo official. E-mail communication to USDOL official. April 21, 2022.
- U.S. Embassy- Maputo. Reporting. January 27, 2021.
- U.S. Embassy- Maputo official. E-mail communication to USDOL official. June 29, 2021.
- U.S. Embassy- Maputo. Reporting. January 12, 2022.
- Madime, Berta. Maputo no golden lining for Mozambique's child labourers. CAJ News Africa, August 4, 2017. Source on file.
- Mwitu, Cornélio. Os vidros que não refletem a exploração de que as crianças são vítimas. O País, June 23, 2019. Source on file.
- da Conceição, Luciano. Moçambique: Prostituição infantil é um problema em Inhambane. June 3, 2019. <https://www.dw.com/pt-002/mocambique-prostituição-infantil-é-um-problema-em-inhambane/a-49033200>
- U.S. Department of State. Trafficking in Persons Report- 2019: Mozambique. Washington, D.C., June 20, 2019. <https://www.state.gov/reports/2019-trafficking-in-persons-report-2/mozambique/>
- U.S. Embassy- Maputo. Reporting. February 25, 2021.
- U.S. State Department. State Department Terrorist Designations of ISIS Affiliates and Leaders in the Democratic Republic of the Congo and Mozambique. March 10, 2021. <https://www.state.gov/state-department-terrorist-designations-of-isis-affiliates-and-leaders-in-the-democratic-republic-of-the-congo-and-mozambique/>
- Human Rights Watch. Mozambique: ISIS-linked Group Using Child Soldiers Children Trained to Fight, Deployed Against Government Forces. September 29, 2021. <https://www.hrw.org/news/2021/09/29/mozambique-isis-linked-group-using-child-soldiers>
- UNICEF Geneva Palais briefing note on reports of abduction of minors in Mozambique's Cabo Delgado province. October 5, 2021. <https://www.unicef.org/press-releases/geneva-palais-briefing-note-reports-abduction-minors-mozambiques-cabo-delgado>
- U.S. Embassy- Maputo. Reporting. January 14, 2020.
- RFI. Início do ano lectivo em Moçambique. February 2, 2018. <https://www.rfi.fr/pt/mocambique/20180202-inicio-do-ano-lectivo-em-mocambique>
- U.S. Embassy- Maputo official. E-mail communication to USDOL official. March 13, 2020.
- U.S. Department of State. Country Reports on Human Rights Practices- 2019: Mozambique. Washington, D.C., March 11, 2020. <https://www.state.gov/reports/2019-country-reports-on-human-rights-practices/mozambique/>
- UNICEF Mozambique 2021 Revision 1. June 2021. <https://www.unicef.org/media/102191/file/2021-HAC-Mozambique-June-Revision.pdf>
- UNICEF Mozambique Humanitarian SitRep 5. June 30 2021. <https://www.unicef.org/media/103766/file/Mozambique-Humanitarian-SitRep-30-June-2021.pdf>
- U.S. Embassy- Maputo official. E-mail communication to USDOL official. February 2, 2022.
- U.S. Embassy- Maputo. Reporting. January 28, 2022.
- Government of Mozambique. Regulamento do Trabalho Doméstico, Decreto n.º 40/2008. Enacted: November 26, 2008. [http://www.ilo.org/dyn/travail/docs/355/DomesticWorkers regulation.pdf](http://www.ilo.org/dyn/travail/docs/355/DomesticWorkers%20regulation.pdf)
- Government of Mozambique. Lei do Trabalho, n.º 23/2007. Enacted: August 1, 2007. [http://www.ilo.org/dyn/travail/docs/696/Lei\\_do\\_Trabalho.pdf](http://www.ilo.org/dyn/travail/docs/696/Lei_do_Trabalho.pdf)
- Government of Mozambique. Decreto n.º 68/2017. Enacted: December 1, 2017. Source on file.
- Government of Mozambique. Lei n.º 6/2008. Enacted: April 23, 2008. Source on file.
- Government of Mozambique. Lei da Revisão do Código Penal, Lei n.º 35/2014. Enacted: December 31, 2014. Source on file.

- 31 Government of Mozambique. Lei n.º 3/97. Enacted: March 13, 1997. Source on file.
- 32 Government of Mozambique. Lei n.º 32/2009. Enacted: November 18, 2009. Source on file.
- 33 Government of Mozambique. Lei de Bases de Protecção da Criança. Enacted: 2006. Source on file.
- 34 Government of Mozambique. Lei do Sistema Nacional de Educação na República de Moçambique, Lei n.º 18/2018. Enacted: December 28, 2018. Source on file.
- 35 U.S. Embassy- Maputo. Reporting. March 8, 2019.
- 36 ILO Committee of Experts. Individual Observation concerning Minimum Age Convention, 1973 (No. 138) Mozambique (ratification: 2003). Published: 2019.  
[https://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100\\_COMMENT\\_ID:3959918](https://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:3959918)
- 37 U.S. Embassy- Maputo official. E-mail communication to USDOL official. June 20, 2020.
- 38 Government of Mozambique. Plano de Acção Nacional para o Combate às Piores Formas do Trabalho Infantil Em Moçambique (2017-2022). 2017.  
<http://www.mitess.gov.mz/sites/default/files/documents/files/Plano para o Combate as Piores Formas do Trabalho Infantil Em Moz.pdf>
- 39 ILO. Strategies and Practice for Labour Inspection: Geneva: Committee on Employment and Social Policy. GB.297/ESP/3. November 2006. Please see "Labor Law Enforcement: Sources and Definitions" in the Reference Materials section of this report.  
<https://www.ilo.org/public/english/standards/relm/gb/docs/gb297/pdf/esp-3.pdf>
- 40 ILO. ILO modelled estimates and projections (ILOEST) – Population and labour force. Accessed (January 25, 2022). Labor force data is modelled on a combination of demographic and economic explanatory variables by the ILO. Please see "Labor Law Enforcement: Sources and Definitions" in the Reference Materials section of this report.  
<https://ilostat.ilo.org/data/>
- 41 Barron's. Child Soldiers Liberated In Mozambique, Says UN. October 5, 2021.  
<https://www.barrons.com/news/child-soldiers-liberated-in-mozambique-says-un-01633437907>
- 42 Government of Mozambique. Programa Quinquenal do Governo: 2020-2024. March, 2020.  
[https://www.mef.gov.mz/index.php/documentos/instrumentos-de-gestao-economica-e-social/programa-quinquenal-do-governo-pqg/pqg20202024-1/919--223/file?force\\_download=1](https://www.mef.gov.mz/index.php/documentos/instrumentos-de-gestao-economica-e-social/programa-quinquenal-do-governo-pqg/pqg20202024-1/919--223/file?force_download=1)
- 43 Government of Mozambique. Estratégia de Preparação, Resposta e Recuperação do Sector de Educação em Situações de Emergência (2021-2029). Enacted: 2021. Source on file.
- 44 Government of Mozambique. National Basic Social Security Strategy. February 2016. Source on file.
- 45 Government of Mozambique. Programa Conjunto das Nações Unidas Sobre a Protecção Social Moçambique. Ministry of Gender, Children, and Social Action. 2018. Source on file.
- 46 ILO Committee of Experts. Individual Direct Request concerning Worst Forms of Child Labour Convention, 1999 (No. 182) Mozambique (ratification: 2003). Published: 2019.  
[http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100\\_COMMENT\\_ID:3960256](http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:3960256)
- 47 ECLT Foundation. Collaboration with Mozambique to fight against child labour. July 16, 2018.  
<https://www.eclt.org/en/news-and-insights/collaboration-with-mozambique-to-fight-against-child-labour>
- 48 Agência Lusa. Governo de Moçambique exige retirada de crianças do cultivo de tabaco. Observador. June 27, 2018.  
<https://observador.pt/2018/06/27/governo-de-mocambique-exige-retirada-de-criancas-do-cultivo-de-tabaco/>
- 49 Agência de Informação de Moçambique (Maputo). Mozambique: Agreement to Fight Child Labor in Tobacco Growing. allAfrica. June 27, 2018.  
<https://allafrica.com/stories/201806280081.html>
- 50 ECPAT International and Rede da Criança. Supplementary report on "Sexual Exploitation of Children in Mozambique" to the third and fourth periodic reports of Mozambique on the implementation of the Convention on the Rights of the Child and the Optional Protocol on the sale of children, child prostitution and child pornography. Bangkok. November 1, 2018.  
<http://www.ecpat.org/wp-content/uploads/2018/07/Convention-on-the-Rights-of-the-Child-report-on-Sexual-Exploitation-of-Children-to-the-Committee-on-the-Rights-of-the-Child-Mozambique-English-2018.pdf>
- 51 INCM: Autoridade Reguladora das Comunicações. Moçambique lança portal contra abuso sexual infantil on-line. February 9, 2018. Source on file.
- 52 IWF Reporting Portal and INCM. Fazer uma denúncia: Olá e bem-vindo ao portal de denúncias IWF em Moçambique. 2018.  
<https://report.iwf.org.uk/mz>
- 53 ILO-IPEC. South-South Cooperation for the promotion of decent work in cotton-producing countries in Africa and Latin America. Accessed: February 16, 2017.  
[http://www.ilo.org/ipec/projects/global/WCMS\\_390006/lang--en/index.htm](http://www.ilo.org/ipec/projects/global/WCMS_390006/lang--en/index.htm)



In 2021, Namibia made moderate advancement in efforts to eliminate the worst forms of child labor. The government substantially drafted an updated National Action Plan on Trafficking in Persons to guide responses to human trafficking, including of children, and substantially increased funding for shelters servicing the physical and psychosocial needs of trafficking survivors. In addition, the government coordinated a training with the International Organization for Migration for front line officers and humanitarian actors to identify and respond to human trafficking in response to growing climate migration. 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 (%)		93.3

Source for primary completion rate: Data from 2019, published by UNESCO Institute for Statistics, 2022. (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 and gardens (4-7)
Services	Domestic work (1,6-9)
	Street work, including begging and selling candies, fruits, phone vouchers, and small goods (8,10-14)
Categorical Worst Forms of Child Labor‡	Commercial sexual exploitation, including in the production of pornography, sometimes as a result of human trafficking (2,4,8,9,15,16)
	Use in illicit activities, including organized begging, selling of drugs, and smuggling of fuel and wildlife products (1,8,9,17)
	Forced labor in agriculture, fishing, and domestic work (2,15,16,18)

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

An extended drought and economic downturn in northern Namibia and southern Angola 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) Some of these children engage in selling drugs, organized begging, and commercial sexual exploitation. (4,8,11) There was a significant increase in

# Namibia

## MODERATE ADVANCEMENT

the number of Angolans migrating to Namibia as a result of climate change, which has led to emerging trends of locals hiring Angolan children as domestic workers, for street vending, and for agricultural activities. In addition, NGO and local media reporting indicates children of refugee status are increasingly recruited by criminal organizations to smuggle drugs, fuel, and wildlife products. (9,14)




Commercial sexual exploitation most commonly involves girls and occurs in cities and transit corridors, especially along the Namibian and Angolan border. Both girls and boys increasingly are subjected to Internet-based forms of sexual exploitation, including use in the production of pornography. (1,4,8,9,19) 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. (1,2) It is a common practice for parents to place their children in the care of relatives and kin relations for expanded education opportunities; in some cases, these children are subjected to forced labor. (2) Children of the San and OvaZemba ethnic groups are particularly vulnerable to forced labor on farms and in homes. (2,16)

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) The Education Act stipulates that no child be denied education due to documentation. (9,21) However, reporting indicates that children from nomadic communities and migrant families have difficulty securing birth registration and other identification documents, which sometimes results in delays in enrollment in school admission and access to social programs. (23,24) 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)

## II. LEGAL FRAMEWORK FOR CHILD LABOR

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

**Table 3. Ratification of International Conventions on Child Labor**

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

The government has established laws and regulations related to child labor (Table 4).

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

Standard	Meets International Standards	Age	Legislation
Minimum Age for Work	Yes	18	Chapter 2, Article 3(2) of the Labor Act (25)
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 (25-27)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Chapter 2, Articles 3(3)(d) and 3(4) of the Labor Act (25)

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

Standard	Meets International Standards	Age	Legislation
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 (25-28)
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 (27,29)
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) (30)
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)

\* Country has no conscription. (31)

‡ Age calculated based on available information. (32)

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) In 2020, the Namibian Parliament passed an updated Promulgation of Basic Education Act, which will raise the age of compulsory education up to age 18. The government has not yet brought the law into force. (12,33) Although Namibia's light work framework for children ages 14 to 18 has a list of activities that are not permitted and prohibits night work, Namibia's light work framework is insufficient because it does not prescribe the number of hours children ages 14 to 18 may work. (25) If Namibia raises the compulsory education age, the government must prescribe the number of hours children under age 18, the new compulsory education age, may 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	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 (MGEPSW); the Namibia Central Intelligence Service; and the Ministry of Education. (34) Refers children removed from child labor during inspections to MGEPSW for placement in social services. (35)
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. (34,36,37) Through the Namibian Police Force's 15 Gender-Based Violence Protection Units, collaborates with MGEPSW and MLIREC to remove children from human trafficking and commercial sexual exploitation, while providing medical and psychosocial care for survivors. (34)

# Namibia

## MODERATE ADVANCEMENT

### Labor Law Enforcement

In 2021, labor law enforcement agencies in Namibia took actions to address 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 insufficient human resource allocation.

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

Overview of Labor Law Enforcement	2020	2021
Labor Inspectorate Funding	\$2,439,225 (12)	\$2,809,265 (9)
Number of Labor Inspectors	52 (12)	Unknown (9)
Mechanism to Assess Civil Penalties	Yes (25)	Yes (25)
Initial Training for New Labor Inspectors	Yes (12)	Unknown (9)
Training on New Laws Related to Child Labor	N/A (12)	N/A (12)
Refresher Courses Provided	Yes (12)	Unknown (9)
Number of Labor Inspections Conducted	1,932 (12)	2,582 (38)
Number Conducted at Worksite	1,932 (12)	2,582 (38)
Number of Child Labor Violations Found	0 (12)	0 (39)
Number of Child Labor Violations for Which Penalties Were Imposed	N/A (12)	Unknown (9)
Number of Child Labor Penalties Imposed that Were Collected	N/A (12)	Unknown (9)
Routine Inspections Conducted	Yes (12)	Yes (39)
Routine Inspections Targeted	Yes (12)	Yes (39)
Unannounced Inspections Permitted	Yes (25)	Yes (25)
Unannounced Inspections Conducted	Yes (12)	Yes (39)
Complaint Mechanism Exists	Yes (12)	Yes (12)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (12)	Yes (12)

The government published only limited information about its labor law enforcement efforts and did not provide information on labor inspectorate funding, number of labor inspectors, trainings, or whether penalties were imposed and collected for child labor violations during the reporting period. Between July 1 and September 30, 2021, the labor inspectorate conducted labor inspections in all regions, targeting the construction, informal, and domestic sectors. (39) An inadequate number of inspectors located in remote and rural areas outside of the capital likely hinders enforcement of labor laws. (1) Although the government has not made publicly available information on the size of its labor inspectorate in 2021, 52 labor inspectors were employed as of 2020, which would likely be insufficient for the size of Namibia's workforce, which includes approximately 902,000 workers. According to the ILO's technical advice of a ratio approaching 1 inspector for every 15,000 workers in developing economies, Namibia would need to employ about 60 inspectors. (40,41)

The MLIREC operates a 24-hour short message service (SMS) line for labor complaints, including child labor. (12) The government did not make public the number of child labor complaints reported through the SMS line in 2021. (9)

### Criminal Law Enforcement

In 2021, criminal law enforcement agencies in Namibia took actions to address child labor (Table 7). However, gaps exist within the operations of criminal enforcement agencies that may hinder adequate criminal law enforcement, including deficient structures for prosecution planning.

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

Overview of Criminal Law Enforcement	2020	2021
Initial Training for New Criminal Investigators	No (42)	Unknown (14)
Training on New Laws Related to the Worst Forms of Child Labor	Yes (42)	N/A
Refresher Courses Provided	No (42)	Yes (14)
Number of Investigations	4 (42)	Unknown (14)
Number of Violations Found	17 (15)	Unknown (14)

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

Overview of Criminal Law Enforcement	2020	2021
Number of Prosecutions Initiated	1 (42)	Unknown (14)
Number of Convictions	1 (15)	0 (22)
Imposed Penalties for Violations Related to the Worst Forms of Child Labor	Unknown (42)	Unknown (14)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (42)	Yes (14)

The government did not provide information on its criminal law enforcement efforts for inclusion in this report. Although the government initiated 18 investigations and 7 prosecutions related to trafficking in persons, research could not determine the ages of the survivors and whether the cases pertained to the worst forms of child labor. (14) In response to the influx of climate migrants to Namibia, the government, with support of the IOM, hosted a training for front line officers and humanitarian actors on identifying situations of human trafficking and utilizing response mechanisms in contexts of emergencies. (14) An NGO operates a 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. (9)

Although there are 15 Gender-Based Violence Protection Units in Namibia, there is considerable variation in the operational performance of these units. Due to 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. (1,12) In addition, 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 a lack of efficacy in accomplishing mandates.

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

Coordinating Body	Role & Description
Interministerial Committee on Child Labor	Coordinates government policies and efforts to prevent and eliminate child labor. Comprises officials from MLIREC, the Ministry of Education, MGEPEWS, MHAISS, and the Office of the Ombudsman. (34,43) Research was unable to determine whether the Interministerial Committee on Child Labor was active during the reporting period.
Permanent Task Force for Children	Implements and coordinates services for children at the national level. Includes key ministries, NGOs, development partners, and bilateral agencies. (34) Research was unable to determine whether the Permanent Task Force for Children was active during the reporting period.
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. (44) Participants include 14 regional councils, MGEPEWS social workers, police, teachers, government agencies, NGOs, community leaders, churches, and other local-level stakeholders. (12) Research was unable to determine whether Child Care and Protection Forums were active during the reporting period.
Trafficking in Persons National Coordinating Body	Coordinates and monitors government and non-government responses to trafficking in persons in Namibia. (45) Led by MGEPEWS, with participation from MLIREC, MHAISS, the Ministry of Justice, the Ministry of Home Affairs and Immigration, and the Prosecutor General and Attorney General. (46) The Trafficking in Persons National Coordinating Body met quarterly in 2021, including to facilitate national activities related to World Day against Trafficking in Persons. (22)

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. (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 mainstreaming child labor issues into relevant policies.



## MODERATE ADVANCEMENT

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

Policy	Description
National Agenda for Children (2018–2022)	Leads strategization around child welfare issues with a focus on strengthening the protection of children in need of care, including enforcement of laws protecting children from child labor. (48) Outlines procedural instructions for each ministry and stakeholder to respond to cases of child mistreatment. (34,36,49)
National Development Plan V (2017/2018–2021/2022)	Outlines goals for addressing child trafficking and protection concerns. (34,50)

† The government had other policies that may have addressed child labor issues or had an impact on child labor. (45,47,51,52)

Research was unable to determine whether activities were undertaken to implement key policies related to child labor in Namibia during the reporting period. However, the government drafted a 5-year National Plan of Action Against Trafficking in Persons for 2022–2027 and will formally launch the plan in late 2022. (14) The National Plan of Action will guide anti-trafficking efforts, including strengthening coordination among government ministries and civil society organizations, protecting children and other vulnerable groups, and increasing public awareness, especially in rural areas. (15,16)

The 2017–2022 Strategic Plan of the Ministry of Gender Equality, Poverty Eradication, and Social Welfare does not integrate child labor elimination strategies. (53) 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. (52) Research indicates that some children working in domestic service are subject to physical abuse by their employers. (51)

## VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2021, 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 inadequacy of programs to address the full scope of the problem.

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

Program	Description
Social Protection Grants†	MGEPSW-funded grants to support vulnerable children and households. (53) 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. (54-56) During the 2020/2021 fiscal period, MGEPSW added 1,814 children to the grant program and reached 64 percent coverage of orphans and vulnerable children. (57) In addition, MGEPSW provided food and school transportation assistance to 29,004 households. (57)
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. (45) 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. (46,49) In 2021, the government allocated \$408,910 to shelters, a substantial increase from \$22,150. (2,16)
Namibian School Feeding Program†	Government program that provides mid-morning meals to school children in all 14 regions. (34,58) To date, 431,500 pupils have benefited from the program. (59) In 2021, the government allocated approximately \$6.2 million to the School Feeding Program. School closures and procurement issues as a result of the COVID-19 pandemic, however, delayed distribution of food assistance. (59,60)
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. (44) Between 2017 and 2021, 318 youth have received skills training through the National Youth Service. (61)
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. (45,62) Prioritizes institutional capacity for implementation of child labor policies and research and data collection on child labor and trafficking in persons. (7) Research could not determine whether activities were undertaken to implement the Decent Work Country Program during the reporting period.

† Program is funded by the Government of Namibia.

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; 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 – 2021
	Publish information on criminal and labor law enforcement efforts.	2021
	Ensure that training is provided to labor inspectors, including training of new inspectors and refresher courses.	2021
	Ensure that training is provided to criminal law enforcement investigators on laws related to child labor, including training for new investigators.	2018 – 2021
	Publish information on the number of child labor complaints that are reported through the SMS hotline.	2020 – 2021
	Ensure that all Gender-Based Violence Protection Units have adequate resources to operate according to their intended mandates.	2018 – 2021
	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 – 2021
Coordination	Ensure that all coordinating bodies are active and able to carry out their intended mandates.	2020 – 2021
	Reactivate joint child labor inspection teams to strengthen coordination between ministries that respond to cases of child labor.	2019 – 2021
Government Policies	Ensure activities are undertaken to implement key policies related to child labor and publish results from activities implemented during the reporting period.	2016 – 2021
	Integrate child labor elimination and prevention strategies as well as other worst forms of child labor 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 – 2021
Social Programs	Collect and publish data on the extent and nature of child labor to inform policies and programs.	2013 – 2021
	Expand opportunities for birth registration and national documentation for all children, including children of nomadic and migrant communities, to improve access to education and social programs.	2021
	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 – 2021
	Ensure that school feeding assistance programs are fully implemented according to program mandates.	2021
	Institute programs or expand existing programs to address child labor in agriculture and domestic work.	2009 – 2021
	Ensure activities are undertaken to implement the Decent Work Country Program during the reporting period and make information about implementation measures publicly available.	2021
	Ensure that there are adequate shelters, including in areas outside Windhoek, to meet the needs of vulnerable children.	2019 – 2021

## REFERENCES

- 1 U.S. Embassy- Windhoek. Reporting. March 6, 2020.
- 2 U.S. Department of State. Trafficking In Persons Report- 2021: Namibia. Washington, D.C., July 1, 2021. <https://www.state.gov/reports/2021-trafficking-in-persons-report/namibia/>
- 3 UNESCO Institute for Statistics. Gross intake ratio to the last grade of primary education, both sexes (%). Accessed March 3, 2022. For more information, please see the "Children's Work and Education Statistics: Sources and Definitions" in the Reference Materials section of this report. <http://data.uis.unesco.org/>
- 4 NGO official. Interview with USDOL official. February 5, 2020.
- 5 Ministry of Education official. Interview with USDOL official. January 23, 2020.
- 6 New Era. Child Labour Rampant in the Agricultural Sector. April 30, 2019. <https://newera.livelihoods.org/post/child-labour-rampant-in-the-agricultural-sector>
- 7 ILO. Namibia Decent Work Country Programme, 2019–2023. 2019. [https://www.ilo.org/wcmsp5/groups/public/---ed\\_mas/---program/documents/genericdocument/wcms\\_774550.pdf](https://www.ilo.org/wcmsp5/groups/public/---ed_mas/---program/documents/genericdocument/wcms_774550.pdf)
- 8 Namibian Partnership Solutions officials. Interview with USDOL official. February 3, 2020.
- 9 U.S. Embassy- Windhoek. Reporting. March 22, 2022.
- 10 Jason, Loide. Human trafficking a global trend. New Era, June 14, 2017. Source on file.
- 11 Titus, Hildegard. Out on the Street. The Namibian, September 20, 2019. <https://www.namibian.com.na/193296/archive-read/Out-On-The-Street#>
- 12 U.S. Embassy- Windhoek. Reporting. January 14, 2021.

## MODERATE ADVANCEMENT

- 13 Kasuto, Tujoromajo. Child Labour Wave Hits Windhoek. Windhoek Observer, May 22, 2021.  
<https://www.observer24.com.na/child-labour-wave-hits-windhoek/>
- 14 U.S. Embassy- Windhoek. Reporting. March 21, 2022.
- 15 U.S. Embassy- Windhoek. Reporting. March 8, 2021.
- 16 Government of Namibia. Trafficking in Persons National Action Plan (Draft). November 25, 2021. Source on File.
- 17 Pinehas, Tataleni. Boys Aged 10 Peddle Drugs at Omaruru. The Namibian, December 12, 2017.  
<https://www.namibian.com.na/172758/archive-read/Boys-aged-10-peddle-drugs-at-Omaruru#>
- 18 Nashuuta, Lahja. Namibia finally moves to pass the anti-human trafficking law. The Southern Times, November 17, 2017. Source on file.
- 19 Bayer, Roxane. Ministry Warns Against Online Child Abuse. The Namibian, May 19, 2020.  
<https://www.namibian.com.na/91165/read/Ministry-warns-against-online-child-abuse>
- 20 U.S. Embassy- Windhoek. Reporting. January 30, 2020.
- 21 Government of the Republic of Namibia. Promulgation of Education Act, 2001 (Act No. 16 of 2001). Enacted: December 27, 2001.  
<http://www.lac.org.na/laws/2001/2673.pdf>
- 22 Government of the Republic of Namibia. Promulgation of Education Amendment Act, 2017. 2017.  
<https://www.lac.org.na/laws/2017/6501.pdf>
- 23 Rinquest, Amanda. No Birth Certificate, No Education. The Namibian, 2017.  
<https://www.namibian.com.na/163890/archive-read/No-birth-certificate--no-education>
- 24 Jason, Loide. No Birth Certificate, No Education. New Era, February 2, 2020.  
<https://neweralive.na/posts/no-birth-certificate-no-education>
- 25 Government of the Republic of Namibia. Promulgation of Labour Act, 2007 (Act No. 11 of 2007). Enacted: December 31, 2007. Source on file.
- 26 Government of the Republic of Namibia. The Constitution of the Republic of Namibia. Enacted: February 1990.  
<http://www.orusovo.com/namcon>
- 27 Government of the Republic of Namibia. Promulgation of Child Care and Protection Act, 2015 (Act No. 3 of 2015). Enacted: May 29, 2015.  
<http://www.lac.org.na/laws/2015/5744.pdf>
- 28 Government of the Republic of Namibia. Prevention of Organised Crime Act. Enacted: May 2009. Source on file.
- 29 Government of the Republic of Namibia. Combating of Immoral Practices Amendment Act. Enacted: May 2000. Source on file.
- 30 Government of the Republic of Namibia. General regulations relating to Namibian Defence Force (No. 189). August 20, 2010. Source on file.
- 31 Child Soldiers International. Appendix II: Data Summary on Recruitment Ages of National Armies. Louder than words: An agenda for action to end state use of child soldiers. London: 2012. .  
[https://www.ohchr.org/Documents/Issues/RuleOfLaw/ArmsTransfers/ChildSoldiersInternational\\_2.pdf](https://www.ohchr.org/Documents/Issues/RuleOfLaw/ArmsTransfers/ChildSoldiersInternational_2.pdf)
- 32 World Bank. World Development Indicators, Primary School Starting Age. Accessed February 1, 2021.  
<https://databank.worldbank.org/reports.aspx?source=2&series=SE.PRM.AGES#>
- 33 Government of the Republic of Namibia. Basic Education Act. 2020. Source on file.
- 34 U.S. Embassy- Windhoek. Reporting. January 16, 2019.
- 35 U.S. Department of State. Country Report on Human Rights Practices- 2019: Namibia. Washington, D.C., March 11, 2020.  
<https://www.state.gov/wp-content/uploads/2020/02/NAMIBIA-2019-HUMAN-RIGHTS-REPORT.pdf>
- 36 U.S. Embassy- Windhoek official. E-mail communication to USDOL official. January 22, 2019.
- 37 Government of the Republic of Namibia. Ministry of Safety and Security Department listing. 2018.  
<http://www.mss.gov.na/vacancies>
- 38 U.S. Embassy- Windhoek Official. Written communication with USDOL Official. April 26, 2022. Source on file.
- 39 Government of Namibia. Ministry of Labour, Industrial Relations and Employment Creation, Second Quarterly Report. 2021.  
<https://mol.gov.na/documents/53329/0/MLIREC+SECOND+QUARTERLY+REPORT+2021-2022.pdf/40b660ff-8bc7-254a-a9a4-2fbb158d8262>
- 40 ILO. Labor Force Statistics (LFS)— Population and labour force. Accessed February 7, 2022. Labor force data is government-reported data collected by the ILO. Please see “Labor Law Enforcement: Sources and Definitions” in the Reference Materials section of this report.  
<https://ilostat.ilo.org/data/>
- 41 UN. World Economic Situation and Prospects. 2021 Statistical Annex. New York: 2021. Please see “Labor Law Enforcement: Sources and Definitions” in the Reference Materials section of this report.  
[https://www.un.org/development/desa/dpad/wp-content/uploads/sites/45/WESP2021\\_ANNEX.pdf](https://www.un.org/development/desa/dpad/wp-content/uploads/sites/45/WESP2021_ANNEX.pdf)
- 42 U.S. Embassy- Windhoek official. E-mail communication to USDOL official. January 15, 2021.
- 43 ILO Committee of Experts. Individual Direct Request concerning Minimum Age Convention, 1973 (No. 138) Namibia (ratification: 2000). Published 2020.  
[https://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100\\_COMMENT\\_ID:3997473:NO](https://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:3997473:NO)
- 44 U.S. Embassy- Windhoek official. E-mail communication to USDOL official. May 16, 2018.
- 45 U.S. Embassy- Windhoek. Reporting. February 15, 2019.
- 46 U.S. Embassy- Windhoek. Reporting. March 3, 2020.
- 47 U.S. Embassy- Windhoek official. E-mail communication to USDOL official. March 24, 2020.
- 48 Government of the Republic of Namibia. The National Agenda for Children 2018–2022. 2018. Source on file.
- 49 U.S. Embassy- Windhoek official. E-mail communication to USDOL official. January 30, 2019.
- 50 Government of the Republic of Namibia. Namibia's Fifth National Development Plan 2017/18 to 2021/22. 2017.  
<http://www.gov.na/documents/10181/14226/NDP+5/5a0620ab-4f8f-4606-a449-ea0c810898cc?version=1.0>
- 51 ILO Committee of Experts. Direct Request concerning Worst Forms of Child Labour Convention, 1999 (No. 182) Namibia (ratification: 2000). 2020.  
[https://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100\\_COMMENT\\_ID:3997476:NO](https://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:3997476:NO)
- 52 Government of the Republic of Namibia. A Prioritised National Plan of Action on Gender Based Violence 2019–2023. Accessed July 10, 2019. Source on file.
- 53 Ministry of Gender Equality and Child Welfare, Oshana Region official. Interview with USDOL official. January 23, 2020.
- 54 Government of the Republic of Namibia. Foster Care Grants. Accessed March 5, 2020.  
<http://www.mgecw.gov.na/foster-care-grants>
- 55 Government of the Republic of Namibia. Maintenance Grant. Accessed March 5, 2020.  
<http://www.mgecw.gov.na/maintenance-grants>
- 56 Government of the Republic of Namibia. Place of Safety Allowance. Accessed March 5, 2020.  
<http://www.mgecw.gov.na/web/mgecw2/place-of-safety-allowance>
- 57 Government of the Republic of Namibia. Ministry of Gender Equality, Poverty Eradication, and Social Welfare Annual Report, 2020/2021. 2021.  
<https://mgepesw.gov.na/documents/792320/0/MGEPEV+AWP+20-21+Report.pdf/1f5a05d7-a193-98ec-ae18-dd30e00b48e9>
- 58 U.S. Embassy- Windhoek official. E-mail communication to USDOL official. January 8, 2019.

- 59 Mweuta, Ethuole. Covid bites school feeding programme. The Namibian, August 17, 2021.  
<https://www.namibian.com.na/6212539/archive-read/Covid-bites-school-feeding-programme>
- 60 Ashipala, Nuusita. Pupils face food uncertainty... as ministry fails to procure food for schools. New Era, August 4, 2021.  
<https://neweralive.na/posts/pupils-face-food-uncertainty>
- 61 National Youth Service. News and Events. November 24, 2021 (Accessed February 16, 2022).
- 62 ILO. ILO Country Programme to "Ensure A Future of Social Justice in the World of Work for all Namibians." August 9, 2018.  
[https://www.ilo.org/global/about-the-ilo/newsroom/news/WCMS\\_637350/lang--en/index.htm](https://www.ilo.org/global/about-the-ilo/newsroom/news/WCMS_637350/lang--en/index.htm)

In 2021, Nepal made moderate advancement in efforts to eliminate the worst forms of child labor. The government published data from the 2018 Nepal Labor Force Survey, which estimated that 1.1 million children are engaged in child labor. Additionally, the Ministry of Women, Children, and Senior Citizens approved the Online Child Protection Procedure, 2021, to help curb online abuse of children. The Nepal Child Rights Council also formed new Child Protection Committees in 129 local governments.

In addition, the government repatriated 60 victims

of human trafficking and expanded access to education through The New School Education Plan. However, children in Nepal are subjected to the worst forms of child labor, including commercial sexual exploitation and forced begging. Children also perform dangerous tasks in producing 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. The law related to child trafficking is insufficient because it does not clearly criminalize recruitment, harboring, receipt, or transportation in the absence of force, fraud, or coercion, and the law prohibiting the use of children in illicit activities is insufficient because it does not prohibit the use of children in the production of drugs. The Department of Labor's budget, the number of labor inspectors, and available resources and training are also insufficient for enforcing labor laws, including those related to child labor. Furthermore, the government did not publicly release information on its criminal law enforcement efforts.



## I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Nepal are subjected to the worst forms of child labor, including commercial sexual exploitation and forced begging. Children also perform dangerous tasks in producing bricks. (1,2) In 2021, the Government of Nepal, along with the ILO, published disaggregated data on child labor in Nepal based on the Nepal Labor Force Survey from 2017–2018. The report estimated that the total number of children engaged in child labor was approximately 1.1 million, around 15 percent of the total children between the ages of 5 and 17 years. (2,3) Of these, 200,000 children, or 3.2 percent, were engaged in hazardous work. Additionally, approximately 74 percent of children who were engaged in the informal sector were employed in hazardous work conditions, and 87 percent were engaged in the agricultural sector. (2,3) 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, 2022. (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 tending livestock and harvesting caterpillar fungus ( <i>yarsagumba</i> ) (3,6-8)
Industry	Producing bricks, including loading and unloading of mules and donkeys (1,2,6,9-11)
	Quarrying, collecting, and breaking stones,† and quarrying and collecting sand (6,12)



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

Sector/ Industry	Activity
Industry	Construction, <sup>†</sup> activities unknown (2,3,6,13)
	Weaving carpets <sup>‡</sup> (2,6,13)
	Producing embellished textiles ( <i>zari</i> ) <sup>†</sup> and embroidery (2,6,14)
	Producing metal crafts <sup>†</sup> (15)
Services	Domestic work (3,14,16,17)
	Working in mechanical shops, including for cars and motorbikes <sup>†</sup> (2)
	Vending, including as shop keepers, shop sales assistants, and tailors (3)
	Working in transportation, <sup>†</sup> portering, and collecting recyclable waste (2,13,18)
	Working in hotels, <sup>†</sup> restaurants, <sup>†</sup> tea shops, and in entertainment, <sup>†</sup> including as dancers <sup>†</sup> (2,6,19)
Categorical Worst Forms of Child Labor <sup>‡</sup>	Commercial sexual exploitation, sometimes as a result of human trafficking (6,14)
	Forced labor in embellishing textiles ( <i>zari</i> ), weaving carpets, <sup>†</sup> and domestic work (2,6,14,16)
	Forced labor in agriculture, producing bricks, quarrying, and breaking stones <sup>†</sup> (2,6,10,14)
	Use in illicit activities, including the cultivation and trafficking of drugs (2,6,7)
	Forced begging (6,20,21)

<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.

Nepali women and girls 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. (6,22,23) Traffickers lure people from marginalized castes and ethnic minority communities. (6) They utilize the porous border between India and Nepal to transport women and children for sex trafficking. (6) Among 134 human trafficking cases registered with the police in Nepal's fiscal year 2020–2021, 79 of the victims were children. (24) Traffickers promise families work and education opportunities for their children but instead bring them to 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. (6,20,21)

The entertainment sector was closed intermittently during the reporting period due to COVID-19 pandemic-related national lockdowns. Prevalence data to determine the number of workers affected in this sector, including children, are lacking. (25) Research has indicated that thousands of children, some as young as age 11, continue to be trapped in the country's entertainment sectors. Children are recruited from rural areas and trafficked to cities by friends, relatives, and neighbors. (26) One study found that 17 percent of workers in the adult entertainment sector are minors, and 62 percent of adult women in that industry started their work as minors, some as young as 7 years old. (25)

Many children in Nepal are engaged in the production of bricks, which exposes them to hazardous working conditions, including carrying heavy loads and using dangerous machinery. (1,6,26) There are an estimated 17,738 child laborers in the brick kilns of Nepal, with 15,400 of these children engaged in hazardous work. (10,27) While most industries remained closed due to the pandemic, bonded labor continued in sectors such as agriculture and domestic work. (2)

In April 2021, schools in Nepal closed again due to the second wave of the pandemic, and again in January 2022 due to the Omicron variant. (2,28–30) As of December 2021, many children had been out of classrooms for almost 18 months. (2) School closures have led to continued disruptions of children's education in the reporting year. (28) While the Government of Nepal implemented learning programs, including new alternative learning methods, the establishment of an online portal, and broadcasting education programs through media channels, a substantial number of children are expected to suffer from learning loss. Moreover, these disruptions have been severe for children from rural areas with no access to alternative learning modalities. (2,28) 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. (2) Children who began working during the first lockdown in March 2020 continued to do so even after returning to school in early 2021. (29) The pandemic has further amplified the economic hardship of people who lack financial resources. Those hardest hit have been daily wage earners, women working in the entertainment sector, brick-kiln workers, and owners of small businesses. (24) The UNICEF COVID-19 Child and Family Tracker has found that 50 percent of households in Nepal have lost a source of income, and many families lack credit or savings to overcome these financial setbacks, putting their children at risk of having to enter the workforce to support their families. (24) Research has indicated that most children were found working in brick kilns, carpet factories, construction, and as vendors. (29)

Carpet factories are considered part of 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, research was unable to confirm this claim. (12)




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. (12,31) 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. (32,33) The government has introduced free sanitary napkins in all schools across the country to encourage girls to attend their classes. (12) Barriers to 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. (12)

The government allows Bhutanese refugee students in grades 9 to 12 to attend local public schools at no cost, but enrollment remains restricted for younger children. The UNHCR provides parallel free education at lower grades to refugees in the two remaining refugee camps in the country. (2,34) Most Tibetan refugees who live in the country, particularly those who arrived after 1990 or turned the age of 16 after 1995, do not have documentation, nor do their descendant children. Even those with an acknowledged refugee status have no legal rights beyond the ability to remain in the country. (2) Nevertheless, the government allowed NGOs to provide primary- and secondary-level schooling to Tibetans living in Nepal. (34) 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 the 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. (2,6) Child refugees who cannot legally access public education, and those who are of legal age to work but are not authorized to do so, are more susceptible to being exploited in the worst forms of child labor.

## 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	✓

# Nepal

## MODERATE ADVANCEMENT

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 lack on prohibitions 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	Section 3 of the Child Labor (Prohibition and Regulation) Act (35)
Minimum Age for Hazardous Work	No	17	Section 3, 28(b) of the Child Labor (Prohibition and Regulation) Act (35)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Schedule 1 of the Child Labor (Prohibition and Regulation) Act (35)
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 (35-38)
Prohibition of Child Trafficking	No		Sections 3, 4, and 15 of the Human Trafficking and Transportation Control Act (38)
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 (38-40)
Prohibition of Using Children in Illicit Activities	No		Section 16 of the Children's Act (40)
Minimum Age for Voluntary State Military Recruitment	Yes	18	Section 7 of the Military Service Regulation 2069 (41)
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 (42)
Compulsory Education Age	Yes	14	Article 31 of the Constitution; Section 6 of the Free and Compulsory Education Act (31,42)
Free Public Education	Yes		Section 16D of the Education Act; Section 20 of the Free and Compulsory Education Act; Article 31 of the Constitution (31,42,43)

\* Country has no conscription (42,44)

In 2021, the Ministry of Women, Children, and Senior Citizens approved the Online Child Protection Procedure, 2021, per Section 86(1) of the Children's Act. This procedure will help curb the online abuse of children, as Internet access and digital technology in the country have expanded in recent years. (2,39,45)

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. (35) Furthermore, the types of hazardous work prohibited for children do not include brickmaking and stone breaking, sectors in which there is evidence that work involves carrying heavy loads and being exposed to hazardous substances. (6,10,35,46) However, Nepal's National Master Plan on Child Labor (2018–2028) has identified children working in brick kilns as targeted groups vulnerable to hazardous child labor. (47,48)

The law related to child trafficking is insufficient because it does not clearly criminalize recruitment, harboring, receipt, or transportation of children in the absence of force, fraud, or coercion. (38,49) In addition, the law prohibiting the use of children in illicit activities is insufficient because it does not prohibit the use of children in the production of drugs. (50) Nepal ratified the Palermo Protocol in 2020 and the Government of Nepal is in the process of aligning its legal framework for human trafficking with international standards, including broadening its definition of human trafficking and better addressing child trafficking. (14,51)

### 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. (14)
Nepal Police, Women, Children and Senior Citizens 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 the DOL. (2, 14)
Ministry of Land Reform and Management	Enforces laws that prohibit bonded labor in agriculture. (24) The National Plan of Action designates the Ministry of Land Management, Cooperatives and Poverty Alleviation as the lead ministry to form targeted programs for children involved in forced child labor and their families, particularly in the agricultural sector. The ministry has carried out awareness programs through the cooperatives at local and provincial levels and is designated to align the poverty alleviation program for child labor elimination. (24)
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. (53) Contribute to investigations through the Helpline No. 104 and Child Helpline 1098. Provide temporary shelter to rescued children through the National Child Rights Center and support operations of the rehabilitation center for children. (24)

Nepal police has a Women and Children Service Directorate, as well as functioning Anti-Trafficking in Persons (TIP) Bureau, the latter of which was established in 2019. (54) Whether the Anti-TIP Bureau will become a multidisciplinary unit and investigate cases against child labor laws or focus exclusively on trafficking crimes still remains unclear. (2)

In 2020, Nepal established its first labor court to address labor-related issues under the 2017 Labor Act, including child labor issues in certain circumstances. (55) While the Supreme Court compiles cases related to the labor court, it does not disaggregate data regarding child labor. (8) Reports suggest that 123 labor-related cases were filed in fiscal year 2020–2021. Research was unable to determine whether those cases were adequately prosecuted or how many of those cases were related to child labor. (8)

#### **Labor Law Enforcement**

In 2021, labor law enforcement agencies in Nepal took actions to address child labor (Table 6). However, gaps exist within the operations of the Department of Labor (DOL) that may hinder adequate labor law enforcement, including insufficient human resource allocation.

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

Overview of Labor Law Enforcement	2020	2021
Labor Inspectorate Funding	\$3,400† (14)	\$5,710‡ (8)
Number of Labor Inspectors	10 (14)	16 (56)
Mechanism to Assess Civil Penalties	Yes (37)	Yes (37)
Initial Training for New Labor Inspectors	Yes (14)	Yes (2)
Training on New Laws Related to Child Labor	N/A (14)	Yes (8)
Refresher Courses Provided	Yes (14)	No (8)
Number of Labor Inspections Conducted	1,421 (14)	1,830‡ (8)
Number Conducted at Worksite	1,421 (14)	1,830‡ (8)
Number of Child Labor Violations Found	15 (14)	16‡ (8)
Number of Child Labor Violations for Which Penalties Were Imposed	15 (14)	15‡ (8)
Number of Child Labor Penalties Imposed that Were Collected	15 (14)	15‡ (8)

## MODERATE ADVANCEMENT

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

Overview of Labor Law Enforcement	2020	2021
Routine Inspections Conducted	Yes (14)	Yes (8)
Routine Inspections Targeted	Yes (14)	Yes (8)
Unannounced Inspections Permitted	Yes (37)	Yes (37)
Unannounced Inspections Conducted	Yes (14,57)	Yes (8)
Complaint Mechanism Exists	Yes (14)	Yes (2)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (14)	Yes (2)

† Data are for July 2019 to July 2020.

‡ Data are for July 2020 to July 2021.

The new Constitutional provision has marked Nepal's transition to federalism. (14,37) 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. (14,37) In 2021, the government began the preliminary work of establishing information centers, including guideline preparation, at each local government under the "Procedure on Establishment and Operation of Information and Records Center" for local levels. (8) Reports indicate that child trafficking recordkeeping did not commence during the reporting period. (8) Due to Nepal's transition to a new federal government, strong provisions for local monitoring bodies are not always formed or functional. (58)

NGOs stated that the fines and employer-paid compensation outlined in the Child Labor (Prohibition and Regulation) Act were not adequate deterrents to child labor violations. (14,32) The lack of human resources, capacity, and training on labor laws inhibit robust monitoring to ensure full compliance with the labor laws, and limit Nepal's ability to take meaningful actions against perpetrators of child labor and its worst forms. Cases are often resolved through negotiations, and the DOL encourages mediation over prosecution, resulting in mild punishments for perpetrators. (2,49) In addition, business owners reportedly may pressure labor inspectors to settle disputes outside court. (2) Furthermore, DOL officials and NGOs stated that officials are sometimes paid to not move child labor cases forward, or parents are given nominal compensation to abandon cases. (14)

The government has also confirmed that it calls on NGOs to assist with official inspections and to increase transparency because it lacks funding and resources. (14) Only a small portion of labor inspectors' responsibilities include child labor inspections and inspectors have little experience conducting them. (2) The government and NGOs state that more than 70 percent of child labor occurs in the informal sector, including in companies with fewer than 10 employees and those that are not registered with the government. (6,14,15) However, the government conducted most of its labor inspections in the formal sector and rarely conducted unannounced inspections. (6) Reporting has suggested that government agencies continue to be reactive rather than proactive in enforcing laws and preventing child labor. (2)

The number of labor inspectors is likely insufficient for the size of Nepal's workforce, which includes more than 16.9 million workers. According to the ILO's technical advice of a ratio approaching 1 inspector for every 15,000 workers in developing economies, Nepal should employ about 1,133 inspectors. (59) Although the total number of labor inspector positions in Nepal is 28, only 16 positions are currently filled. (2,56) The 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. (12,14)

Although labor inspectors periodically receive training on child labor laws and inspections, the training does not necessarily adhere to any formal schedule. (60) During the reporting period, inspectors did not receive specific training on laws related to child labor or hazardous child labor. They were provided with annual consultations about different issues related to labor laws, including child labor. (2)



### Criminal Law Enforcement

In 2021, criminal law enforcement agencies in Nepal took actions to address child labor (Table 7). However, gaps exist within the operations of the criminal enforcement agencies that may hinder adequate criminal law enforcement, including insufficient allocation of financial resources.

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

Overview of Criminal Law Enforcement	2020	2021
Initial Training for New Criminal Investigators	Unknown (14)	Yes (2)
Training on New Laws Related to the Worst Forms of Child Labor	N/A (14)	Unknown (2)
Refresher Courses Provided	Unknown (14)	Unknown (2)
Number of Investigations	Unknown (14)	Unknown (2)
Number of Violations Found	Unknown (14)	Unknown (2)
Number of Prosecutions Initiated	Unknown (14)	Unknown (2)
Number of Convictions	Unknown (14)	Unknown (2)
Imposed Penalties for Violations Related to the Worst Forms of Child Labor	Unknown (14)	N/A (2)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (14)	Yes (2)

The Nepal Police's Crime Investigation School conducts training for all levels of police personnel in juvenile justice, child rights, and laws relating to child labor issues. (14) However, the government lacks both the human resources 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. (6,14,15,61) According to some reporting, only those children in "worst case" scenarios involving physical or sexual abuse were removed from exploitative situations. (2) The Nepal Police do, however, collect and disaggregate data related to human trafficking cases. In fiscal year 2020–2021, there were 134 reported human trafficking cases involving 187 victims. (8,14) Of these, 80 victims were under the age of 18. (8)

The government does not publicly release information on its criminal law enforcement efforts. (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
Child Labor Prevention and Occupational Safety Section, Labor Relations and Social Security Division, MoLESS	Coordinates policymaking on child labor inspection guidelines and monitors implementation of guidelines. (62) Consists of an Under Secretary, one section officer, and one factory inspector. (63) Confers with the MWCSC, the Central Child Welfare Board, the DOL, and District Labor Offices. (62) MoLESS leads an interagency 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. (63) The organization was active during the reporting period. (8)
Nepal Child Rights Council	Coordinates and facilitates monitoring, evaluation, and reviewing of local child rights on the provincial and local levels. (2,64) Chaired by the Women, Children, and Senior Citizens Minister and consists of 23 members from the federal and local levels. (2,64) In 2021, the council successfully reunited 82 percent of registered missing children with their families. (8) The council also rescued 355 street children, of whom 58 were engaged in hazardous work, and provided protection and management. (8) During the reporting period, the council formed new child rights protection and promotion procedures in 186 local governments. (2) The council also formed new child rights protection committees in 129 local governments, with child welfare officers positioned at 51 local levels. A local child fund was also initiated in 135 local governments around the country and the child helpline was expanded from 12 to 18 locations in fiscal year 2020–2021. (2)

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

Coordinating Body	Role & Description
National Child Labor Elimination Committee	Provides recommendations to the government on necessary reforms in the existing child labor laws and policies under the Child Labor Act. (35,65) Administers consultations to the government to make necessary arrangements for the health, safety, education, and occupational training of children working in institutions; monitors effective implementation of policies and laws aimed at eliminating child labor. (35,65) The committee is provisioned by the National Master Plan to End Child Labor and chaired by the Secretary of MoLESS. (15) Due to the pandemic, the group did not meet during the reporting period, but the government has initiated a Child Rights System at the local level. (2)
National Network Against Child Labor	Coordinates the referral of children who are found in child labor to social services. (24) 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) While research suggests that the National Network Against Child Labor was active during the reporting period, research was unable to determine their efforts and activities.
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 the MWCSC and consists of government officials and NGO representatives. (67) During the reporting period, the committee held orientation programs for elected officials in different local government bodies. (8) The Government of Nepal successfully repatriated 60 victims of human trafficking and provided services to 2,628 individuals under the committee's leadership. (8) The committee conducted a midterm evaluation of the National Plan of Action. However, due to the pandemic, the group was not able to produce any results on the National Plan of Action on Combating Trafficking in Persons or amend the Human Trafficking and Transportation Control Rules. (8) The committee also organized several awareness activities to commemorate the National Day Against Human Trafficking. (8)
National Human Rights Commission (NHRC)	Carries out periodic reviews of relevant laws and publishes the annual trafficking in persons report in coordination with government ministries. (8,68) The Social Inclusion and Gender Equality Division of the NHRC monitors and receives complaints on child rights violations and continues to collaborate with international organizations, NGOs, and other child rights organizations. (63) During the reporting period, the NHRC worked to draw attention among stakeholders to violations of child rights. (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 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. (2) Established an annual monitoring evaluation and reporting system through which information will be made publicly available. (14,69) Includes a strategy to establish a child rescue fund to rescue children from difficult circumstances, including child labor, and adopts a "zero-tolerance policy" against child labor, child trafficking, and any forms of violence against children. (2) During the reporting period, the government 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 2025. (2,17,70)
The New School Education Plan†	Expands access to education to all children, improves the quality of education, facilitates improved management and governance of school education. The program will impact 8.2 million school-going children in Nepal. (71) The New School Education Plan succeeded the former School Sector Development Plan, which was discontinued in July 2021. (72) Overseen by the Ministry of Education, Science and Technology. (73) For fiscal year 2021–2022, the plan emphasizes a pandemic response plan for school education and mechanisms to reduce disruptions to children's learning. (74) The budget for the new plan is around \$7.8 billion (953 billion rupees) over 10 years and is set to take effect in the new fiscal year beginning in July 2022. (72)
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. (65,75) The MWCSC prepared the Child Development Strategy, which will include the elimination of child labor; however, details about the plan have not been released. (2)

† Policy was approved during the reporting period.

‡ The government had other policies that may have addressed child labor issues or had an impact on child labor. (14,32)

The Fifteenth National Plan of Nepal (2019/2020–2023/2024) has incorporated ending child labor as one of its objectives. It includes making necessary legal provisions to end all forms of child labor and increasing the target number of inspections for child labor in each Nepali fiscal year, which begins and ends in July each year. (2,14,76)

The Ministry of Labor, Employment, and Social Security (MoLESS), with support from international NGOs, passed the Child Labor Free Declaration Procedures for the Local Governments to identify and declare at least 50 local jurisdictions to be free of child labor for the Nepali 2020–2021 fiscal year. These guidelines incorporated several indicators, including a child labor survey and programs at the local level to eliminate child labor. (2) Through this measure, the government set up an Emergency Fund at the national and local levels to rescue and rehabilitate vulnerable children. (2) Additionally, in 2021, the Nepali government passed a new guideline that sets criteria for municipalities and local governments to maintain a child labor-free workforce for which the government allocated approximately \$170,000 (20.7 million rupees). (2)

The Nepal Master Plan-II (NMP-II) has incorporated five strategies to eradicate child labor, including regular search and monitoring, rescue, and rehabilitation. The NMP-II includes some indicators to ensure that inspections are performed properly. (2)

Research has found that there is a need to update the National Plan of Action on Combating Trafficking in Persons so that it better aligns with Nepal's anti-trafficking programming within the new federal structure, as well as to better address forced labor. (21,53)

Nepal is a Pathfinder country under Alliance 8.7, which calls for the eradication of child labor by 2025, and of forced labor, modern slavery, and human trafficking by 2030. (14,77) For the 2021–2022 fiscal year, the Nepali government has allocated around \$8,500 (1,000,000 rupees) for various activities that align with Pathfinder goals, which includes aligning federal laws to streamline child labor policies federally. (2,78)

## VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2021, 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 inadequacy to address the problem in all sectors.

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

Program	Description
Social Security Fund Program†	Helps support workers and their families through a tripartite contribution policy, an important initiative to help combat and prevent child labor. (15,79) In the Nepali fiscal year 2020–2021, 2,492 new employers and 105,488 new employees joined the program. Currently, there are 14,971 employers and 273,730 employees enrolled. (8) The total number of contributions to the fund reached approximately \$56 million (6.8 billion Nepali rupees) in 2021. (8) There were 5,611 claims made during the fiscal year, amounting to \$1.1 million (142 million Nepali rupees). (8) In addition, in 2021, the government expanded the scope of the program by widening coverage for beneficiaries and streamlining access to facilities provided, such as additional health coverage. This expansion was on top of an earlier implemented credit scheme that provided easier access to loan services. (80,81)
Helpline and Hotline Programs†	Child Helpline—1098 is an MWCSC and Child Workers in Nepal-funded helpline. (12) Responds to calls about missing children, child abuse, child labor, child trafficking, and child sexual abuse in 13 districts and municipalities in Nepal and Bangladesh, Bhutan, India, Maldives, Pakistan, and Sri Lanka. (82) During the reporting period, the child helpline was expanded from 12 to 18 locations. (2) 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. (2,53) The hotline covers cases for 74 out of the total 77 districts in Nepal. (2) Per the Nepal Police, four to five children on average are rescued from child labor every month from informal sectors, such as transportation, domestic work, tea shops, and restaurants, through the complaints received through the hotline. (49) "Hello Sarkar" is an initiative established by the Office of the Prime Minister. It receives child labor complaints from the public through a hotline, Facebook, and Twitter. (15) According to the National Child Rights Council, 15,644 children received protection assistance through the council during the 2020–2021 fiscal year. Out of the 15,644 children, 10,348 received services through the 1098 helpline service. (2) Additionally, special COVID-19 helpdesks for children's issues were established in 18 locations and provided services to almost 3,000 children. (2)

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

Program	Description
Support for Schools†	MoLESS program that supports schools for children ages 5 to 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. (7) In 2021, an education sector analysis was carried out as part of the School Sector Development Program. The analysis provided input for the New Education Sector Plan. (8)
<i>Hamro Samman</i> ("Our Respect") (2017–2022)	USAID-funded project, implemented by Winrock International, to strengthen national and local efforts to counter human trafficking, improve civil society advocacy and engagement, and increase private sector partnerships to empower survivors and prevent trafficking of at-risk populations. (15,32,83) During the reporting period, <i>Hamro Samman</i> and provincial partners formed 383 local committees for combating human trafficking. (84) <i>Hamro Samman</i> worked with the MWCSC to create and apply an integrated human trafficking data system to monitor human trafficking cases and support policymakers at the local level. (84)
USDOL-Funded Projects	USDOL projects in Nepal focused on 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 From Protocol to Practice: A Bridge to Global Action on Forced Labor (The Bridge Project), implemented in six countries by ILO. (85,86) During the reporting period, the <i>Sakriya</i> project, along with its implementing partners, identified and documented child labor, raised awareness on child labor, and undertook primary care management initiatives to address child labor. (87) The Bridge project also continued to conduct livelihood interventions as well as train and use civil-society networks to reach the most vulnerable populations in Nepal. (88) Additional information is available on the USDOL website.

† 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. (14)

Although Nepal has programs that target child labor, 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).

**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 – 2021
	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 – 2021
	Ensure that the legal framework comprehensively and criminally prohibits the human trafficking of children without requiring proof of the use of force, fraud, or coercion.	2015 – 2021
	Ensure that the law criminally prohibits the use of children in illicit activities, including the production of drugs.	2015 – 2021
	Ensure that the law criminally penalizes the recruitment of children under age 18 by non-state armed groups.	2016 – 2021
Enforcement	Increase penalties to ensure sufficient deterrence of child labor law violations.	2015 – 2021
	Ensure that legal provisions against child labor are implemented and enforced against perpetrators.	2018 – 2021
	Ensure that the Department of Labor's budget is sufficient to adequately enforce child labor laws.	2016 – 2021
	Improve human resource capacity, including increasing the number of child labor inspections, especially in the informal sector.	2018 – 2021
	Strengthen the labor inspectorate, particularly at the local levels, by initiating routine targeted inspections in all sectors and increasing the number of unannounced inspections rather than performing inspections solely based on complaints received.	2017 – 2021
	Increase the number of labor inspectors to meet the ILO's technical advice.	2010 – 2021
	Institutionalize trainings for labor inspectors on laws related to child labor, including its worst forms.	2019 – 2021
	Publish data on criminal law enforcement actions, including initial training for new criminal investigators, 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 – 2021

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

Area	Suggested Action	Year(s) Suggested
Enforcement	Provide additional resources to criminal law enforcement agencies so they are able to enforce laws prohibiting crimes related to the worst forms of child labor.	2011 – 2021
	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, including labor court data related to child labor.	2009 – 2021
Coordination	Ensure that all coordinating bodies are active and able to carry out their intended mandates.	2020 – 2021
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- human trafficking programming.	2018 – 2021
Social Programs	Conduct research to determine the types of activities carried out by children, including in the construction sector, to inform social policies and programs.	2019 – 2021
	Eliminate barriers to education, including the lack of sanitation facilities at schools, long distances to schools, fees associated with schooling, pressure to find work, migration to work outside of Nepal, and issues with drugs and alcohol.	2013 – 2021
	Enhance efforts to eliminate barriers and make education accessible for all children, including children with disabilities and refugee children.	2019 – 2021
	Create social programs that support all victims of commercial sexual exploitation and children working in the brick industry.	2018 – 2021

## REFERENCES

- Myers, Lisa, and Laura Theytaz-Bergman. Child Labor Report 2017. The Neglected Link: Effects of Climate Change and Environmental Degradation on Child Labour. Terre des Hommes, June 2017. <http://www.terredeshommes.org/wp-content/uploads/2017/06/CL-Report-2017-engl.pdf>
- U.S. Embassy- Kathmandu. Reporting. January 14, 2022. Source on file.
- ILO and Center Bureau of Statistics Nepal. Nepal Child Labor Report 2021. ILO. 2021. [https://www.ilo.org/wcmsp5/groups/public/---asia/---ro-bangkok/---ilo-kathmandu/documents/publication/wcms\\_784225.pdf](https://www.ilo.org/wcmsp5/groups/public/---asia/---ro-bangkok/---ilo-kathmandu/documents/publication/wcms_784225.pdf)
- UNESCO Institute for Statistics. Gross intake ratio to the last grade of primary education, both sexes (%). Accessed March 3, 2022. For more information, please see "Children's Work and Education Statistics: Sources and Definitions" in the Reference Materials section of this report. <http://data.uis.unesco.org/>
- ILO. Analysis of Child Economic Activity and School Attendance Statistics from National Household or Child Labor Surveys. Original data from Multiple Indicator Cluster Survey 5 (MICS 5), 2014. Analysis received March 2022. Please see "Children's Work and Education Statistics: Sources and Definitions" in the Reference Materials section of this report.
- U.S. Department of State. Trafficking in Person Report- 2021: Nepal. Washington, D.C., 2021. <https://www.state.gov/reports/2021-trafficking-in-persons-report/nepal/>
- U.S. Embassy- Kathmandu. Reporting. January 13, 2017.
- U.S. Embassy- Kathmandu. Reporting. February 11, 2022.
- Khanal, Kalpana. For Children Working in Kilns, Nepal's Anti-Child Labor Laws Remain Distant, Ineffective. Global Press Journal, May 7, 2017. <https://globalpressjournal.com/asia/nepal/children-working-kilns-nepals-anti-child-labor-laws-remain-distant-ineffective/>
- ILO, UNICEF, and Central Bureau of Statistics of Nepal (CBS). Report on Employment Relationship Survey in The Brick Industry in Nepal. Kathmandu: ILO, UNICEF, and CBS, January 29, 2021. [https://www.ilo.org/wcmsp5/groups/public/---asia/---ro-bangkok/---ilo-kathmandu/documents/publication/wcms\\_767621.pdf](https://www.ilo.org/wcmsp5/groups/public/---asia/---ro-bangkok/---ilo-kathmandu/documents/publication/wcms_767621.pdf)
- World Education, Inc. Nepal: Sakriya- Civil Society Action to End Exploitative Child Labor: Technical Progress Report. September 30, 2021.
- U.S. Embassy- Kathmandu. Reporting. February 3, 2020.
- Human Rights Watch. "I Must Work to Eat": Covid-19, Poverty, and Child Labor in Ghana, Nepal, and Uganda. New York, May 26, 2021. <https://www.hrw.org/report/2021/05/26/i-must-work-eat/covid-19-poverty-and-child-labor-ghana-nepal-and-uganda#>
- U.S. Embassy- Kathmandu. Reporting. January 15, 2021.
- U.S. Embassy- Kathmandu. Reporting. January 22, 2019.
- Hodal, Kate. 'My dream is coming true': the Nepalese woman who rose from slavery to politics. The Guardian, October 18, 2017. <https://www.theguardian.com/global-development/2017/oct/18/i-lived-in-fear-nepalese-official-sold-as-a-slave-at-10-years-old-domestic-worker>
- World Education, Inc. Sakriya—Civil Society Action to End Exploitative Child Labor: April 2020: Technical Progress Report. Source on file.
- The Unforgotten. Waste Pickers in Nepal. Kathmandu: The Unforgotten. Accessed February 23, 2022. <https://unforgotten.org/nepal/>
- Thakur, Kamlesh. Child labor rampant in Dhanusha. Danusha: My Republica. June 3, 2019. <https://myrepublica.nagariknetwork.com/news/child-labor-rampant-in-dhanusha/>
- U.S. Embassy- Kathmandu. Reporting. February 12, 2021.
- U.S. Embassy- Kathmandu. Reporting. February 28, 2020.
- Patkar, Pravin, and Priti Patkar. A Close Look at Indo-Nepal Cross-Border Child Trafficking. Caritas India, 2017. [https://reliefweb.int/sites/reliefweb.int/files/resources/A-CLOSE-LOOK-AT-INDO-NEPAL-CROSS-BORDER-CHILD-TRAFFICKING\\_Book.pdf](https://reliefweb.int/sites/reliefweb.int/files/resources/A-CLOSE-LOOK-AT-INDO-NEPAL-CROSS-BORDER-CHILD-TRAFFICKING_Book.pdf)
- Nepali Sansar. Human Trafficking in Nepal – Relentless Fight for Rights Continues! August 9, 2018. Accessed 2019. <https://www.nepalisansar.com/special-stories/human-trafficking-in-nepal-relentless-fight-for-rights-continues/>
- U.S. Embassy- Kathmandu official. E-mail communication with USDOL official June 23, 2022.
- Meredith Dank et al. One study found that 17 percent of workers in the adult entertainment sector are minors and 62 percent of adult women in that industry started their work as minors, some as young as seven years old. Freedom Fund, April 2019. <https://d1r4g0yvc7lx.cloudfront.net/uploads/20190612195109/Prevalence-of-minors-in-Kathmandu-adult-entertainment-sector-FINAL-print.pdf>
- Rana, P.K. Child Labour Problem. The Himalayan Times, April 11, 2018. Source on file.



## MODERATE ADVANCEMENT

- 27 Regmi, Hem Raj. Employment Relationship in the Brick Industry of Nepal. Kathmandu: 2020.  
[https://www.unescap.org/sites/default/files/APS2020/60\\_Employment\\_Relationship\\_in\\_the\\_Brick\\_Industry\\_of\\_Nepal.pdf](https://www.unescap.org/sites/default/files/APS2020/60_Employment_Relationship_in_the_Brick_Industry_of_Nepal.pdf)
- 28 UNICEF. Continuing Children's Education in Nepal During the COVID-19 Pandemic. 2021.  
[https://www.unicef.org/nepal/media/14216/file/Child\\_and\\_Family\\_Tracker\\_-\\_Education.pdf](https://www.unicef.org/nepal/media/14216/file/Child_and_Family_Tracker_-_Education.pdf)
- 29 Human Rights Watch. Nepal: COVID-19 Pandemic Fueling Child Labor. New York, May 26, 2021.  
<https://www.hrw.org/news/2021/05/26/nepal-covid-19-pandemic-fueling-child-labor>
- 30 Sharma, Gopal. Nepal bans big public gatherings, closes schools as COVID cases spike. Kathmandu: Reuters, January 10, 2022.  
<https://www.reuters.com/world/asia-pacific/nepal-closes-schools-covid-19-cases-spike-2022-01-10/>
- 31 Government of Nepal. Free and Compulsory Education Act, 2075. (2018). Source on file.
- 32 U.S. Embassy- Kathmandu. Reporting. January 12, 2018.
- 33 Shrestha, Elisha. Without proper sanitation facilities, girls keep missing school during menstruation. The Kathmandu Post, December 31, 2019.  
<https://kathmandupost.com/national/2019/12/31/without-proper-sanitation-facilities-girls-keep-missing-school-during-menstruation>
- 34 U.S. Department of State. Country Reports on Human Rights Practices- 2020: Nepal. Washington, D.C., March 30, 2021.  
<https://www.state.gov/reports/2020-country-reports-on-human-rights-practices/nepal/>
- 35 Government of Nepal. Child Labour (Prohibition and Regulation) Act, 2056 (2000), No. 14. Enacted: June 21, 2000.  
<https://www.warnathgroup.com/wp-content/uploads/2017/10/Nepal-Child-Labor-Act.pdf>
- 36 Government of Nepal. Bonded Labor (Prohibition) Act, 2058 (2002), No. 21. Enacted: April 20, 2002.  
[http://www.ilo.org/dyn/natlex/natlex4.detail?p\\_lang=en&p\\_isn=71670](http://www.ilo.org/dyn/natlex/natlex4.detail?p_lang=en&p_isn=71670)
- 37 Government of Nepal. Labour Act. Enacted: September 4, 2017. Source on file.
- 38 Government of Nepal. Human Trafficking and Transportation (Control) Act, 2064 (2007). Bikram Era. Enacted: July 24, 2007. Source on file.
- 39 Government of Nepal. Act Relating to Children 2018, (Children's Act, 1990), Act Promulgated to Amend and Codify Laws related to Children. Enacted: September 18, 2018. Source on file.
- 40 Government of Nepal. Children's Act, 2048 (1992). Enacted: May 20, 1992.  
<http://www.lawcommission.gov.np/en/archives/14005>
- 41 Government of Nepal. Military Service Regulations. 2013. Source on file.
- 42 Government of Nepal. Constitution of the Kingdom of Nepal. Enacted: 2015.  
[http://www.ilo.org/dyn/natlex/docs/MONOGRAPH/100061/119815/F-1676948026/NPL100061\\_Eng.pdf](http://www.ilo.org/dyn/natlex/docs/MONOGRAPH/100061/119815/F-1676948026/NPL100061_Eng.pdf)
- 43 Government of Nepal. Education Act, 2028 (1971). Enacted: August 9, 1971. Source on file.
- 44 U.S. Embassy- Kathmandu official. E-mail communication to USDOL official. January 26, 2018.
- 45 The Himalayan Times. Govt approves Online Child Protection Procedure. Kathmandu: October 27, 2021.  
<https://thehimalayantimes.com/nepal/govt-approves-online-child-protection-procedure>
- 46 ILO. Brick by Brick: Unveiling the full picture of South Asia's brick kiln industry and building the blocks for change. January 30, 2017.  
[https://www.ilo.org/wcmsp5/groups/public/---ed\\_norm/---declaration/documents/publication/wcms\\_542925.pdf](https://www.ilo.org/wcmsp5/groups/public/---ed_norm/---declaration/documents/publication/wcms_542925.pdf)
- 47 U.S. Embassy- Kathmandu official. E-mail communication to USDOL official. February 21, 2021.
- 48 Government of Nepal. Master Plan on Child Labor (2018–2028). Kathmandu. 2018.
- 49 U.S. Embassy- Kathmandu official. E-mail communication to USDOL official. June 28, 2019.
- 50 ILO Committee of Experts. Observation concerning Minimum Age Convention, 1973 (No. 138) Nepal (ratification: 1997). Published: 2019.  
[https://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100\\_COMMENT\\_ID:3957776](https://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:3957776)
- 51 The Himalayan Times. Trafficking laws incompatible with Palermo Protocol July 27, 2021.  
<https://thehimalayantimes.com/nepal/trafficking-laws-incompatible-with-palermo-protocol>
- 52 Government of Nepal. Women, Children and Senior Citizen Service Directorate. Nepal Police, Accessed February 3, 2021.  
<https://old-cid.nepalpolice.gov.np/index.php/cid-wings/women-children-service-directorate>
- 53 U.S. Embassy- Kathmandu. Reporting. October 3, 2019.
- 54 Paudel, Nayak. Nepal Police sets up separate bureau to look into human trafficking cases Kathmandu: The Kathmandu Post. May 12, 2019.  
<https://kathmandupost.com/national/2019/02/04/nepal-police-sets-up-separate-bureau-to-look-into-human-trafficking-cases>
- 55 U.S. Embassy- Kathmandu. Reporting. October 30, 2020.
- 56 U.S. Embassy- Kathmandu official. E-mail communication to USDOL official. March 3, 2022.
- 57 U.S. Embassy- Kathmandu official. E-mail communication to USDOL official. February 5, 2021.
- 58 World Education- Sakriya. Country Report. September 30, 2021. Source on file.
- 59 ILOSTAT. ILO Labor Force Statistics (LFS)- Population and labour force. Accessed January 25, 2022. Labor force data is modelled on a combination of demographic and economic explanatory variables by the ILO. Please see "Labor Law Enforcement: Sources and Definitions" in the Reference Materials section of this report  
<https://ilostat.ilo.org/data/>
- 60 U.S. Department of State. Country Reports on Human Rights Practices- 2020: Nepal. Washington, D.C., 2021.  
<https://www.state.gov/reports/2020-country-reports-on-human-rights-practices/nepal/>
- 61 U.S. Embassy- Kathmandu official. E-mail communication to USDOL official. February 12, 2018.
- 62 U.S. Embassy- Kathmandu official. E-mail communication to USDOL official. May 4, 2017.
- 63 U.S. Embassy- Kathmandu official. E-mail communication to USDOL official. February 17, 2021.
- 64 Government of Nepal. National Child Rights Council. Kathmandu, Nepal: December 2020. Source on file.
- 65 U.S. Embassy- Kathmandu official. E-mail communication to USDOL official. March 18, 2020.
- 66 U.S. Embassy- Kathmandu official. E-mail communication to USDOL official. February 2, 2020.
- 67 U.S. Department of State. Trafficking in Persons Report- 2020: Nepal. Washington, D.C., June 16, 2020.  
<https://www.state.gov/reports/2020-trafficking-in-persons-report/nepal/>
- 68 National Human Rights Commission - Nepal. About Us. Accessed July 11, 2022.  
<http://www.nhrnepal.org/aboutus>
- 69 Samiti, R.S. Master plan against child labor passed. The Himalayan Times, July 9, 2018.  
<https://thehimalayantimes.com/kathmandu/master-plan-against-child-labour-passed/>
- 70 Himalayan News Service. Government drafts action plan to eliminate child labour. February 1, 2020.  
<https://thehimalayantimes.com/kathmandu/government-drafts-action-plan-to-eliminate-child-labour/>

- 71 Government of Finland. Nepal School Education Sector Plan (SESP). December 10, 2021.  
[https://um.fi/special-target-groups/-/asset\\_publisher/hVUm8qOoXH3u/ahaKytInterventionType/id/56977264](https://um.fi/special-target-groups/-/asset_publisher/hVUm8qOoXH3u/ahaKytInterventionType/id/56977264)
- 72 Ghimire, Binod. New school reform plan set for rollout despite two previous flops. The Kathmandu Post, January 22, 2022.  
<https://kathmandupost.com/national/2022/01/20/new-school-reform-plan-set-for-rollout-despite-two-previous-flops>
- 73 Government of Nepal, Ministry of Education. School Sector Development Plan 2016/17–2022/23. Kathmandu: October 24, 2016.  
<https://assets.globalpartnership.org/s3fs-public/2019-05-nepal-education-sector-plan.pdf?VersionId=V62ozcbSo5XSO.LM7HAM2YMqTMLZvZ3S>
- 74 Government of Nepal. Nepal School Sector Development Plan 2021–Budget Review Meeting. May 17–21, 2021. Source on file.
- 75 Government of Nepal. National Plan of Action against Trafficking in Persons, Especially Trafficking in Women and Children 2068. Kathmandu: Ministry of Women, Children and Social Welfare, 2012. Source on file.
- 76 Government of Nepal, National Planning Commission. The Fifteenth Plan (Fiscal Year 2019/20–2023/24). Kathmandu: March 2020.  
[https://www.npc.gov.np/images/category/15th\\_plan\\_English\\_Version.pdf](https://www.npc.gov.np/images/category/15th_plan_English_Version.pdf)
- 77 Alliance 8.7. Report from Nepal technical consultation on SDG Alliance 8.7 in Nepal. February 7, 2019.  
<https://www.alliance87.org/wp-content/uploads/2019/01/Report-on-Nepal-technical-consultation-meeting-Alliance-8.7-7-Feb.pdf>
- 78 Alliance 8.7 Pathfinders. Nepal. 2018.  
[https://www.alliance87.org/pathfinder\\_countries/nepal/](https://www.alliance87.org/pathfinder_countries/nepal/)
- 79 Sansar, Nepali. Nepal Launches Social Security Scheme, Calls it 'New Era.' November 27, 2018.  
<https://www.nepalisansar.com/news/nepal-launches-social-security-scheme-calls-it-new-era/>
- 80 Mandal, Chandan Kumar. Government amends Social Security Scheme rules to attract workers. The Kathmandu Post, February 19, 2021.  
<https://kathmandupost.com/national/2021/02/19/government-amends-social-security-scheme-rules-to-attract-workers#:~:text=Under the social security scheme,and old-age security plan>
- 81 Mandal, Chandan Kumar. Credit facilities introduced for wooing contributors to the social security scheme. The Kathmandu Post, December 4, 2020.  
<https://kathmandupost.com/national/2020/12/04/credit-facilities-introduced-for-wooing-contributors-to-the-social-security-scheme>
- 82 Child Workers in Nepal Concerned Centre. Child Helpline–1098. Source on file.
- 83 Winrock International. Hamro Samman – Partnerships to Combat Human Trafficking in Nepal. 2017. Source on file.
- 84 Hamro Samman Fiscal Year 2021: Fourth Annual Report. Winrock International, 2021.
- 85 U.S. Department of Labor. Sakriya. Washington, D.C., Accessed 2021.  
<https://www.dol.gov/agencies/ilab/sakriya>
- 86 U.S. Department of Labor. From Protocol to Practice: A Bridge to Global Action on Forced Labor (The Bridge Project). Washington, D.C., Accessed 2021.  
<https://www.dol.gov/agencies/ilab/protocol-practice-bridge-global-action-forced-labor-bridge-project-0>
- 87 U.S. Department of Labor. Sakriya - Civil Society Action To End Exploitative Child Labor. Washington, D.C.: Accessed 2022.  
<https://www.dol.gov/agencies/ilab/sakriya>
- 88 U.S. Department of Labor. From Protocol to Practice: A Bridge to Global Action on Forced Labor (The Bridge Project). Washington, D.C.: Accessed 2022.  
<https://www.dol.gov/agencies/ilab/protocol-practice-bridge-global-action-forced-labor-bridge-project-0>

In 2021, Nicaragua made minimal advancement in efforts to eliminate the worst forms of child labor. The government participated in an IOM social media anti-trafficking in persons awareness campaign called Recognize the Signs (Atendé las Señales) and conducted 1,409 nationwide door-to-door visits to families of children ages six and under to promote school attendance. 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 the government lacks adequate services for human trafficking victims, such as shelters. Additionally, labor and criminal law enforcement agencies lack the financial and human resources necessary to fulfill their mandates. 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.

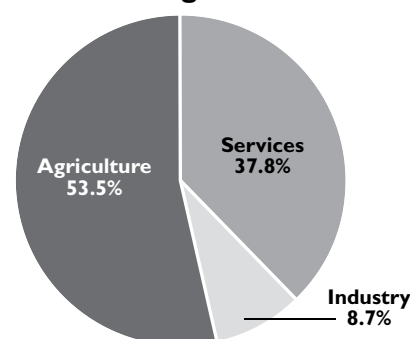
**Table 1. Statistics on Children's Work and Education**

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, 2022. (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)
	Fishing,† including collecting shellfish† (9-11)
Industry	Construction,† including transporting materials† (8,9,12)
	Quarrying† of pumice and limestone, and mining† of gold (2,9-13,14)
	Production of gravel (crushed stones)† (15)
Services	Domestic work (8-12)
	Work in transportation† (8,9)

# Nicaragua

## MINIMAL ADVANCEMENT

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

Sector/Industry	Activity
Services	Work in tourism and the hotel industry (8,10)
	Work in restaurants (10)
	Street work (8-11)
Categorical Worst Forms of Child Labor‡	Commercial sexual exploitation, sometimes as a result of human trafficking, and use in the production of pornography (1,10,12,16,17)
	Forced labor in domestic work, agriculture, construction, and mining (12,16,17)
	Forced begging (12,13,18)
	Use in illicit activities, including in drug production and drug trafficking, sometimes as a result of human trafficking (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.

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. (13,20) Children from poor rural areas, those in the Caribbean Autonomous Regions, and migrants from the Northern Triangle countries are particularly vulnerable. (13,21) In addition, Nicaragua is a destination country for child sex tourists from the United States, Canada, and Western Europe. (22) Limited research suggests that after the political upheaval that took place in 2018 the Nicaraguan National Police began focusing resources on responding to antigovernment protests, as well as surveilling and arresting political opposition members, possibly impacting public security and its ability to address the worst forms of child labor. (1,10,17) This trend continued following increased actions by the government targeting democratic groups and civil society actors since May 2021. (10) During the reporting period, the government impeded the work of civil society, including groups working on children's issues by threatening civil society organizations with fines or closure if deemed in opposition to the government, which may increase the vulnerability of children to exploitation. (10) Children in Nicaragua who lack identification documents, sometimes due to a lack of birth registration, may not have access to social services and are at an increased risk of human trafficking and commercial sexual exploitation. (23)







Due to the continued COVID-19 pandemic and a stalled economy, many Nicaraguans have established informal family businesses, which are more likely to utilize child labor. (10) Reports indicate that as a direct result of the pandemic child labor has increased in Nicaragua, with a visible increase of children working at traffic lights. Due to government's actions against several civil society organizations, some NGOs that offered free childcare for children of parents working in the informal sector were closed. (24) This could have a negative impact as parents who work in the informal sector, such as selling at traffic lights, and who cannot afford to pay for child care or school now have limited options and must take their children with them while they work, increasing their vulnerability. (24)

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) Another barrier facing children from rural areas is the long distances and a lack of secure transportation. (10) There are also reports of poor preschool education, particularly among disadvantaged rural households, insufficient learning materials, and limited school infrastructure. Only 50 percent of schools in the country provide basic drinking water. (25) School infrastructures are also very susceptible to damage or destruction during natural disasters. Children from indigenous groups and of African descent face significant discrimination in accessing education. (25)

## II. LEGAL FRAMEWORK FOR CHILD LABOR

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

**Table 3. Ratification of International Conventions on Child Labor**

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

The government has established laws and regulations related to child labor (Table 4). However, gaps exist in Nicaragua's legal framework to adequately protect children from the worst forms of child labor, including establishing a compulsory education age.

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

Standard	Meets International Standards	Age	Legislation
Minimum Age for Work	Yes	14	Articles 130 and 131 of the Labor Code; Articles 2 and 73 of the Childhood and Adolescence Code; Article 84 of the Constitution (26-29)
Minimum Age for Hazardous Work	Yes	18	Articles 130, 133, and 135 of the Labor Code; Article 1 of Ministerial Agreement No. JCHG-08-06-10; Articles 2 and 74 of the Childhood and Adolescence Code (26-28,30)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Articles 1 and 6 of Ministerial Agreement No. JCHG-08-06-10; Articles 133 and 135 of the Labor Code (26,30)
Prohibition of Forced Labor	Yes		Article 40 of the Constitution; Articles 5, 6, and 61 of the Law Against Trafficking in Persons; Articles 16, 182, 182 bis, and 315 of the Penal Code (29,31,32)
Prohibition of Child Trafficking	Yes		Part III and Articles 3, 6, and 61 of the Law Against Trafficking in Persons; Articles 16, 182, and 182 bis of the Penal Code; Article 40 of the Constitution (29,31,32)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Articles 6 and 61 of the Law Against Trafficking in Persons; Articles 175, 176, 178-180, 182, and 182 bis of the Penal Code; Articles 5 and 26 of the Childhood and Adolescence Code (28,31,32)
Prohibition of Using Children in Illicit Activities	Yes		Articles 6 and 61 of the Law Against Trafficking in Persons; Articles 182, 182 bis, 349, 351, 352, 359, and 362 of the Penal Code (31,32)
Minimum Age for Voluntary State Military Recruitment	Yes	18	Annex I of the Code on the Organization, Jurisdiction, and Social Welfare of the Military (34)
Prohibition of Compulsory Recruitment of Children by (State) Military	N/A*		
Prohibition of Military Recruitment by Non-state Armed Groups	Yes		Article 509 of the Penal Code; Article 79 of the Childhood and Adolescence Code; Article 95 of the Constitution (28,29,31)
Compulsory Education Age	No	12‡	Article 121 of the Constitution; Articles 19 and 23 of the Education Law; Article 43 of the Childhood and Adolescence Code (28,29,35)
Free Public Education	Yes		Article 121 of the Constitution; Articles 8, 19, and 23 of the Education Law; Article 43 of the Childhood and Adolescence Code (28,29,35)

\* Country has no conscription (29)

‡ Age calculated based on available information (28,29,35)



# Nicaragua

## MINIMAL ADVANCEMENT

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. (29) Under Articles 19 and 23 of the Education Law, education is compulsory only through the sixth grade, which it specifies is up to age 12 and the end of primary school. (35) Article 43 of the Childhood and Adolescence Code states that both primary and secondary school education are compulsory, suggesting up to age 17; however, it does not specifically state an age. (28) The lack of clarity regarding the age up to which education is compulsory, and the potential gap between the compulsory education age and the minimum age for work, may leave children vulnerable to child labor, including its worst forms. (36)

### III. ENFORCEMENT OF LAWS ON CHILD LABOR

The government has established institutional mechanisms for the enforcement of laws and regulations on child labor (Table 5). However, gaps exist within the operations of 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 (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. (10,17) 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. (10,17)
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. (10,17)
Ministry of Governance	Coordinates participation between MITRAB and the Nicaraguan National Police in labor inspections in which employers resist inspection. (10,17)
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. (10,17)
Human Rights Attorney for Children	Assists in the enforcement of laws related to child labor and hazardous child labor. (10,17)

### **Labor Law Enforcement**

In 2021, labor law enforcement agencies in Nicaragua took actions to address 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	2020	2021
Labor Inspectorate Funding	\$1,380,000 (1)	\$1,310,000 (10)
Number of Labor Inspectors	97 (1)	97 (10)
Mechanism to Assess Civil Penalties	Yes (26)	Yes (26)
Initial Training for New Labor Inspectors	N/A (1)	Yes (37)
Training on New Laws Related to Child Labor	N/A (1)	N/A (10)
Refresher Courses Provided	Yes (1)	Yes (10)
Number of Labor Inspections Conducted	15,182 (1)	14,815 (37)
Number Conducted at Worksite	Unknown (1)	Unknown (10)
Number of Child Labor Violations Found	4 (1)	3 (37)
Number of Child Labor Violations for Which Penalties Were Imposed	Unknown (1)	Unknown (10)
Number of Child Labor Penalties Imposed that Were Collected	Unknown (1)	Unknown (10)
Routine Inspections Conducted	Yes (1)	Yes (10)
Routine Inspections Targeted	Yes (1)	Yes (10)
Unannounced Inspections Permitted	Yes (38)	Yes (38)
Unannounced Inspections Conducted	Unknown (1)	Yes (10)
Complaint Mechanism Exists	Yes (1)	Yes (10)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (1)	Yes (10)

In 2021, a total of 14,815 labor inspections were conducted, representing approximately 153 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. (10) The government conducted 2,281 child labor specific inspections, all of which were carried out in worksites. (10,37) During inspections several children were identified working in the agricultural sector, hotels, and restaurants and were immediately removed from these child labor situations. (37,39) A lack of resources may hinder MITRAB's capacity to enforce child labor laws. (8,9) For example, the number of labor inspectors is likely insufficient for the size of Nicaragua's workforce, which includes more than 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 need to employ about 201 inspectors. (40,41) 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) The government indicated that 42 percent of the Ministry of Labor's overall budget goes to labor inspections. (10,37)

### Criminal Law Enforcement

In 2021, criminal law enforcement agencies in Nicaragua took actions to address child labor (Table 7). However, gaps exist within the operations of the criminal enforcement agencies that may hinder adequate criminal law enforcement, including the insufficient allocation of 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	2020	2021
Initial Training for New Criminal Investigators	Unknown (1)	Unknown (10)
Training on New Laws Related to the Worst Forms of Child Labor	Unknown (1)	N/A (10)
Refresher Courses Provided	Unknown (1)	Unknown (10)
Number of Investigations	7 (1)	Unknown (61)
Number of Violations Found	7 (1)	Unknown (61)
Number of Prosecutions Initiated	7 (1)	Unknown (61)
Number of Convictions	9 (1)	Unknown (61)
Imposed Penalties for Violations Related to the Worst Forms of Child Labor	Yes (1)	Unknown (61)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (1)	Yes (10)

While comprehensive information about the training provided to criminal law enforcement investigators was unavailable, reports indicate that government officials, including police and prosecutors, received training on trafficking in persons issues during the reporting period. (10,21)

The government reported it presented 28 criminal accusations for crimes related to the commercial sexual exploitation of minors, and 7 for trafficking in persons in which the victims were minors; however, this number is low compared to the severity of the problem in the country. (1,10,37) Moreover, the government does not publicize the judicial proceedings and independent observers are unable to verify arrests, detentions, and convictions of individuals. (42) Research indicates that criminal law enforcement agencies lack sufficient financial resources to adequately carry out criminal investigations. In addition, research points out that all government efforts related to the worst forms of child labor do not adequately address the scope of the problem. (43)

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. (44) 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. (22)

# Nicaragua

## MINIMAL ADVANCEMENT

While there is a reciprocal referral mechanism between criminal authorities and social services in the country, there is no information as to the extent it is used or how effective it is. (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 a lack of efficacy in accomplishing mandates.

**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. (10) Reports indicate that it was active during the reporting period. (37)
National Coalition Against Trafficking in Persons (NCATIP)	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. (10,20,45) During the reporting year, it met monthly, while its 17 departmental committees met regularly. (10)

Although the National Coalition Against Trafficking in Persons (NCATIP) led several working groups in 2021, for the fifth 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. (1,10,13,16,20-22) 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. (21,42) NCATIP has still not announced or appointed a person to the position of Executive Secretariat, which is mandated by the Law Against Trafficking in Persons. (1,10)

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 addressing 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 a lack of implementation of key national policies.

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

Policy	Description
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. (47) 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)	Focused on awareness raising, capacity building, trainings, victim attention and protection, and monitoring. 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. (13) In 2021, the government participated in an IOM social media anti-trafficking in persons awareness campaign called Recognize the Signs ( <i>Atendé las Señales</i> ). The government also reported carrying out informational meetings with tourism centers, trainings for judicial staff, meetings with high school parent-teacher associations, and radio programs on the topic of trafficking in persons. (10) It also provided post-graduate training to 56 government officials on the topic of trafficking in persons, and coordinated a virtual workshop with 84 government officials on the Protocol for the Repatriation of Trafficking in Persons Victims. (10)
National Strategy for the Comprehensive Care and Assistance to Victims of Human Trafficking	Describes the process for identifying and assisting victims of human trafficking. (48) 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 2021, 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 insufficient 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. (49) 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. (49) Allows MIFAN to carry out activities with other government institutions, civil society, and religious organizations, as well as with communities and families. (1) Its Love Program for the Smallest Ones includes children from birth to age 6. (49) Conducted 1,409 nationwide door-to-door visits to families of children ages 6 and under to promote school attendance, as well as 47,102 school and door-to-door awareness visits to at-risk families to support continued schooling in 2021. It also provided 2,951 adolescents with seed funding and/or technical education. (10) During the reporting period, the government supported 22,912 at-risk children to enter the school system. This resulted in 22,454 of the students staying in school and 21,308 of them passing their grade. (10) The government provided 3,352 families with at least eight foodstuff packages through a handout program that benefits mothers of two or more children. These packages benefitted 6,267 children under the age of 12. (10) They also assisted 43 children or adolescents currently living under government protection to receive identification documents. (10)
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. (50,51) Research was unable to determine whether activities were undertaken during the reporting period to implement the Educational Bridges program.
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. (44) In 2021, the government reported providing this assistance to 100 percent of students in public schools, and independent reports indicate that this program was active during the year. (39,52) The government reinforced the aid provided through the program several times in the areas worst affected by hurricanes Eta and Iota, providing children in 15 municipalities with an extra meal. (53)
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. (44) In 2021, the government provided one million school supply packages to students and 60 thousand briefcases to teachers. (54)
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. (1) The government reported 106,040 participants either received a door-to-door visit, or participated in a workshop, forum, or a recreational activity during the reporting period. (10)

† 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. (1,10,37,55)

The government reports that there are 272 Child Development Centers (pre-school and after-school centers), of which 160 receive public funding, this is an effort to increase schooling for children under the age of six. (10)

MIFAN coordinates services for child trafficking victims, including access to medical and legal services, as well as education. (22,18,37) 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. (22)

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. (17)

Civil society organizations in Nicaragua and international organizations have raised concerns about a law that was passed in December 2020, which they state has had a significant negative impact in the ability of independent civil society organizations to carry out their work. (56,57) This law requires NGOs, individuals, and other entities receiving funds from outside the country to register with the Interior Ministry as "foreign agents" and provide detailed reports of their finances. If they fail to do as mandated, they could face hefty fines, jail time, and seizure of their property. (57,58) Critics state that the law has served to silence civil society. Reports indicate

# Nicaragua

## MINIMAL ADVANCEMENT

that numerous civil society organizations have been forced to close or suspend their activities in the country, including groups working on children's issues and education, which may increase the vulnerability of children to exploitation. (56,57,59,60)

## 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 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 – 2021
Enforcement	Ensure that all criminal investigators receive training and refresher courses.	2019 – 2021
	Increase the number of labor inspectors from 97 to 201 to meet the ILO's technical advice.	2009 – 2021
	Publish labor law enforcement information on the number of inspections conducted at worksites, and on the number of child labor violations for which penalties were imposed and collected.	2015 – 2021
	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 – 2021
	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 – 2021
	Establish an adequate mechanism for identifying human trafficking victims, particularly children, among high-risk populations.	2018 – 2021
	Make publicly available criminal law enforcement information on efforts related to the worst forms of child labor to allow for the verification of the information.	2021
Coordination	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 – 2021
	Ensure that the National Coalition Against Trafficking of Persons works with relevant local stakeholders to address human trafficking issues, and ensure that it establishes a person to the position of Executive Secretariat, as mandated by the Law Against Trafficking in Persons.	2015 – 2021
Government Policies	Ensure that activities are undertaken to implement the key policies related to child labor and that data on these activities to address child labor are published during the reporting period.	2009 – 2021
Social Programs	Collect and publish updated data on the prevalence of child labor in the country.	2018 – 2021
	Expand birth registration programs to ensure that children have access to basic services.	2009 – 2021
	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; improve school infrastructure and access to learning materials.	2009 – 2021
	Implement social programs that address the full scope of the worst forms of child labor in the country, including commercial sexual exploitation.	2009 – 2021
	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 – 2021
	Ensure that social programs are adequately funded and implemented, and that they report on their yearly efforts.	2019 – 2021
	Ensure that civil society organizations and NGOs are able to carry out their work freely and independently.	2021

## REFERENCES

- U.S. Embassy- Managua. Reporting. January 15, 2021.
- ILO Committee of Experts. Individual Direct Request concerning Minimum Age Convention (No. 138) Nicaragua (ratification: 1981). Published: 2018.  
[http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100\\_COMMENT\\_ID:3333000](http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:3333000)
- ES Global. Trabajo en manos de niños. August 6, 2018.  
<https://www.esglobal.org/trabajo-en-manos-de-ninos/>
- UNESCO Institute for Statistics. Gross intake ratio to the last grade of primary education, both sexes (%). Accessed March 3, 2022. For more information, please see "Children's Work and Education Statistics: Sources and Definitions" in the Reference Materials section of this report.  
<http://data.uis.unesco.org/>
- ILO. Analysis of Child Economic Activity and School Attendance Statistics from National Household or Child Labor Surveys. Original data from Encuesta Continua de Hogares (ECH), 2012. Analysis received March 2022. Please see "Children's Work and Education Statistics: Sources and Definitions" in the Reference Materials section of this report.
- Andrews, Deborah. Teen Workers May Be Dying to Produce Sugar in Nicaragua. September 21, 2017.  
<https://stopchildlabor.org/?p=4438>



- 7 U.S. Embassy- Managua. Reporting. February 10, 2011.
- 8 U.S. Embassy- Managua. Reporting. January 29, 2019.
- 9 U.S. Embassy- Managua. Reporting. January 12, 2018.
- 10 U.S. Embassy- Managua. Reporting. January 14, 2022.
- 11 U.S. Embassy- Managua. Reporting. January 12, 2022.
- 12 U.S. Department of State. Trafficking in Persons Report- 2021 Nicaragua. Washington, DC, July 1, 2021.  
<https://www.state.gov/reports/2021-trafficking-in-persons-report/nicaragua/>
- 13 U.S. Embassy- Managua. Reporting. February 15, 2019.
- 14 Instituto de Estudios Estratégicos y Políticas Públicas. Historias de Vida: Rostros de la Explotación de la Niñez y la Adolescencia en Nicaragua. 2012. Source on file.
- 15 U.S. Embassy- Managua official. E-mail communication to USDOL official. June 22, 2018.
- 16 U.S. Embassy- Managua. Reporting. February 20, 2020.
- 17 U.S. Embassy- Managua. Reporting. January 23, 2020.
- 18 U.S. Embassy- Managua. Reporting. February 26, 2021.
- 19 ILO Committee of Experts. Direct Request concerning Minimum Age Convention, 1973 (No. 138) Nicaragua (ratification 1981). Published 2019.  
[https://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100\\_COMMENT\\_ID,P11110\\_COUNTRY\\_ID,P11110\\_COUNTRY\\_NAME,P11110\\_COMMENT\\_YEAR:3956625,102780,Nicaragua,2018](https://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID,P11110_COUNTRY_ID,P11110_COUNTRY_NAME,P11110_COMMENT_YEAR:3956625,102780,Nicaragua,2018)
- 20 U.S. Embassy- Managua. Reporting. February 12, 2018.
- 21 U.S. Embassy- Managua. Reporting. January 28, 2022.
- 22 U.S. Department of State. Trafficking in Persons Report- 2020 Nicaragua. Washington, DC, June 25, 2020.  
<https://www.state.gov/reports/2020-trafficking-in-persons-report/nicaragua/>
- 23 U.S. Department of State. Country Reports on Human Rights Practices- 2021: Nicaragua. Washington, DC, April 12, 2022.  
<https://www.state.gov/reports/2021-country-reports-on-human-rights-practices/nicaragua/>
- 24 Vega Sánchez, Lorenzo. Pandemia Incide en Aumento del Trabajo Infantil en Nicaragua, Dicen Organismos. VOS TV. January 8, 2021.  
<https://www.vostv.com.ni/reportajes/15907-el-trabajo-infantil-en-managua-defensores-de-la-ni/>
- 25 UN Human Rights Council. Compilation on Nicaragua- Report of the Office of the United Nations High Commissioner for Human Rights. November 26, 2019. Source on File.
- 26 Government of Nicaragua. Código del Trabajo - Compilación de normas laborales de la República de Nicaragua a septiembre del 2009. Enacted: 1996 and 2009. Source on file.
- 27 Government of Nicaragua. Ley núm. 474 por la que se dicta la Ley de reforma al Título VI, Libro Primero del Código de Trabajo, núm. 474. Enacted October 21, 2003.  
[http://www.ilo.org/dyn/natlex/natlex\\_browse.details?p\\_lang=en&p\\_isn=67286](http://www.ilo.org/dyn/natlex/natlex_browse.details?p_lang=en&p_isn=67286)
- 28 Government of Nicaragua. Código de la Niñez y la Adolescencia, No. 287. Enacted: May 1998.  
[http://www.oas.org/dil/esp/Codigo\\_de\\_la\\_Ninez\\_y\\_la\\_Adolescencia\\_Nicaragua.pdf](http://www.oas.org/dil/esp/Codigo_de_la_Ninez_y_la_Adolescencia_Nicaragua.pdf)
- 29 Government of Nicaragua. Constitución Política de la República de Nicaragua. Enacted: 1987, with 1995, 2002 and 2005 reforms.  
<http://pdba.georgetown.edu/Constitutions/Nica/nica05.html>
- 30 Government of Nicaragua. Acuerdo Ministerial núm. JCHG-08-06-10 sobre prohibición de trabajos peligrosos para personas adolescentes y listado de trabajos peligrosos. Enacted: June 23, 2010. Source in file.
- 31 Government of Nicaragua. Código Penal de la República de Nicaragua, No. 641. Enacted: November 13, 2007.  
[http://www.poderjudicial.gob.ni/pijupload/noticia\\_reciente/CP\\_641.pdf](http://www.poderjudicial.gob.ni/pijupload/noticia_reciente/CP_641.pdf)
- 32 Government of Nicaragua. Ley Contra la Trata de Personas, No. 896. Enacted: February 25, 2015. Source on file.
- 33 Government of Nicaragua. Ley de Reformas y Adiciones a la Ley No. 177, Ley de Estupefacientes, Sicotrópicos, y Sustancias Controladas, No. 285. Enacted: April 15, 1999. Source on file.
- 34 Government of Nicaragua. Código de Organización, Jurisdicción, y Previsión Social Militar, con sus reformas incorporadas, No. 181. Enacted: March 3, 2014. Source on file.
- 35 Government of Nicaragua. Ley General de Educación, No. 582. Enacted: March 22, 2006.  
[http://www.oei.es/quipu/nicaragua/Ley\\_Educ\\_582.pdf](http://www.oei.es/quipu/nicaragua/Ley_Educ_582.pdf)
- 36 ILO Committee of Experts. Individual Observation concerning Minimum Age Convention, 1973 (No. 138) Nicaragua (ratification 1981). Published 2019.  
[https://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100\\_COMMENT\\_ID,P11110\\_COUNTRY\\_ID,P11110\\_COUNTRY\\_NAME,P11110\\_COMMENT\\_YEAR:3956625,102780,Nicaragua,2018](https://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID,P11110_COUNTRY_ID,P11110_COUNTRY_NAME,P11110_COMMENT_YEAR:3956625,102780,Nicaragua,2018)
- 37 Government of Nicaragua. Written Communication, Actions and Good Practices of the Government of Nicaragua to Prevent and Address Child Labor. December 10, 2021. Source on file.
- 38 Government of Nicaragua. Ley General de Inspección del Trabajo, No. 664. Enacted: September 19, 2008.  
<https://www.ilo.org/dyn/travail/docs/2127/Ley664Nic.pdf>
- 39 Government of Nicaragua. Written Communication, Note to the U.S. Embassy. January 11, 2022. Source on file.
- 40 UN. World Economic Situation and Prospects 2021 Statistical Annex. New York, 2021. Please see "Labor Law Enforcement: Sources and Definitions" in the Reference Materials section of this report.  
<https://www.un-ilibrary.org/content/books/9789210054980/read>
- 41 ILO modelled estimates and projections (ILOEST) – Population and labour force. Accessed (January 25, 2022). Labor force data is modelled on a combination of demographic and economic explanatory variables by the ILO. Please see "Labor Law Enforcement: Sources and Definitions" in the Reference Materials section of this report.  
<https://ilostat.ilo.org/data/>
- 42 U.S. Embassy- Managua official. E-mail communication to USDOL official. July 1, 2021.
- 43 U.S. Embassy- Managua. Reporting. February 10, 2017.
- 44 U.S. Embassy- Managua. Reporting. January 13, 2017.
- 45 International Organization for Migration. UN Migration Agency Helps Strengthen Nicaragua's National Coalition against Trafficking in Persons. Managua, June 6, 2018.  
<https://www.iom.int/news/un-migration-agency-helps-strengthen-nicaraguas-national-coalition-against-trafficking-persons>
- 46 International Labor Organization. Roadmap to make Central America, Panama, and the Dominican Republic a Child Labour Free Zone. March 2010.  
[https://www.ilo.org/ipec/Informationresources/WCMS\\_IPEC\\_PUB\\_13376/lang-en/index.htm](https://www.ilo.org/ipec/Informationresources/WCMS_IPEC_PUB_13376/lang-en/index.htm)
- 47 Government of Nicaragua. Plan de Buen Gobierno 2016. 2016: Report. Source on file.
- 48 U.S. Department of State. Trafficking in Persons Report- 2019: Nicaragua. Washington, DC, June 2019.  
<https://www.state.gov/reports/2019-trafficking-in-persons-report-2/nicaragua/>
- 49 El 19 Digital. Acciones del Estado de Nicaragua en la Lucha contra el Trabajo Infantil. October 18, 2018.  
<https://www.el19digital.com/articulos/ver/titulo:82846--acciones-del-estado-de-nicaragua-en-la-lucha-contra-el-trabajo-infantil>
- 50 World Vision. Por los Niños. Puentes Educativos: La compañía es el mejor regalo. January 16, 2019.  
[http://www.worldvision.org.ni/essential\\_grid/puentes-educativos-la-compania-es-el-mejor-regalo/](http://www.worldvision.org.ni/essential_grid/puentes-educativos-la-compania-es-el-mejor-regalo/)
- 51 El Nuevo Diario. 160 niños recibieron educación en haciendas cafetaleras. February 27, 2017.  
<https://www.elnuevodiario.com.ni/nacionales/420141-160-ninos- recibieron-educacion-haciendas-cafetaler/>

# Nicaragua

## MINIMAL ADVANCEMENT

- 52 Areas Esquivel, Norely. Más de 9 Mil Escuelas de Nicaragua Recibirán la Merienda Escolar. July 28, 2021.  
<https://www.el19digital.com/articulos/ver/titulo:118875-mas-de-9-mil-escuelas-de-nicaragua-recibiran-la-merienda-escolar>
- 53 Peña, Antenor. Refuerzan Merienda Escolar en Zonas Afectadas por Huracanes Eta y Iota. TN8. September 28, 2021.  
<https://www.tn8.tv/nacionales/merienda-escolar-zonas-afectadas-huracanes-eta-iota/>
- 54 El 19 Digital. Gobierno de Nicaragua Entregará Más de un Millón de Paquetes Escolares a Estudiantes. January 5, 2021.  
<https://www.el19digital.com/articulos/ver/titulo:111593-gobierno-de-nicaragua-entregara-mas-de-un-millon-de-paquetes-escolares-a-estudiantes>
- 55 Government of Nicaragua. Written communication. Submitted in response to U.S. Department of Labor's "Request for Information on Efforts by Certain Countries to Eliminate the Worst Forms of Child Labor." February 2017. Source on file.
- 56 Deutsche Welle. PEN Nicaragua Cierra por Polémica Ley Promovida por Ortega. May 2, 2021.  
<https://www.dw.com/es/pen-nicaragua-cierra-por-polémica-ley-promovida-por-ortega/a-56462279>
- 57 Associated Press. Nicaragua Foundation Announces Suspension in Face of New Law. February 5, 2021.  
<https://apnews.com/article/violeta-chamorro-philanthropy-nicaragua-latin-america-laws-f9bcca83a428801f4f565acbefbc213a>
- 58 Human Rights Watch. Nicaragua: Ortega Tightening Authoritarian Grip. October 9, 2020.  
<https://www.hrw.org/news/2020/10/08/nicaragua-ortega-tightening-authoritarian-grip>
- 59 Associated Press. Nicaragua's Congress Bans 4 Universities and 6 Aid Groups. February 2, 2022.  
<https://kstp.com/associated-press/ap-international/nicaraguas-congress-bans-4-universities-and-6-aid-groups/>
- 60 Associated Press. Ortega Cierra Otras 15 ONG en Nicaragua; Suman 55. August 26, 2021.  
<https://apnews.com/article/noticias-acc04d874bc16aba8b36ce2919f40076>
- 61 U.S. Embassy- Managua official. E-mail communication to USDOL official. July 8, 2022.

In 2021, Niger made moderate advancement in efforts to eliminate the worst forms of child labor.

The government created the National Steering Committee to Combat Child Labor. In addition, Niger signed a memorandum of understanding with Nigeria, formalizing cooperation agreements between the two governments to improve their collective response to human trafficking. Further, the government developed a National Action Plan to Combat Trafficking in Persons and a Plan for Social and Economic Development. However, children in Niger are 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 livestock. 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 government made no efforts to address the ongoing practice of wahaya, a form of child slavery that was upheld as illegal by a Nigerien court in 2019. Lastly, gaps in labor law enforcement also remain, including insufficient funding for labor inspectors to conduct inspections.



## 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 mining, each sometimes as a result of human trafficking. (1-3) Children also perform dangerous tasks herding livestock. (4) 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 (%)		51.2

Source for primary completion rate: Data from 2020, published by UNESCO Institute for Statistics, 2022. (5)

Source for all other data: International Labor Organization's analysis of statistics from Demographic and Health Survey (DHS), 2012. (6)

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

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

Sector/Industry	Activity
Agriculture	Production of rice, fruits, nuts, and vegetables (4,7,8)
	Herding and caring for livestock, including cattle, sheep, goats, and fowl (8,9)
	Fishing, including river net casting (10)
Industry	Quarrying† and mining† for trona, salt, gypsum, and gold (1,3,4,11-14)
	Metal work† (15)
	Working in construction,† tanneries,† and slaughterhouses† (4,8,14,16,17)
	Brick making (14)
Services	Street work, including as market vendors, and begging† (4)
	Garbage scavenging (4)
	Domestic work (1,4,14)

# Niger

## MODERATE ADVANCEMENT

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

Sector/Industry	Activity
Categorical Worst Forms of Child Labor†	Commercial sexual exploitation, sometimes as a result of human trafficking (3,4,14,18,19)
	Forced recruitment of children by non-state armed groups for use in armed conflict (3,4,16)
	Hereditary and caste-based slavery, including for cattle herding, agricultural work, domestic work, and sexual exploitation (3,4,14,18)
	Forced begging (1,3,4,14,18,20-22)
	Forced labor in domestic work and mining (3,13,14)

† 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.

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 slavery-like practices, particularly in the regions of Tahoua and Agadez. (4,16) 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. (8,14,24,25) 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. (4,10,26) 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. (14,18,24,27) 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. (9,14,18,24,27,28)



In Niger, some Koranic teachers known as *marabouts* are known to subject their students, boys known as *talibés*, to manual labor or forced begging rather than providing them with a religious education. (1,3,4,18) 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. (20,22,29-31) 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. (14) Research indicates that the growing insecurity in some regions of the country due to extremist activity has seen an increase in children working in domestic service and street begging. (4)

Although the Constitution guarantees free education, school fees are often required. A lack of school infrastructure and school materials, and limited availability of teachers, especially in rural areas, impedes access to education, which may increase the vulnerability of children to the worst forms of child labor. (4) During the reporting period, hundreds of schools were closed due to insecurity and attacks by extremist groups in the Tillabéri, Tahoua, and Diffa regions. (4)


## 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 (32)
Minimum Age for Hazardous Work	Yes	18	Article 159 of Decree No. 2017-682 (33)
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 (33,34)
Prohibition of Forced Labor	Yes		Article 14 of the Constitution; Article 4 and 107 of the Labor Code; Article 158 of Decree No. 2017-682; Article 270 of the Penal Code; Articles 2 and 10 of the Law on Combating Trafficking in Persons (32-36)
Prohibition of Child Trafficking	Yes		Article 107 of the Labor Code; Article 158 of Decree No. 2017-682; Articles 2 and 10 of the Law on Combating Trafficking in Persons; Article 16 of the Law 2015-36 on Illicit Traffic of Migrants (32,33,36,37)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Article 107 of the Labor Code; Article 158 of Decree No. 2017-682; Articles 291 and 292 of the Penal Code; Articles 2 and 10 of the Law on Combating Trafficking in Persons (32-34,36)
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 (32-34,36)
Minimum Age for Voluntary State Military Recruitment	Yes	18	Article 107 of the Labor Code (32)
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 (32)
Compulsory Education Age	No		Article 8 of Decree No. 2017-935; Article 2 of the Law on the Orientation of the Educational System (38,39)
Free Public Education	Yes		Article 23 of the Constitution; Article 8 of Decree No. 2017-935; Article 2 of the Law on the Orientation of the Educational System (35,38,39)

\* Country has no conscription (40)

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. (32,41) 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, particularly for young girls. However, Niger's law does not clearly articulate to which age groups the latter provision applies, thereby leaving some children at risk of not being covered and increasing the risk of children's involvement in child labor. (38,39)



# Niger

## MODERATE ADVANCEMENT

### III. ENFORCEMENT OF LAWS ON CHILD LABOR

The government has established institutional mechanisms for the enforcement of laws and regulations on child labor (Table 5). However, gaps exist within the operations of 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 and forced labor. Conducts awareness-raising programs to address child labor. (4,31,42)
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. (4,11,18,43)
Ministry of Justice's District and Magistrate Courts	Enforce criminal laws related to child labor through 10 district courts and 30 magistrate courts. (4,11,42)
National Human Rights Commission	Receives complaints related to child labor, including its worst forms, and conducts investigations of human rights violations, including hereditary slavery. (4,42)

Niger's labor inspection agencies do not have the necessary funds, resources or staff to be able to carry out their duties in all regions, especially in the informal sector and in remote locations. (4)

#### **Labor Law Enforcement**

In 2021, labor law enforcement agencies in Niger took actions to address child labor (Table 6). However, gaps exist within the operations of the Ministry of Employment, Labor and Social Security that may hinder adequate labor law enforcement, including lack of human resources.

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

Overview of Labor Law Enforcement	2020	2021
Labor Inspectorate Funding	Unknown (16)	Unknown (4)
Number of Labor Inspectors	57 (16)	60 (4)
Mechanism to Assess Civil Penalties	Yes (32)	Yes (32)
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	Yes (16)	Yes (4)
Number of Labor Inspections Conducted	Unknown (16)	Unknown (4)
Number Conducted at Worksite	Unknown (16)	Unknown (4)
Number of Child Labor Violations Found	Unknown (16)	Unknown (4)
Number of Child Labor Violations for Which Penalties Were Imposed	Unknown (16)	Unknown (4)
Number of Child Labor Penalties Imposed that Were Collected	Unknown (16)	Unknown (4)
Routine Inspections Conducted	Yes (16)	Yes (4)
Routine Inspections Targeted	Yes (16)	Yes (4)
Unannounced Inspections Permitted	Yes (32)	Yes (32)
Unannounced Inspections Conducted	Unknown (16)	Yes (4)
Complaint Mechanism Exists	Yes (16)	Yes (4)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (16)	Yes (4)

During the reporting period, labor inspectors received training on child labor laws, in collaboration with the ILO and the Government of Germany. (4)

Despite an increase in the number of labor inspectors—from 57 to 60—the total number of labor inspectors is likely insufficient for the size of Niger's workforce, which includes approximately 9.2 million workers. (4,16) According to the ILO's technical advice of a ratio approaching 1 inspector for every 40,000 workers in less developed countries, Niger would need to employ about 231 labor inspectors. (44,45) During the reporting period, the government did not collect or publish general data on child labor or the worst forms of child labor, nor did it provide information on the number of inspections conducted, violations found, penalties imposed, and penalties collected. (4)

### Criminal Law Enforcement

In 2021, criminal law enforcement agencies in Niger took actions to address child labor (Table 7). However, gaps exist within the operations of the criminal enforcement agencies that may hinder adequate criminal law enforcement, including insufficient allocation of financial resources.

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

Overview of Criminal Law Enforcement	2020	2021
Initial Training for New Criminal Investigators	Yes (16)	Yes (4)
Training on New Laws Related to the Worst Forms of Child Labor	N/A (16)	N/A (4)
Refresher Courses Provided	Yes (16)	Yes (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)

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. (2,4,46) The National Agency to Fight Against Trafficking in Persons and Illegal Migrant Transport (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 the Ministry of Employment, Labor and Social Security. (4,47) The government did not provide information on investigations, violations, prosecutions, and convictions for inclusion in this report. (4)

Even though the Nigerien Supreme Court ruled the practice of *wahaya* to be illegal in 2019, reinforcing the 2003 Penal Code that prohibits this practice, research found enforcement to be negligible and that it is still common practice in some parts of the country. Research indicates that there was no evidence of efforts to raise awareness of this ruling during the reporting period. (13,14,16,34) 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. (8,13)

## 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 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 and Forced Labor*	Formed by the government on September 14, 2021, the National Steering Committee to Combat Child and Forced Labor. Led by MELSS and includes 17 Nigerien ministries and agencies with the purpose of finalizing Niger's National Action Plan to Combat Child Labor. (4,48) Intends to develop a new plan to eliminate child labor, including a hazardous work list. Replaces the National Steering Committee on Child Labor. (4,48)
National Commission to Coordinate Efforts to Combat Trafficking in Persons and Illegal Migrant Transport (CNCLTP/TIM)	Coordinates efforts to address human trafficking, and develops and implements policies and programs related to human trafficking. (3,4,19,36) Includes representatives from MELSS and civil society organizations. (31,49) During the reporting period, held six meeting sessions. (31)
National Committee to Combat Child Labor in Agriculture	Coordinates policies and programs to address 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. (50) Research was unable to determine whether the National Committee to Combat Child Labor in Agriculture was active during the reporting period.

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

Coordinating Body	Role & Description
Child Protection Committees	Educate the public on the rights of children in order to limit abuses, including child labor. (13,51) 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 across the country. (4,11,52,53) Research was unable to determine whether the Ministry for Promotion of Women and Child Protection was active during the reporting period.
National Agency to Fight Against Trafficking in Persons and Illegal Migrant Transport	Implements policies and programs developed by 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. (3,4,49,54)

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

During the reporting period, the government took steps to formalize coordination efforts. (4) In November 2021, the government signed an MOU with Nigeria, formalizing and operationalizing cooperation agreements between law enforcement agencies in order to improve the two countries' collective response to trafficking in persons (TIP). The MOU will also implement awareness campaigns to educate populations on the risks of being targeted by traffickers. (31) Further, the ANLTP/TIM held multiple trainings on TIP issues, including child protection for judiciary, law enforcement, military, and civil society members, as well as international organization staff in 2021. Trainings were organized in collaboration with UNODC, ILO, and other organizations. (31) The ANLTP/TIM also held trainings on the implementation of the TIP National Referral Mechanism, which was enacted in 2019. (31)

## V. GOVERNMENT POLICIES ON CHILD LABOR

The government has established policies related to child labor (Table 9). However, policy gaps exist that hinder efforts to address child labor, including a lack of 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 National Agency to Fight Against Trafficking in Persons and Illegal Migrant Transport. (13,55,56) Continued to be implemented during the reporting period. (4)
Plan for Social and Economic Development (2017–2021)	Aims to promote sustainable development and social equality. Overseen by the Ministry of Planning. (19,57) Includes activities to improve access to education for vulnerable populations, especially migrant children, and to address street work and forced begging by children. (57) In 2021, the government developed a new Plan for Social and Economic Development for 2022–2026, which will place new emphasis on expanding education. Continued to be implemented during the reporting period. (4,8)
National Social Protection Strategy	Aims to improve the quality of, and access to, basic education and health services; includes strategies to address child labor. Overseen by the Ministry for the Promotion of Women and Child Protection. (18,58) Continued to be implemented during the reporting period. (4)
UN Development Assistance Framework (2019–2022)	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. (2,59) Extended for an additional year into 2022. Continued to be implemented during the reporting period. (4)
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. (19,60) Continued to be implemented during the reporting period. (4)

‡ The government had other policies that may have addressed child labor issues or had an impact on child labor. (19)

During the reporting period, the National Commission to Coordinate Efforts to Combat Trafficking in Persons drafted a new National Action Plan to Combat Trafficking in Persons (2022–2026), which aims to align Niger's laws to international standards, and is expected to be adopted in 2022. (31) In addition, the government formed the National Steering Committee to Combat Child and Forced Labor, which is expected to continue developing the National Action Plan to Combat Child Labor. The Plan, drafted in 2015, aims to eliminate the worst forms of child labor in Niger by 2025 but has not been adopted yet. (4,10)

## VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2021, 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 inadequacy 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†	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. (1,52) In 2021, the program continued but research could not find information on activities or how many of the 54 existing centers continue to be open. (2,4,13,16,53)
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 address human trafficking and migrant smuggling. (61,62) Research was unable to determine whether activities were undertaken to implement the Global Action Against Trafficking in Persons and the Smuggling of Migrants program during the reporting period.
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. (63–65) The UNICEF Country Program was extended until 2022. (4)
USDOL-Funded Projects	USDOL-funded global projects implemented by ILO to support global and national efforts aimed at countering child labor and the forced labor of adults and children. Includes From Protocol to Practice: A Bridge to Global Action on Forced Labor (The Bridge Project), to support global and national efforts aimed at addressing forced labor of adults and children under the 2014 ILO Protocol and supporting Recommendation to C.29 on Forced Labor, which has been extended through November 2022 with additional funding from ILO (4,66,67); and the Measurement, Awareness-Raising, and Policy Engagement (MAP 16) Project on Child Labor and Forced Labor (2019–March 2022), a \$200,000 program. (68) Additional information is available on the USDOL website.

† 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. (2–4,46) In addition, the resources and facilities available to social services agencies remain inadequate. (2–4)

## VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE CHILD LABOR

Based on the reporting above, suggested actions are identified that would advance the elimination of child labor in 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 – 2021
	Establish a compulsory education age equal to the minimum age of employment.	2016 – 2021
Enforcement	Ensure that inspections and enforcement efforts take place in the informal sector, and in remote locations, where most child labor occurs.	2014 – 2021
	Publish complete information and data on child labor, including on the number of worksite inspections conducted, violations found, and penalties imposed and collected.	2012 – 2021
	Increase resources, including funding and training available to enforcement agencies, increase the number of labor inspectors to meet the ILO's technical guidance, and criminal investigators to provide adequate inspection coverage.	2009 – 2021
	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 – 2021
	Ensure that victims of the worst forms of child labor are removed from exploitative situations as appropriate.	2010 – 2021
	Publish complete information on the number of criminal investigations, prosecutions, and convictions related to the worst forms of child labor.	2020 – 2021
	Adequately enforce the Nigerien Supreme Court's ruling banning the practice of <i>wahaya</i> .	2019 – 2021
	Ensure that victims of slavery have access to reintegration services.	2020 – 2021

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

Area	Suggested Action	Year(s) Suggested
Coordination	Ensure that all coordinating bodies are able to carry out their intended mandates.	2011 – 2021
Government Policies	Adopt and implement a national action plan to address child labor, including in hereditary slavery, mining, and agriculture.	2009 – 2021
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, removing school fees, and providing more school supplies.	2013 – 2021
	Ensure that activities are undertaken to implement the Global Action Against Trafficking in Persons and the Smuggling of Migrants program during the reporting period.	2020 – 2021
	Expand the scope of programs to address the worst forms of child labor, including in agriculture, herding, mining, and caste-based servitude.	2009 – 2021
	Implement a program to target and assist children exploited by religious instructors.	2011 – 2021
	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 – 2021

### REFERENCES

- ILO Committee of Experts. Individual Observation concerning Worst Forms of Child Labour Convention, 1999 (No. 182) Niger (ratification: 2000). Published: 2016. [http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100\\_COMMENT\\_ID:3250644](http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:3250644)
- U.S. Embassy- Niamey. Reporting. January 24, 2020.
- U.S. Department of State. Trafficking in Persons Report 2021- Niger. Washington, D.C., June, 2021. <https://www.state.gov/reports/2021-trafficking-in-persons-report/niger/>
- U.S. Embassy- Niamey. Reporting. January 14, 2022.
- UNESCO Institute for Statistics. Gross intake ratio to the last grade of primary education, both sexes (%). Accessed March 3, 2022. For more information, please see “Children’s Work and Education Statistics: Sources and Definitions” in the Reference Materials section of this report. <http://data.uis.unesco.org/>
- ILO. Analysis of Child Economic Activity and School Attendance Statistics from National Household or Child Labor Surveys. Original data from Demographic and Health Survey (DHS), 2012. Analysis received March 2022. Please see “Children’s Work and Education Statistics: Sources and Definitions” in the Reference Materials section of this report.
- Government of Niger. Etude sur le travail des enfants dans les zones rizicoles au Niger. October 2014. Source on file.
- U.S. Embassy- Niamey official. E-mail communication with USDOL official. May 6, 2022.
- U.S. Embassy- Niamey. Reporting. January 17, 2018.
- USDOS official. E-mail communication to USDOL official. June 17, 2021.
- UN Committee on the Rights of the Child. Rapport soumis par le Niger en application du paragraphe 1 de l’article 12 du Protocole facultatif à la Convention relative aux droits de l’enfant, concernant la vente d’enfants, la prostitution des enfants et la pornographie mettant en scène des enfants. CRC/C/OPSC/NER/1. November 3, 2017. [http://tbinternet.ohchr.org/\\_layouts/treatybodyexternal/Download.aspx?symbolno=CRC/C/OPSC/NER/1&Lang=en](http://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=CRC/C/OPSC/NER/1&Lang=en)
- ILO CEACR. Individual Direct Request concerning Worst Forms of Child Labor Convention, 1999 (No. 182) Niger (ratification: 2000). Published: 2019. [https://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100\\_COMMENT\\_ID:3954922](https://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:3954922)
- U.S. Embassy- Niamey. Reporting. February 20, 2020.
- U.S. Embassy- Niamey. Reporting. March 12, 2021.
- U.S. Embassy- Niamey. Reporting. February 1, 2017.
- U.S. Embassy- Niamey. Reporting. January 28, 2021.
- ILO. Rapport de l’Enquete Nationale sur le Travail des Enfants au Niger de 2009. Niamey: National Institute of Statistics of Niger, September 2011. Source on file.
- Association Nigérienne pour le Traitement de la Délinquance et la Prévention du Crime (ANTD) and ECPAT. L’Exploitation Sexuelle des Enfants au Niger. November 1, 2017. Source on file.
- ECPAT. Niger: Global Report on Commercial Sexual Exploitation of Children. 2017. Source on file.
- UN Human Rights Council. End of mission statement of the UN Special Rapporteur on the human rights of migrants, Felipe González Morales, on his visit to Niger (1–8 October 2018). October 8, 2018. <https://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=23698&LangID=E>
- RFI. Algérie: démantèlement d’un réseau de mendicité d’enfants migrants nigériens. November 14, 2018. <https://www.rfi.fr/fr/afrique/20181114-algerie-migrant-argent-mendiant-autorite-nigerien-reseau-mendicite>
- UNICEF. ISSUE BRIEF: Children on the Move in Niger 2020. February 2020. <https://www.unicef.org/niger/reports/issue-brief-children-move-niger-2020>
- U.S. Department of State. Trafficking in Persons Report 2017- Niger. Washington, D.C., June 27, 2017. <https://www.state.gov/reports/2017-trafficking-in-persons-report/niger/>
- Anti-Slavery International and Timidria. Alternative report on Niger’s implementation of the Optional Protocol to the Convention on the Rights of the Child on the Sale of Children, Child Prostitution and Child Pornography (OPSC). Initial report. November 2017. [https://tbinternet.ohchr.org/Treaties/CRC-OP-SC/Shared Documents/NER/INT\\_CRC-OP-SC\\_NGO\\_NER\\_29858\\_E.pdf](https://tbinternet.ohchr.org/Treaties/CRC-OP-SC/Shared%20Documents/NER/INT_CRC-OP-SC_NGO_NER_29858_E.pdf)
- U.S. Department of State. Trafficking in Persons Report 2018- Niger. Washington, D.C., June 28, 2018. <https://www.state.gov/reports/2018-trafficking-in-persons-report/niger/>
- Peyton, Nellie. No more ‘fifth wife’ sex slaves and maids, Niger’s top court rules. Reuters. March 20, 2019. <https://www.reuters.com/article/us-niger-slavery-court/no-more-fifth-wife-sex-slaves-and-maids-nigers-top-court-rules-idUSKCN1RI1TE>
- Face2Face Africa. Wahaya: Niger’s banned yet thriving ‘marriage’ in which women are turned into sexual slaves. October 1, 2018. <https://face2faceafrica.com/article/wahaya-nigers-banned-yet-thriving-marriage-in-which-women-are-turned-into-sexual-slaves>
- UN Committee on the Elimination of Discrimination against Women. Concluding observations on the combined third and fourth periodic reports of the Niger. CEDAW/C/NER/CO/3-4. July 24, 2017. [http://tbinternet.ohchr.org/\\_layouts/treatybodyexternal/Download.aspx?symbolno=CEDAW/C/NER/CO/3-4&Lang=en](http://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=CEDAW/C/NER/CO/3-4&Lang=en)
- Amnesty International. Forced to Leave: Stories of Injustice Against Migrants in Algeria. December 20, 2018. <https://www.amnesty.org/download/Documents/MDE2895122018ENGLISH.PDF>
- UNICEF. Children on the move are, first and foremost, children. March 17, 2020. <https://www.unicef.org/niger/stories/children-move-are-first-and-foremost-children#:~:text=Children on the move are, first and foremost, children,-UNICEF works with&text=An increasing number of migrant,children on the move safe>



- 31 U.S. Embassy- Niamey. Reporting. February 11, 2022.
- 32 Government of Niger: Labor Code. Enacted: September 25, 2012. Source on file.
- 33 Government of Niger: Decree 2017-682 Regulating the Labor Code. Enacted: August 10, 2017.  
<http://www.ilo.org/dyn/natlex/docs/MONOGRAPH/105523/129048/F1791736746/NER-105523.pdf>
- 34 Government of Niger: Code Penal, Loi N° 2003-025. Enacted: June 13, 2003.  
<http://www.droit-afrique.com/upload/doc/niger/Niger-Code-2003-penal.pdf>
- 35 Government of Niger: Constitution de la Vile République. Enacted: November 25, 2010.  
<http://extwprlegs1.fao.org/docs/pdf/ner128397.pdf>
- 36 Government of Niger: Law on Combating Trafficking in Persons. Enacted: December 16, 2010. Source on file.
- 37 Government of Niger: Law 2015-36 on illicit trafficking of migrants. Enacted: May 26, 2015. Source on file.
- 38 Government of Niger: Decree No. 2017-935/PRN/MEPAPLN/EC/MES. Enacted: December 5, 2017. Source on file.
- 39 Government of Niger: Loi N° 98-12 du 1er juin 1998, portant orientation du système éducatif nigérien. Enacted: June 1, 1998.  
[https://www.ilo.org/dyn/natlex/natlex4.detail?p\\_lang=en&p\\_isn=53718&p\\_country=NER&p\\_count=227](https://www.ilo.org/dyn/natlex/natlex4.detail?p_lang=en&p_isn=53718&p_country=NER&p_count=227)
- 40 Child Soldiers International. Louder than words: An agenda for action to end state use of child soldiers. 2012.  
<https://resourcecentre.savethechildren.net/library/louder-words-agenda-action-end-state-use-child-soldiers>
- 41 ILO CEACR. Individual Observation concerning Minimum Age Convention, 1973 (No. 138) Niger (ratification: 1978). Published: 2019.  
[https://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:13100:0::NO::P13100\\_COMMENT\\_ID:3954918](https://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:13100:0::NO::P13100_COMMENT_ID:3954918)
- 42 U.S. Department of State. Country Reports on Human Rights Practices 2019- Niger: Washington, D.C., March 11, 2020.  
<https://www.state.gov/reports/2019-country-reports-on-human-rights-practices/niger/>
- 43 Government of Niger: Portant Création, Attributions et organisation du Service Central de Protection des Mineurs et des Femmes au Niger. January 28, 2011. Source on file.
- 44 UN. World Economic Situation and Prospects 2019 Statistical Annex. New York. 2019. Please see "Labor Law Enforcement: Sources and Definitions" in the Reference Materials section of this report.  
[https://www.un.org/development/desa/dpad/wp-content/uploads/sites/45/WESP2019\\_BOOK-web.pdf](https://www.un.org/development/desa/dpad/wp-content/uploads/sites/45/WESP2019_BOOK-web.pdf)
- 45 ILO. ILO modelled estimates and projections (ILOEST) – Population and labour force. Accessed (January 25, 2022). Labor force data is modelled on a combination of demographic and economic explanatory variables by the ILO. Please see "Labor Law Enforcement: Sources and Definitions" in the Reference Materials section of this report.  
<https://ilostat.ilo.org/data/>
- 46 ILO Committee of Experts. Individual Observation concerning Forced Labour Convention, 1930 (No. 29) Niger (ratification: 1961). Published: 2017.  
[http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100\\_COMMENT\\_ID:3287330](http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:3287330)
- 47 U.S. Embassy- Niamey. Reporting. February 16, 2018.
- 48 Government of Niger: Arrêté création Comité Directeur National de lutte contre le travail des enfants et le travail forcé au Niger. October 14 2021. Source on file.
- 49 Government of Niger: Ministry of Justice. Determinant l'organisation, la composition, et les modalités de fonctionnement de l'Agence Nationale de la Lutte contre la Traite des Personnes. March 21, 2012. Source on file.
- 50 Government of Niger: Decree portant l'creation du Comite de pilotage du projet Travail des Enfants dans l'Agriculture. Enacted: October 28, 2014. Source on file.
- 51 Agence Nigerienne de Presse. La création des Comités de Protection de l'Enfant au Niger pour lutter contre les mauvaises pratiques. July 20, 2019.  
<http://www.anp.ne/index.php/article/la-creation-des-comites-de-protection-de-l-enfant-au-niger-pour-lutter-contre-les-mauvaises>
- 52 UN Human Rights Council. Report of the Special Rapporteur on contemporary forms of slavery, including its causes and consequences, Urmila Bhoola - Mission to the Niger. Report No. A/HRC/30/35/Add.1. July 30, 2015.  
<https://www.ohchr.org/en/issues/slavery/srslavery/pages/srslaveryindex.aspx>
- 53 UN Committee on the Rights of the Child. Liste de points concernant le rapport du Niger: Réponses du Niger à la liste de points. July 2018: CRC/C/NER/Q/3-5/Add.1.  
[https://tbinternet.ohchr.org/\\_layouts/treatybodyexternal/Download.aspx?symbolno=CRC/C/NER/Q/3-5/Add.1&Lang=en](https://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=CRC/C/NER/Q/3-5/Add.1&Lang=en)
- 54 ILO Committee of Experts. Individual Direct Request concerning Forced Labour Convention, 1930 (No. 29) Niger (ratification: 1961). Published: 2017.  
[http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100\\_COMMENT\\_ID:3287334](http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:3287334)
- 55 Agence Nigerienne de Presse. Dosso: atelier d'élaboration du plan d'actions national de lutte contre la traite des personnes. March 16, 2019.  
<http://www.anp.ne/index.php/article/dosso-atelier-d-elaboration-du-plan-d-actions-national-de-lutte-contre-la-traite-des>
- 56 Government of Niger: National Action Plan to Combat Trafficking in Persons (2019–2023). Source on file.
- 57 Government of Niger: Plan de Développement Economique et Social 2017–2021. 2017.  
<https://www.undp.org/content/dam/niger/docs/UNDP-NE-PDES-2017-2021.pdf>
- 58 Government of Niger: Politique Nationale de Protection Sociale. August 2011.  
<http://faolex.fao.org/docs/pdf/ner146468.pdf>
- 59 UNDAF. Plan Cadre des Nations Unies pour l'Assistance au Développement (UNDAF) NIGER 2019–2021. 2019.  
[https://fr.unesco.org/sites/default/files/undaf\\_niger\\_.pdf](https://fr.unesco.org/sites/default/files/undaf_niger_.pdf)
- 60 Government of Niger: Education and Training Sectorial Program (2014–2024). 2013. Source on file.
- 61 Global Action against Trafficking in Persons and the Smuggling of Migrants. Newsletter 2017: Special Edition. June 2017.  
[http://www.unodc.org/documents/human-trafficking/2017/GLO.ACT\\_Newsletter\\_Special\\_Edition\\_June\\_2017.pdf](http://www.unodc.org/documents/human-trafficking/2017/GLO.ACT_Newsletter_Special_Edition_June_2017.pdf)
- 62 IOM. UN Migration Agency Signs Agreement with Niger to Combat Human Trafficking. September 29, 2017: Press Release.  
<https://www.iom.int/news/un-migration-agency-signs-agreement-niger-combat-human-trafficking>
- 63 UNICEF. UNICEF Annual Report 2017: The Niger. June 2018.  
[https://www.unicef.org/about/annualreport/files/Niger\\_2017\\_COAR.pdf](https://www.unicef.org/about/annualreport/files/Niger_2017_COAR.pdf)
- 64 UNICEF. UNICEF Niger Country Programme 2019–2021. 2019.  
[https://www.unicef.org/niger/media/1186/file/ENG\\_CPD\\_Summary\\_Booklet\\_2019-2021.pdf](https://www.unicef.org/niger/media/1186/file/ENG_CPD_Summary_Booklet_2019-2021.pdf)
- 65 UNICEF. UNICEF Executive Board approves the Niger new country programme 2019–2021. February 8, 2019.  
<https://www.unicef.org/niger/press-releases/unicef-executive-board-approves-niger-new-country-programme-2019-2021>
- 66 ILO. The Bridge Project. October 2017: Technical Progress Report. Source on file.
- 67 ILO. From Protocol to Practice: A Bridge to Global Action on Forced Labor. 2015: Statement of Work. Source on file.
- 68 Department of Labor. Measurement, Awareness-Raising, and Policy Engagement (MAP 16) Project on Child Labor and Forced Labor. Accessed May 23, 2021.  
<https://www.dol.gov/agencies/ilab/measurement-awareness-raising-and-policy-engagement-map-16-project-child-labor-and>

In 2021, Nigeria made moderate advancement in efforts to eliminate the worst forms of child labor. The government validated the National Policy on Child Labor and the National Action Plan for the Elimination of Child Labor (2021–2025). The Ministry of Labor and Employment also created a new program to provide vulnerable households with seed capital to fund new businesses in areas with high rates of child labor. However, children in Nigeria are subjected to the worst forms of child labor, including in commercial sexual exploitation and use in armed conflict as well as quarrying granite and artisanal mining. The Child's Right Act has been adopted by only 29 out of Nigeria's 36 states (including the capital federal territory), leaving the remaining 7 states in northern Nigeria with legal statutes that do not meet international standards for the prohibition of children in illicit activities. In addition, the minimum age for work in the Labor 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 commercial sexual exploitation and use in armed conflict as well as quarrying granite and artisanal mining. (1) 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, 2022. (2)

Source for all other data: International Labor Organization's analysis of statistics from Multiple Indicator Cluster Survey 5 (MICS 5), 2016–2017. (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	Production of coffee, cotton, tea, manioc/cassava, cocoa, rice, and tobacco (4-6)
	Fishing, activities unknown (7)
	Herding livestock (1,5,8)
Industry	Mining and quarrying of granite and gravel (1,4,8)
	Artisanal gold mining and processing (5,8,9)
	Harvesting sand (9)
	Construction, including making bricks and carrying construction materials (1,4,5,8)
Services	Domestic work (1,4,5,8,10,11)
	Collecting money on public buses, washing cars, and automotive repair (1,5,8,10)
	Street work, including vending, begging, and scavenging (1,4,5,8,10)

# Nigeria

## MODERATE ADVANCEMENT

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

Sector/Industry	Activity
Categorical Worst Forms of Child Labor‡	Commercial sexual exploitation, including use in the production of pornography, sometimes as a result of human trafficking (1,5,11,12)
	Forced labor in begging; domestic work; street vending; textile manufacturing; mining and quarrying gravel, granite, and artisanal gold; and agriculture, including in cocoa (5,8,11-13)
	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 (1,8)

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

Nigeria continues to be a source, transit, and destination country for forced labor and sex trafficking of both adults and children. Trafficked Nigerians are recruited from primarily rural areas within the country, with women and girls recruited for domestic service and sex trafficking while boys are recruited for street vending, domestic service, mining, agriculture, and begging. (1) Benin City, the capital of Edo State, continues to be 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. (14) Girls from Nigeria are also sent to North Africa and Europe for forced labor and commercial sexual exploitation. (15) Children from West African countries experience forced labor in Nigeria, including in granite and gold mines. (12,16,17)

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 West Africa (ISIS-WA) that force people out of Nigeria’s northeastern regions. These attacks have contributed to the displacement of more than 2 million people, of which 56 percent were children. (18-20)

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. (1,8,16) Furthermore, these children are highly vulnerable to recruitment by Boko Haram and ISIS-WA, which continued to forcibly recruit and use child soldiers in combat and support roles, and as suicide bombers and concubines. The government does not officially recognize these schools, and students attending *Almajiri* schools are officially considered out of school. (1)

UNICEF reported that as of January 2022, at least 10.5 million children, or one-third of all Nigerian children, are out of school in Nigeria, making it the highest out-of-school rate in the world. Northeastern and northwestern states have female primary net attendance rates of 47.7 percent and 47.3 percent. (1,21) The widespread increase in kidnappings, killings, village raids, and cattle-rustling throughout the North West and North Central regions led by organized criminal groups has also contributed to the intermittent closure of schools throughout the region with these challenges being more acute in rural areas. (1,21)




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. (5,8) In addition to the lack of funds, parents also need the children’s assistance in household chores and with caring for younger siblings. (8) 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. (1,5,10,17,19,22)

Reports suggest that children lacking birth certificates or other formal documentation have been denied access to public schools. Although it is unclear how widespread this issue is, research suggests that it is most common in the northeastern region and rural areas. (8)

## 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 Labor Act; Sections 28, 29, and 277 of the Child's Right Act (23,24)
Minimum Age for Hazardous Work	Yes	18	Section 59 (5) and (6) of the Labor Act; Sections 28, 29, and 277 of the Child's Right Act (23,24)
Identification of Hazardous Occupations or Activities Prohibited for Children	No		Sections 59–61 of the Labor Act; Section 28 of the Child's Right Act; Sections 23 and 82 of the Trafficking in Persons (Prohibition) Enforcement and Administration Act 2015 (23-25)
Prohibition of Forced Labor	Yes		Sections 13, 21-25, and 82 of the Trafficking in Persons (Prohibition) Enforcement and Administration Act 2015; Sections 28, 30, and 277 of the Child's Right Act; Article 34 of the Constitution. (24-26)
Prohibition of Child Trafficking	Yes		Section 13, 16, 17, 21-25, and 82 of the Trafficking in Persons (Prohibition) Enforcement and Administration Act 2015; Sections 30, 33, and 277 of the Child's Right Act (24,25)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Sections 13–17 and 82 of the Trafficking in Persons (Prohibition) Enforcement and Administration Act 2015; Section 23 of the Cybercrimes Act; Sections 30, 32, and 277 of the Child's Right Act (24-27)
Prohibition of Using Children in Illicit Activities	No		Sections 25, 26, and 30 of the Child's Right Act (24)
Minimum Age for Voluntary State Military Recruitment	Yes	18	Section 28 of the Armed Forces Act; Sections 34 and 277 of the Child's Right Act (24,28)
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 (25)
Compulsory Education Age	Yes	15	Sections 2 and 15 of the Education Act; Section 15 of the Child's Right Act (24,29)
Free Public Education	Yes		Sections 2 and 3 of the Education Act; Section 15 of the Child's Right Act (24,29)

\* Country has no conscription (28)

# Nigeria

## MODERATE ADVANCEMENT

During the reporting period, Nigeria entered into Memorandums of Understanding to counter human trafficking with the Governments of Niger, Burkina Faso, and Cote d'Ivoire. (30) In addition, Sokoto and Jigawa States adopted the Child's Right Act (CRA). The legislatures in Kebbi and Yobe States have also approved the law and are awaiting their governors' signatures to ratify the bill. (1)

The CRA codifies the rights of children in Nigeria and implements the core principles that were enshrined in the 1989 Convention on the Rights of the Child (CRC) and the 1990 African Union Charter on the Rights and Welfare of the Child. Each state must adopt and implement the act in its territory for the CRA to become law. (24,31,32) However, only 29 of the 36 states have adopted and implemented the CRA, leaving the 7 remaining states in northern Nigeria with legal statutes that do not meet international standards for the prohibition against the use of children in illicit activities. (24,27,31,32) Furthermore, the CRA upholds certain portions of the Labor Act that are not in compliance with international child labor standards. This includes Section 59, which sets the minimum age for employment at age 12 in contradiction to the CRA, which only permits children under age 18 to engage in light work for family members. (23,24) 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. (23,24,29)

Although the Labor 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. (23,33) 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. (4,33) The Labor 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 Labor Act do not apply to children who are self-employed or working in the informal economy. (23,33) Lastly, children are not excluded from the Terrorism Prevention Act's penalty of life imprisonment for assisting in acts of terrorism. (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
Labor Inspectorate, Ministry of Labor and Employment (MLE)	Deploys labor inspectors across 36 state labor offices and the federal capital territory to enforce federal child labor laws. On April 15, 2021, the Ministry launched the commemoration for the International Year for the Elimination of Child Labor, which prioritized the elimination of child labor, forced labor, modern slavery, and human trafficking. (5,35-37)
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 labor survivors with social services and reunite trafficked children with their families. (5,11,35) Operates hotlines for survivors in Abuja and each zonal command center. (14)
Nigeria Police	Enforce all laws prohibiting forced child labor and commercial sexual exploitation. Collaborate with NAPTIP on human trafficking enforcement. (5)
Nigeria Immigration Service	Collaborates with NAPTIP to enforce laws against child trafficking. (5)
Edo State Task Force 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. (17,38)



**Labor Law Enforcement**

In 2021, labor law enforcement agencies in Nigeria took action to address child labor (Table 6). However, gaps exist within the operations of the Ministry of Labor and Employment (MLE) that may hinder adequate labor law enforcement, including insufficient human resource allocation.

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

Overview of Labor Law Enforcement	2020	2021
Labor Inspectorate Funding	\$75,358 (8)	\$515,375 (1)
Number of Labor Inspectors	1,888 (8)	1,402 (1)
Mechanism to Assess Civil Penalties	Yes (23)	Yes (23)
Initial Training for New Labor Inspectors	Yes (8)	Yes (1)
Training on New Laws Related to Child Labor	N/A (8)	Yes (1)
Refresher Courses Provided	Yes (8)	Yes (1)
Number of Labor Inspections Conducted	9,877 (8)	10,526 (1)
Number Conducted at Worksite	9,719 (8)	10,526 (1)
Number of Child Labor Violations Found	3,422 (8)	3,234 (1)
Number of Child Labor Violations for Which Penalties Were Imposed	88 (8)	0 (39)
Number of Child Labor Penalties Imposed that Were Collected	75 (8)	0 (39)
Routine Inspections Conducted	Yes (8)	Yes (1)
Routine Inspections Targeted	Yes (8)	Yes (1)
Unannounced Inspections Permitted	Yes (23)	Yes (23)
Unannounced Inspections Conducted	Yes (8)	No (1)
Complaint Mechanism Exists	Yes (8)	Yes (1)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (8)	Yes (1)

While the government is permitted to conduct unannounced inspections, it did not do so during the reporting period due to security concerns. (1)

Enforcement of child labor laws remained an issue due to a 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. (1,8,40,41)

The total number of labor inspectors is 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 need to employ about 4,005 labor inspectors. (42,43)

**Criminal Law Enforcement**

In 2021, criminal law enforcement agencies in Nigeria took actions to address child labor (Table 7). However, gaps exist within the operations of criminal enforcement agencies that may hinder adequate criminal law enforcement, including the allocation of resources.

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

Overview of Criminal Law Enforcement	2020	2021
Initial Training for New Criminal Investigators	Yes (8)	N/A (1)
Training on New Laws Related to the Worst Forms of Child Labor	N/A (8)	Yes (1)
Refresher Courses Provided	Yes (8)	Yes (1)
Number of Investigations	381 (44)	6 (39)
Number of Violations Found	3,422 (8)	62 (39)
Number of Prosecutions Initiated	40 (44)	6 (39)
Number of Convictions	24 (44)	0 (39)
Imposed Penalties for Violations Related to the Worst Forms of Child Labor	Yes (44)	0 (39)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (8)	Yes (1)

# Nigeria

## MODERATE ADVANCEMENT

During the reporting period, 1,193 children were rescued and removed from child labor situations in 2021. Of those, 120 received social services. (1)

In an official memo dated November 2020 from the Ministry of Defense, the government 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 that is open to international observers and other interested parties. 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. (12,35,41,44,45)

## IV. COORDINATION OF GOVERNMENT EFFORTS ON CHILD LABOR

The government has established mechanisms to coordinate its efforts to address child labor (Table 8). However, gaps exist that hinder the effective coordination of efforts to address child labor, including inefficacy 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 address child labor. Led by MLE and comprises representatives from seven governmental agencies, faith-based organizations, NGOs, ILO, and UNICEF. (5,8) Members are charged with leveraging resources for project implementation from their institutions and identifying synergies with other existing programs. (5,8) During the reporting period, this committee reviewed and validated the National Policy on Child Labor and the National Action Plan on the Elimination of Child Labor 2021–2025 to conform to the Regional Action Plan on Child Labor. In addition, the committee trained 37 Child Labor Desk Officers across the country on the application of the National Policy on Child Labor and the National Action Plan on the Elimination of Child Labor. (1)
State Steering Committees 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 Labor at 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 Behavioral Change Communication Strategy. (8) Also, the State Steering Committee held meetings across the country to develop and align local plans with the National Action Plan. (1)
Interministerial Task Force on Trafficking in Persons	Coordinates child labor issues related to human trafficking. Chaired by NAPTIP, the task force is responsible for developing national policies on human trafficking. (5) Research was unable to determine whether the Interministerial Task Force on Trafficking in Persons 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 a lack of implementation.

**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 addressing human trafficking, with an emphasis on enforcement, prosecution, and provision of services to survivors. During the reporting period, NAPTIP continued to support the work of civil society organizations to increase capacity, coordination, and services provision for countering trafficking in persons. (1,8,46)
National Social Behavioral Change Communication Strategy for Elimination of Child Labor in Nigeria (2020–2023)	Addresses child labor at the household and community levels through awareness-raising activities. (8) Research was unable to determine whether any actions were undertaken to implement this policy during the reporting period.
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, ensures that suspects under age 18 are treated in accordance with international law, and provides for disarmament, demobilization, and reintegration for children previously associated with CJTF. (47–49) The UN and CJTF, with the support of the government, continued to reintegrate children during the reporting period. (30)

‡ The government had other policies that may have included the goal of eliminating or preventing child labor. (8)

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 (CJTF). In addition, the UN delisted the CJTF as an armed group using child soldiers, a long-time goal in previous anti-trafficking action plans. (8,30)

During the reporting period, a National Policy of Child Labor and a National Action Plan on the Elimination of Child Labor were validated by the government, with the goal of having a standardized policy and plan of action on child labor throughout the country. The document, which is awaiting adoption, incorporated elimination of forced labor and modern slavery. (8,37)

## VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2021, 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 inadequacy 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, capable of housing up to 315 trafficking survivors. Shelters provide legal, medical, and psychological services, as well as vocational training and business management skills, along with referring survivors to NGOs for additional care. (11,12,16) Shelters continued to operate during the reporting period. (11,12,16)
Safe Schools Initiative	Donor-funded program implemented by the government and international organizations that aims to improve access to education in northeastern Nigeria. (50) 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. (6) Research was unable to determine whether this project was active during the reporting period.
USDOL-Funded Projects	USDOL-funded projects that aim to eliminate child labor. These projects include: Measurement, Awareness-Raising, and Policy Engagement Project on Child Labor and Forced Labor; a project implemented by ILO to conduct research and develop new survey methodologies, improve awareness, strengthen policies and government capacity, and promote partnerships to address child labor and forced labor; and the ILO Global Accelerator Project, a \$10 million project implemented by ILO. (51) Additional information is available on the USDOL website.
World Bank-Funded Programs	Projects aim to improve access to education. Include: 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. (52–54) In 2021, the National Social Safety Nets Project continued working to enroll participants in 33 states across the country; 17 focus states have adopted one or more forms of intensive literacy program across 21,035 formal basic education schools. (55) Since its inception, the Better Education Service Delivery for All project has helped reduce the number of out-of-school children by 924,590, of which 633,772 were girls. (54,55)

† Program is funded by the Government of Nigeria.

MLE's new program, Elimination of Child Labor in Child Labor-Endemic Areas, provides recipient households (from the participating states of Adamawa, Ebonyi, and Nasarawa) \$240 (N100,000.00) to establish any business of their choice. The program began in November of 2021 and is expected to end in December 2025. (1)

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 (NAPTIP), this program will focus on countering trafficking in persons by supporting the work of civil society organizations to increase capacity, coordination, and services provision for countering trafficking in persons. (8)

There are increasing concerns regarding the conditions in shelters housing human trafficking survivors. These conditions include poor housing facilities, a lack of food, and insufficient stipends, along with reports of survivors being held against their will for extended periods at shelters run by the NAPTIP. (41,56)

# Nigeria

## MODERATE ADVANCEMENT

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. (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 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 and who are self-employed.	2012 – 2021
	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 – 2021
	Ensure that using, procuring, and offering a child for the production and trafficking of drugs are criminally prohibited in all states.	2015 – 2021
	Ensure that the law criminally prohibits the recruitment of children under age 18 by non-state armed groups.	2016 – 2021
	Ensure that provisions related to light work conform to international standards.	2009 – 2021
	Amend the Terrorism Prevention Act to prohibit the punishment of children for their association with armed groups.	2016 – 2021
Enforcement	Significantly increase the number of labor inspectors to meet the ILO's technical advice.	2016 – 2021
	Ensure that labor inspectors receive sufficient resources to enforce child labor laws.	2016 – 2021
	Ensure that a mechanism exists for enforcing existing protections for children working in the informal sector.	2009 – 2021
	Ensure that there are penalties imposed for the worst forms of child labor.	2020 – 2021
	Ensure that unannounced inspections are conducted.	2021
Coordination	Ensure that all coordinating bodies are active and able to carry out their mandates as intended.	2018 – 2021
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 – 2021
	Ensure that activities are undertaken to implement government policies and that data on these activities are published during the reporting period.	2021
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 – 2021
	Make additional efforts to provide all children with birth documentation.	2020 – 2021
	Ensure that there is an adequate number of trained teachers and provide sufficient educational infrastructure for children, particularly girls, to access schools.	2015 – 2021
	Conduct research to gather comprehensive data on child labor, including activities carried out by children working in fishing, to inform policies and programs.	2020 – 2021
	Ensure that the National Agency for the Prohibition of Trafficking in Persons and Other Related Matters and related agencies provide appropriate facilities and resources to survivors, and that survivors are not held against their will in shelters.	2019 – 2021
	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 – 2021
	Ensure that all social programs are active and pursuing their mandates.	2020 – 2021

### REFERENCES

- 1 U.S. Embassy- Abuja. Reporting. March 21, 2022.
- 2 UNESCO Institute for Statistics. Gross intake ratio to the last grade of primary education, both sexes (%). Accessed March 2022. For more information, please see "Children's Work and Education Statistics: Sources and Definitions" in the Reference Materials section of this report. <http://data.uis.unesco.org/>
- 3 ILO. Analysis of Child Economic Activity and School Attendance Statistics from National Household or Child Labor Surveys. Original data from Multiple Indicator Cluster Survey 5 (MICS 5), 2016–2017. Analysis received March 2022. Please see "Children's Work and Education Statistics: Sources and Definitions" in the Reference Materials section of this report.
- 4 Government of Nigeria. Federal Ministry of Labour and Productivity. List of Hazardous Child Labour in Nigeria. 2013. [http://www.ilo.org/wcmsp5/groups/public/---africa/---ro-addis\\_ababa/---ilo-abuja/documents/publication/wcms\\_300829.pdf](http://www.ilo.org/wcmsp5/groups/public/---africa/---ro-addis_ababa/---ilo-abuja/documents/publication/wcms_300829.pdf)
- 5 U.S. Embassy- Abuja. Reporting. March 5, 2019.
- 6 ILO. Accelerating action for the elimination of child labour in supply chains in Africa (ACCEL Africa). November 15, 2018. [https://www.ilo.org/ipecc/projects/global/WCMS\\_698536/lang--en/index.htm](https://www.ilo.org/ipecc/projects/global/WCMS_698536/lang--en/index.htm)
- 7 Ofuoku, Albert Ukaro et al. Child Labor in Farming Households in the Niger Delta region of Nigeria SAGE Publications: Los Angeles, CA December 3, 2019 <https://journals.sagepub.com/doi/pdf/10.1177/0169796X19873744>
- 8 U.S. Embassy- Abuja. Reporting. February 2, 2021.
- 9 Global Rights Nigeria official. Interview with USDOL official. May 7, 2018. Source on file.
- 10 Abubakar, Ali Abare. Child labor continues to be a pressing problem in Nigeria. Girls are especially at risk. July 30, 2018. <https://www.pri.org/stories/2018-07-30/child-labor-continues-be-pressing-problem-nigeria-girls-are-especially-risk>
- 11 UNHCR. End of visit statement, Nigeria (3–10 September) by Maria Grazia Giammarinaro, UN Special Rapporteur on Trafficking in Persons, especially Women and Children. September 10, 2018. <https://www.ohchr.org/en/NewsEvents/Pages/DisplayNews.aspx?NewsID=23526&LangID=E>
- 12 U.S. Department of State. Trafficking in Persons Report- 2018: Nigeria. Washington, D.C., June 28, 2018. <https://www.state.gov/reports/2018-trafficking-in-persons-report/nigeria/>
- 13 Nwaubani, Adaobi Tricia. Trafficked, beaten, and abused: The life of a Nigerian house girl; Titi, 14, recounts horrific ordeals of young life as domestic servant in troubled West African nation. The Independent. July 24, 2017. <http://www.independent.co.uk/news/world/africa/nigeria-house-girls-trafficking-beaten-abused-servants-modern-slavery-titi-14-case-study-a7856861.html>
- 14 U.S. Embassy- Abuja. Reporting. March 25, 2019.
- 15 Reguly, Eric. In Sicily, sex slavery takes hold on the edges of an African exodus. The Globe and Mail. May 7, 2017. <http://www.theglobeandmail.com/news/world/sex-slavery-african-women-in-italy/article34895329/>
- 16 U.S. Department of State. Trafficking in Persons Report- 2020: Nigeria. Washington, D.C., June 14, 2020. <https://www.state.gov/reports/2020-trafficking-in-persons-report/nigeria/>
- 17 U.S. Department of State. Trafficking in Persons Report- 2019: Nigeria. Washington, D.C., June 20, 2019. <https://www.state.gov/wp-content/uploads/2019/06/2019-TIP-Report-Narratives-N-S.pdf>
- 18 Human Rights Watch. Nigeria - World Report 2020. <https://www.hrw.org/world-report/2021/country-chapters/nigeria#>
- 19 Plan International. Adolescent Girls in crisis: Voices from the Lake Chad Basin. August 29, 2018. <https://plan-international.org/publications/adolescent-girls-crisis-lake-chad-basin>
- 20 UN Security Council. Report of the Secretary-General on Children and Armed Conflict. A/76/871–S/2022/493 June 23, 2022 <https://daccess-ods.un.org/tmp/3475335.83641052.html>
- 21 UNICEF. UNICEF warns of Nigerian education crisis as world celebrates International Day of Education amid COVID-19 concerns. January 22, 2022. <https://www.unicef.org/nigeria/press-releases/unicef-warns-nigerian-education-crisis-world-celebrates-international-day-education#:~:text=It is estimated that 35,attend secondary school in 2021.>
- 22 Oduah, Chika. Fear Still Grips Dapchi Girls' School in Nigeria. May 21, 2018. <https://www.voanews.com/a/nigeria-school-girls-afraid-boko-haram-will-return/4402815.html>
- 23 Government of Nigeria. Labour Act (Chapter 198) (No. 21), as amended. Laws of the Federation of Nigeria (1990 Revised edition), Vol. X, Cap. 198. Enacted: 1990. <http://www.ilo.org/dyn/natlex/docs/WBTEXT/42156/64980/E7RNGA01.htm#p3>
- 24 Government of Nigeria. Child's Right Act, No. 26. Enacted: July 31, 2003. Source on file.
- 25 Government of Nigeria. Trafficking in Persons (Prohibition) Enforcement and Administration Act. Enacted: March 26, 2015. [http://www.ilo.org/dyn/natlex/natlex4.detail?p\\_lang=en&p\\_isn=101267&p\\_country=NGA&p\\_count=237&p\\_classification=03&p\\_classcount=3](http://www.ilo.org/dyn/natlex/natlex4.detail?p_lang=en&p_isn=101267&p_country=NGA&p_count=237&p_classification=03&p_classcount=3)
- 26 Government of Nigeria Nigeria's Constitution of 1999 with Amendments through 2011 Source on File. [https://www.constituteproject.org/constitution/Nigeria\\_2011.pdf?lang=en](https://www.constituteproject.org/constitution/Nigeria_2011.pdf?lang=en)
- 27 Government of Nigeria. Cybercrimes (Prohibition, Prevention, Etc.) Act, 2015. Enacted: 2015. [https://www.cert.gov.ng/ngcert/resources/CyberCrime\\_\\_Prohibition\\_Prevention\\_etc\\_\\_Act\\_\\_2015.pdf](https://www.cert.gov.ng/ngcert/resources/CyberCrime__Prohibition_Prevention_etc__Act__2015.pdf)
- 28 Government of Nigeria. Armed Forces Act. Enacted: 1994. Source on file.
- 29 Government of Nigeria. Compulsory, Free Universal Basic Education Act, 05-26. Enacted: 2004. <http://www.ilo.org/dyn/natlex/docs/ELECTRONIC/87623/99979/F606926563/NGA87623.pdf>
- 30 U.S. Embassy- Abuja. TIP Reporting. March 7, 2022.
- 31 Ogunniyi, Daniel. There are still huge gaps in Nigeria's efforts to protect children. The Conversation; University of Nottingham. November 24, 2019. <https://theconversation.com/there-are-still-huge-gaps-in-nigerias-efforts-to-protect-children-127031>
- 32 Ettang, Ifio. Child Labor Still Prevalent in Nigeria, Despite Legislative Efforts. Jos, Nigeria: VOA. January 13, 2020. <https://www.voanews.com/africa/child-labor-still-prevalent-nigeria-despite-legislative-efforts>
- 33 ILO Committee of Experts. Observation concerning Minimum Age Convention, 1973 (No. 138)- Nigeria (ratification: 2002). Published: 2018. [https://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0:NO:13100:P13100\\_COMMENT\\_ID:3340396:NO](https://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0:NO:13100:P13100_COMMENT_ID:3340396:NO)
- 34 Government of Nigeria. Terrorism (Prevention) (Amendment) Act. Enacted: 2013. <https://placng.org/i/wp-content/uploads/2019/12/Terrorism-Prevention-Amendment-Act-2013.pdf>
- 35 U.S. Department of State. Country Reports on Human Rights Practices- 2018: Nigeria. Washington, D.C., March 13, 2019. <https://www.state.gov/reports/2018-country-reports-on-human-rights-practices/nigeria/>
- 36 Government of Nigeria, Federal Ministry of Labour and Productivity. Federal Ministry of Labour and Productivity. Accessed June 2, 2015. Source on file.
- 37 ILO. ILO Supports Nigeria in Achieving its 2021 Action Pledge on the Elimination of Child Labour. April 18, 2021. [https://www.ilo.org/africa/technical-cooperation/accel-africa/nigeria/WCMS\\_798446/lang--en/index.htm](https://www.ilo.org/africa/technical-cooperation/accel-africa/nigeria/WCMS_798446/lang--en/index.htm)



# Nigeria

## MODERATE ADVANCEMENT

- 38 Government of Nigeria, Edo State. A Law to Prohibit Trafficking in Persons and to Establish the Taskforce Against Human Trafficking and Other Matters Connected Therewith. Enacted: May 23, 2018. Source on file.
- 39 U.S. Embassy, Lagos official e-mail communication to USDOL official. July 1, 2022.
- 40 U.S. Embassy- Abuja official. E-mail communication to USDOL official. January 14, 2020.
- 41 Adebayo, Bukola. Rescued trafficked women held in 'abhorrent' conditions in Nigerian shelters, new report says. Lagos, Nigeria, CNN. August 27, 2019. <https://www.cnn.com/2019/08/27/africa/nigeria-human-trafficking-hrw-report-intl/index.html>
- 42 CIA. The World Factbook. February 20, 2018. Please see "Labor Law Enforcement: Sources and Definitions" in the Reference Materials section of this report. <https://www.cia.gov/the-world-factbook/countries/nigeria/>
- 43 UN. World Economic Situation and Prospects. 2017 Statistical Annex. New York. 2017. Please see "Labor Law Enforcement: Sources and Definitions" in the Reference Materials section of this report. [https://www.un.org/development/desa/dpad/wp-content/uploads/sites/45/publication/2017wesp\\_full\\_en.pdf](https://www.un.org/development/desa/dpad/wp-content/uploads/sites/45/publication/2017wesp_full_en.pdf)
- 44 U.S. Embassy- Abuja. Reporting. March 14, 2021.
- 45 Becker, Jo, and Anietie Ewang. Nigeria Releases More Children and Youth from Military Prison. New York: Human Rights Watch. March 8, 2020. <https://www.hrw.org/news/2020/03/08/nigeria-releases-more-children-and-youth-military-prison#>
- 46 National Agency for the Prohibition of Trafficking in Persons. NAPTIP Action Plan. 2019. Source on file.
- 47 Government of Nigeria. Integrating DDDR into the PCVE Policy and National Action Plan. 2017. Source on file.
- 48 Sani, Rabiu. UNICEF, CJTF Sign Agreement to End Child Militia Recruitment In Borno. Sundiat Post. 2017. <https://sundiatapost.com/unicef-cjtf-sign-agreement-to-end-child-militia-recruitment-in-borno/>
- 49 Government of Nigeria. Policy Framework and National Action Plan for Preventing and Countering Violent Extremism. August 2017. Source on file.
- 50 UN Security Council. Children and armed conflict, Report of the Secretary-General. May 6, 2021. <https://reliefweb.int/sites/reliefweb.int/files/resources/N2111309.pdf>
- 51 ILO. Measurement, Awareness Raising, and Policy Engagement (MAP 16) Project on Child Labor and Forced Labor Project Description. 2016. <https://www.dol.gov/agencies/ilab/projects/MAP16>
- 52 World Bank. Implementation Status and Results of the National Social Safety Nets Project. June 25, 2020. <http://documents1.worldbank.org/curated/en/694981593133408730/text/Dislosable-Version-of-the-ISR-National-Social-Safety-Nets-Project-PI51488-Sequence-No-08.txt>
- 53 World Bank. Implementation and Status Report for the Nigeria Partnership for Education Project. December 9, 2020. <http://documents1.worldbank.org/curated/en/321551607526325466/text/Dislosable-Version-of-the-ISR-Nigeria-Partnership-for-Education-Project-PI43842-Sequence-No-11.txt>
- 54 World Bank. Implementation and Status Report for the Better Education Service Delivery for All Project. January 6, 2021. <http://documents1.worldbank.org/curated/en/503521609964545525/text/Dislosable-Version-of-the-ISR-Better-Education-Service-Delivery-for-All-PI60430-Sequence-No-06.txt>
- 55 World Bank. Implementation and Status Report for the Better Education Service Delivery for All Project. October 21, 2021. <https://documents1.worldbank.org/curated/en/943821634759774228/pdf/Dislosable-Version-of-the-ISR-Better-Education-Service-Delivery-for-All-PI60430-Sequence-No-07.pdf>
- 56 Human Rights Watch. "You Pray for Death"--Trafficking of Women and Girls in Nigeria. August 27, 2019. <https://www.hrw.org/report/2019/08/27/you-pray-death/trafficking-women-and-girls-nigeria>

Although research found no evidence that child labor exists in Niue, in 2021, 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 1 provides one key indicator on children's education in Niue.

**Table 1. 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, 2022. (1)

## II. LEGAL FRAMEWORK FOR CHILD LABOR

Niue is self-governing in free association with New Zealand. (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 failure to criminalize 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	Yes		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 Defense 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)

\* Country has no conscription (8)

† Country has no standing military (6)

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. (3,4) 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. (9) 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. (3) Although there are no armed forces in Niue, the law does not criminally prohibit non-state armed groups from recruiting children under age 18. (3) New Zealand is responsible for Niue's defense at the territory's request and consultation. (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, 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. (3)
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 its efforts to address 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
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 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 16 that equals the compulsory age of education.	2013 – 2021
	Establish 18 as the minimum age for hazardous work and identify hazardous occupations and activities prohibited for children.	2013 – 2021
	Ensure that laws criminally prohibit forced labor, including debt bondage, the sale and trafficking of children, and slavery.	2016 – 2021
	Ensure that laws criminally prohibit the trafficking of children domestically and internationally for commercial sexual exploitation and forced labor, and do not require that the use of force, fraud, or coercion be established for the crime of human trafficking.	2016 – 2021
	Ensure that laws criminally prohibit the use, procuring, and offering of a child for prostitution, the production of pornography, and pornographic performances.	2016 – 2021
	Ensure that laws criminally prohibit the use of children in illicit activities, including in the production and trafficking of drugs.	2013 – 2021
	Ensure that the law criminally prohibits the forced or compulsory recruitment of children under age 18 into non-state armed groups.	2016 – 2021
	Ratify the ILO Worst Forms of Child Labor Convention.	2019 – 2021
	Ratify UN CRC Optional Protocol on the Sale of Children.	2021
	Ratify the Palermo Protocol on Trafficking in Persons.	2021
Coordination	Ensure the National Coordinating Committee is active and able to carry out its intended mandate.	2020 – 2021
Government Policies	Ensure that activities are undertaken to implement the United Nations Pacific Strategy and that data on these activities are published during the reporting period.	2020 – 2021

## REFERENCES

- UNESCO Institute for Statistics. Gross intake ratio to the last grade of primary education, both sexes (%). Accessed March 3, 2022. For more information, please see "Children's Work and Education Statistics: Sources and Definitions" in the Reference Materials section of this report. <http://data.uis.unesco.org/>
- Government of Niue. Niue Constitution Act 1974. Enacted: 1974. <http://www.legislation.govt.nz/act/public/1974/0042/latest/whole.html#DLM413418>
- U.S. Embassy- Wellington. Reporting. January 14, 2022.
- Government of Niue. Public Service Regulations 2004. No. 4 of 2004. Enacted: 2004. [http://www.pacii.org/nu/legis/consol\\_sub/psr2004261/](http://www.pacii.org/nu/legis/consol_sub/psr2004261/)
- Government of Niue. Terrorism Suppression and Transnational Crimes Act 2006. Enacted: 2006. [http://www.pacii.org/nu/legis/consol\\_act/tsatca2006529/](http://www.pacii.org/nu/legis/consol_act/tsatca2006529/)
- Government of New Zealand. Defence Act of 1990, No. 28 of 1990. Enacted: April 1, 1990. <http://www.legislation.govt.nz/act/public/1990/0028/latest/DLM204973.html>
- Government of Niue. Education Act 1989. Enacted: 1989. Source on file.
- Government of New Zealand. Declaration to the Optional Protocol to the Convention on the Rights of the Child on the Involvement of Children in Armed Conflict. November 12, 2001. <http://www.ohchr.org/EN/ProfessionalInterest/Pages/OPACCRC.aspx>
- U.S. Embassy- Wellington. Reporting. January 12, 2017.
- CIA. The World Factbook. Please see "Labor Law Enforcement: Sources and Definitions" in the Reference Materials section of this report. Accessed January 19, 2018. <https://www.cia.gov/the-world-factbook/countries/niue/>
- UN. United Nations Pacific Strategy 2018–2022: A Multi-Country Sustainable Development Framework in the Pacific Region. 2017. [https://www.unicef.org/about/execboard/files/Final\\_UNPS\\_2018-2022\\_Pacific.pdf](https://www.unicef.org/about/execboard/files/Final_UNPS_2018-2022_Pacific.pdf)

Although research found no evidence that child labor exists on Norfolk Island, in 2021, the government made moderate advancement in efforts to prevent the worst forms of child labor. During the reporting period, the Australian Work Health and Safety Act 2011 (Cth) was amended to include provisions for workers and workplaces on Norfolk Island. 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. (2-4) 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. (5) The following Conventions have 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. 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).

**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) (6)
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 (7,8)
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 (7-9)
Prohibition of Forced Labor	Yes		Sections 270.6–270.7 of the Criminal Code Act 1995 (Cth); Sections 270.6–270.7 and 271.9 of the Crimes Legislation Amendment Act 2013 (Cth) (10,11)
Prohibition of Child Trafficking	Yes		Division 270 and 271 of the Criminal Code Act 1995 (Cth) (10)
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) (12,13)
Prohibition of Using Children in Illicit Activities	Yes		Divisions 309–310 of the Criminal Code Act 1995 (Cth); Sections 303–305 of the Criminal Code 2007 (NI) (10,12)



# Norfolk Island

## MODERATE ADVANCEMENT

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

Standard	Meets International Standards	Age	Legislation
Minimum Age for Voluntary State Military Recruitment	Yes	18	Canberra Act 2600 (14)
Prohibition of Compulsory Recruitment of Children by (State) Military	N/A*		Canberra Act 2600 (14)
Prohibition of Military Recruitment by Non-state Armed Groups	Yes		Sections 268.68 and 268.88 of the Criminal Code Act 1995 (Cth) (10)
Compulsory Education Age	Yes	17	Section 21(B) of the Education Act 1990 (NSW)(NI); Schedule 1AA of the Norfolk Island Applied Laws Ordinance 2016 (7,15)
Free Public Education	Yes		Section 31 of the Education Act 1990 (NSW) (NI) (16)

\* Country has no conscription (14)

During the reporting period, the Government of Australia extended the provisions of its Work Health and Safety Act 2011 to fully encompass all workers and workplaces on Norfolk Island. The Act contains guidance pertaining to the provision of a safe work environment, adequate training of employees, and proper maintenance of facilities. (1,17)

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. (6,15) 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. (6) 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. (1,6)
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. (18)
Australian Federal Police	Enforce criminal laws related to the worst forms of child labor. (2,19) Oversee the Child Protection Operations Team, which coordinates and investigates online and multijurisdictional 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)

### 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 its efforts to address child labor (Table 4).

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

Coordinating Body	Role & Description
Interdepartmental 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. (1,21) Includes an Operational Working Group subcommittee that meets monthly and refers emerging policy issues for IDC consideration. (1) During the reporting period, the IDC published its tenth report on the government's efforts to prevent human trafficking, including private sector engagement and allocation of funds to promote justice for victims of human trafficking. (22,23)

During the reporting period, the Government of Australia issued its annual report detailing the previous year's activities related to implementation of the Modern Slavery Act. Efforts included conducting awareness-raising events and promoting best practices in public sector procurement. (22)

## 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 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: (1) prevention; (2) disruption, investigation, and prosecution; (3) support and protection for victims; (4) partnerships; and (5) research. (1,24) The policy was active during the reporting period. (1,23)

## 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. (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 – 2021
	Ensure that the law's light work provisions specify the activities in which light work may be undertaken.	2020 – 2021

## REFERENCES

- U.S. Embassy- Canberra. Reporting. January 28, 2022.
- U.S. Embassy- Canberra. Reporting. January 11, 2021.
- Government of Australia. Legal Risk in International Transaction: Section 10: External Territories. Canberra. 2012.  
<http://www.alrc.gov.au/publications/alrc-80-legal-risk-international-transactions/10-external-territories>
- Government of Australia. Norfolk Island Legislation Amendment Act 2015, No. 59. Enacted: March 24, 2016.  
<https://www.legislation.gov.au/Details/C2016C00568>
- Government of Australia. Acts Interpretation Act 1901. Enacted: July 12, 1901.  
<https://www.legislation.gov.au/Details/C2016C00531/Download>
- Government of Norfolk Island. Norfolk Island Employment Act 1988. Enacted: 1988. As Amended: 2019.  
<https://www.legislation.gov.au/Details/C2019Q00027>
- Government of Australia. Norfolk Island Applied Laws Ordinance 2016. Compilation No. 12. Compilation date: May 16, 2020.  
<https://www.legislation.gov.au/Details/F2020C00443/Download>
- Government of New South Wales. Work Health and Safety Regulation 2017. Enacted: 2017. As Amended: 2020.  
<https://www.legislation.nsw.gov.au/view/html/inforce/current/si-2017-0404>
- Government of New South Wales. SafeWork NSW. High risk work licenses. Accessed February 2, 2021.  
<https://www.safework.nsw.gov.au/licences-and-registrations/licences/high-risk-work-licences>
- Government of Australia. The Criminal Code Act 1995. Enacted: 1995.  
[http://www.austlii.edu.au/au/legis/cth/consol\\_act/cca1995115/sch1.html](http://www.austlii.edu.au/au/legis/cth/consol_act/cca1995115/sch1.html)
- Government of Australia. Crimes Legislation Amendment (Slavery, Slavery-like Conditions and People Trafficking) Act 2013. Enacted: 2013.  
<https://www.legislation.gov.au/Details/C2013A00006>

# Norfolk Island

## MODERATE ADVANCEMENT

- 12 Government of Norfolk Island. Norfolk Island Criminal Code. Enacted: 2007.  
<https://www.legislation.gov.au/Details/C2015Q00059>
- 13 Government of New South Wales. Crimes Act 1900. Enacted: 1900. As Amended: 2020.  
<https://www.legislation.nsw.gov.au/view/html/inforce/current/act-1900-040>
- 14 Government of Australia. Canberra Act 2600. Enacted: April 22, 2008. Source on file.
- 15 Government of New South Wales. Education Act 1990 No 8. Enacted: 1990. As Amended: December 2020.  
<https://www.legislation.nsw.gov.au/#!/view/act/1990/8/whole>
- 16 Government of Australia. Education Act. Enacted: 1990.  
<http://www.legislation.nsw.gov.au/#!/view/act/1990/8/whole>
- 17 Government of Australia. Federal Register of Legislation. September 6, 2021.  
<https://www.legislation.gov.au/Details/F2021C00897>
- 18 Government of Norfolk Island. Child Welfare Act 2009. July 1, 2016.  
<https://www.legislation.gov.au/Details/C2016Q00026>
- 19 Government of Australia. Australian Federal Police: Child Protection. Website, Accessed March 22, 2019.  
<https://www.afp.gov.au/what-we-do/crime-types/child-protection>
- 20 Australian Federal Police (AFP). AFP Child Protection Operations-Online Child Sex Exploitation. Website, Accessed March 22, 2019.  
<https://www.afp.gov.au/what-we-do/crime-types/child-protection>
- 21 Government of Australia. Parliamentary Joint Committee on Law Enforcement: An inquiry into human trafficking, slavery, and slavery-like practices. July 2017.  
[https://www.aph.gov.au/Parliamentary\\_Business/Committees/Joint/Law\\_Enforcement/Humantrafficking45/~/\\_media/Committees/le\\_ctte/Humantrafficking45/report.pdf](https://www.aph.gov.au/Parliamentary_Business/Committees/Joint/Law_Enforcement/Humantrafficking45/~/_media/Committees/le_ctte/Humantrafficking45/report.pdf)
- 22 Government of Australia. Implementing the Modern Slavery Act 2018: The Australian Government's Annual Report. November 23, 2021.  
<https://www.homeaffairs.gov.au/criminal-justice/files/implementing-the-modern-slavery-act-2018.pdf>
- 23 U.S. Embassy- Canberra. Reporting. February 4, 2022.
- 24 Government of Australia. National Action Plan to Combat Modern Slavery 2020–2025. 2020.  
<https://www.homeaffairs.gov.au/reports-and-publications/submissions-and-discussion-papers/combat-modern-slavery-2020-25>

In 2021, North Macedonia made moderate advancement in efforts to eliminate the worst forms of child labor. The Labor Inspectorate received an increased budget to improve hiring capacity, and there was a marked increase in the number of worksite inspections over the course of the year. In addition, the government adopted the National Action Plan Against Trafficking in Persons and Illegal Migration (2021–2025) and an accompanying operational plan for the 2021–2022 period, both addressing the unique needs of children and other populations considered to be most at risk for trafficking in persons. The government also adopted the Employment and Social Policy Reform Program with the goal of creating new initiatives focused on poverty reduction and social inclusion for the country's most vulnerable populations. However, children in North Macedonia 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. 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 commercial sexual exploitation, sometimes as a result of human trafficking, and in forced begging. (1-5) 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, 2022. (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, <sup>†</sup> including in production of tobacco (5,8)
Services	Street work, including vending small items, cleaning vehicle windshields, scavenging, and begging (3,5,9)
Categorical Worst Forms of Child Labor <sup>‡</sup>	Commercial sexual exploitation, sometimes as a result of human trafficking (5,10)
	Forced begging (5,9,11,12)
	Forced domestic work (3,5,13)
	Forced labor as wait staff and dancers in restaurants, bars, and nightclubs (4,5,10,14)

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

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

Most children involved in child labor in North Macedonia engage in street work, with the majority from the Roma, Balkan Egyptian, and Ashkali ethnicities. (3,5,9,12)

# North Macedonia

## MODERATE ADVANCEMENT




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. (3,8,12,15) Roma girls, especially, are victims of trafficking for forced marriages in which they are subjected to sexual and labor exploitation. (5,10,11,16,17) Migrant children from Afghanistan, Bangladesh, Iran, Syria, Pakistan, and other states continue to transit through the country and are vulnerable to trafficking for labor and commercial sexual exploitation. (10,18-20)

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. (3,9) 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. (17,21)

## II. LEGAL FRAMEWORK FOR CHILD LABOR

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

**Table 3. Ratification of International Conventions on Child Labor**

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

The government has established laws and regulations related to child labor (Table 4). However, gaps exist in North Macedonia's legal framework to adequately protect children from 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, 66, and 67 of the Labor Relations Act (22,23)
Minimum Age for Hazardous Work	Yes	18	Article 265 and Sections 63, 66, and 67 of the Labor Relations Act (23)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Rulebook on the Minimum Occupational Safety and Health Requirements for Young Workers (24)
Prohibition of Forced Labor	Yes		Article 11 of the Constitution; Articles 418(c) and 418(d) of the Criminal Code (22,25)
Prohibition of Child Trafficking	Yes		Articles 418(c) and 418(d) of the Criminal Code (25)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Articles 190–193b of the Criminal Code (25)
Prohibition of Using Children in Illicit Activities	No		Article 12(3) of the Law on Child Protection (26)
Minimum Age for Voluntary State Military Recruitment	Yes	18	Article 62 of the Law on Defense (27)
Prohibition of Compulsory Recruitment of Children by (State) Military	N/A*		Article 62 of the Law on Defense (27)



**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		Articles 122, 322a, and 404 of the Criminal Code (25)
Compulsory Education Age	Yes	16	Articles 4, 5, 47, and 172 of the Law on Primary Education; Article 3 of the Law on Secondary Education (28,29)
Free Public Education	Yes		Article 44 of the Constitution (22)

\* Country has no conscription (27)

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. (3,21,23) Because the minimum age for work is lower than the compulsory education age, children may be encouraged to leave school before the completion of compulsory education. In addition, the legal framework does not prohibit the use of children in illicit activities, including the production and distribution of drugs. (25,26,30)

During the reporting period, the National Commission for Combating Trafficking in Human Beings and Migrant Smuggling continued to draft a new law allowing for compensation payments to victims of crime and trafficking offenses, including children. (5)

### III. ENFORCEMENT OF LAWS ON CHILD LABOR

The government has established institutional mechanisms for the enforcement of laws and regulations on child labor (Table 5). However, 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. (8,31) 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. (31,32)
State Labor Inspectorate	Enforces labor law, including child labor laws, by conducting at least 60 targeted and complaint-based inspections per month. Receives complaints of child labor and refers cases of the worst forms of child labor to the Public Prosecutor. (5) Responsible for labor law enforcement in all sectors of the formal economy and can assess fines at any point of the inspection. (5)
Ministry of the Interior (MOI)	Enforces laws related to hazardous child labor, child trafficking, and commercial sexual exploitation through its special police unit for organized crime, corruption, and human trafficking. (3,4,8,15)
Public Prosecutor's Office	Prosecutes criminal law violations, including those involving the worst forms of child labor. (5) 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. (4)
National Unit for the Suppression of Migrant Smuggling and Human Trafficking (also known as Anti-Trafficking in Persons Task Force)	Established by MOI in 2001 to promote efficiency in interagency and local-level efforts to address trafficking in human beings. Led by a public prosecutor. (3,4,33)

North Macedonia's National Referral Mechanism enables law enforcement authorities to refer children found to be involved in the worst forms of child labor to social services, including those related to the protection, care, rehabilitation, and eventual reintegration of minor victims. (3,5)

# North Macedonia

## MODERATE ADVANCEMENT

### Labor Law Enforcement

In 2021, labor law enforcement agencies in North Macedonia took actions to address child labor (Table 6). However, gaps exist within the operations of the State Labor Inspectorate that may hinder adequate labor law enforcement, including the lack of a central database for tracking labor investigations.

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

Overview of Labor Law Enforcement	2020	2021
Labor Inspectorate Funding	\$2,300,000 (3)	\$2,430,000 (5)
Number of Labor Inspectors	114 (3)	130 (5)
Mechanism to Assess Civil Penalties	Yes (3)	Yes (23)
Initial Training for New Labor Inspectors	Yes (3)	Yes (5)
Training on New Laws Related to Child Labor	Yes (3)	N/A (5)
Refresher Courses Provided	Yes (3)	Yes (5)
Number of Labor Inspections Conducted	15,944 (3)	22,986 (5)
Number Conducted at Worksite	15,944 (3)	22,986 (5)
Number of Child Labor Violations Found	0 (3)	0 (5)
Number of Child Labor Violations for Which Penalties Were Imposed	N/A (3)	N/A (5)
Number of Child Labor Penalties Imposed that Were Collected	N/A (3)	N/A (5)
Routine Inspections Conducted	Yes (3)	Yes (5)
Routine Inspections Targeted	Yes (3)	Yes (5)
Unannounced Inspections Permitted	Yes (3)	Yes (23)
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)

The Labor Inspectorate has an annual plan that determines the number of worksite inspections to be conducted during the calendar year. Unannounced inspections in all sectors are permitted, including on legally registered private farms. (8,34) Inspectors can also inspect private homes and farms with a valid warrant. (5) During the reporting period, the Labor Inspectorate received additional funding designated for hiring and retention of new inspectors. (5)

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 2021, criminal law enforcement agencies in North Macedonia took actions to address 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	2020	2021
Initial Training for New Criminal Investigators	No (3)	No (5)
Training on New Laws Related to the Worst Forms of Child Labor	N/A (3)	N/A (5)
Refresher Courses Provided	No (3)	No (5)
Number of Investigations	37 (3)	15 (5)
Number of Violations Found	37 (3)	5 (5)
Number of Prosecutions Initiated	29 (3)	5 (5)
Number of Convictions	25 (3)	1 (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)

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) Criminal law enforcement authorities did not receive initial training or refresher courses during the reporting period. (5)

In 2021, the Public Prosecutor's Office found six violations pertaining to crimes involving children. Of those, four victims were trafficked for forced marriage, one for sexual exploitation, and one for forced begging. (35)

Since 2015, the Ministry of the Interior (MOI) has operated the “Red Button” hotline, a 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 officials lacked knowledge on how to identify human trafficking victims and refer them to services. In addition, some members of the police were not aware of the specialized Anti-Trafficking in Persons Task Force, even though both are under the MOI. (5,8) Further, the lack of a digital case management system within the MOI limited interdepartmental awareness, 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)

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. (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 a lack of human resources.

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

Coordinating Body	Role & Description
National Coordination Body for the Prevention and Countering of 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. (3,5) During the reporting period, the Commission continued to implement activities related to the annual Action Plan for the Prevention and Countering of Abuse and Neglect of Children. (5)
National Commission for Trafficking in Persons and Illegal Migration (National Trafficking in Persons Commission)	Coordinates the work of institutions involved in addressing human trafficking. Led by MOI and under the direction of the National Anti-Trafficking in Persons Coordinator, with 16 representatives from 11 government institutions. (5,31,35) 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. (5,8) In 2021, the Commission's working group dedicated to addressing child trafficking prepared a 2021–2022 operational plan designed to prevent human trafficking of at-risk minors, improve victim identification processes, and promote efforts to reduce forced child begging. (5)

Sources reported that the local committees overseen by the National Commission for Trafficking in Persons and Illegal Migration needed to build their capacity to adequately address human trafficking and hire more personnel to carry out activities. The Commission has continued to implement local action plans, however, and its annual report indicates that strengthening communication and coordination between the national and local bodies will continue to be a priority. (2,8,35)

### V. GOVERNMENT POLICIES ON CHILD LABOR

The government has established policies related to child labor (Table 9). However, policy gaps exist that hinder efforts to address child labor, including the lack of a policy that covers all worst forms of child labor.

# North Macedonia

## MODERATE ADVANCEMENT

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

Policy	Description
National Action Plan Against Trafficking in Persons and Illegal Migration (2021–2025) <sup>†</sup>	Focuses on preventing human trafficking by reducing the vulnerability of at-risk populations, improving the identification of victims, and increasing efforts to address human trafficking and forced child begging. (5,13) During the reporting period, the National Trafficking in Persons Commission collaborated with IOM and the Anti-TIP Secretariat to develop a victim-centered and gender-based approach to continue addressing trafficking in persons. (13)
National Action Plan for Education (2018–2025)	Aims in part 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. (17,37) In 2021, the Ministry of Education and Science (MOES) implemented a number of activities related to the Action Plan, including providing funding for new teachers and school renovations, adapting curriculum to be more inclusive of children who were identified as "returnees" to formal education and children with disabilities, and reforming vocational institutions to improve youth employment rates. (5,38)
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. (39) During the reporting period, representatives from MLSP and other ministries, the UNICEF Skopje office, and other civil society organizations participated in the implementation of the Action Plan. (5)

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

North Macedonia maintains bilateral agreements to address human trafficking with all its neighboring countries. (4) During the reporting period, the MLSP developed a new Employment and Social Policy Reform Program to be implemented in 2022. The program will focus on initiatives to reduce poverty and promote social inclusion for the country's most vulnerable populations. (5)

Although the Government of North Macedonia has adopted policies aimed at addressing 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. (40)

## VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2021, 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 inadequacy 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 <sup>†</sup>	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. Additionally, MLSP provides extensive support for one day center to assist children participating in street work, and funds another center operated by an NGO to provide services, healthcare, and counseling to children working in the streets. (8,14,31) MLSP also funds the Center for Victims of Human Trafficking (operated by NGO Open Gate/ <i>La Strada</i> ), a transit center for asylum seekers, and the MOI-operated Transit Center for Illegal Migrants. (5) During the reporting period, one of MLSP's mobile teams worked extensively with families of children who have requested the services of the day center. In addition, estimates indicate that approximately 100 children receive assistance from the NGO-operated center on an annual basis. (5)
UNICEF Projects	Include 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 include the Home for Every Child Program. (15,32,41,42) During the reporting period, UNICEF assisted MOES with implementing activities under the Law on Primary Education, which obliges schools to promote student well-being, protect children from abuse and neglect, and prevent discrimination. In addition, UNICEF assisted MLSP and the Skopje Intermunicipal Center for Social Work with locating street children in need of intervention and approaching their families to inform them of social assistance programs for qualifying families. (5)

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

Program	Description
Employment and Social Policy Reform Program*†	Developed by MLSP in 2021 in part to alleviate poverty and promote social inclusion for vulnerable citizens. During the reporting period, MLSP provided counseling and guidance to groups vulnerable to exploitation including youth, Roma, and minimum income participants regarding their rights in the labor market. (5,43)
Child Allowance Program‡	Government-supported program providing monthly child allowance payments to low-income households and families receiving other forms of government assistance. During the reporting period, the government of North Macedonia approved an additional education allowance for children from low-income families. (5)

\* Program was launched during the reporting period.

† 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. (5,44-47)

During the reporting period, the Ministry of Education and Science continued to employ educational mediators for Roma students from economically disadvantaged families and to provide mediation options for other students who have frequently spent time outside of the formal education system. Thirty-five mediators from 26 municipalities worked with Roma children to reduce attrition rates and further strengthen ties between educators and Roma parents. (5) In addition, mobile teams consisting of social workers, police officers, and civil sector representatives continued to visit the homes of at-risk children and met with their families to educate them on children's rights and state social benefit programs. (5) Additionally, the NGO Megjashi continued to support its SOS Helpline for Children and Youth, which received 151 reports of children needing assistance during the first half of the year. Several calls involved risk factors for child labor, including economic exploitation, harmful and dangerous work, and violence against children. (48)

However, 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 addressing child labor. (5,14)

## 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 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 – 2021
	Raise the minimum age for work to the age up to which education is compulsory.	2018 – 2021
	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 – 2021
Enforcement	Ensure that criminal law enforcement authorities receive appropriate training on child labor and identification of victims/potential victims of human trafficking.	2021
	Provide labor inspectors and the Ministry of Interior with electronic systems to record and share data on inspections with the entity receiving the citation and publish the information.	2009 – 2021
	Provide sufficient funding for the Anti-Trafficking in Persons Task Force to carry out its duties to address human trafficking.	2019 – 2021
	Ensure that law enforcement agencies proactively identify child trafficking victims.	2015 – 2021
Coordination	Build the capacity and resources of local committees to adequately address human trafficking.	2018 – 2021
Government Policies	Adopt a policy that addresses all relevant worst forms of child labor, such as a national action plan on child labor.	2018 – 2021
Social Programs	Conduct research to determine the activities carried out by children engaged in child labor.	2013 – 2021
	Increase efficacy of programs dedicated to addressing child labor and ensure that child beggars receive the support needed to be removed from street work permanently.	2015 – 2021
	Reduce barriers to education by increasing the number of teachers who can provide education in the Romani language.	2021



# North Macedonia

## MODERATE ADVANCEMENT

### REFERENCES

- 1 U.S. Embassy- Skopje. Reporting. January 15, 2019.
- 2 U.S. Embassy- Skopje. Reporting. March 1, 2019.
- 3 U.S. Embassy- Skopje. Reporting. January 15, 2021.
- 4 U.S. Embassy- Skopje. Reporting. February 9, 2021.
- 5 U.S. Embassy- Skopje. Reporting. January 12, 2022.
- 6 UNESCO Institute for Statistics. Gross intake ratio to the last grade of primary education, both sexes (%). Accessed March 3, 2022. For more information, please see "Children's Work and Education Statistics: Sources and Definitions" in the Reference Materials section of this report. <http://data.uis.unesco.org/>
- 7 ILO. Analysis of Child Economic Activity and School Attendance Statistics from National Household or Child Labor Surveys. Original data from Multiple Indicator Cluster Survey 6 (MICS 6), 2019. Analysis received March 2022. Please see "Children's Work and Education Statistics: Sources and Definitions" in the Reference Materials section of this report.
- 8 U.S. Embassy- Skopje. Reporting. January 8, 2020.
- 9 International Organization for Migration. The Ghosts of North Macedonia. IOM North Macedonia. October 12, 2020. <https://weblog.iom.int/ghosts-north-macedonia>
- 10 U.S. Department of State. Trafficking in Persons Report- 2020: North Macedonia. Washington, D.C., June 25, 2020. <https://www.state.gov/reports/2020-trafficking-in-persons-report/north-macedonia/>
- 11 UNICEF. An Analysis of the Situation of Women and Children: North Macedonia. 2019. [https://www.unicef.org/northmacedonia/media/5296/file/Sitan\\_2019\\_En.pdf](https://www.unicef.org/northmacedonia/media/5296/file/Sitan_2019_En.pdf)
- 12 U.S. Department of State. Trafficking in Persons Report- 2021: North Macedonia. 2021. <https://www.state.gov/reports/2021-trafficking-in-persons-report/north-macedonia/>
- 13 U.S. Embassy- Skopje. Reporting. January 28, 2022.
- 14 Open Gate/La Strada. Challenges in Identification, Protection, and Reintegration of Victims of Human Trafficking. 2020. Source on file.
- 15 U.S. Embassy- Skopje official. E-mail communication to USDOL official. March 19, 2019.
- 16 UN Committee on the Elimination of Discrimination against Women. Periodic Reports of States Parties due in 2017: The former Yugoslav Republic of Macedonia, Prepared by Government of the former Yugoslav Republic of Macedonia, Article 18 of the Convention on the Elimination of All Forms of Discrimination against Women. CEDAW/C/MKD/6. June 13, 2017. [http://tbiinternet.ohchr.org/\\_layouts/treatybodyexternal/Download.aspx?symbolno=CEDAW/C/MKD/6&Lang=en](http://tbiinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=CEDAW/C/MKD/6&Lang=en)
- 17 Macedonian National Coalition for the Rights of the Child. Alternative report of non-governmental organizations on the state of children's rights in Macedonia. October 2020. Source on file. [http://childrensembassy.org.mk/content/pdf/Megjashi State of Childrens Rights NGO 2020.pdf](http://childrensembassy.org.mk/content/pdf/Megjashi%20State%20of%20Childrens%20Rights%20NGO%202020.pdf)
- 18 IOM. New Data on Population Movements in the Western Balkans. February 21, 2019. <https://rovienna.iom.int/stories/new-data-population-movements-western-balkans>
- 19 Al Jazeera. Police find 211 migrants crammed in truck in North Macedonia. July 7, 2020. <https://www.aljazeera.com/news/2020/7/7/police-find-211-migrants-crammed-in-truck-in-north-macedonia>
- 20 UNHCR. UNHCR: North Macedonia Refugee/Migrant Children in 2020. June 30, 2020. <https://data2.unhcr.org/en/documents/details/77926>
- 21 U.S. Department of State. Country Reports on Human Rights Practices- 2020: North Macedonia. Washington, D.C., March 30, 2021. <https://www.state.gov/reports/2020-country-reports-on-human-rights-practices/north-macedonia/>
- 22 Government of North Macedonia. Constitution of the Republic of Macedonia. Enacted: September 8, 1991. [https://www.sobranie.mk/content/Odluki USTAV/UstavSRSM.pdf](https://www.sobranie.mk/content/Odluki%20USTAV/UstavSRSM.pdf)
- 23 Government of North Macedonia. Labour Relations Act, No. 167/15. Enacted: 1993. [http://www.mtsp.gov.mk/content/pdf/zakoni/ZRO Precisten 74-15.pdf](http://www.mtsp.gov.mk/content/pdf/zakoni/ZRO%20Precisten%2074-15.pdf)
- 24 Government of North Macedonia. Rulebook on the minimum occupational safety and health requirements for young workers. Enacted: October 15, 2012. <http://www.ilo.org/dyn/natlex/docs/ELECTRONIC/93806/109806/F-526659420/MKD-93806.pdf>
- 25 Government of North Macedonia. Republic of Macedonia Criminal Code. Enacted: November 1, 1996. <http://www.pravdiko.mk/wp-content/uploads/2013/11/Krivichen-zakonik-integralen-prechisten-tekst.pdf>
- 26 Government of North Macedonia. Child Protection Law. Enacted: July 2016. Source on file.
- 27 Government of North Macedonia. Law on Defense. Enacted: 2001. [https://www.ilo.org/dyn/natlex/natlex4.detail?p\\_lang=en&p\\_isn=99888&p\\_country=MKD&p\\_count=756](https://www.ilo.org/dyn/natlex/natlex4.detail?p_lang=en&p_isn=99888&p_country=MKD&p_count=756)
- 28 Government of North Macedonia. Law on Primary Education, No. 103/2008. Enacted: 2008. [http://www.sonk.org.mk/documents/Zakon za osnovno obrazovanie.pdf](http://www.sonk.org.mk/documents/Zakon%20za%20osnovno%20obrazovanie.pdf)
- 29 Government of North Macedonia. Law on Secondary Education, No. 44/1995. Enacted: 1995. [http://www.sonk.org.mk/documents/Sredno\\_obrazovanie\\_95.pdf](http://www.sonk.org.mk/documents/Sredno_obrazovanie_95.pdf)
- 30 Government of North Macedonia. Law for Supplementing and Changing the Criminal Code. Skopje. December 28, 2018. <https://www.pravdiko.mk/wp-content/uploads/2013/11/Zakon-za-izmenuvane-i-dopolnuvane-31-12-2018.pdf>
- 31 U.S. Embassy- Skopje. Reporting. January 12, 2018.
- 32 U.S. Embassy- Skopje. Reporting. January 13, 2017.
- 33 National Unit for the Suppression of Migrant Smuggling and Human Trafficking. About Us. December 3, 2016. <http://nacionalnakomisija.gov.mk/mk/za-nac/>
- 34 Government of North Macedonia. 2018–2020 Strategic Plan for the State Labor Inspectorate. Skopje: Ministry of Labor and Social Policy. 2018. [http://www.mtsp.gov.mk/content/word/dokumenti/dokumenti 2018/strateski\\_2018\\_2020.doc](http://www.mtsp.gov.mk/content/word/dokumenti/dokumenti%2018/strateski_2018_2020.doc)
- 35 U.S. Embassy- Skopje official. E-mail Communication to USDOL official. May 5, 2022.
- 36 Government of North Macedonia. Strategy for the Fight Against Poverty and Social Inclusion. 2013. [http://mtsp.gov.mk/VBStorage/Files/revidirana\\_str\\_siromastija\\_eng.docx](http://mtsp.gov.mk/VBStorage/Files/revidirana_str_siromastija_eng.docx)
- 37 Government of North Macedonia. Education Strategy and Action Plan for 2018–2025. Skopje. 2018. <http://mrk.mk/wp-content/uploads/2018/10/Strategija-za-obrazovanie-ENG-WEB-1.pdf>
- 38 Ministry of Education and Science. Tomsic from the Ministry of Education and Science: Every child is important to us, with a systemic approach we provide quality and inclusive education. December 3, 2021. <https://mon.gov.mk/content/?id=4401>
- 39 Government of North Macedonia. National Strategy to Protect Children from All Forms of Abuse with Action Plan 2020–2022. December 2019. Source on file.
- 40 U.S. Embassy- Skopje official. E-mail communication to USDOL official. July 9, 2019.
- 41 U.S. Embassy- Skopje official. E-mail communication to USDOL official. February 2, 2018.
- 42 Government of North Macedonia. 2014–2020 Roma Strategy. 2014. [http://www.mtsp.gov.mk/content/pdf/strategii/Strategija za Romite vo RM 2014-2020.pdf](http://www.mtsp.gov.mk/content/pdf/strategii/Strategija%20za%20Romite%20vo%20RM%202014-2020.pdf)
- 43 Government of the Republic of North Macedonia. Revised Employment and Social Reform Program. May 2021. [https://mtsp.gov.mk/content/pdf/2021/\(r\)ESRP report for 2020\\_EN \(1\).pdf](https://mtsp.gov.mk/content/pdf/2021/(r)ESRP%20report%20for%2020_EN%20(1).pdf)

- 44 UNICEF. Data Collection on the Situation of Children and Women in North Macedonia. Skopje. 2018.  
<https://www.unicef.org/northmacedonia/press-releases/data-collection-situation-children-and-women-country-starting>
- 45 Government of North Macedonia. Free child rest and recreation service. 2018.  
<http://www.mtsp.gov.mk/besplatna-usluga-za-odmor-i-rekreacija-na-deca.nspх>
- 46 Government of North Macedonia. Increase the capacity for care and upbringing of children. 2018.  
<http://www.mtsp.gov.mk/zgolemuvanje-na-kapacitetite-za-zgrizuvanje-i-vospitanie.nspх>
- 47 Government of North Macedonia. Report on the Completed Activities for the Education Strategy 2018–2025 for 2018. February 2019.  
<http://mrk.mk/wp-content/uploads/2019/02/Извештај-за-реализирани-активности-од-Стратегија-за-образование-2018-2025-за-2018.pdf>
- 48 Megjashi. 2021 Semi-Annual Report on the Operation of the SOS Helpline for Children and Youth.  
[http://www.childrensembassy.org.mk/content/pdf/07-12-2021\\_крајно\\_полугодишен\\_извештај\\_јануари\\_јуни\\_7.7.2021.\\_mk-en-p.pdf](http://www.childrensembassy.org.mk/content/pdf/07-12-2021_крајно_полугодишен_извештај_јануари_јуни_7.7.2021._mk-en-p.pdf)

In 2021, Oman made moderate advancement in efforts to eliminate the worst forms of child labor. The government adopted a new National Plan for Combating Human Trafficking, established child protection committees at the governorate level, and investigated and charged two suspects in a child sex trafficking case. The labor inspectorate also increased inspections in response to videos shared on social media documenting labor violations. Although research is limited, there is evidence that small numbers of children in Oman engage in child labor, including in fishing and farming. 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 farming. (1) Table 1 provides key indicators on children's work and education in Oman. Data on some of these indicators are not available from the sources used in this report.

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

Children	Age	Percent
Working (% and population)	5 to 14	Unavailable
Attending School (%)	5 to 14	Unavailable
Combining Work and School (%)	7 to 14	Unavailable
Primary Completion Rate (%)		99.2

Source for primary completion rate: Data from 2020, published by UNESCO Institute for Statistics, 2022. (2)

Source for all other data: Data were unavailable from ILO's analysis, 2022. (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)
	Fishing, activities unknown (1)

## II. LEGAL FRAMEWORK FOR CHILD LABOR

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

## MODERATE ADVANCEMENT

**Table 3. Ratification of International Conventions on Child Labor**

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

The government's laws and regulations are in line with relevant international standards (Table 4).

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

Standard	Meets International Standards	Age	Legislation
Minimum Age for Work	Yes	15	Articles 1, 8, and 75 of the Labor Law (4)
Minimum Age for Hazardous Work	Yes	18	Articles 45, 46, and 71 of the Child Law; Article 2 of Ministry of Manpower Order 217/2016 (4,5)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Article 5 of Ministry of Manpower Order 217/2016 (6)
Prohibition of Forced Labor	Yes		Articles 1, 2, 8, and 9 of the Law to Combat Human Trafficking; Article 3 bis of the Labor Law (4,7)
Prohibition of Child Trafficking	Yes		Articles 1, 2, 8, and 9 of the Law to Combat Human Trafficking (7)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Articles 1, 2, 8, and 9 of the Law to Combat Human Trafficking; Articles 254, 255, and 267 of the Penal Code (7,8)
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 (5,9)
Minimum Age for Voluntary State Military Recruitment	Yes	16	Article 55 of the Child Law (5)
Prohibition of Compulsory Recruitment of Children by (State) Military	Yes*		Article 55 of the Child Law (5)
Prohibition of Military Recruitment by Non-state Armed Groups	Yes		Articles 1(f), 55, and 72 of the Child Law (5)
Compulsory Education Age	Yes	15‡	Article 36 of the Child Law (5,10)
Free Public Education	Yes		Article 13 of the Basic Law; Article 36 of the Child Law (5,11)

\* Country has no conscription (12)

‡ Age calculated based on available information (12)

### 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).

**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. (13)
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. (13)

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

Organization/Agency	Role
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. (14)
Office of the Public Prosecutor	Prosecutes human trafficking and sexual exploitation cases in court with assistance from the Royal Oman Police. (14,15)
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. (14,16)

### Labor Law Enforcement

In 2021, labor law enforcement agencies in Oman took actions to address child labor (Table 6). However, gaps exist within the operations of the Ministry of Labor (MOL) that may hinder adequate labor law enforcement.

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

Overview of Labor Law Enforcement	2020	2021
Labor Inspectorate Funding	Unknown (1)	Unknown (13)
Number of Labor Inspectors	303 (17)	282 (18)
Mechanism to Assess Civil Penalties	Yes (4,5,19)	Yes (4,5,19)
Initial Training for New Labor Inspectors	Yes (17)	Yes (18)
Training on New Laws Related to Child Labor	N/A	N/A
Refresher Courses Provided	Unknown (1)	Yes (18)
Number of Labor Inspections Conducted	Unknown (1)	Unknown (13)
Number Conducted at Worksite	Unknown (1)	Unknown (13)
Number of Child Labor Violations Found	0 (1)	Unknown (13)
Number of Child Labor Violations for Which Penalties Were Imposed	N/A	Unknown (13)
Number of Child Labor Penalties Imposed that Were Collected	N/A	Unknown (13)
Routine Inspections Conducted	Yes (1)	Yes (13)
Routine Inspections Targeted	Unknown (1)	Unknown (13)
Unannounced Inspections Permitted	Yes (19)	Yes (19)
Unannounced Inspections Conducted	Yes (1)	Yes (13)
Complaint Mechanism Exists	Yes (1)	Yes (13)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (1)	Yes (13)

The 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. (13,20) 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, a fine may be levied. (13,20) The MOL can refer cases of child labor to the Ministry of Social Development (MOSD) if the child is under the minimum age for work. The MOL and MOSD can also coordinate with the Royal Oman Police to shelter child victims and refer suspected violators for criminal investigation. (13)

In June 2021, the MOL announced it was increasing inspections in response to videos shared on social media documenting labor violations, which the MOL determined were not current. (13) In 2021, the number of labor inspections conducted exceeded 80,000. (21)

The government did not provide information on the number of child labor violations found for inclusion in this report.

### Criminal Law Enforcement

In 2021, the government's criminal law enforcement agencies appeared to function adequately in addressing child labor (Table 7).



## MODERATE ADVANCEMENT

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

Overview of Criminal Law Enforcement	2020	2021
Initial Training for New Criminal Investigators	Yes (1)	Yes (13)
Training on New Laws Related to the Worst Forms of Child Labor	N/A	N/A
Refresher Courses Provided	Unknown (1)	Unknown (13)
Number of Investigations	0 (1)	2 (21,22)
Number of Violations Found	N/A (1)	2 (22,23)
Number of Prosecutions Initiated	N/A (1)	2 (22,23)
Number of Convictions	0 (1)	2 (21,22)
Imposed Penalties for Violations Related to the Worst Forms of Child Labor	N/A	Yes (22,23)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (1)	Yes (13)

In April 2021, the Royal Oman Police received a report of a missing foreign national girl, then a subsequent report that the girl had returned to her home with bruises. Upon investigation, the Royal Oman Police identified the girl as a victim of sex trafficking and referred her to the Dar al-Wifaq trafficking shelter. (23) As a result, the government charged two foreign nationals under the Law to Combat Human Trafficking with exploiting a child in prostitution; the suspects remained in pretrial detention at the end of the reporting period. (23) In addition, the government convicted one trafficker of forcing two foreign national boys into begging. The boys were also referred to the Dar al-Wifaq shelter. (22)

**IV. COORDINATION OF GOVERNMENT EFFORTS ON CHILD LABOR**

The government has established mechanisms to coordinate its efforts to address child labor (Table 8). However, gaps exist that hinder the effective coordination of efforts to address child labor, including the omission of the 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 MOSD, the Ministry of Health, the Ministry of Education, and the Royal Oman Police. Oversees regional committees, which are responsible for coordinating intervention with children who are survivors of abuse, neglect, or other related issues, and works with UNICEF on several projects related to child intervention. (1) However, the MOL is not represented on the Committee. (1) In 2021, child protection committees were established at the governorate level. (13)
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 CRC's principles and follows up on the UN body's comments and recommendations. (17) However, the MOL is not represented on the Committee. (17) Active in 2021. (18)
National Committee for Combating Human Trafficking	Oversees the National Action Plan for Combating Human Trafficking. Includes the Royal Oman Police and 12 other state agencies. (1) Met regularly during 2021 to recommend additions and modifications to the National Action Plan to Combat Human Trafficking. (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 lack of coverage of all forms of child labor.

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

Policy	Description
National Action Plan for Combating Human Trafficking (2021–2023)†	Aims to educate stakeholders on their rights and responsibilities, train authorities on addressing human trafficking, coordinate government services for survivors, and develop new policies and best practices. (24) Adopted in 2021. (13)

† Policy was approved during the reporting period.

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 2021, 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. (16) Active in 2021. (13)

† 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 the number of child labor violations found.	2013 – 2021
Coordination	Ensure that the Ministry of Labor participates in the National Child Protection Committee and the National Committee on Implementing the UN CRC.	2016 – 2021
Government Policies	Develop a national policy to address all forms of child labor that occur within Oman, including in farming and fishing.	2013 – 2021
Social Programs	Collect and publish data on the extent and nature of child labor to inform policies and programs.	2017 – 2021

## REFERENCES

- U.S. Embassy- Muscat. Reporting. February 21, 2021.
- UNESCO Institute for Statistics. Gross intake ratio to the last grade of primary education, both sexes (%). Accessed March 3, 2022. For more information, please see "Children's Work and Education Statistics: Sources and Definitions" in the Reference Materials section of this report. <http://data.uis.unesco.org/>
- ILO. Analysis of Child Economic Activity and School Attendance Statistics from National Household or Child Labor Surveys. Analysis received March 2022. For more information, please see "Children's Work and Education Statistics: Sources and Definitions" in the Reference Materials section of this report.
- Government of Oman. Royal Decree No. 35/2003 Issuing the Labour Law. Enacted: April 26, 2003. <http://www.ilo.org/dyn/natlex/docs/ELECTRONIC/67540/84139/F1719028671/OMN67540.pdf>
- Government of Oman. Royal Decree Number 22/2014 Issuing the Child's Law. Enacted: May 19, 2014. <https://www.mindbank.info/item/5887>
- Government of Oman. Ministry of Manpower, Order 217/2016. Enacted: July 4, 2016. <http://data.qanoon.om/ar/md/momp/2016-0217.pdf>
- Government of Oman. Royal Decree No. 126/2008 Anti-Trafficking Law. Enacted: November 23, 2008. [https://www.ilo.org/dyn/natlex/docs/ELECTRONIC/81766/92282/F1786958440/OMN81766\\_2.pdf](https://www.ilo.org/dyn/natlex/docs/ELECTRONIC/81766/92282/F1786958440/OMN81766_2.pdf)
- Government of Oman. Royal Decree No. 7 of 2018 promulgating the Penal Code. Official Gazette No. 1226. January 11, 2018. Source on file.
- Government of Oman. Law on Narcotic Drugs and Psychotropic Substances, promulgated by Royal Decree 17 of 1999, as amended by Royal Decree 34 of 2015. October 5, 2015. Source on file.
- UNESCO. Oman: Education and Literacy. Accessed: July 6, 2021. <http://uis.unesco.org/en/country/om>
- Government of Oman. Sultani Decree No. 101/96 Promulgating the Basic Statute of the State. Enacted: November 6, 1996. <http://www.wipo.int/wipolex/en/details.jsp?id=6118>
- U.S. Embassy- Muscat. Reporting. January 16, 2018.
- U.S. Embassy- Muscat. Reporting. January 13, 2022.
- U.S. Embassy- Muscat. Reporting. January 5, 2017.
- Sultanate of Oman National Committee for Combating Human Trafficking. National Plan for Combating Human Trafficking. Muscat, September 2009. Source on file.
- Government of Oman. Efforts of the Sultanate of Oman to limit the worst forms of child labor and trafficking in persons, and some observations on the report issued by the U.S. Department of Labor on Child Labor and trafficking in persons in the Sultanate. December 19, 2016. Source on file.
- U.S. Embassy- Muscat official. E-mail communication to USDOL official. June 21, 2021.
- U.S. Embassy- Muscat official. E-mail communication to USDOL official. March 20, 2022.
- Ministry of Manpower. Guide to Labor Inspection. Source on file.
- Al Muqhasi, Sheikha. Follow labour law or face the consequences. Times of Oman, September 21, 2019. <https://timesofoman.com/article/1955179/Oman/Follow-labour-law-or-face-the-consequences->
- U.S. Embassy- Muscat. Reporting. March 20, 2022.
- U.S. Embassy- Muscat official. E-mail communication to USDOL official. May 24, 2022.
- U.S. Embassy- Muscat official. E-mail communication to USDOL official. April 13, 2022.
- Government of Oman. National Action Plan to Combat Human Trafficking 2021-2023. <https://nccht.om/wp-content/uploads/National-Action-Plan-to-Combat-Human-Trafficking-English.pdf>

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

In 2021, Pakistan made minimal advancement because it continued to implement practices that delay advancement to eliminate the worst forms of child labor. During the reporting period, the Pakistani federal government and some provincial governments enacted legislation to address the worst forms of child labor, including bills prohibiting hazardous work for children under 14 years in Balochistan; banning corporal punishment of children, including in domestic work; and establishing special courts dedicated to child protection. Additionally, the Federal Investigative Authority provided training for Pakistani police, social welfare and labor departments, and child protection bureaus at the central and provincial levels. The Child Protection and Welfare Bureau rescued over 1,000 children from begging in Punjab and referred 1,500 to 2,000 children for psychological counseling. However, despite new initiatives to address child labor, Pakistan is assessed as having made only minimal advancement because it continued to implement practices that delays advancement to eliminate child labor. Pakistan continued to support the Taliban in Afghanistan, and reports indicate that the Taliban recruited and used child soldiers during the reporting period. Children in Pakistan are subjected to the worst forms of child labor, including forced domestic work and forced labor in brick manufacturing and agriculture. Additionally, provincial labor inspectorates do not have 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. Furthermore, police corruption, particularly the taking of bribes from suspected perpetrators to ignore child labor crimes and a lack of willingness to conduct criminal investigations, hindered Pakistan's ability to address child labor throughout the country.



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

Children in Pakistan are subjected to the worst forms of child labor, including forced domestic work. Children also engage in forced labor in brick manufacturing and agriculture. (1,2) 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.

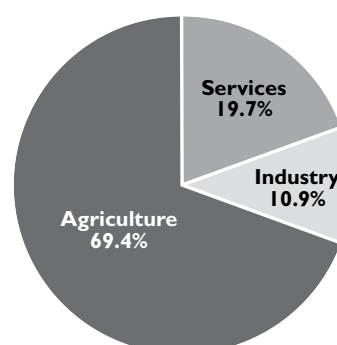
**Table I. Statistics on Children's Work and Education**

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		72.9
	Punjab Province		Unavailable
	Sindh Province		Unavailable

Source for primary completion rate: Data from 2019, published by the UNESCO Institute for Statistics, 2022. (3)

Source for all other data: International Labor Organization's analysis of statistics from Labour Force Survey (LFS), 2017–2018 and from the Multiple Indicator Cluster Survey 5, 2014. (4)

**Figure I. Working Children by Sector, Ages 10-14**



# Pakistan

## MINIMAL ADVANCEMENT – EFFORTS MADE BUT CONTINUED 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	Farming, including harvesting cotton, sugarcane, and wheat (1,5)
	Fishing, including deep sea fishing† (6,7)
	Poultry farming (8)
Industry	Manufacturing glass bangles,† surgical instruments,† and jewelry (1,6,9-15)
	Weaving carpets,† producing garments, and tanning leather† (6,9,12,13,16-19)
	Producing bricks (1,9,10,13,17-22)
	Mining coal† and gemstones, and crushing stone† (6,17,20,23,24)
	Construction (8)
Services	Domestic work (1,10,25,26)
	Working in hotels, restaurants, gas stations, and automobile repair (1,9,10,17,19,27,28)
	Scavenging† and sorting garbage and recyclables, begging, and street vending (2,19,27,29,30)
Categorical Worst Forms of Child Labor‡	Forced labor in agriculture, brickmaking, carpet weaving, and coal mining (1,9,31)
	Forced domestic work (9,25,31)
	Commercial sexual exploitation, including use in the production of pornography, sometimes as a result of human trafficking (1,9,10,13,31-35)
	Forced begging (9,31)
	Recruitment of children by non-state armed groups for use in armed conflict (2,31)
	Use in illicit activities, including the trafficking and production of drugs (2,19,36)

† 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. (37,38) When available, data and information are included for the federal and provincial governments in this report. Pakistan's federal and provincial governments, with technical assistance provided by UNICEF, continued conducting nationwide child labor surveys through 2021. (2) 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. (2,25) The COVID-19 pandemic has delayed the completion of the survey until 2022. (2)

Child laborers in Pakistan are sometimes subjected to sexual abuse at their places of employment, including in factories, workshops, or while scavenging on the streets. (39) They are also sometimes subjected to sexual exploitation to obtain or keep their jobs or accommodations. (39,40) According to reports, 35 percent of reported child abuse cases across Pakistan occurs in the workplace. (41) Traffickers promise Pakistani boys admittance to Afghan religious schools but then sell them to members of the Afghan security forces for *bacha bazi*, a practice in which boys are forced to provide social and sexual entertainment for older men. (31)

While there is limited data collection and underreporting to assess the extent of commercial sexual exploitation of children in Pakistan, research has found there were almost 3,000 cases of child right abuses in the reporting year of which 1,800 were related to sexual abuse. Child domestic workers sometimes work under conditions of forced labor, including debt bondage, sexual assault, and extreme physical abuse. (9,25,26,31) 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. Some children are also kidnapped or sold into organized begging rings, domestic servitude, gangs, and child sex trafficking. (37,31) Children in domestic servitude are vulnerable to violence because they work in private residences outside the purview of labor inspectors. (2) Reports estimate that around 70 percent of bonded laborers in Pakistan are children, and they

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

make up one-third of the 4 million people working in brick kilns. (2,22) Some children work with their families as bonded laborers in the production of bricks. (9,10,22,31) In Sindh Province, almost 700,000 children work as bonded laborers in the agricultural sector. (2)

Begging ringmasters sometimes maim children to earn more money or force children to steal. (31) Organized criminal groups reportedly force Afghan, Iranian, and Pakistani children, particularly from Dalbadin and Quetta in Balochistan into drug trafficking in Sindh and Balochistan Provinces, and in parts of Karachi. (9,31,37) Children are also used in smuggling operations along the Afghan border with Khyber Pakhtunkhwa. (2,8) In Karachi, an estimated 20,000 children, the majority of them from Afghan origin, are found engaged in scavenging. (2) 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. (31,8)

Children in Pakistan face several barriers to education. In line with global trends, the pandemic exacerbated lack of access to education during the reporting period. Some schools were intermittently closed, offering only online classes. (2,42) There was insufficient internet coverage in many rural areas, especially in Khyber Pakhtunkhwa Province, which hampered children's access to meaningful learning. (2,42) A recent survey found that 3.7 million children ages 5 to 16 in Khyber Pakhtunkhwa did not attend school during the reporting period, an increase from 2.1 million in 2018. Similarly, studies reported that 7.7 million children in Punjab and 6.4 million children in Sindh did not attend schools. (2) 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. (2,11,43)

Sexual abuse of children in Pakistan's *madrassas*—Islamic religious schools that provide free education and meals to Pakistan's poorest children—is also of significant concern. (44-47) Pakistan currently has around 36,000 registered and unregistered *madrassas*; sexual abuse in *madrassas* significantly hinders the ability of a large number of Pakistani children to attend school and receive an education. (44,45,47) A report on a school-based sexual abuse prevention program from 2018 found that there were approximately 18,000 children who were victims of child sexual abuse in Pakistan in the past five years. (2,48)

Non-state armed militant groups reportedly kidnap children as young as age 12, coerce parents with threats, and recruit children forcibly from *madrassas* to spy, fight, and carry out suicide attacks. (31,49,50) Schools in Pakistan may still be vulnerable to attacks by unknown armed groups, disrupting children's access to education. (2,9,11,13,37,51) The government operated a center in Swat, Khyber Pakhtunkhwa, to rehabilitate, educate, and reintegrate former child soldiers. (52)

According to reports, the Taliban in Afghanistan recruited at least 34 children for various roles with its organization in the first half of 2021, including for use in combat, making and transporting improvised explosive devices, and acting as bodyguards. (53) Information on the Taliban's recruitment and use of children during the second half of the year could not be documented due to the departure of UN organizations and other monitoring entities from the country. (53)




As the Taliban took over Afghanistan, the Pakistani military provided new fighters to the Taliban from inside Pakistani sanctuaries. Pakistan government provided the Taliban with services, including safe havens, medical assistance, and real estate deals. (54,55) In June 2021, the U.S. Department of State released its annual list mandated by the Child Soldiers Prevention Act that included Pakistan as a government that recruited and used child soldiers or supported armed groups that do so. (56)

**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 at federal and provincial level to adequately protect children from the worst forms of child labor, including the minimum age for work and for hazardous work.

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

Standard	Related Entity	Meets International Standards	Age	Legislation
Minimum Age for Work	Federal	No	15	Section 50 of the Factories Act; Section 20 of the West Pakistan Shops and Establishments Ordinance; Section 26 of the Mines Act; Section 3 of the Road Transport Workers Ordinance; Section 3 and 7 of the Pakistan Employment of Children Act- 1991 (57-61)
	Balochistan	Yes	15	Section 50 of the Factories Act; Section 20 of the Shops and Establishments Ordinance; Section 26 of the Mines Act; Section 3 of the Road Transport Workers Ordinance (57-60)
	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; Section 7 of the Khyber Pakhtunkhwa Home Based Workers (Welfare and Protection) Bill, 2021 (62-65)
	Punjab	Yes	14½	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; Section 3 of the Punjab Domestic Workers Act 2019. (66-68)
	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 (69-71)
Minimum Age for Hazardous Work	Federal	No	14	Sections 2 and 3 of the Employment of Children Act (61)
	Balochistan	No	14	Sections 2 and 3 of the Employment of Children Act (61)
	Khyber Pakhtunkhwa	Yes	18	Sections 2(1)(a) and 3(2) of the Khyber Pakhtunkhwa Prohibition of Employment of Children Act (62)
	Punjab	Yes	18	Section 3(2) of the Punjab Restriction on Employment of Children Ordinance (67)
	Sindh	Yes	18	Section 3(2) of the Sindh Prohibition of Employment of Children Act (71)
Identification of Hazardous Occupations or Activities Prohibited for Children	Federal	Yes		Parts 1 and 2 of the Schedule of the Employment of Children Act (61)
	Balochistan	Yes		Parts 1 and 2 of the Schedule of the Employment of Children Act (61)
	Khyber Pakhtunkhwa	Yes		Parts 1 and 2 of the Schedule of the Khyber Pakhtunkhwa Prohibition of Employment of Children Act (62)
	Punjab	Yes		Schedule of Hazardous Work of the Punjab Restriction on Employment of Children Ordinance (67)
	Sindh	Yes		Schedule of Hazardous Work of the Sindh Prohibition of Employment of Children Act (71)

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

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

Standard	Related Entity	Meets International Standards	Age	Legislation
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 (72-74)
	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 (72-74)
	Khyber Pakhtunkhwa	Yes		Sections 2(j) and 3 of the Khyber Pakhtunkhwa Bonded Labor System (Abolition) Act (75)
	Punjab	Yes		Section 11(3) of the Punjab Restriction on Employment of Children Ordinance; Section 4 of the Punjab Bonded Labor System (Abolition) Act (67,76)
	Sindh	Yes		Section 4 of the Sindh Bonded Labor System (Abolition) Act (77)
Prohibition of Child Trafficking	Federal	Yes		Sections 3, 4 and 7 of the Prevention of Trafficking in Persons Act; Sections 366A, 366B, 370, and 371 of the Penal Code; Sections 2 and 3 of the Prevention and Control of Human Trafficking Ordinance (73,74,78)
	Balochistan	Yes		Sections 1, 3, 4 and 7 of the Prevention of Trafficking in Persons Act; Sections 366A, 366B, 370, and 371 of the Penal Code; Sections 2 and 3 of the Prevention and Control of Human Trafficking Ordinance (73,74,78)
	Khyber Pakhtunkhwa	Yes		Sections 2 and 52 of the Khyber Pakhtunkhwa Child Protection and Welfare Act (83); Sections 1, 3, 4 and 7 of the Prevention of Trafficking in Persons Act (74,79)
	Punjab	Yes		Sections 1, 3, 4 and 7 of the Prevention of Trafficking in Persons Act; Sections 366A, 366B, 370, and 371 of the Penal Code; Sections 2 and 3 of the Prevention and Control of Human Trafficking Ordinance (73,74,78)
	Sindh	Yes		Sections 1, 3, 4 and 7 of the Prevention of Trafficking in Persons Act; Sections 366A, 366B, 370, and 371 of the Penal Code; Sections 2 and 3 of the Prevention and Control of Human Trafficking Ordinance (73,74,78)
Prohibition of Commercial Sexual Exploitation of Children	Federal	Yes		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) (73,74,80)
	Balochistan	Yes		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, Sections 377A and 292B (2016) (73,74,80)
	Khyber Pakhtunkhwa	Yes		Sections 2, 48, and 53 of the Khyber Pakhtunkhwa Child Protection and Welfare Act; Second Amendment to the Criminal Code, Section 377A, 292(B) (2016) (79,80)
	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 (67,81)
	Sindh	Yes		Section 14.1(b) of the Sindh Prohibition of Employment of Children Act (71)
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 (79)
	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 (67,81)
	Sindh	Yes		Section 14.1(c) of the Prohibition of Employment of Children Act (71)
Minimum Age for Voluntary State Military Recruitment	Federal	Yes	18	Section 3 of the National Service Ordinance (82)

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

Standard	Related Entity	Meets International Standards	Age	Legislation
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 (67)
	Sindh	Yes		Section 14.1(c) of the Prohibition of Employment of Children Act (71)
Compulsory Education Age	Federal	Yes	16	Section 3 of the Right to Free and Compulsory Education Act (83)
	Balochistan	Yes	16	Section 3 of the Balochistan Compulsory Education Act (84)
	Khyber Pakhtunkhwa	Yes	16	Section 3 of the Khyber Pakhtunkhwa Free Compulsory Primary and Secondary Education Act (85)
	Punjab	Yes	16	The Punjab Free and Compulsory Education Ordinance (86)
	Sindh	Yes	16	Section 3(1) of the Sindh Right of Children to Free and Compulsory Education Act (87)
Free Public Education	Federal	Yes		Section 3 of the Right to Free and Compulsory Education Act (83)
	Balochistan	Yes		Section 2(f) of the Balochistan Compulsory Education Act (84)
	Khyber Pakhtunkhwa	Yes		Section 3 of the Khyber Pakhtunkhwa Free Compulsory Primary and Secondary Education Act (85)
	Punjab	Yes		The Punjab Free and Compulsory Education Act (86)
	Sindh	Yes		Section 3(1) of the Sindh Right of Children to Free and Compulsory Education Act (87)

\* Country has no conscription (82)

† 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. (57-59)

‡ The minimum age for work in brick kilns is 14 years old. The minimum age for work in domestic work is 15 years old. (66,68)

The Eighteenth Amendment to the Pakistani Constitution permits provinces to pass laws that govern labor law and children's welfare. (88,89) Federal law applies only until the province passes a law on the same subject. (88) The ICT administration banned child domestic labor in the capital territory in 2020 in response to an employer's fatal beating of an 8-year-old girl who was being illegally employed as a domestic worker. The government also added child domestic labor to the list of occupations defined as hazardous work prohibited for children under the Employment of Children Act 1991. (2,90,91) In 2021, the Khyber Pakhtunkhwa provincial assembly approved the Khyber Pakhtunkhwa Home Based Workers (Welfare and Protection) Bill, 2021, which bans domestic work and forced labor of children under age 14 years in the province. (2,92) In addition, the Punjab Domestic Workers Act instituted a ban on child domestic work for any child under age 15. (93)

In 2021, the Pakistan National Assembly passed the National Commission on the Rights of the Child (Amendment Bill), 2021 and the Islamabad Capital Territory Child Protection (Amendment Bill), 2021. The amendments allow appropriate government ministries to administer relevant issues related to child rights and protection instead of the federal cabinet. (94) This legislation would ensure that child rights issues are addressed in a timely and effective manner. (94) However, the bills are pending passage in the Senate. (2) Additionally, in February and September 2021, the government enacted a law that prohibits corporal punishment of children in all workplaces and education institutions in the ICT, providing a new way to address the physical abuse of child domestic workers under the law. (2,95) In Sindh, the government passed the Sindh Child Protection Authority (Amendment) Bill, 2021, which requires law enforcement to file the first information report regarding a missing or abducted child within 4 hours. A section of the bill entitled Establishment of Special Courts requires the

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

creation of special courts for child protection in each district in Sindh that would try cases under the Sindh Child Protection Authority Act within 120 days. (96) However, the implementation of the law has not yet begun. (2) In April, the Balochistan Assembly passed the Balochistan Forced and Bonded Labor System (Abolition) Act 2021 and the Balochistan Employment of Children (Prohibition and Regulation) Act 2021. The Bonded Labor Act banned hazardous work for children under age 14 and established a Committee on the Rights of the Child. (2) Furthermore, the act made it punishable for employers to pay wages to children and adolescents that are not equal to adults. (2)

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. (57-62,64-71) The federal government's minimum age for hazardous work is age 14, which does not comply with international standards. (61) The federal minimum age for hazardous work still applies in Balochistan Province, as Balochistan has not established a minimum age for hazardous work. (61,97)

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. (17,98,99) Additionally, hazardous work prohibitions for the federal and provincial governments do not cover child domestic work, for which there is evidence that children are exposed to physical abuse. (2,100) However, the federal government, at the request of the Ministry of Human Rights expanded the hazardous occupation list to include child domestic labor in the ICT. (2) 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. (23,59,62,66,71,97,101)

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. (67,71,79) 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. (7,62,67) 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. (62,83-87)

**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. (7,90)
Provincial Labor Inspectors	Inspect industrial areas and markets to identify child labor violations, enforce provincial labor laws, and pursue legal action against employers. (7)
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 survivors, and publishes information on anti-trafficking efforts on its website. (9-11,40) Operates under the Ministry of Interior. (10) The Ministry and FIA, along with other civil society groups, have published the National Action Plan to Combat Human Trafficking and Migrant Smuggling 2021-2025. (31)
Labor Courts	Assess penalties for labor violations. Located in each province and the Islamabad Capital Territory (ICT). (9,37,102-103)

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

Organization/Agency	Role
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. (7,40,37,72) Exist in Punjab, Sindh, and the ICT, but not in Balochistan and Khyber Pakhtunkhwa Provinces. (37)
Child Protection Units (CPUs)	Take into custody at-risk children, including those rescued from exploitative labor situations and provide case management services. Established in Punjab, Khyber Pakhtunkhwa, and Sindh Provinces. (79,81,104-107) Despite passing the legislation in 2016, Balochistan only has one CPU in Quetta. The remaining 33 CPUs are yet to be established. (94)

District Vigilance Committees (DVCs) are functioning in all of Punjab Province's 36 districts (conducting 367 meetings during the reporting period), and in 29 districts in Sindh Province (only 14 DVCs convened once each during the reporting period). (2,31,37,94,104) On December 31, 2021, the Khyber Pakhtunkhwa government issued orders to establish DVCs in all of Khyber Pakhtunkhwa's districts to monitor and implement laws related to child and bonded labor. (94)

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 survivors who came forward often faced retaliation from their exploitative employers. (31,40)

### Labor Law Enforcement

In 2021, labor law enforcement agencies in Pakistan took actions to address child labor (Table 6). However, gaps exist within the operations of the provincial labor departments that may hinder adequate labor law enforcement, including lack of research on the number of labor inspections conducted and child labor violations found.

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

Overview of Labor Law Enforcement	Related Entity	2020	2021
Labor Inspectorate Funding		Unknown (1)	Unknown (2)
Number of Labor Inspectors	Federal	Unknown (1)	Unknown (2)
	Balochistan	59 (1)	59(2)
	Khyber Pakhtunkhwa	Unknown (1)	Unknown (2)
	Punjab	102 (108)	Unknown (2)
	Sindh	120 (1)	120(2)
Mechanism to Assess Civil Penalties	Federal	Yes (61)	Yes (61)
	Balochistan	Yes (109)	Yes (109)
	Khyber Pakhtunkhwa	Yes(62)	Yes (62)
	Punjab	Yes (67)	Yes (67)
	Sindh	Yes (71)	Yes(71)
Initial Training for New Labor Inspectors	Federal	Unknown	Yes (2)
	Balochistan	Yes (1)	Yes (2)
	Khyber Pakhtunkhwa	Yes (1)	Yes (2)
	Punjab	Yes (1)	Yes (2)
	Sindh	Yes (1)	Yes (2)
Training on New Laws Related to Child Labor	Federal	Unknown (1)	Unknown (2)
	Balochistan	Unknown (1)	Unknown (2)
	Khyber Pakhtunkhwa	Unknown (1)	Unknown (2)
	Punjab	Unknown (1)	Yes (2)
	Sindh	Unknown (1)	Unknown (2)



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

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

Overview of Labor Law Enforcement	Related Entity	2020	2021
Refresher Courses Provided	Federal	Unknown (1)	Unknown (2)
	Balochistan	Unknown (1)	Yes (2)
	Khyber Pakhtunkhwa	Unknown (1)	Yes (2)
	Punjab	Unknown (1)	Yes (2)
	Sindh	Unknown (1)	Yes (2)
Number of Labor Inspections Conducted	Federal	Unknown (1)	Unknown (2)
	Balochistan	Unknown (1)	Unknown (2)
	Khyber Pakhtunkhwa	Unknown (1)	Unknown (2)
	Punjab	29,289 (1)	49,363(2)
	Sindh	Unknown (1)	Unknown (2)
Number Conducted at Worksites	Federal	Unknown (1)	Unknown (2)
	Balochistan	Unknown (1)	Unknown (2)
	Khyber Pakhtunkhwa	Unknown (1)	Unknown (2)
	Punjab	Unknown (1)	Unknown (2)
	Sindh	Unknown(1)	Unknown (2)
Number of Child Labor Violations Found	Federal	Unknown (1)	Unknown (2)
	Balochistan	Unknown(1)	Unknown (2)
	Khyber Pakhtunkhwa	Unknown (1)	Unknown (2)
	Punjab	1,771 (1)	1,029(2)
	Sindh	Unknown (1)	Unknown (2)
Number of Child Labor Violations for Which Penalties Were Imposed	Federal	Unknown (1)	Unknown (2)
	Balochistan	Unknown (1)	Unknown (2)
	Khyber Pakhtunkhwa	Unknown (1)	Unknown (2)
	Punjab	Unknown (1)	Unknown (2)
	Sindh	Unknown (1)	Unknown (2)
Number of Child Labor Penalties Imposed that Were Collected	Federal	Unknown (1)	Unknown (2)
	Balochistan	Unknown (1)	Unknown (2)
	Khyber Pakhtunkhwa	Unknown (1)	Unknown (2)
	Punjab	Unknown (1)	Unknown (2)
	Sindh	Unknown (1)	Unknown (2)
Routine Inspections Conducted	Federal	Unknown (1)	Yes (2)
	Balochistan	Yes (1)	Yes (2)
	Khyber Pakhtunkhwa	Yes (1)	Yes (2)
	Punjab	Yes (1)	Yes (2)
	Sindh	Yes (1)	Yes (2)
Routine Inspections Targeted	Federal	Unknown (1)	Unknown (2)
	Balochistan	Unknown (1)	Unknown (2)
	Khyber Pakhtunkhwa	Unknown (1)	Unknown (2)
	Punjab	Yes (1)	Yes (2)
	Sindh	Unknown (1)	Unknown (2)
Unannounced Inspections Permitted	Federal	Yes (1)	Yes (2)
	Balochistan	Yes (1)	Yes (2)
	Khyber Pakhtunkhwa	Yes (1)	Yes (2)
	Punjab	Yes (1)	Yes (2)
	Sindh	Yes (1)	Yes (2)
Unannounced Inspections Conducted	Federal	Unknown (1)	Unknown (2)
	Balochistan	Unknown (1)	Yes (2)
	Khyber Pakhtunkhwa	Unknown (1)	Yes (2)
	Punjab	Yes (1)	Yes (2)
	Sindh	Unknown (1)	Yes (2)

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

Overview of Labor Law Enforcement	Related Entity	2020	2021
Complaint Mechanism Exists	Federal	Unknown(1)	Yes (2)
	Balochistan	Yes (1)	Yes (2)
	Khyber Pakhtunkhwa	Yes (1)	Yes (2)
	Punjab	Yes (1)	Yes (2)
	Sindh	Yes (1)	Yes (2)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Federal	Unknown (1)	Unknown (2)
	Balochistan	Unknown (1)	Unknown (2)
	Khyber Pakhtunkhwa	No (1)	Unknown (2)
	Punjab	No (1)	Unknown (2)
	Sindh	Unknown (1)	Unknown (2)

Pakistan's provinces are responsible for enforcing labor laws, including those relevant to child labor law. (7) 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 them to the federal government; therefore, limited labor inspection data were available for inclusion in this report. (2,11) 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, Pakistan would need to employ roughly 4,135 labor inspectors as its workforce consists of more than 62 million workers. (110)

Current labor laws do not apply to domestic workers, even though the ICT recently recognized domestic labor as a hazardous occupation, and despite reports of more than 264,000 child domestic workers in Pakistan. (2,31) Reports of physical abuse, sexual abuse, and forced labor by employers are commonplace; however, provincial labor laws and protections do not extend to adult or child domestic workers. (31) 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. (9,11) In Sindh, labor inspectors do not receive funding to travel outside Karachi and Hyderabad to conduct labor inspections, which is only a small portion of the whole province. Labor inspectors use their personal resources to carry out inspections. (2)

While labor inspectors 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. (9,17,90,111) In addition, labor inspectorates sometimes failed to conduct inspections at 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. (24) Labor inspectors in Punjab reportedly do not inspect private farms owned by influential landlords for child or bonded labor. (2,36) In the Sindh region, labor inspectors frequently announce labor inspections, unless a complaint has been filed. (2) Moreover, due to the pandemic, labor inspectors have faced restrictions to conducting inspections. (2) Research found that in the Provinces of Sindh, Punjab, and Balochistan, the industries of agriculture, brick kiln, fisheries, poultry, mining, construction, domestic labor, and carpet making often 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. (8) Department of Labor officials sometimes reportedly received monthly bribes to avoid factory inspections. Additionally, research supports that labor inspectors do not have the authority to remove children from exploitation situations. (31)

In 2021, a judicial decree ordered freedom for 1,451 bonded laborers between January and September 2021. In April and July 2021, a court order in Sindh ordered law enforcement to free 33 bonded laborers from different family units working in farms across the Sindh Province. (112) The Labor Department also signed an MOU with the Sindh government to ensure all the 29 DVCs in Sindh accurately followed the Sindh Bonded Labor Abolition Act of 2015. Similarly, the Balochistan Provincial Assembly passed the Balochistan Forced and Bonded Labor System Act on May 4, 2021. The law states that “the bonded labor system shall stand abolished and every bonded laborer shall stand freed and discharged from any obligation to render any bonded labor.” (112)

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

A majority of the estimated 18,000 brick kilns in Pakistan continued to operate without registration and required benefits for workers, particularly those ages 14 to 18. (40) Additionally, in most cases, survivors of bonded labor settled for financial arrangement rather than criminal prosecution because there is a lack of guidance on a mechanism to pursue a formal civil or criminal case. (31)

In January 2021, the Islamabad High Court established a commission to examine the enforcement of labor laws related to the operation of brick kilns in the capital territory. The commission was mandated to inspect all brick kilns in the ICT, conduct a survey of brick kiln workers, and submit a report on its findings. (113) The commission's report, which was submitted in February 2021, found that the practice of debt bondage was widespread throughout the sector; no brick kilns or their laborers possessed the registrations required under the law, workers were not paid beyond a meager subsistence allowance and most lacked identity documents, and few children of brick workers were receiving an education. (114) The Islamabad High Court has ordered all bonded labor be eradicated from the ICT region, but research was unable to determine whether the ICT government took any action to carry out the order. Additionally, the ICT government has not taken action on the report's recommendations to register all brick kilns, ensure the execution of employment contracts for all workers, and issue national identity cards to all workers and their children. (115)

**Criminal Law Enforcement**

In 2021, criminal law enforcement agencies in Pakistan took actions to address 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	2020	2021
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)	Unknown (2)

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 how many investigations, penalties imposed and collected, initial refresher training, or convictions were undertaken for child labor crimes in 2021. (1,2) However, some reports have shown that the Cyber Crime Circle of the Federal Investigation Agency (FIA) apprehended 13 people in 4 raids in Faisalabad and Punjab. (2) The alleged perpetrators were charged with child pornography. In October 2021, the FIA also arrested two people in Faisalabad for involvement in child pornography. (2,116) Additionally, in January 2021, police in Lahore arrested employers for torturing a 12-year old maid to death. (117) Similarly in October 2021, two minor domestic workers were tortured by employers in Lahore. The children were subsequently rescued. (2,118)

During the reporting period, the FIA provided in-person and online training on human anti-trafficking standards procedures with Pakistani police and social welfare departments, labor departments, and child protection bureaus at the central and provincial levels. The FIA also worked with the IOM to deliver trainings on identifying, screening, and referring human trafficking victims, which included child labor survivors. (2) While training is provided to new criminal investigators, the training is inconsistent across Pakistan, and may not include information on child labor, child trafficking, or sexual exploitation of children. (2) The government did not publish data on criminal labor law enforcement in the reporting period. (2) In 2021, the Khyber Pakhtunkhwa region

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

opened four additional child protection courts, bringing the total number of child protection courts in the province to eight. However, the courts have not prosecuted any child labor cases. (2) Additionally, there is no reciprocal mechanism between law enforcement and social services. (2)

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 address child sex trafficking and child labor. (8,31) 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. (8) In Sindh, local officials perpetrated bonded labor in brick kilns with impunity. (31)

The government did not credibly act against reports of official complicity with human trafficking crimes. (31) Reports indicated that police sometimes refused to file cases of child sexual exploitation, including sex trafficking, unless the victims paid a bribe. (31) Moreover, children, parents, or family members who report child labor incidents often doubt that police will act in pursuit of justice. (22,24,39-44,45,119)

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. (9,37,31) Police sometimes acted indifferently to reports of child labor or sexual exploitation, pointing to cultural differences as a rationale for abuse. (22,45,119)

## 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*	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. (120)
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 24 FIA anti-trafficking units that work with provincial and district police officers to monitor and address domestic and transnational human trafficking. (31) Maintains an Integrated Border Management System to track entries and exits. (104)
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. (121) While the Punjab commission met during the reporting period, there was no substantive progress besides agreement that enhanced coordination was necessary. (2)

## 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
Child Protection Bodies	<p>Balochistan Child Protection Commission: Coordinates efforts related to child protection at the provincial and district levels, advises on relevant policies and legislation, and supports the implementation of child protection referral mechanisms. Led by the Balochistan Social Welfare Department, various government departments—including the Education, Health, and Labor departments—and law enforcement agencies. (107)</p> <p>Khyber Pakhtunkhwa Child Protection and Welfare Commission: Coordinates efforts to enhance the safety, welfare, and well-being of children at the provincial and local levels. Reviews and monitors implementation of provincial laws and regulations related to child labor and those that affect the rights of children. (79) Led by the province's Social Welfare and Women Development Department. (79) The Khyber Pakhtunkhwa Child Protection and Welfare Commission did not hold its quarterly meetings in 2021 and has been without a commissioner for 4 years. (1,2)</p> <p>Punjab Child Protection and Welfare Bureau: Coordinates the protection of destitute and neglected children by appointing child protection officers, supervising CPUs, and establishing child protection institutions and 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. (81)</p> <p>Sindh Child Protection Authority: Coordinates efforts to ensure the rights of children in need of special protection, including child laborers, by establishing CPUs and appointing child protection officers. (106) 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. (106) 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. (122) 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. (122) The Sindh Child Protection Agency now has the authority to act on cases of rape, abduction, murder, or assault of children. (2)</p> <p>Provincial 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. (7) Coordinate and initiate interventions against child labor at the provincial level. (121) Each CPU is led by a Child Protection Officer and supported by social workers and psychologists; operates under the District Administrator. (37) 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. (31)</p>
Child Protection Advisory Board	<p>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. (9,123) In 2021, the board began a child begging awareness campaign. (2)</p>

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

A parliamentary task force on "Uplift and Mainstreaming of Street Children and Bonded Labor" was created in 2020. However, the task force did not take significant actions in 2021. (2) Additionally, CPUs were unstaffed and non-functioning caused due to lack of funding and hiring delays in the Khyber Pakhtunkhwa Province because the Chief Child Protection Officer position has remained vacant for 4 years. (2)

The Child Protection Welfare Bureau in Punjab declared plans to establish five new CPUs at every district in the province. (2) The bureau rescued 1,054 children from begging in Punjab. (2) The Child Protection Welfare Bureau also referred 1,500 to 2,000 children for psychological counseling lasting around 15 days. It signed an MOU with Punjab Vocational Training Center to provide children with phone repair, tailoring, and cooking skills as well as electrician-related, beautician, and nursing courses. (2)

Balochistan has not instituted the remaining 33 CPUs despite passing legislation in 2016 to establish units in each district. (37,40)

## V. GOVERNMENT POLICIES ON CHILD LABOR

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



# Pakistan

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

**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. (124) In 2021, as part of its implementation of the Khyber Pakhtunkhwa Child Labor Policy, 2018, the provincial government drafted the Khyber Pakhtunkhwa Prohibition of Employment of Children Rules, 2021. The provincial government also established a Coordination Committee on Child Labor to implement the rules of the Khyber Pakhtunkhwa Prohibition of Employment of Children Act, 2015. (125) As directed by and authorized by the act, the Khyber Pakhtunkhwa Labor Department in 2021 conducted 9,189 inspections, carried out 48 prosecutions, and had 43 cases decided by the court, resulting in \$544 (109,500 Rupees) in fines. (125) In December 2021, the Khyber Pakhtunkhwa Home Department issued a notification regarding the establishment of District Vigilance Committees in each district of the province. In 2021, the provincial Labor Department created seven Child & Bonded Labor Units for the purpose of both conducting inspections and building awareness among workers and employers regarding child labor issues. (125)
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. (126) During the reporting period, the Punjab Labor Policy incorporated previously independent working and monitoring groups under the policy program. The monitoring and working groups consist of members of government, policy, and civil society and are responsible for carrying out inspections, victim identification, and treatment of survivors under the new guidance. (122) The working groups are also mandated to detect child labor, bonded labor at brick kilns, domestic violence, and related matters in their respective districts. The working groups have so far helped provide temporary shelter and legal services, when necessary, to the victims, and helped prosecutors register cases. (122)
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. (127) The Sindh Province Labor Department is undertaking a child labor survey to determine the number child laborers in Sindh province. The survey is part of Sindh Provincial efforts to address the child labor problem and implement relevant laws, including laws on the prohibition of children in hazardous work. (122)

Both the federal and provincial governments have education policies and sector plans. Although the Pakistan Education Policy 2017 (draft) and National Education Policy Framework 2018 (draft) recognize the role of child labor in limiting student enrollment and present strategies to reach out of school children and disadvantaged groups, including children who have dropped out of school to work, they do not offer child labor elimination and prevention strategies. (122)

The former Pakistan Tehreek-e-Insaf-led Punjab government announced a 5-year education policy, “The New Deal 2018-2023,” to transform school education and focus on improving learning, access, retention, equity, and government; the policy does not mention explicitly the elimination or prevention of child labor. (122) There are no education policies in Sindh and Balochistan that target specifically the elimination or prevention of child labor. (122)

## VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2021, 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 inadequacy 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. (128,129) As of 2021, there were 159 Pakistan Bait-ul-Mal School for Rehabilitation of Child Labour centers in Pakistan and around 17,000 students are enrolled in primary education. (130) During the reporting period, the Punjab Bait-ul-Mal program, along with the Al-Khidmat Foundation, distributed 50 sewing machines, 30 wheelchairs, 20 white canes and rickshaws. (94)

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

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

Program	Description
Hotlines and Institutes†	The Ministry of Human Rights (MHR) 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 survivors of human rights abuses. (8,104) FIA also operates a 24/7 hotline to address human trafficking, including child trafficking, in Pakistan at the headquarters, ICT, and district levels. (10,104) In 2021, MHR helped establish a Child Protection Institute in ICT under the Islamabad Territory Child Protection Act 2018, which would provide services to at-risk and vulnerable children. The program would provide rehabilitation, rescue, shelter, counseling, and help with family tracing services for children who are survivors of trafficking and forced labor. (2,131) Similarly in October 2021, the Chief Minister of Punjab inaugurated a new Child Protection Institute in Punjab. Child Protection Institutes (CPI) were working in Lahore, Gujranwala, Multan, Rawalpindi, Faisalabad, Rahim Yar Khan, Bahawalpur, and Sialkot, with two referring units in Sahiwal and Kasur. The Punjab minister also recently inaugurated a new CPI in Faisalabad. (2) During the reporting period, MHR established the Zainab Alert Response and Recovery Agency under the Zainab Alert, Response and Recovery Act in March 2020. In October 2020, MHR reported that the Zainab app‡, which is integrated with the district police stations across the country, helps track and trace missing children as well as streamline efforts to address child abuse cases, including child labor cases in Pakistan. (132) To date, it had received 1,093 reports of child abuse and exploitation. (2)
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. (133) During the reporting period, the Punjab Labor Department established the Chief Minister Citizen Portal, which allowed people to file a complaint against government or local officials, including child labor complaints. (2)
ILO-Funded Projects	<p>ILO projects in Pakistan that aims to eliminate child labor by improving the capacities of the federal and provincial governments to develop strong monitoring mechanisms and strengthen data collection strategies. (134)</p> <p>The Asia Regional Child Labor 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 8.7 by 2025. Identified three priority sectors for conducting qualitative research and creating advocacy tools: automobiles, domestic work, and brick kilns. (135)</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 EU and ILO. Focuses on the cotton production hubs of Sindh and Punjab, seeks to promote enhanced federal and provincial legislation and policies, and seeks 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. (136)</p> <p>The Promoting Fundamental Principles and Rights at Work in the Cotton Supply Chain project (2017–2021) was a public-private partnership with Inditex aimed at promoting Fundamental Principles and Rights at Work (FPRW) for a sustainable cotton supply chain in Pakistan. During the reporting period, the program supported in-country seminars that sensitize the community on fundamental principles and rights at work. (137)</p> <p>The Promotion of Decent Work Opportunities for the Economic Empowerment of Vulnerable Segments of Society project (2019–2021) was funded by the Italian Ministry of Foreign Affairs and International Cooperation. During the reporting period, the project organized awareness programs and workshops with stakeholders to address child labor. (138)</p>
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. (11) During the reporting period, the program operated in the Khyber Pakhtunkhwa Province, where deradicalizing and rehabilitation was underway for youth involved in violent extremism. (94)
Loans (supported by the World Bank) to Zig-Zag Technology in Brick Kilns	Zig-zag technology reduces coal consumption and pollution from the kilns. (8) It will reduce the need for labor at each kiln, cutting incentives for bonded and child labor. (8) The Punjab government has pushed brick kilns in the province to adopt zig-zag technology. (8) By May of this reporting year, all of Punjab's brick kilns had adopted this technology, with 99 percent completion in the previous year. (122,139) 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. (8) By December 2021, 20 out of 64 brick kilns in ICT had switched to the zig-zag technology. (140)

† Program is funded by the Government of Pakistan.

‡ Program launched during the reporting period.

# Pakistan

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

In 2021, the Sindh Social Welfare Department established two rehabilitation centers for street workers, vulnerable children, and those highly at risk of human trafficking. The shelter has the capacity to house 400 street children. (2) The Sindh government has allocated \$250,000 for the project, which includes providing access to education to youth who are vulnerable to child trafficking. (2) One shelter was completed in February 2021, and the other is expected to open in 2022. (2)

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. (37,104) The Khyber Pakhtunkhwa labor department began conducting its child labor survey in 2019. (37,104) Child labor surveys are also being carried out in Sindh and the ICT, and Balochistan. Gilgit- Baltistan completed its survey in 2021, and Punjab is in the final stages of the report, whereas Khyber Pakhtunkhwa is expected to reveal its finding in early 2022. (2,141) Surveys are expected to be completed in 2022 due to pandemic-related delays. (1)

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 do not provide sufficient protection and rehabilitation services for bonded child laborers and child survivors of human trafficking. (40,142) Government initiatives do not specifically target child labor in the informal sector, including child labor and forced child labor in domestic work. (2) In addition, there is no significant social program to address sexual abuse of child workers or children attending *madrassas* in Pakistan. Social Welfare Departments in all provinces are responsible for providing shelter and rehabilitation to distressed children. (122)

## 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 – 2021
	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 – 2021
	Ensure that the law prohibits the employment of children under age 18 in hazardous work such as brickmaking, mining, and domestic service, including in federal law and Balochistan Province.	2009 – 2021
	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 – 2021
	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 Khyber Pakhtunkhwa Province.	2015 – 2021
	Raise the minimum age for work to the age up to which education is compulsory.	2019 – 2021
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.	2016 – 2021
	Provide the funding necessary to adequately hire, consistently train, equip, and cover the cost of transportation for inspectors to enforce child labor laws across Pakistan, especially in Khyber Pakhtunkhwa, Punjab, and Sindh Provinces.	2010 – 2021
	Ensure that District Vigilance Committees are operating effectively in all provinces, including through public outreach and in the reporting and filing of cases.	2013 – 2021
	Ensure that all allegations of trafficking into <i>bacha bazi</i> are thoroughly investigated and, when appropriate, prosecuted.	2019 – 2021
Enforcement	Ensure that farms and brick kilns do not employ child labor; fully compensate all workers, and labor laws are adequately enforced.	2020 – 2021
	Ensure that the recommendation by the Islamabad Capital Territory brick kilns commission is implemented, including execution of employment contracts for all workers, and issuing national identity cards to all workers and their children.	2021

## 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 the order by the Islamabad High Court to eradicate bonded labor from all brick kiln in the Islamabad Capital Territory is enforced.	2021
	Ensure the government has the proper oversight to remove children from exploitative situations.	2021
	Ensure that inspectors are fully executing Sindh Province's Labor Policy, including by providing sufficient resources and unimpeded access to brick kilns to conduct inspections.	2021
	Create a centralized repository of labor law enforcement data and a regular mechanism for reporting them to the federal government, and make the data publicly available.	2018 – 2021
	Publish enforcement data on labor inspectorate funding, the number of labor inspectors, mechanisms to assess civil penalties, training for new labor inspectors, refresher courses provided, labor inspections conducted, child labor law violations, penalties imposed and collected, whether routine inspections were targeted, whether unannounced inspections are conducted, and whether reciprocal referral mechanisms exist between labor authorities and social services for all provinces.	2010 – 2021
	Establish sufficient laws to end police corruption, particularly the taking of bribes from suspected perpetrators to ignore alleged crimes.	2019 – 2021
	Establish a referral mechanism between labor authorities and social services in all provinces.	2017 – 2021
	Establish a referral mechanism between law enforcement agencies and social services in all provinces.	2018 – 2021
	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 – 2021
Coordination	Publish information on the activities undertaken to enhance coordination efforts by the Provincial and Federal Tripartite Consultative Committees.	2017 – 2021
	Establish the remaining 33 Child Protection Units in Balochistan, as required by law.	2019 – 2021
	Ensure that all coordinating bodies are able to carry out their intended mandates.	2020 – 2021
Government Policies	Ensure that steps are taken to effectively implement policies to address child labor.	2020 – 2021
	Integrate child labor elimination and prevention strategies in the education policies of the provincial governments.	2014 – 2021
	Publish activities undertaken to implement key policies related to child labor during the reporting period.	2020 – 2021
Social Programs	Ensure that children are protected from sexual abuse in schools, including <i>madrassas</i> , workplaces, and while scavenging on the streets.	2021
	Complete and publish child labor surveys at the federal and provincial levels.	2009 – 2021
	Improve existing programs to address the prevalence and scope of Pakistan's child labor problem, including providing enough protection and rehabilitation services for child domestic workers, bonded child laborers, child survivors of human trafficking, and other children working in the informal sector and in the worst forms of child labor.	2009 – 2021
	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.	2011 – 2021

## REFERENCES

- 1 U.S. Embassy- Islamabad. Reporting. January 13, 2021.
- 2 U.S. Embassy- Islamabad. Reporting. January 11, 2022.
- 3 UNESCO Institute for Statistics. Gross intake ratio to the last grade of primary education, both sexes (%). Accessed March 3, 2022. For more information, please see "Children's Work and Education Statistics: Sources and Definitions" in the Reference Materials section of this report. <http://data.uis.unesco.org/>
- 4 ILO. Analysis of Child Economic Activity and School Attendance Statistics from National Household or Child Labor Surveys. Original data from Labour Force Survey (LFS), 2017–2018, and Multiple Indicator Cluster Survey 5 (MICS 5), 2014. Analysis received March 2022. Please see "Children's Work and Education Statistics: Sources and Definitions" in the Reference Materials section of this report.
- 5 Gabeena, Meena. Child Labour in Cotton Growing Districts of Pakistan. Pakissan, January 27, 2022. <https://www.pakissan.com/english/issues/child.labour.cotton.growing.districts.pakistan.shtml>
- 6 Aziz, Zeeshan. Child labour on the rise despite laws against it: Kashif Bajee. Urdu Point, May 23, 2017. <https://www.urdupoint.com/en/pakistan/child-labour-on-the-rise-despite-laws-against-141955.html>
- 7 U.S. Embassy- Islamabad. Reporting. February 9, 2017.
- 8 U.S. Embassy- Islamabad. Reporting. February 25, 2021.
- 9 U.S. Embassy- Islamabad. Reporting. January 14, 2020.
- 10 U.S. Embassy- Islamabad. Reporting. March 11, 2020.
- 11 U.S. Embassy- Islamabad. Reporting. January 14, 2019.

- 12 Junaid, Muhammad, et al. Health hazards of child labor in the leather products and surgical instrument manufacturing industries of Sialkot, Pakistan. *Environmental Pollution* Vol. 226, July 2017. <https://www.sciencedirect.com/science/article/pii/S0269749116325210?via=ihub>
- 13 ILO CEACR. Direct request concerning the Worst Forms of Child Labour Convention, 1999 (No. 182) Pakistan (ratification: 2001). Published: 2020. [https://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100\\_COMMENT\\_ID,P11110\\_COUNTRY\\_ID,P11110\\_COUNTRY\\_NAME,P11110\\_COMMENT\\_YEAR:4015509,103166,Pakistan,2019](https://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID,P11110_COUNTRY_ID,P11110_COUNTRY_NAME,P11110_COMMENT_YEAR:4015509,103166,Pakistan,2019)
- 14 Bhutta, Mahmood F. Time for a global response to labour rights violations in the manufacture of health-care goods. *Bull World Health Organ* 95, No. 5, May 1, 2017. <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC5418828/>
- 15 McVeigh, Karen, and Haroon Janjua. NHS admits doctors may be using tools made by children in Pakistan. *The Guardian*, January 29, 2018. <https://www.theguardian.com/global-development/2018/jan/29/nhs-admits-doctors-may-be-using-tools-made-by-children-in-pakistan>
- 16 Zhou, M and ILO. Pakistan's hidden workers: Wages and conditions of home-based workers and the informal economy. ILO, 2017. [http://www.ilo.org/wcmsp5/groups/public/---asia/---ro-bangkok/---ilo-islamabad/documents/publication/wcms\\_554877.pdf](http://www.ilo.org/wcmsp5/groups/public/---asia/---ro-bangkok/---ilo-islamabad/documents/publication/wcms_554877.pdf)
- 17 ILO CEACR. Individual Observation concerning the Minimum Age Convention, 1973 (No. 138) Pakistan (ratification: 2006). Published: 2021. [https://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100\\_COMMENT\\_ID:4015492:YES](https://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:4015492:YES)
- 18 Human Rights Watch. No room to bargain: Unfair and abusive labor practices in Pakistan. January 23, 2019. [https://www.hrw.org/sites/default/files/report\\_pdf/pakistan0119.pdf](https://www.hrw.org/sites/default/files/report_pdf/pakistan0119.pdf)
- 19 Javed, Iqra. The perils of child labour. *Tribal News Network* July 28, 2020. <https://tnnenglish.com/the-peril-of-child-labour/>
- 20 European Commission, High Representative for the Union for Foreign Affairs and Security Policy. The EU Special Incentive Arrangement for Sustainable Development and Good Governance and assessment of Pakistan covering the period 2016–2017. January 19, 2018. <https://ec.europa.eu/transparency/regdoc/rep/10102/2018/EN/SVD-2018-29-FI-EN-MAIN-PART-1.PDF>
- 21 ILO. The psychological health of children working in brick kilns. 2018. [https://www.ilo.org/wcmsp5/groups/public/---ed\\_norm/---ipecc/documents/publication/wcms\\_672539.pdf](https://www.ilo.org/wcmsp5/groups/public/---ed_norm/---ipecc/documents/publication/wcms_672539.pdf)
- 22 Ghani, Faras. The spiraling debt trapping Pakistan's brick kiln workers. *Al Jazeera*, October 21, 2019. <https://www.aljazeera.com/indepth/features/spiraling-debt-trapping-pakistan-brick-kiln-workers-190903135224452.html>
- 23 Notezai, Muhammad Akbar. Shahrag, the Pakistani town where boys aren't safe from men. *Dawn*, February 17, 2019. <https://www.dawn.com/news/1463990>
- 24 Baloch, Shah Meer and Hannah Ellis-Petersen. 'Coal workers are orphans': the children and slaves mining Pakistan's coal. *The Guardian*, February 19, 2020. <https://www.theguardian.com/global-development/2020/feb/19/coal-workers-are-orphans-the-children-and-slaves-mining-pakistans-coal>
- 25 Society for the Protection of the Rights of the Child. Child Domestic Labour: 2017. Source on file.
- 26 Khan, Saba Karim. Outrage in Pakistan over abuse of child domestic workers. *The Guardian*, August 13, 2019. <https://www.theguardian.com/global-development/2019/aug/13/trauma-child-domestic-workers-pakistan>
- 27 Asad, Malik. Domestic trafficking of minors fuels child labour. *Dawn*, February 5, 2017. <https://www.dawn.com/news/1312772>
- 28 Nawaz, Irfan and Alia Shaheen. Situation Analysis of Child Labor in Commercial Areas of Islamabad City. February 28, 2017. Source on file.
- 29 Janjua, Haroon. 'I've never been to school': child waste pickers living on Pakistan's streets. March 20, 2018. <https://www.theguardian.com/global-development/2018/mar/20/child-waste-pickers-living-pakistan-streets>
- 30 Global Learning How GarbageCAN Is Evolving Waste Management in Pakistan. September 10, 2021. <https://earth911.com/inspire/garbagecan-evolving-waste-management-in-pakistan/>
- 31 U.S. Department of State Trafficking in Persons Report- 2021: Pakistan. Washington, D.C. July 21, 2021. <https://www.state.gov/reports/2021-trafficking-in-persons-report/pakistan/>
- 32 Sahil. Cruel Numbers 2016. March 2017. <http://sahil.org/wp-content/uploads/2017/03/Cruel-numbers-Report-2016-Autosaved1-edited111.pdf>
- 33 The Express Tribune. Sargodha child porn case. April 14, 2017. <https://tribune.com.pk/story/1383017/sargodha-child-porn-case/>
- 34 Ali, Imtiaz. FIA arrests suspect involved in child pornography from Karachi. *Dawn*, November 30, 2018. <https://www.dawn.com/news/1448610>
- 35 Daily Times. FIA arrests man for sexually molesting children and filming them. December 27, 2018. <https://dailytimes.com.pk/337843/fia-arrests-man-for-sexually-molesting-children-and-filming-them/>
- 36 Samad, Sana. The children of the streets. *Daily Times*, April 3, 2019. <https://dailytimes.com.pk/372733/the-children-of-the-streets/>
- 37 U.S. Embassy- Islamabad official. E-mail communication to USDOL official. July 12, 2020.
- 38 Government of Pakistan. Constitution (Chapter 2) 1973. <https://www.pakistani.org/pakistan/constitution/part5.ch2.html>
- 39 Nazish, Kiran. Pakistan's shame: the open secret of child sex abuse in the workplace. *The Guardian*, June 15, 2018. <https://www.theguardian.com/global-development/2018/jun/15/pakistan-shame-open-secret-child-sex-abuse-workplace-kasur>
- 40 U.S. Department of State. Trafficking in Persons Report- 2020: Pakistan. Washington, D.C. June 25, 2020. <https://www.state.gov/reports/2020-trafficking-in-persons-report/pakistan/>
- 41 Sohail Ahmed and Waqas Hameed. Cruel Numbers, 2021: A Compilation of Statistics of Child Sex Abuse of Reported Cases in Pakistan. Sahil, 2021. [https://drive.google.com/file/d/1-2AsTk0Jt\\_dFE4MlFzahH5hg\\_rsZVBAF/view](https://drive.google.com/file/d/1-2AsTk0Jt_dFE4MlFzahH5hg_rsZVBAF/view)
- 42 Abid, Anooshay. How has COVID impacted Pakistan's education system? September 22, 2021. <https://www.dw.com/en/how-has-covid-impacted-pakistans-education-system/a-59264829>
- 43 Ijaz, Saroop. End corporal punishment in Pakistan's schools. *Human Rights Watch*, September 16, 2019. <https://www.hrw.org/news/2019/09/16/end-corporal-punishment-pakistans-schools>
- 44 Ganon, Kathy. Child sex abuse in Pakistan's religious schools is endemic. *Associated Press*, May 11, 2020. <https://apnews.com/8fe530dc76beb1893b52af88cf99dd>
- 45 Ganon, Kathy. Islamic schools in Pakistan plagued by sex abuse of children. *Associated Press*, November 21, 2017. <https://apnews.com/ddd9660f63ae443396668482379d3e9/Islamic-schools-in-Pakistan-plagued-by-sex-abuse-of-children>
- 46 Ganon, Kathy. Fear, shame preserve silence of abuse by clerics in Pakistan. *Associated Press*, December 16, 2017. <https://apnews.com/991960af1b984958bc6727ef62812aee/Fear-shame-preserve-silence-of-abuse-by-clerics-in-Pakistan>
- 47 Bukhari, Allia. Madrassa Sex Abuse Case Shocks Pakistan. *The Diplomat*, July 7, 2021. <https://thediplomat.com/2021/07/madrassa-sex-abuse-case-shocks-pakistan/>



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

- 48 Sunrise Radio Nearly 18,000 cases of child sex abuse reported in Pakistan in last five years. Manchester. February 15, 2018.  
<https://www.sunriseradio.fm/news/south-asia/nearly-18000-cases-of-child-sex-abuse-reported-in-pakistan-in-last-five-years/>
- 49 Bloom, Mia. Child Soldiers in Armed Conflict; Armed Conflict Survey. 2018 IISS. July 2018.  
<https://www.iiss.org/publications/armed-conflict-survey/2018/armed-conflict-survey-2018/acs2018-03-essay-3>
- 50 Tanzeem, Ayesha. Child Soldiers Say Under IS, It Was Normal to Kill Someone VOA: Islamabad. February 1, 2018.  
<https://www.voanews.com/a/child-soldiers-recall-life-under-is/4234565.html>
- 51 UN. Children and armed conflict. May 6, 2021.  
[https://www.un.org/ga/search/view\\_doc.asp?symbol=S/2021/437&Lang=E&Area=UNDOC](https://www.un.org/ga/search/view_doc.asp?symbol=S/2021/437&Lang=E&Area=UNDOC)
- 52 U.S. Department of State. Country Reports on Human Rights Practices-2020: Pakistan. Washington, D.C. March 30, 2021.  
<https://www.state.gov/reports/2020-country-reports-on-human-rights-practices/pakistan/>
- 53 Annual Report of the Secretary-General on Children and Armed Conflict. 2021.  
<https://documents-dds-ny.un.org/doc/UNDOC/GEN/N22/344/71/PDF/N2234471.pdf?OpenElement>
- 54 Perlez, Jane. The Real Winner of the Afghan War? It's Not Who You Think. Islamabad: New York Times, August 26, 2021.  
<https://www.nytimes.com/2021/08/26/world/asia/afghanistan-pakistan-taliban.html>
- 55 Reidel, Bruce. Pakistan's problematic victory in Afghanistan. Brookings Institute, August 24, 2021.  
<https://www.brookings.edu/blog/order-from-chaos/2021/08/24/pakistans-problematic-victory-in-afghanistan/>
- 56 U.S. Department of State. Trafficking in Persons Report- 2021: Child Soldiers Prevention Act List. Washington, D.C. July 21, 2021.  
<https://www.state.gov/reports/2021-trafficking-in-persons-report/>
- 57 Government of Pakistan. The Factories Act. Enacted: January 1, 1935.  
<http://www.ilo.org/dyn/natlex/docs/WEBTEXT/35384/64903/E97PAK01.htm>
- 58 Government of Pakistan. West Pakistan Shops and Establishments Ordinance. Enacted: July 3, 1969.  
[http://www.ilo.org/dyn/travail/docs/1008/West Pakistan Shops and Establishments Ordinance 1969.pdf](http://www.ilo.org/dyn/travail/docs/1008/West%20Pakistan%20Shops%20and%20Establishments%20Ordinance%201969.pdf)
- 59 Government of Pakistan. The Mines Act. Enacted: 1923.  
<http://extwprlegs1.fao.org/docs/pdf/pak64462.pdf>
- 60 Government of Pakistan. Road Transport Workers Ordinance. 1961.  
[http://www.ilo.org/dyn/travail/docs/1005/Road Transport Workers Ordinance 1961.pdf](http://www.ilo.org/dyn/travail/docs/1005/Road%20Transport%20Workers%20Ordinance%201961.pdf)
- 61 Government of Pakistan. Pakistan Employment of Children Act, Act No. V of 1991. Enacted: 1991.  
<http://www.ilo.org/dyn/natlex/docs/WEBTEXT/22707/64834/E91PAK01.htm>
- 62 Government of Khyber Pakhtunkhwa Province. Khyber Pakhtunkhwa Prohibition of Employment of Children Act. Enacted: May 2015.  
<http://www.pakp.gov.pk/2013/wp-content/uploads/Prohibition-of-Employment-of-Children-Bill-2015-S.pdf>
- 63 Government of Khyber Pakhtunkhwa Province. The Khyber Pakhtunkhwa Factories Act. 2013.  
[http://kp.gov.pk/uploads/2016/02/5\\_Factories\\_Act\\_2013\\_.pdf](http://kp.gov.pk/uploads/2016/02/5_Factories_Act_2013_.pdf)
- 64 Government of Khyber Pakhtunkhwa Province. Government of Khyber Pakhtunkhwa Shops and Establishments Act. 2015.  
[http://kp.gov.pk/uploads/2016/02/12\\_Shops\\_and\\_Establishments\\_Act\\_2015\\_.pdf](http://kp.gov.pk/uploads/2016/02/12_Shops_and_Establishments_Act_2015_.pdf)
- 65 Government of Khyber Pakhtunkhwa Province. Khyber Pakhtunkhwa Home Based Workers (Welfare and Protection) Bill. August 17, 2021.  
<https://www.pakp.gov.pk/wp-content/uploads/The-Khyber-Pakhtunkhwa-Home-Based-Workers-Welfare-And-Protection-Act-2021.-Act-No.-XV.pdf>
- 66 Government of Punjab Province. The Punjab Prohibition of Child Labor at Brick Kilns Ordinance. Enacted: January 14, 2016.  
<http://www.ilo.org/dyn/natlex/docs/ELECTRONIC/102087/123287/F1018921745/PAK102087.pdf>
- 67 Government of Punjab Province. Punjab Restriction on Employment of Children Ordinance. Enacted: July 13, 2016.  
<http://punjablaws.gov.pk/laws/2668.html>
- 68 Government of Punjab Province. Punjab Domestic Workers Act. February 1, 2019.  
[https://labour.punjab.gov.pk/system/files/the-punjab-domestic-workers-act-2018-docx-pdf\\_2.pdf](https://labour.punjab.gov.pk/system/files/the-punjab-domestic-workers-act-2018-docx-pdf_2.pdf)
- 69 Government of Sindh Province. Sindh Shops and Commercial Establishment Act. Enacted: April 29, 2016.  
<http://www.ilo.org/dyn/natlex/docs/ELECTRONIC/102142/123388/F1352480253/PAK102142.pdf>
- 70 Government of Sindh Province. Sindh Factories Act. Enacted: April 29, 2016.  
<https://www.ilo.org/dyn/natlex/docs/ELECTRONIC/102141/123387/F839757544/PAK102141.pdf>
- 71 Government of Sindh Province. Sindh Prohibition of Employment of Children Act. Enacted: January 25, 2017.  
[http://www.pas.gov.pk/uploads/acts/Sindh Act No.III of 2017.pdf](http://www.pas.gov.pk/uploads/acts/Sindh%20Act%20No.III%20of%202017.pdf)
- 72 Government of Pakistan. Bonded Labour System (Abolition) Act. Enacted: March 17, 1992.  
[http://www.na.gov.pk/uploads/documents/1334287962\\_481.pdf](http://www.na.gov.pk/uploads/documents/1334287962_481.pdf)
- 73 Government of Pakistan. Pakistan Penal Code, XLV of 1860. Enacted: October 6, 1860.  
<http://www.pakistani.org/pakistan/legislation/1860/actXLVof1860.html>
- 74 Government of Pakistan. Prevention of Trafficking in Persons Act. Enacted: 2018.  
[http://www.na.gov.pk/uploads/documents/1532935755\\_919.pdf](http://www.na.gov.pk/uploads/documents/1532935755_919.pdf)
- 75 Government of Khyber Pakhtunkhwa Province. Khyber Pakhtunkhwa Bonded Labour System (Abolition) Act. Enacted: 2015.  
<http://www.pakp.gov.pk/2013/wp-content/uploads/Bonded-Labour-System-Abolition-ACT-2015.pdf>
- 76 Government of Punjab Province. The Punjab Bonded Labor System (Abolition) (Amendment) Act. Enacted: 2012.  
<http://www.ilo.org/dyn/natlex/docs/ELECTRONIC/102096/123301/F1719753875/PAK102096.pdf>
- 77 Government of Sindh Province. Sindh Bonded Labor System (Abolition) Act. Enacted: 2016. Source on file.
- 78 Government of Pakistan. Prevention and Control of Human Trafficking Ordinance. Enacted: 2002.  
[http://www.fmu.gov.pk/docs/laws/Prevention\\_and\\_Control\\_of\\_Human\\_Trafficking\\_Ordinance\\_2002.pdf](http://www.fmu.gov.pk/docs/laws/Prevention_and_Control_of_Human_Trafficking_Ordinance_2002.pdf)
- 79 Government of Khyber Pakhtunkhwa Province. Khyber Pakhtunkhwa Child Protection and Welfare Act. Enacted: 2010.  
<https://www.ilo.org/dyn/natlex/docs/ELECTRONIC/92232/107301/F1592784103/PAK92232.pdf>
- 80 Government of Pakistan. The Criminal Law (Second Amendment) Act, amending the Pakistan Penal Code. Enacted: March 22, 2016.  
[http://www.na.gov.pk/uploads/documents/1467011388\\_916.pdf](http://www.na.gov.pk/uploads/documents/1467011388_916.pdf)
- 81 Government of Punjab Province. Punjab Destitute and Neglected Children (Amendment) Act. Enacted: 2004. Source on file.
- 82 Government of Pakistan. National Service Ordinance. Enacted: 1970.  
<https://pakistanlaw.pk/statutes/5751/pakistan-national-service-ordinance-1970>
- 83 Government of Pakistan. The Right to Free and Compulsory Education Act, 2012, No. XXIV. Enacted: December 19, 2012.  
[http://www.na.gov.pk/uploads/documents/1357015194\\_179.pdf](http://www.na.gov.pk/uploads/documents/1357015194_179.pdf)
- 84 Government of Balochistan Province. The Compulsory Education in the Province of Balochistan Act, No. 5 of 2014. Enacted: February 6, 2014.  
<http://www.ilo.org/dyn/natlex/docs/ELECTRONIC/96221/113658/F1955909891/PAK96221.pdf>

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

- 85 Government of Khyber Pakhtunkhwa. The Khyber Pakhtunkhwa Free Compulsory Primary and Secondary Education Act. 2017. [http://kpcode.kp.gov.pk/uploads/2017\\_12\\_THE\\_KHYBER\\_PAKHTUNKHWA\\_FREE\\_COMPULSORY\\_PRIMARY\\_AND\\_SECONDARY\\_EDUCATION\\_ACT\\_2017.pdf](http://kpcode.kp.gov.pk/uploads/2017_12_THE_KHYBER_PAKHTUNKHWA_FREE_COMPULSORY_PRIMARY_AND_SECONDARY_EDUCATION_ACT_2017.pdf)
- 86 Government of Punjab Province. Punjab Free and Compulsory Education Act. Enacted: November 10, 2014. <https://www.ilo.org/dyn/natlex/docs/ELECTRONIC/99329/118490/F770068822/PAKD99329.pdf>
- 87 Government of Sindh Province. The Sindh Right of Children to Free and Compulsory Education Act. Enacted: March 6, 2013. <http://www.pas.gov.pk/index.php/acts/details/en/19/192>
- 88 ILO. National Labour Law Profile: Islamic Republic of Pakistan. Accessed August 1, 2019. [https://www.ilo.org/ifpdial/information-resources/national-labour-law-profiles/WCMS\\_158916/lang--en/index.htm](https://www.ilo.org/ifpdial/information-resources/national-labour-law-profiles/WCMS_158916/lang--en/index.htm)
- 89 Government of Pakistan. Constitution (Eighteenth Amendment) Act. 2010. <http://www.pakistani.org/pakistan/constitution/amendments/18amendment.html>
- 90 U.S. Embassy- Islamabad official. E-mail communication to USDOL official. June 27, 2019.
- 91 Government of Sindh Province. Labour Courts. Accessed January 18, 2019. [http://sindh.gov.pk/dpt/Labour\\_HRM/1.courts.htm](http://sindh.gov.pk/dpt/Labour_HRM/1.courts.htm)
- 92 Geo News. KP prohibits domestic employment of children under 14. Peshawar: August 3, 2021. <https://www.geo.tv/latest/363217-kp-prohibits-domestic-employment-of-children-under-14>
- 93 DAWN. Govt told to ensure enforcement of domestic workers act. Lahore: February 26, 2019. <https://www.dawn.com/news/1466025>
- 94 U.S. Embassy- Islamabad. Reporting. February 10, 2022.
- 95 Balcoh, Shah Meer. Pakistan passes 'historic' bill banning corporal punishment of children. Islamabad: The Guardian, February 26, 2021. <https://www.theguardian.com/global-development/2021/feb/26/pakistan-passes-historic-bill-banning-corporal-punishment-of-children>
- 96 Samar, Azeem. Sindh Assembly amends law to establish special courts for child protection. Karachi: The International News, April 24, 2021. <https://www.thenews.com.pk/print/825100-sindh-assembly-amends-law-to-establish-special-courts-for-child-protection>
- 97 Arifeen, Noor Ul. Balochistan Assembly passes resolution against child labour in coal mines. Samaa, August 9, 2019. <https://www.samaaenglish.tv/news/amp/1821497>
- 98 Society for the Protection of the Rights of the Child State of Pakistan's Children. Violence Against Children. 2017. <http://www.sparcpk.org/sopc2017/2-Violence Against Children.pdf>
- 99 ILO CEACR. Individual Observation concerning the Worst Forms of Child Labour Convention, 1999 (No. 182) Pakistan (ratification: 2001). Published: 2021. [https://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100::P13100\\_COMMENT\\_ID:4015512:YES](https://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100::P13100_COMMENT_ID:4015512:YES)
- 100 Saifi, Sophia. Eight-year-old girl tortured to death for releasing pet parrots, police say. CNN, June 4, 2020. <https://www.cnn.com/2020/06/03/asia/pakistan-child-maid-killing-scli-intl/index.html>
- 101 Government of Pakistan. Islamabad Capital Territory Prohibition of Employment of Children Bill. 2018. [http://www.senate.gov.pk/uploads/documents/1527223531\\_751.pdf](http://www.senate.gov.pk/uploads/documents/1527223531_751.pdf)
- 102 Government of Punjab Province. Labour Courts. Accessed January 18, 2019. [https://www.punjab.gov.pk/provincialdepartments\\_labour\\_lc](https://www.punjab.gov.pk/provincialdepartments_labour_lc)
- 103 Government of Khyber Pakhtunkhwa Province. Labour Courts. Accessed July 13, 2020. [https://peshawarhighcourt.gov.pk/app/site/22/p/Special\\_Courts\\_in\\_Khyber\\_Pakhtunkhwa.html](https://peshawarhighcourt.gov.pk/app/site/22/p/Special_Courts_in_Khyber_Pakhtunkhwa.html)
- 104 Government of Pakistan. Inputs for the USTIP Report 2019–2020. March 11, 2020. Source on file.
- 105 Government of Pakistan. Child Protection Unit. Child Protection & Welfare Bureau, 2013. [https://cpwb.punjab.gov.pk/functional\\_unit](https://cpwb.punjab.gov.pk/functional_unit)
- 106 Government of Sindh Province. The Sindh Child Protection Authority Act, XIV of 2011. Enacted: June 9, 2011. <http://www.pas.gov.pk/uploads/acts/Sindh Act No.XIV of 2011.pdf>
- 107 Government of Balochistan Province. Balochistan Child Protection Act. Enacted: November 15, 2016. [https://tbinternet.ohchr.org/Treaties/CRC-OP-SC/Shared Documents/PAK/INT\\_CRC-OP-SC\\_AIS\\_PAK\\_34168\\_E.pdf](https://tbinternet.ohchr.org/Treaties/CRC-OP-SC/Shared Documents/PAK/INT_CRC-OP-SC_AIS_PAK_34168_E.pdf)
- 108 U.S. Embassy- Islamabad official. E-mail communication to USDOL official. April 12, 2021.
- 109 Government of Balochistan. Balochistan Employment of Children Prohibition and Regulation Bill 2021. Enacted: 2020. Source on file.
- 110 ILOSTAT. ILO Labor Force Statistics (LFS)- Population and labour force. Accessed January 25, 2022. Labor force data is modelled on a combination of demographic and economic explanatory variables by the ILO. Please see "Labor Law Enforcement: Sources and Definitions" in the Reference Materials section of this report <https://ilostat.ilo.org/data/>
- 111 U.S. Embassy Islamabad. Reporting. January 19, 2018.
- 112 US Embassy Islamabad, Reporting. February 2, 2022.
- 113 Asad, Malik. IHC forms commission to examine labour laws' violation in brick kilns Islamabad: Dawn, January 3, 2021. <https://www.dawn.com/news/1599377>
- 114 Piracha, Rehan. Kiln Workers Not Bound To Repay Vicious Debt: Athar Minallah. Lahore: Voice PK, February 3, 2021. <https://voicepk.net/2021/02/kiln-workers-not-bound-to-repay-vicious-debt-athar-minallah/>
- 115 Khan, Obaid Abrar. IHC orders end of forced labour at brick kilns. Islamabad: The International News, February 3, 2021. <https://www.thenews.com.pk/print/784407-ihc-orders-end-of-forced-labour-at-brick-kilns>
- 116 BOL News. FIA nabs 13 for child pornography, financial fraud. Lahore: August 27, 2021. <https://www.bolnews.com/latest/2021/08/fia-nabs-13-for-child-pornography-financial-fraud/>
- 117 Daily Pakistan. Employers booked for torturing 12-year-old maid to death. Lahore: February 5, 2021. <https://en.dailypakistan.com.pk/05-Feb-2021/employers-booked-for-torturing-12-year-old-maid-to-death>
- 118 DAWN. Couple held for torturing minor domestic helpers. Lahore: October 4, 2021. <https://www.dawn.com/news/1650059>
- 119 Masood, Salman. Rapes and killings of children haunt a corner of Pakistan. The New York Times, October 3, 2019. <https://www.nytimes.com/2019/10/03/world/asia/pakistan-child-rape-killings-kasur.html>
- 120 Shah, Ahmad. View from the courtroom: Hopes attached to newly notified child rights commission. March 2, 2020. <https://www.dawn.com/news/1537788>
- 121 U.S. Embassy- Islamabad official. E-mail communication to USDOL official. May 25, 2018.
- 122 U.S. Department of State official. E-mail communication to USDOL official. June 24, 2021.
- 123 Government of Pakistan. Islamabad Capital Territory Child Protection Act. 2018. [http://www.na.gov.pk/uploads/documents/1528263176\\_639.pdf](http://www.na.gov.pk/uploads/documents/1528263176_639.pdf)
- 124 Government of Khyber Pakhtunkhwa Province. Child Labour Policy 2018. 2018. [http://kpcode.kp.gov.pk/uploads/2015\\_19\\_THE\\_KHYBER\\_PAKHTUNKHWA\\_PROHIBITION\\_OF\\_EMPLOYMENT\\_OF\\_CHILDREN\\_ACT\\_2015.pdf](http://kpcode.kp.gov.pk/uploads/2015_19_THE_KHYBER_PAKHTUNKHWA_PROHIBITION_OF_EMPLOYMENT_OF_CHILDREN_ACT_2015.pdf)
- 125 U.S. Embassy Islamabad Official. Email Communication with USDOL Official. June 29, 2022.

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

- 126 Government of Punjab Province. Punjab Labor Policy. 2018.  
[https://labour.punjab.gov.pk/system/files/Labour\\_Policy\\_2018.pdf](https://labour.punjab.gov.pk/system/files/Labour_Policy_2018.pdf)
- 127 Government of Sindh Province. Sindh Labour Policy. 2018.  
[https://www.ilo.org/wcmsp5/groups/public/---asia/---ro-bangkok/---ilo-islamabad/documents/publication/wcms\\_647697.pdf](https://www.ilo.org/wcmsp5/groups/public/---asia/---ro-bangkok/---ilo-islamabad/documents/publication/wcms_647697.pdf)
- 128 Government of Pakistan. Pakistan Bait-ul-Mal. National Center(s) for Rehabilitation of Child Labour,  
<http://pbm.gov.pk/ncrcl.html#>
- 129 Government of Pakistan. Child Support Programme. Pakistan Bait-ul-Mal,  
<http://www.pbm.gov.pk/csp.html#>
- 130 Government of Pakistan. Pakistan Bait-ul-Mal School for Rehabilitation of Child Labour. Pakistan Bait-ul-Mal, Accessed January 31, 2022.  
<http://www.pbm.gov.pk/ncrcl.html>
- 131 The Tribune. ICT gets Child Protection Institute. Islamabad: June 11, 2021.  
<https://tribune.com.pk/story/2304601/ict-gets-child-protection-institute>
- 132 Government of Pakistan. Zainab AleG Response and Recovery Act 2020. March 24, 2020.  
[http://www.mohr.gov.pk/SiteImage/Misc/files/ZARRA, 2020 \(2\).pdf](http://www.mohr.gov.pk/SiteImage/Misc/files/ZARRA, 2020 (2).pdf)
- 133 Government of Punjab Province. Hiring of Potential Organizations for Implementation of Non-Formal Education Component of IP Project. 2016.  
[http://eproc.punjab.gov.pk/BiddingDocuments/52250\\_Document.pdf](http://eproc.punjab.gov.pk/BiddingDocuments/52250_Document.pdf)
- 134 International Labour Organization. ILO in Pakistan. Islamabad. Accessed March 14, 2022. Please see "ILO in Pakistan" in the Reference Materials section of this report  
<https://www.ilo.org/islamabad/lang--en/index.htm>
- 135 ILO. The Asia Regional Child Labour (ARC) Project. Islamabad. August 19, 2021.  
[https://www.ilo.org/wcmsp5/groups/public/---asia/---ro-bangkok/---ilo-islamabad/documents/publication/wcms\\_817151.pdf](https://www.ilo.org/wcmsp5/groups/public/---asia/---ro-bangkok/---ilo-islamabad/documents/publication/wcms_817151.pdf)
- 136 ILO. Eliminating Child Labour and Forced Labour in the Cotton, Textile and Garment Value Chains: An Integrated Approach (CLEAR COTTON) Islamabad. June 24, 2019.  
[https://www.ilo.org/wcmsp5/groups/public/---asia/---ro-bangkok/---ilo-islamabad/documents/publication/wcms\\_711467.pdf](https://www.ilo.org/wcmsp5/groups/public/---asia/---ro-bangkok/---ilo-islamabad/documents/publication/wcms_711467.pdf)
- 137 ILO. Promoting Fundamental Principles and Rights at Work in the Cotton Supply Chain Islamabad. October 24, 2018.  
[https://www.ilo.org/wcmsp5/groups/public/---asia/---ro-bangkok/---ilo-islamabad/documents/publication/wcms\\_647845.pdf](https://www.ilo.org/wcmsp5/groups/public/---asia/---ro-bangkok/---ilo-islamabad/documents/publication/wcms_647845.pdf)
- 138 ILO. Promotion of Decent Work Opportunities for the Economic Empowerment of Vulnerable Segments of Society Islamabad. April 30, 2021.  
[https://www.ilo.org/wcmsp5/groups/public/---asia/---ro-bangkok/---ilo-islamabad/documents/publication/wcms\\_787025.pdf](https://www.ilo.org/wcmsp5/groups/public/---asia/---ro-bangkok/---ilo-islamabad/documents/publication/wcms_787025.pdf)
- 139 The International News. Air pollution: Punjab shifts all brick kilns to zigzag technology. Islamabad: May 3, 2021.  
<https://www.thenews.com.pk/print/829555-air-pollution-punjab-shifts-all-brick-kilns-to-zigzag-technology>
- 140 Ullah, Mati. 20 out of 64 brick kilns in ICT converted to zig-zag technology. Islamabad: DND, December 30, 2021.  
<https://dnd.com.pk/20-out-of-64-brick-kilns-in-ict-converted-to-zig-zag-technology/261178>
- 141 Government of Pakistan. Child Labour Survey in Pakistan-Progress. Pakistan Bureau of Statistics,  
<https://www.pbs.gov.pk/content/cls-progress>
- 142 U.S. Embassy- Islamabad. Reporting. April 12, 2019.

In 2021, Panama made moderate advancement in efforts to eliminate the worst forms of child labor. The government launched a new digital platform for reporting child abuse complaints, including cases of children subjected to commercial sexual exploitation, begging, and forced labor. The Ministry of Labor also signed an agreement with the National Council of Private Enterprises that promotes a public-private partnership for the creation of a network of companies that work on the prevention and eradication of child labor. In addition, the government increased the number of labor inspectors from 93 in 2020 to 105 in 2021, as well as provided social services to 800 child survivors and children at risk 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, labor law enforcement agencies lack the financial and human resources necessary to fulfill their mandate. Finally, existing social programs are insufficient to address the full scope of the child labor problem in the country, in particular for children living in rural areas and from indigenous and Afro-Panamanian communities.



## 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. (1-5) Table 1 provides key indicators on children's work and education in Panama.

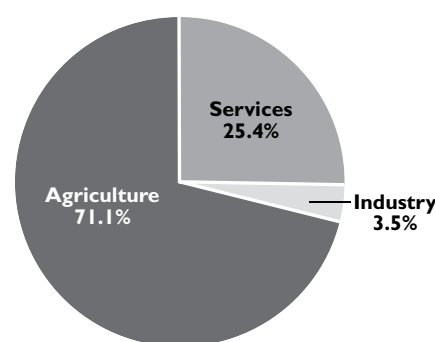
**Table 1. Statistics on Children's Work and Education**

Children	Age	Percent
Working (% and population)	5 to 14	4.5 (33,594)
Attending School (%)	5 to 14	95.7
Combining Work and School (%)	7 to 14	5.0
Primary Completion Rate (%)		86.1

Source for primary completion rate: Data from 2020, published by UNESCO Institute for Statistics, 2022. (6)

Source for all other data: International Labor Organization's analysis of statistics from Encuesta de Trabajo Infantil (ETI), 2016. (7)

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



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

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

Sector/Industry	Activity
Agriculture	Production of coffee, melons, and onions (3,8-11)
	Raising livestock, including cattle and poultry (2,3,12,13)
	Fishing,† including harvesting shellfish (2,3,9-15)
Industry	Construction,† including painting and carpentry (1,2,14)
Services	Domestic work† (2,3,8,12-14,16,17)
	Waste collection in garbage dumps† (18)
	Street work,† including vending,† washing cars, shining shoes,† and collecting recyclables† (1,3,9,12-14,19)

# Panama

## MODERATE ADVANCEMENT

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

Sector/Industry	Activity
Categorical Worst Forms of Child Labor†	Forced domestic work (5,20)
	Use in the production of pornography, sometimes as a result of human trafficking (3,9,14)
	Commercial sexual exploitation, sometimes as a result of human trafficking (5,9,14,16)
	Use in illicit activities, including in drug production and drug trafficking, sometimes as a result of human trafficking (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 Panama are subjected to commercial sexual exploitation, as well as forced labor, particularly domestic servitude. (5) They also perform dangerous tasks in agriculture, where their working conditions may involve the use of chemicals, machinery, machetes, and other dangerous tools. Additionally, children working as street vendors are vulnerable to exploitation, gang activity, harassment, abuse, and vehicular accidents. (13)

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*. In particular, 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 2021, many schools held all their classes virtually because of the COVID-19 pandemic. This created barriers to accessing education, such as lack of internet and access to electronic devices, leading to increased inequality in education. (13)

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, quality sanitation, technology, and teachers, particularly in the *comarcas*. (1,9,13) Some schools lack potable water and electricity, and in some cases students in different grades are forced to share the same classroom. (13) Children of indigenous descent often live in difficult to reach areas due to lack of roads and have to travel significant distances to reach school. (21) Indigenous children have very low school enrollment rates, especially in secondary and higher education. (23) Panamanian law requires that schools integrate children with disabilities, but most public schools do not have adequate facilities for them. (24)

## 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 establishing a minimum age for hazardous and light work that meets international standards.



**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 (25-27)
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 (25-30)
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 (27,28,30)
Prohibition of Forced Labor	Yes		Articles 207 and 456 of the Penal Code; Article 489 of the Family Code; Articles 4 and 63 of Law 79 on Human Trafficking; Article 21 of the Constitution (25,26,29,31)
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 (26,29,31)
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 (29,31)
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 (26,29,30)
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 (29)
Compulsory Education Age	Yes		Articles 34 and 45 of the Law on Education; Article 489 of the Family Code; Article 95 of the Constitution (25,26,32,33)
Free Public Education	Yes		Articles 34 and 41 of the Law on Education; Article 95 of the Constitution (25,32,33)

† Country has no standing military (25)

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. (28)

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. (25-27) 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. (27) 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.

# Panama

## MODERATE ADVANCEMENT

**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. (16,34,35) DIRETIPAT also manages the newly established Direct Government Action Program for the Prevention and Eradication of Child Labor 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). (16) The Labor Inspection Directorate enforces the Labor Code in areas in which children may be working, particularly in the formal sector. (16)
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. (16)
National Secretariat of Childhood, Adolescence, and Family (SENNIAF)	Conducts inspections to identify children and adolescents engaged in child labor, particularly in the informal sector. (16,73) Coordinates, articulates, executes, and monitors compliance with policies for the comprehensive protection of the rights of children and adolescents, through the formulation of plans, programs and protection measures, as well as the monitoring and coordination of government services to address the needs of vulnerable populations. (36,73) Runs shelters for victims of human trafficking, including minors. (13)
Juvenile 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. (37,38) It is a special body of the National Police. (13)

### Labor Law Enforcement

In 2021, labor law enforcement agencies in Panama took actions to address 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	2020	2021
Labor Inspectorate Funding	\$1,307,476 (9)	\$1,151,738 (13)
Number of Labor Inspectors	93 (9)	105 (13)
Mechanism to Assess Civil Penalties	Yes (27)	Yes (27)
Initial Training for New Labor Inspectors	Yes (9)	Yes (13)
Training on New Laws Related to Child Labor	N/A (9)	N/A (13)
Refresher Courses Provided	Yes (9)	Yes (13)
Number of Labor Inspections Conducted	10,478 (74)	14,686 (74)
Number Conducted at Worksite	10,478 (74)	14,686 (74)
Number of Child Labor Violations Found	2 (9)	4 (13)
Number of Child Labor Violations for Which Penalties Were Imposed	2 (9)	0 (13)
Number of Child Labor Penalties Imposed that Were Collected	2 (9)	0 (13)
Routine Inspections Conducted	Yes (9)	Yes (13)
Routine Inspections Targeted	Yes (9)	Yes (13)
Unannounced Inspections Permitted	Yes (27)	Yes (27)
Unannounced Inspections Conducted	Yes (9)	Yes (13)
Complaint Mechanism Exists	Yes (9)	Yes (13)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (9)	Yes (13)

In 2021, the government carried out a total of 14,686 inspections, 1,764 of which were child labor specific inspections, compared to 914 child labor specific inspections in 2020. (74) DIRETIPAT conducted inspections in two provinces: Panama Oeste and Panama. Inspected sectors included waste management, car washes, vehicle and motorcycle repair shops, spas, horse stables, and the transportation sector. (13) During the reporting period, DIRETIPAT found four companies to be non-compliant with child labor laws, there were two pending sanctions in 2021. (13)

MITRADEL, SENNIAT, and the Juvenile Police participated in 69 interagency operations for the eradication of child labor in each of Panama's provinces. (13) The province of Panama, which has the largest population, had the most cases of child labor, particularly in shopping malls, mall stores, and street vendors. Meanwhile, in the interior of the country most child labor was found in the agricultural sector. (13) SENNIAT reported removing 118 children involved in child labor and providing each of them with social services, including readmission to schools, health services, and grants, as well as follow-up to prevent recidivism. (13) DIRETIPAT identified 800 children and adolescents who were victims of or at-risk for child labor, including 298 children below the minimum age for employment, 3 adolescents over 14 years of age in informal jobs, and 499 children and adolescents at social risk whose condition of poverty may force them to perform child labor to help improve household income. It is unclear if any of these children were identified through labor inspections. (13) 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*. (13)

In 2021, labor inspectors were provided with in-person and virtual training on child labor and hazardous child labor laws, though most training was virtual due to restrictions put in place as a result of the pandemic. It is also unknown if all inspectors received training on child labor issues. (13) Of the 105 labor inspectors employed by the government, in the headquarters and regional offices, only 6 specialize in child labor and dangerous work, even though all inspectors must investigate and enforce child labor laws. (13) In the regional offices, all inspectors are multi-sectoral, inspecting for health, safety, administrative, and child labor infractions. Some inspectors are specifically assigned to the Department of Inspection of Child Labor and are responsible for verifying and enforcing laws relating to child labor. (13) MITRADEL and the National Secretariat for Childhood, Adolescence, and Family operate a secure 311 Complaint Line, a website, WhatsApp phone number lines, and social media platforms to receive complaints. (9,13)

During the reporting period, the government also provided training on the use and administration of the Child Labor Monitoring System (SMTI) in the city of Chitré for technical personnel and Regional Directors of MITRADEL, with the purpose of updating and strengthening competency on the management of SMTI. (40)

The budget for the Labor Inspection Directorate is insufficient to meet its staffing needs. DIRETIPAT reported a need for additional funding to increase the number of labor inspectors nationally, and for tools such as telephones and laptops to carry out their work. (9,13,21,41) During the reporting period, the budget of the labor inspectorate decreased in approximately 12 percent from that of 2020. (13) In 2021, Panama had 105 labor inspectors, which is likely insufficient for the size of Panama's workforce, which includes more than 1.9 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 130 labor inspectors. (42,43)

### Criminal Law Enforcement

In 2021, criminal law enforcement agencies in Panama took actions to address 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	2020	2021
Initial Training for New Criminal Investigators	Yes (9)	Yes (13)
Training on New Laws Related to the Worst Forms of Child Labor	N/A (9)	N/A (13)
Refresher Courses Provided	Yes (9)	Yes (13)
Number of Investigations	Unknown (9)	Unknown (13)
Number of Violations Found	Unknown (9)	Unknown (13)
Number of Prosecutions Initiated	Unknown (9)	Unknown (13)
Number of Convictions	Unknown (9)	Unknown (13)
Imposed Penalties for Violations Related to the Worst Forms of Child Labor	Unknown (9)	Unknown (13)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (9)	Yes (13)

# Panama

## MODERATE ADVANCEMENT

The government did not provide information on its criminal law enforcement efforts for inclusion in this report. In 2021, the government worked with various institutions and NGOs to train a broad section of government officers on addressing trafficking in persons, as well as in identifying and providing services to victims. In total 796 people were trained in topics related to trafficking in persons. (44)

The Trafficking in Persons Commission and the Organized Crime Special Prosecutor's Office have both indicated that it is difficult to prosecute trafficking in persons cases, partially because judges do not have specific knowledge of the trafficking in persons law. (44)

During the reporting period, SENNIAF and the NGO Crime Stoppers of Panama launched a new digital platform for reporting child abuse complaints. Through this platform, which is active 24 hours a day, people are able to report situations of abuse of children and adolescents to government authorities, including cases of children subjected to commercial sexual exploitation and begging or forced labor. (45) These complaints are received by a specialized team of the Juvenile Police, that works in coordination with SENNIAF, the Specialized Prosecutor's Office, and Crime Stoppers. (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
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. (46) Conducts a National Child Labor Survey. (73) It is a public-private institution that includes government, employers, workers, and NGOs that collaborate to address child labor. (13,16) In 2021, technical teams of DIRETIPPAT and SENNIAF met to discuss the implementation of the new child labor survey within the framework on the pandemic, and to begin its organization. (47) Together with the Ombudsman <i>Defensoría del Pueblo</i> carried out an awareness campaign in the Grand Station of San Miguelito on the human rights of children and adolescents, where it oriented peddlers, ticket sellers, and street vendors on the risks of child labor. (48) It also worked with <i>Defensoría del Pueblo</i> to develop a 2021-2024 plan to create a day of awareness, teach about bad practices, and promote children's rights. (49) Carried out trainings for parents and children on the regulations against child labor and work permits for minors in the province of Herrera. (50,51)
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. (13) Reports indicate it was active in 2021, and that it held various meetings. (73,75)
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. (13) Additional commissions were established in Chiriquí, Veraguas, Herrera, Los Santos, Coclé, and Panama Oeste. (1,3) In 2021, it continued carrying out identification and reporting of cases of child labor, as well as held trainings for its members. (73)
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. (46) 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. (46) In 2021, launched a campaign against sexual exploitation of minors called " <i>Soy Persona No Objeto</i> ". It was displayed in metro trains and stops, as well as in other high transit areas. (44) CONAPREDES also coordinated a week of media appearances on TV, radio shows, newspapers, and social-media platforms ahead of the campaign launch, together with a mass distribution of flyers in high transit areas. (44)

On December 27, 2021, officials from MITRADEL and the president of the National Council of Private Enterprises signed a Framework Cooperation Agreement that promotes a public-private partnership for the formation and articulation of a network of companies that actively work on the prevention and eradication of child labor and the protection of adolescents. (13,52)

## 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 of key national policies.

**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. (13) Replaced the Roadmap Towards the Elimination of Child Labor (2016–2019) in 2020. (9) During the reporting period, it provided scholarships for children and adolescents to incentivize them to attend school and not work. (18,53,54) Together with NGO <i>Casa Esperanza</i> will provide the 800 children and adolescents identified by DIRETIPAT in 2021 as victims of or at-risk for child labor with social services, scholarships, and academic follow-up for three years. (13)
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 SENNIAT, with technical support from UNICEF. (55,56) 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. (13,46,57) In 2021, it held several meetings. (73)
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. (13,41,58) In 2021, multiple government agencies met several times to coordinate the strengthening of the fulfillment of the plan, as well as to train officials so that they have the tools for the early detection of victims. (44)
Districts Free of Child Labor	Establishes cooperation agreements between MITRADEL and municipal councils to design and implement child labor eradication strategies. (3) Includes policies related to development and education projects that support poverty reduction. During the reporting period, five new agreements for districts free of child labor were established with the districts of Arraiján, Ocu, Santa Fe, La Mesa, and David. Additionally, the agreements with the districts of San Miguelito and Aguadulce were renewed. (73,75)

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 address human trafficking, exchange information, and develop cooperative strategies and projects. (59) 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 2021, 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
SENNIAT programs to identify, remove, and provide services to children engaged in the worst forms of child labor and commercial sexual exploitation†	<p>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)</p> <p>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. (60) Reports indicate these programs were still active in 2021. During the reporting period, SENNIAT commemorated the World Day Against Child Labor by distributing flyers on child labor in an effort to raise awareness on the issue. (61) Through these programs SENNIAT provided training to facilitate the integral development of children and adolescents involved in child labor. Additionally, 118 children received services from SENNIAT after having been removed from child labor. (13)</p>



# Panama

## MODERATE ADVANCEMENT

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

Program	Description
Network of Opportunities†	Ministry of Social Development (MIDES) program that provides conditional cash transfers to families in extreme poverty, conditioned on their children's participation in health and education services and the acquisition of a birth certificate. Offers training to project participants to improve income-generating opportunities. (62) In 2021, the cash transfers to vulnerable families continued. (63) Additionally, it provided rural women residing in the Ngäbe Buglé region a total of 7,380 pounds of yams and ñampi, in attempt to reduce poverty and improve the quality of life of families residing in the region. As part of this effort the government also delivered vegetable seed kits, including seeds for cucumber, beans, watermelon, and pumpkin. (64) The assistance targeted vulnerable communities where sources of employment are scarce, such as Cerro Caña Centro, La Emeregilda, and Las Trancas, which have a poverty index of more than 90 percent. According to MIDES this investment reached more than \$2.2 million and benefitted approximately 650 families. (64)
<i>El Plan Colmena†</i>	Seeks to reduce poverty and inequality in the country's most vulnerable districts. It prioritizes 12 areas of intervention including comprehensive childhood care, improved nutrition, access to clean water and basic sanitation, health, education, and the development of productive capacities to ensure the sustainability of communities. (73) It was active in 2021, conducting trainings on positive behavior and parenting, as well as family communication. (65-68)

† 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. (69,70)

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. (4) 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. (71,72)

In the past, there were widespread allegations of abuse against children in SENNIAC facilities, specifically shelters, which were later verified through an independent investigation. Child trafficking survivors in Panama are referred by the government to SENNIAC to receive services, including shelter; these are administered by NGOs and religious organizations. (20) Yet, children in these facilities are vulnerable to recruitment by traffickers. Additionally, reports indicate that SENNIAC's budget is insufficient to support restructuring or other largescale efforts needed to reduce children's risk of suffering abuse, which heightened their vulnerability to trafficking. (20)

## VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE CHILD LABOR

Based on the reporting above, suggested actions are identified that would advance the elimination of child labor in Panama (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 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 ages 16 or 17 are allowed to perform hazardous work.	2013 – 2021
	Establish regulations that define the types of activities that children ages 12 to 14 can undertake as light work.	2009 – 2021
	Raise the minimum age for work to the age up to which education is compulsory.	2019 – 2021
Enforcement	Ensure that all inspectors receive regular, specialized training on child labor issues.	2018 – 2021
	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 – 2021

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

Area	Suggested Action	Year(s) Suggested
Enforcement	Increase the number of labor inspectors from 105 to 130 to meet the ILO's technical advice.	2020 – 2021
	Collect and make available information on the number of investigations, violations found, prosecutions initiated, convictions obtained, and penalties imposed related to the worst forms of child labor.	2018 – 2021
	Ensure that judges are sufficiently trained on laws related to forced labor, the worst forms of child labor, and human trafficking in order to ensure that these crimes can be effectively prosecuted.	2021
Government Policies	Take steps to implement the policies related to child labor on an annual basis and publish information about these efforts.	2020 – 2021
	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 – 2021
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 – 2021
	Ensure that students have access and equipment for remote education, when necessary.	2021
	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 – 2021

## REFERENCES

- U.S. Embassy- Panama City. Reporting. February 11, 2019.
- República de Panamá-Contraloría General de la República- Instituto Nacional de Estadísticas y Censo. Comentarios de la Encuesta de Trabajo Infantil (ETI) 2016. 2017. <https://www.contraloria.gob.pa/INEC/archivos/P8031Comentarios.pdf>
- U.S. Embassy- Panama City. Reporting. March 1, 2018.
- U.S. Embassy- Panama City. Reporting. March 1, 2019.
- U.S. Department of State. Trafficking in Persons Report- 2020 Panama. Washington, DC, June 25, 2020. <https://www.state.gov/reports/2020-trafficking-in-persons-report/panama/>
- UNESCO Institute for Statistics. Gross intake ratio to the last grade of primary education, both sexes (%). Accessed March 3, 2022. For more information, please see "Children's Work and Education Statistics: Sources and Definitions" in the Reference Materials section of this report. <http://data.uis.unesco.org/>.
- ILO. Analysis of Child Economic Activity and School Attendance Statistics from National Household or Child Labor Surveys. Original data from Encuesta de Trabajo Infantil (ETI), 2016. Analysis received March 2022. Please see "Children's Work and Education Statistics: Sources and Definitions" in the Reference Materials section of this report.
- Pinilla, Ana Maria. Hasta 26 mil menores sufren explotación laboral en Panamá. La Estrella de Panama, February 7, 2017. <https://www.laestrella.com.pa/nacional/170207/26-mil-sufren-menores>
- U.S. Embassy- Panama City. Reporting. January 22, 2021.
- U.S. Embassy- Panama City. Reporting. January 21, 2022 (B).
- Vásquez, José. Captan Ocho Menores Laborando en Fincas Agrícolas en Chiriquí Durante 2021. Crítica. May 4, 2021. <https://www.critica.com.pa/provincias/captan-ocho-menores-laborando-en-fincas-agricolas-en-chiriqui-durante-2021-603472>
- EducaFuturo. EducaFuturo Baseline Survey Report. Project Document Partners of the Americas, August 2014. Source on file.
- U.S. Embassy- Panama City. Reporting. January 21, 2022 (A).
- U.S. Embassy- Panama City. Reporting. January 23, 2017.
- Ministerio de Desarrollo Social. MIDES y organizaciones presentan resultados de proyecto sobre erradicación del trabajo infantil en Colón. January 3, 2017. <https://www.panamaon.com/noticias/interior/17783-mides-y-organizaciones-presentan-resultados-de-proyecto-sobre-erradicacion-del-trabajo-infantil-en-colon.html>
- U.S. Embassy- Panama City. Reporting. January 16, 2020.
- Periodico Digital Centroamericano y del Caribe. Panamá, a la Puerta del Surgimiento de Dos Formas de Trabajo Infantil 'Invisible'. June 12, 2022. <https://newsinamerica.com/pdccc/boletin/2022/panama-a-la-puerta-del-surgimiento-de-dos-formas-de-trabajo-infantil-invisible/>
- Madrid, Mayra. Detectan Menor de Edad Laborando en el Vertedero de Puerto Armuelles en Barú. Panamá América. June 18, 2021. <https://www.panamaamerica.com.pa/provincias/detectan-menor-de-edad-laborando-en-el-vertedero-de-puerto-armuelles-en-baru-1189229>
- Batista, Linda. Trabajo Infantil en Panamá Aumenta Tras Casi Ser Erradicado. Telemetro. June 11, 2021. <https://www.telemetro.com/nacionales/trabajo-infantil-panama-aumenta-casi-ser-erradicado-n5236673>
- U.S. Department of State. Trafficking in Persons Report- 2021 Panama. Washington, DC, July 1, 2021. <https://www.state.gov/reports/2021-trafficking-in-persons-report/panama/>
- U.S. Embassy- Panama City official. E-mail communication to USDOL official. April 25, 2017.
- Telemetro. Educación en las comarcas [Video]. Panama: September 28, 2016, 7 min., 43 sec. Accessed May 4, 2017. [http://www.telemetro.com/nacionales/reportajes/Educacion-comarcas\\_3\\_957834273.html](http://www.telemetro.com/nacionales/reportajes/Educacion-comarcas_3_957834273.html)
- UN Human Rights Council. Compilation on Panama- Report of the Office of the United Nations High Commissioner for Human Rights. February 27, 2020. Source on file.
- U.S. Department of State. Country Reports on Human Rights Practices- 2020: Panama. Washington, DC, March 30, 2021. <https://www.state.gov/reports/2020-country-reports-on-human-rights-practices/panama/>
- Government of Panama. Constitución Política de la República de Panamá con reformas hasta 2004. Enacted: 1972. <http://pdpa.georgetown.edu/Constitutions/Panama/constitucion2004.pdf>
- Government of Panama. Código de la Familia, Ley No. 3. Enacted: 1994. Source on file.
- Government of Panama. Código de Trabajo, No. 44. Enacted: August 12, 1995. <http://www.ilo.org/dyn/natlex/docs/WEBTEXT/42679/67564/S95PAN01.htm>
- Government of Panama. Decreto Ejecutivo No. 1, amending Decreto Ejecutivo Número 19 of 2006, No. 27944-C. Enacted: January 5, 2016. Source on file.
- Government of Panama. Código Penal de la República de Panamá (with modifications until 2015). Enacted: May 18, 2007. <https://ministeriopublico.gob.pa/wp-content/uploads/2016/09/codigo-penal-2016.pdf>

## MODERATE ADVANCEMENT

- 30 Government of Panama. Decreto Ejecutivo Número 19 Que aprueba la lista del trabajo infantil peligroso, en el marco de las peores formas del trabajo infantil, No. 25569. Enacted: June 12, 2006.  
<http://www.ilo.org/dyn/natlex/docs/ELECTRONIC/73943/75839/F1949153997/PAN73943.pdf>
- 31 Government of Panama. Ley Número 79 Sobre Trata de Personas y Actividades Conexas, No. 79. Enacted: November 9, 2011. Source on file.
- 32 Government of Panama. Ley Orgánica de Educación. Enacted: September 24, 1946.  
<https://docs.panama.justia.com/federales/leyes/47-de-1946-oct-2-1946.pdf>
- 33 Government of Panama. Ley 34 por la cual se deroga, modifican, adicionan y subrogan artículos de la ley 47 de 1946. Enacted: July 6, 1995.  
<http://docs.panama.justia.com/federales/leyes/34-de-1995-jul-11-1995.pdf>
- 34 Government of Panama. Decreto DM57-2010- POR LA CUAL SE CREA DENTRO DE LA ESTRUCTURA ORGÁNICA DEL MINISTERIO DE TRABAJO Y DESARROLLO LABORAL LA DIRECCIÓN NACIONAL CONTRA EL TRABAJO INFANTIL Y PROTECCIÓN DE LA PERSONA ADOLESCENTE TRABAJADORA, No. DM57-2010. Enacted: February 23, 2010.  
[https://www.gacetaoficial.gob.pa/pdfTemp/26481\\_c/GacetaNo\\_26481c\\_20100303.pdf](https://www.gacetaoficial.gob.pa/pdfTemp/26481_c/GacetaNo_26481c_20100303.pdf)
- 35 Ministerio de Trabajo y Desarrollo Laboral. Dirección nacional contra el trabajo infantil y protección de la persona adolescente trabajadora, Ministerio de Trabajo y Desarrollo Laboral. Accessed February 9, 2016. Source on file.
- 36 Government of Panama. Secretaría Nacional de Niñez, Adolescencia y Familia: La institución. Accessed May 15, 2022.  
[https://senniaf.gob.pa/?page\\_id=9167&csrt=17894101601572444189](https://senniaf.gob.pa/?page_id=9167&csrt=17894101601572444189)
- 37 Panama National Police. Childhood and Adolescence Police Celebrate Their 23rd Anniversary June 12, 2017.  
<http://www.policia.gob.pa/15218-polica-de-niez-y-adolescencia-celebra-su-xxiii-aniversario.html>
- 38 Panama National Police. National Police are Part of the Campaign Against Child Labor. May 27, 2016.  
<http://www.policia.gob.pa/13167-la-polica-nacional-es-parte-la-campa-contr-a-el-trabajo-infantil.html>
- 39 U.S. Embassy- Panama City official. E-mail communication to USDOL official. June 30, 2021.
- 40 Government of Panama. Explican Sistema de Monitoreo de Trabajo Infantil a Funcionarios de Provincias Centrales, Bocas del Toro y Chiriquí. CETIPAT. October 5, 2021.  
<https://cetipat.gob.pa/explican-sistema-de-monitoreo-de-trabajo-infantil-a-funcionarios-de-provincias-centrales-bocas-del-toro-y-chiriqui/>
- 41 U.S. Embassy- Panama City official. E-mail communication to USDOL official. June 14, 2018.
- 42 ILO Labor Force Statistics (LFS) – Population and labour force. Accessed (January 25, 2022). Labor force data is government-reported data collected by the ILO. Please see "Labor Law Enforcement: Sources and Definitions" in the Reference Materials section of this report.  
<https://ilostat.ilo.org/data/>
- 43 UN. World Economic Situation and Prospects 2021 Statistical Annex. New York, 2021. Please see "Labor Law Enforcement: Sources and Definitions" in the Reference Materials section of this report.  
<https://www.un-ilibrary.org/content/books/9789210054980/read>
- 44 U.S. Embassy- Panama City. Reporting. January 28, 2022.
- 45 Government of Panama. Senniaf Anuncia la Plataforma Digital para Denuncias de Maltrato Infantil. SENNAF. January 6, 2021.  
<https://senniaf.gob.pa/?p=17541&csrt=5276190741605678578>
- 46 Government of Panama. Plan Nacional De Erradicación Del Trabajo Infantil Y Protección De Las Personas Adolescentes Trabajadoras 2007–2011. Panama City, Comité para la Erradicación de trabajo Infantil y la Protección del Trabajador Adolescente (CETIPAT), June 2006.  
[http://www.contraloria.gob.pa/inec/aplicaciones/Cetipat/informes/planNal\\_2007-2011.pdf](http://www.contraloria.gob.pa/inec/aplicaciones/Cetipat/informes/planNal_2007-2011.pdf)
- 47 Government of Panama. Senniaf y Mitradel Realizarán Encuesta de Trabajo Infantil 2021. SENNAF. January 19, 2021.  
<https://senniaf.gob.pa/?p=17591&csrt=5276190741605678578>
- 48 Defensoría del Pueblo. Defensoría Promueve Derechos de los Niños, Niñas y Adolescentes en Inspección para Erradicar Trabajo Infantil. October 4, 2021.  
<https://www.defensoria.gob.pa/defensoria-promueve-derechos-de-los-ninos-ninas-y-adolescentes-en-inspeccion-para-erradicar-trabajo-infantil/>
- 49 Radio Panamá. Defensoría del Pueblo Evalúa la Erradicación del Trabajo Infantil en el País. June 15, 2021.  
<https://www.radiopanama.com.pa/noticias/actualidad/defensoria-del-pueblo-evalua-la-erradicacion-del-trabajo-infantil-en-el-pais/20210615/nota/4143172.aspx>
- 50 Government of Panama. Sensibilizan Sobre Trabajo Infantil en Herrera. CETIPAT. September 29, 2021.  
<https://cetipat.gob.pa/sensibilizan-sobre-trabajo-infantil-en-herrera/>
- 51 Government of Panama. Sensibilizan a Familias "Ocueñas" Sobre Prevención del Trabajo Infantil. CETIPAT. June 15, 2021.  
<https://cetipat.gob.pa/sensibilizan-a-familias-ocueñas-sobre-prevencion-del-trabajo-infantil/>
- 52 Government of Panama. Gobierno y Empresa Privada Firman Acuerdo para Erradicar el Trabajo Infantil. MITRADEL. December 28, 2021.  
<https://www.mitradel.gob.pa/gobierno-y-empresa-privada-firman-acuerdo-para-erradicar-el-trabajo-infantil/>
- 53 Madrid, Mayra. Ifarhu y el Mitradel Otorgan Becas contra el Trabajo Infantil Otorgan a 140 Estudiantes de Bocas del Toro. Panamá América. February 2, 2021.  
<https://www.panamaamerica.com.pa/provincias/ifarhu-mitradel-otorgan-becas-contr-a-trabajo-infantil-otorgan-140-estudiantes-bocas-del>
- 54 Crítica. Estudiantes de Herrera Reciben Becas para Erradicar el Trabajo Infantil. April 16, 2021.  
<https://www.critica.com.pa/nacional/estudiantes-de-herrera-reciben-becas-para-erradicar-el-trabajo-infantil-602360>
- 55 Gonzalez, Nimay. Presentan Estrategia Nacional para la Prevención de la Violencia contra los Niños, Niñas, y Adolescentes. Telemetro July 24, 2018.  
[http://www.telemetro.com/nacionales/Presentan-Estrategia-Prevencion-Violencia-Adolescentes\\_0\\_1156984653.html](http://www.telemetro.com/nacionales/Presentan-Estrategia-Prevencion-Violencia-Adolescentes_0_1156984653.html)
- 56 UNICEF. Estrategia Nacional Multisectorial de Prevención de la Violencia Contra Niños, Niñas, y Adolescentes 2018–2022 y Plan de Acción 2018–2019. 2018.  
[https://www.unicef.org/panama/sites/unicef.org/panama/files/2019-06/Estrategia\\_Nacional\\_Multisectorial\\_de\\_Prevencion\\_de\\_la\\_Violencia\\_contra\\_Niños\\_Niñas\\_y\\_Adolescentes\\_2018\\_2022\\_0.pdf](https://www.unicef.org/panama/sites/unicef.org/panama/files/2019-06/Estrategia_Nacional_Multisectorial_de_Prevencion_de_la_Violencia_contra_Niños_Niñas_y_Adolescentes_2018_2022_0.pdf)
- 57 Government of Panama. Plan nacional para la prevención y eliminación de la explotación sexual comercial de niños, niñas y adolescentes, 2008–2010. Panama, Comisión Nacional para la Prevención de los Delitos de Explotación Sexual (CONAPREDES), 2008.  
[http://www.ilo.org/ipec/Informationresources/WCMS\\_IPEC\\_PUB\\_9670/lang-es/index.htm](http://www.ilo.org/ipec/Informationresources/WCMS_IPEC_PUB_9670/lang-es/index.htm)
- 58 Government of Panama. Plan Nacional contra la Trata de Personas (2012–2017). 2012.  
<https://www.ilo.org/dyn/natlex/docs/ELECTRONIC/90928/105157/F1007537726/PAN90928.pdf>
- 59 Ministerio de Trabajo y Seguridad Social de la República de Costa Rica y Ministerio de Trabajo y Desarrollo Laboral de la República de Panamá. Acuerdo relativo al mecanismo de coordinación para flujos migratorios con fines de empleo y ocupación entre el Ministerio de Trabajo y Seguridad Social de la República de Costa Rica y el Ministerio de Trabajo y Desarrollo Laboral de la República de Panamá. September 17, 2015. Source on file.
- 60 Secretaría Nacional de Niñez, Adolescencia y Familia. Violencia Sexual: Prevención y atención a niñas, niños y adolescentes víctimas de violencia sexual. Government of Panama, Accessed May 30, 2019.  
[https://senniaf.gob.pa/?page\\_id=24&csrt=3821564853945781758](https://senniaf.gob.pa/?page_id=24&csrt=3821564853945781758)
- 61 Government of Panama. Senniaf Conmemora Día Mundial Contra el Trabajo Infantil. SENNAF. June 16, 2021.  
<https://senniaf.gob.pa/?p=18268&csrt=806324836206651650>
- 62 Ministerio de Desarrollo Social. Red de Oportunidades. Government of Panama. Accessed February 9, 2016. Source on file.

- 63 Sánchez, Diomedes. El Mides Realizará el Segundo Pago de Ayuda Condicionada en Colón a Partir del Lunes. Panamá America. May 23, 2021. <https://www.panamaamerica.com.pa/provincias/el-mides-realizara-el-segundo-pago-de-ayuda-condicionada-en-colon-partir-del-lunes>
- 64 En Segundos. Mujeres Rurales Ngäbe Reciben 7 Mil Libras de Ñame y Ñampí. July 9, 2021. <https://ensegundos.com.pa/2021/07/09/mujeres-rurales-ngabe-reciben-7-mil-libras-de-name-y-nampi/>
- 65 Government of Panama. Senniaf Darién Activa Plan Colmena. SENNI AF. January 29, 2021. <https://senniaf.gob.pa/?p=17716&csrt=806324836206651650>
- 66 Government of Panama. Senniaf Chiriquí Continúa con Implementación del Plan Colmena. SENNI AF. February 10, 2021. <https://senniaf.gob.pa/?p=17913&csrt=806324836206651650>
- 67 Government of Panama. Senniaf Chiriquí Activa Plan Colmena con Conversatorio “Crianza Positiva”. SENNI AF. January 18, 2021. <https://senniaf.gob.pa/?p=17585&csrt=5276190741605678578>
- 68 Government of Panama. Regional de Chiriquí Continúa Capacitación sobre Crianza Positiva como Parte del Plan Colmena. SENNI AF. January 19, 2021. <https://senniaf.gob.pa/?p=17612&csrt=5276190741605678578>
- 69 U.S. Embassy- Panama City. Reporting. February 14, 2020.
- 70 Partners of the Americas. EducaFuturo: Project to Combat Child Labor among Vulnerable Populations in Ecuador and Panama by Providing Direct Education and Livelihood Services. October 2017: Technical Progress Report. Source on file.
- 71 Rodríguez, Olmedo. Crece el Número de Menores Abusados en Panama. La Prensa, March 31, 2018. [https://impresaprensa.com/panorama/Crece-numero-menores-abusados\\_0\\_4996750354.html](https://impresaprensa.com/panorama/Crece-numero-menores-abusados_0_4996750354.html)
- 72 Rodríguez, Olmedo. Abuso Sexual a Menores, en Aumento. La Prensa, November 4, 2018. [https://impresaprensa.com/panorama/Abuso-sexual-menores-aumento\\_0\\_5160233979.html](https://impresaprensa.com/panorama/Abuso-sexual-menores-aumento_0_5160233979.html)
- 73 U.S. Embassy- Panama City. E-mail communication to USDOL official. July 8, 2022.
- 74 U.S. Embassy- Panama City official. E-mail communication to USDOL official. July 14, 2022.
- 75 Government of Panama. Comité para la Erradicación del Trabajo Infantil y Protección a la Persona Adolescente Trabajadora Reitera su Compromiso a Favor de los Niños Niñas y Adolescentes Vulnerables. Ministry of Labor and Labor Development, November 24, 2021. <https://www.mitradel.gob.pa/comite-para-la-erradicacion-del-trabajo-infantil-y-proteccion-a-la-persona-adolescente-trabajadora-reitera-su-compromiso-a-favor-de-los-ninos-ninas-y-adolescentes-vulnerables/>

In 2021, Papua New Guinea made minimal advancement in efforts to eliminate the worst forms of child labor.

During the reporting period, the government continued with rescue and enforcement efforts and joined UNICEF's Pathfinding program, which is a global partnership to end violence against children. 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 and deep-sea fishing. 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 hampered the labor inspectorate's capacity to enforce child labor laws. Papua New Guinea has not conducted a nationwide survey of child labor and does not collect data on its efforts to enforce its labor laws. The Government of Papua New Guinea did not respond to requests for information on its law enforcement efforts for inclusion in this report.



## 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. (1-3) Children also perform dangerous tasks in mining and deep-sea fishing. (1,3) 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, 2022. (4)

Data were unavailable from International Labor Organization's analysis, 2022. (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	Working on tea, coffee, copra, and palm oil plantations (3,6)
	Deep-sea fishing, including harvesting sea cucumbers and pearls (3)
Industry	Mining, including gold mining (3)
Services	Manual labor (7)
	Domestic work (7,8)
	Street work, including scavenging for recyclables, begging, directing traffic, and directing traffic while begging (3,7,9)
	Working in markets, including unloading and carrying heavy bags of food (1,3)
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 (3)
	Forced domestic work (7)
	Illicit activities, including selling drugs (3)



# Papua New Guinea

## MINIMAL ADVANCEMENT

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

Sector/Industry	Activity
Categorical Worst Forms of Child Labor‡	Forced mining, including panning for gold (7)
	Forced portering (1,7)
	Forced begging (7)

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

Papua New Guinea is a source and destination country for child trafficking, especially of girls. In addition, children are sometimes forced into labor, such as in mining and portering, by organized criminal groups and by their own families. (7) 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. (7,9) Young girls who are sold into polygamous marriages are forced into domestic service for their new spouse's extended family members. Some are also exploited for sex trafficking. (7)

Children in Papua New Guinea also engage in a number of hazardous labor activities. Children engaged in street work, such as begging or vending, are vulnerable to crime, traffic accidents, hunger, punishment from relatives, and illness. (7) 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. (3,8) Children are also employed for deep-sea diving for cucumbers and pearls and risk drowning. (3)

Many children in Papua New Guinea face several barriers to accessing education, and this increases children's vulnerability to child labor. (10) Some of the most pressing barriers to education in Papua New Guinea include insufficient resources, including unpaid teachers, a lack of transportation, aging infrastructure, and a lack of reliable water supplies and proper toilets. (1,3) UNICEF states that only 28 percent of schools in the country have different toilets for boys and girls, and only 50 percent of schools have access to clean water. The absence of gender-separated toilets is especially disadvantageous for girls. (3) In addition, research found that the threat of gender-based violence prevents many girls from attending school. (10)

During the reporting period, the Government of Papua New Guinea updated the Tuition Fee-Free Program, which falls under the Government Tuition Fee Subsidy policy. Under the policy, the government pays 63.4 percent of fees and other costs, such as transportation for schools in remote areas, and parents are responsible for paying the remaining 36.6 percent of school fees. (11) Although this policy helps subsidize school fees, the lack of essential resources, such as classrooms and textbooks, and limited transportation remain a barrier to accessible education. (3,12) In addition, schools are also allowed to collect project and church fees from parents. (12) Reports show that schools have not received their full funding allocations, and the partial amount paid out is received in bits and pieces. (3) In previous years, some schools did not receive the subsidy and had to subsequently close due to aging infrastructure. (9,13,14)




Moreover, natural disasters and the COVID-19 pandemic have further caused disruptions to student's school schedules. (3) According to UNICEF, lockdowns due to the pandemic affected almost 2.4 million students in the country. An estimated 400 hours of instruction time were lost due to school closures. (15) Access to learning through technology has been limited because almost 80 percent of schools do not have electricity. (3,15)

Papua New Guinea lacks comprehensive research and data on child labor, which affects the government's ability to address child labor in the country. (3)

## 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 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		
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 Defense 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		

\* Country has no conscription (21)

Papua New Guinea's existing legal framework governing child labor does not meet international standards on a number of fronts. Though Papua New Guinea meets international standards for minimum age for work requirement, Article 103 of the Papua New Guinea Employment Act permits children ages 11 through 16 to work under certain conditions, including parental consent and if the child works only with members of the family. (16,22) Children as young as age 11 are permitted to perform light work, without enumerating what forms of labor may be classified as “light work” and without establishing a limit on the number of hours a child under age 16 may be made to work. (16,22) Papua New Guinea's existing laws on the minimum age for hazardous work under Article 104 of Papua New Guinea's Employment Act sets the minimum age for engaging in hazardous labor activities at age 16 rather than age 18. (16,22) There is no age up to which education is compulsory and there is no free basic education for children established by law in Papua New Guinea, increasing the risk of children's involvement in child labor.

# Papua New Guinea

## MINIMAL ADVANCEMENT

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. (2,18)

### 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. (3,9)
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. (1,3,24)
Royal Papua New Guinea Constabulary	Enforces laws against commercial sexual exploitation of children. (3,8) Includes the specialized Family and Sexual Violence Unit, which protects children's rights and safety. (8,25)

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. (3) There is no system in the country for a referral mechanism for survivors of child labor and exploitation. The Department of Youth, Religion, and Community Development has not yet implemented a system to refer children for protection and shelter. (3) The department does conduct some trainings for Child Protection Officers who provide referrals for children and families. However, the scope of the training is unknown. (3)

#### **Labor Law Enforcement**

In 2021, labor law enforcement agencies in Papua New Guinea took actions to address child labor (Table 6). However, gaps exist within the operations of enforcement agencies that may hinder adequate labor law enforcement, including a lack of referral mechanisms.

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

Overview of Labor Law Enforcement	2020	2021
Labor Inspectorate Funding	Unknown (1)	Unknown (3)
Number of Labor Inspectors	Unknown (1)	Unknown (3)
Mechanism to Assess Civil Penalties	Yes (16)	Yes (16)
Initial Training for New Labor Inspectors	Unknown (1)	Unknown (3)
Training on New Laws Related to Child Labor	Unknown (1)	Unknown (3)
Refresher Courses Provided	Unknown (1)	Unknown (3)
Number of Labor Inspections Conducted	Unknown (1)	Unknown (3)
Number Conducted at Worksite	Unknown (1)	Unknown (3)
Number of Child Labor Violations Found	Unknown (1)	Unknown (3)
Number of Child Labor Violations for Which Penalties Were Imposed	Unknown (1)	Unknown (3)
Number of Child Labor Penalties Imposed that Were Collected	Unknown (1)	Unknown (3)
Routine Inspections Conducted	Unknown (1)	Unknown (3)
Routine Inspections Targeted	Unknown (1)	Unknown (3)
Unannounced Inspections Permitted	Yes (16)	Yes (16)
Unannounced Inspections Conducted	Yes (1)	Yes (3)
Complaint Mechanism Exists	Yes (1)	Yes (3)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	No (1)	No (3)

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. (3) 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, Papua New Guinea would need to employ roughly 187 labor inspectors because its workforce consists of more than 2.8 million workers. (27) Due to limited personnel capacity, labor inspectors generally respond to specific child labor complaints on a case-by-case basis as complaints are filed, and only sometimes do they carry out routine inspections in hazardous workplaces or in the manufacturing sector. (3,28) The labor inspectorate does not have sufficient resources to adequately enforce Papua New Guinea's labor laws, including sufficient trainings for labor officers. (3,29) Most child labor takes place in the peri-urban areas where inspections are limited. (3) When labor inspections do occur, they are conducted in all three of Papua New Guinea's languages (English, Hiri-Motu, and Pidgin/Tok Pisin). (1,3)

### Criminal Law Enforcement

Research did not find information on whether criminal law enforcement agencies in Papua New Guinea took actions to address child labor (Table 7).

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

Overview of Criminal Law Enforcement	2020	2021
Initial Training for New Criminal Investigators	Unknown (1)	Unknown (3)
Training on New Laws Related to the Worst Forms of Child Labor	Unknown (1)	Unknown (3)
Refresher Courses Provided	Unknown (1)	Unknown (3)
Number of Investigations	Unknown (1)	Unknown (3)
Number of Violations Found	Unknown (1)	Unknown (3)
Number of Prosecutions Initiated	Unknown (1)	Unknown (3)
Number of Convictions	Unknown (1)	Unknown (3)
Imposed Penalties for Violations Related to the Worst Forms of Child Labor	Unknown (1)	Unknown (3)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	No (1)	No (3)

During the reporting period, the Department of Immigration and Citizenship and the Papua New Guinea Royal Constabulary carried out a joint operation during which seven lodges and guesthouses suspected of being commercial sex establishments were investigated. Police identified a 12-year-old girl who had been sold for \$30. (3) The girl was referred to the IOM for counseling and the three alleged traffickers were charged with child sex trafficking crimes under Sections 208C and 229 of the Criminal Code. The three attackers included the child's cousin and two male adults. (3,30)

The Government of Papua New Guinea did not respond to requests for information on its criminal law enforcement efforts for inclusion in this report. (3) 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. (1,3) Research was unable to find evidence of trainings occurring in 2021 and was unable to determine whether training for prospective law enforcement officials addresses all child labor elimination components, including recognizing the worst forms of child labor, victim identification, and prevention strategies. (3,31) Reports also indicate a widespread practice of customary justice and distrust of law enforcement among survivors. In addition, political will among law enforcement is lacking, and there are insufficient funds to conduct investigations, particularly in rural areas. (7)

## IV. COORDINATION OF GOVERNMENT EFFORTS ON CHILD LABOR

The government has established mechanisms to coordinate its efforts to address child labor (Table 8). However, gaps exist that hinder the effective coordination of efforts to address child labor, including a lack of efficacy in accomplishing mandates of the National Anti-Human Trafficking Committee.

# Papua New Guinea

## MINIMAL ADVANCEMENT

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

Coordinating Body	Role & Description
National Anti-Human Trafficking Committee (NAHTC)	Coordinates efforts to address human trafficking. Chaired by the Department of Justice and the Attorney General, with representatives from more than 15 government agencies, NGOs, and international organizations. (9) Even prior to the COVID-19 pandemic, NAHTC was largely inactive. (7) NAHTC was not active during the reporting period. (30)
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 includes Child Protection Officers. (3,32,33) Since its establishment in 2018, the council has developed a mechanism to appoint new Child Protection Officers. The appointment of the existing 42 officers was reviewed during the reporting period. (3)
National Child Welfare Office	Coordinates the promotion of children's rights through awareness campaigns and trainings. Refers perpetrators to the police and provides help to police and social services when a child is rescued from child labor. (28) Research was unable to determine whether this mechanism was active during the reporting period.

Research indicates that there is a lack of senior governmental leadership and participation at National Anti-Human Trafficking Committee meetings. (28) The Ministry of Labor and Industrial Relations did not participate in the activities of the National Anti-Human Trafficking Committee. Although the National Council for Child and Family Services exists, research found no evidence that the council functions as a coordinating mechanism to address child labor.

Intra-agency coordination between enforcement agencies is lacking and there are no specific coordination guidelines. (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 a lack of implementation of key national policies.

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

Policy	Description
National Action Plan to Eliminate Child Labor in Papua New Guinea	Promotes government coordination efforts to eliminate the worst forms of child labor through more effective prevention, protection, rehabilitation, and reintegration measures and capacity building. (30,34) 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 Department of National Planning and Monitoring which helps coordinate and facilitate national and international initiatives published a modified National Action Plan to Eliminate Child Labor in July 2021. (35,36)
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. (9,40) Research was unable to determine whether efforts were undertaken to implement the National Child Protection Policy during the reporting period. (3)
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. (8,41,42) In June 2021, was reverted from a government subsidy policy instituted in 2019 back to the Tuition Fee-Free policy. The program is slated to subsidize education for students from grades 1 to 12. However, implementation regulations for the policy have yet to be passed. (3)

In May 2021, Papua New Guinea became the newest member of UNICEF's global partnership to end violence against children, making Papua New Guinea the newest Pathfinder country. As a Pathfinder nation, Papua New Guinea committed to raising awareness, uplifting its leadership commitment, and creating a national standard to end violence against children. (43) The government's Trafficking in Persons National Action Plan that was established in 2015 ended in 2020, and research was unable to determine what level of progress was made under the program.

Research was unable to confirm whether the National Action Plan to Eliminate Child Labor began enacting policies or programs in 2021- none were implemented in previous years due to a lack of effective administrative planning and human and financial resources. (3,30) The modified action plan in 2021 makes it more user-friendly;



however, the substance of the plan is unchanged. The 2017–2020 National Action Plan faced hurdles, including poor implementation and performance. (30) The Department of Labor and Industrial Relations, the implementing agency for the program, noted that administrative oversight and lack of funding had led to no activity on the policy during the reporting period. (3) 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 2021, 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 inadequacy 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. (9,24) Research was unable to determine whether the Child Care Centers were active during the reporting period.
I-Tok Kaunselin Helpim Lain	Telephone hotline funded by ChildFund Papua New Guinea to report child welfare concerns and physical or sexual violence. (26) The hotline was active in 2021 and received training from IOM staff on trafficking process, crisis intervention, and referrals during the reporting period. (35,44)

† 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. (45,46)

## 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 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 – 2021
	Accede to the UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography.	2014 – 2021
	Accede to the Palermo Protocol on Trafficking in Persons.	2014 – 2021
	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 – 2021
	Establish age 18 as the minimum age for hazardous work, and identify hazardous occupations and activities prohibited for children.	2009 – 2021
	Ensure that the law does not require threats, the use of force, or coercion to be established for the crime of child trafficking.	2019 – 2021
	Ensure that the law criminally prohibits using, procuring, and offering a child for illicit activities, including for the production and trafficking of drugs.	2014 – 2021
	Ensure that the law criminally prohibits using, procuring, and offering a child for pornographic performances.	2016 – 2021
	Ensure that the law criminally prohibits the recruitment of children under age 18 by non-state armed groups.	2016 – 2021
	Establish by law an age up to which education is compulsory that extends to the minimum age for employment.	2009 – 2021
Enforcement	Establish by law free basic public education.	2021
	Establish a data monitoring system to track child labor cases.	2019 – 2021
	Strengthen the inspection system by ensuring that inspectors conduct routine or targeted inspections in addition to those that are complaint driven.	2014 – 2021

# Papua New Guinea

## MINIMAL ADVANCEMENT

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

Area	Suggested Action	Year(s) Suggested
Enforcement	Publish information on child labor law enforcement efforts undertaken, including labor inspectorate funding, the number of child labor violations found, and the number of child labor penalties imposed.	2014 – 2021
	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 – 2021
	Ensure that labor inspectors have enough funds to conduct inspections.	2021
	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 – 2021
	Ensure that there are enough labor inspectors and that the number of inspectors meets the ILO's technical advice.	2017 – 2021
	Institutionalize and fully fund training on the worst forms of child labor for labor inspectors and criminal investigators, including training for new labor inspectors at the beginning of their employment.	2016 – 2021
	Ensure that labor inspections occur in all areas of Papua New Guinea, especially outside of urban areas. Provide sufficient funding, institutional incentives, and local community awareness efforts to ensure that criminal investigations into labor violations are effectively carried out.	2019 – 2021
	Publish information on 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 – 2021
Coordination	Ensure that the National Anti-Human Trafficking Committee is active and meets regularly to implement measures to address human trafficking.	2021
	Ensure that the established coordinating mechanisms address all forms of child labor, including the worst forms of child labor, and fully carry out their mandates.	2009 – 2021
	Ensure that there is senior governmental leadership and participation at National Anti-Human Trafficking Committee meetings.	2018 – 2021
	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 – 2021
	Ensure the Ministry of Labor's participation in the National Anti-Human Trafficking Committee.	2021
	Establish coordinating mechanisms to prevent and eliminate child labor.	2021
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 National Child Protection Policy, and the Tuition Fee-Free Policy.	2017 – 2021
	Ensure the new government Tuition Fee Subsidy policy is effectively implemented, including full necessary payout to schools.	2018 – 2021
	Collect and publicize data on outcomes related to the 2015–2020 Trafficking in Persons Action Plan.	2021
Social Programs	Increase access to education by instituting programs to address gender-based violence against girls in schools, eliminating all school-related fees, increasing funding to provide school infrastructure improvements, ensuring that all schools have reliable water supplies, and separating girls' bathrooms.	2014 – 2021
	Collect and publish data on the extent and nature of child labor to inform policies and programs.	2017 – 2021
	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 – 2021
	Ensure that Child Care Centers are active and are fully funded, and publish their activities undertaken during the reporting period.	2019 – 2021
	Ensure that the new Government Tuition Fee Subsidy Policy is effectively implemented, including full necessary payouts to schools.	2021
	Ensure that children have access to technology for education.	2021

## REFERENCES

- U.S. Embassy- Port Moresby. Reporting. February 3, 2021.
- U.S. Embassy- Port Moresby. Reporting. February 11, 2021.
- U.S. Embassy- Port Moresby. Reporting. January 25, 2022.
- UNESCO Institute for Statistics. Gross intake ratio to the last grade of primary education, both sexes (%). Accessed March 3, 2022. For more information, please see the "Children's Work and Education Statistics: Sources and Definitions" in the Reference Materials section of this report. <http://data.uis.unesco.org/>
- ILO. Analysis of Child Economic Activity and School Attendance Statistics from National Household or Child Labor Surveys. Analysis received March 2022. Please see "Children's Work and Education Statistics: Sources and Definitions" in the Reference Materials section of this report.
- Limb, Lottie. Nestlé and Kellogg's linked to shocking palm oil abuse in Papua New Guinea. August 10, 2021. <https://www.euronews.com/green/2021/10/08/nestle-kellogg-s-linked-to-shocking-palm-oil-abuses-in-papua-new-guinea>
- U.S. Department of State. Trafficking in Persons Report- 2021: Papua New Guinea. Washington, D.C., July 1, 2021. <https://www.state.gov/reports/2021-trafficking-in-persons-report/papua-new-guinea/>

- 8 U.S. Embassy- Port Moresby. Reporting. January 31, 2019.
- 9 U.S. Embassy- Port Moresby. Reporting. January 29, 2020.
- 10 UNICEF. PNG joins global event to end violence in schools. September 5, 2018.  
<https://www.unicef.org/png/press-releases/png-joins-global-event-end-violence-schools>
- 11 U.S. Embassy- Port Moresby Official. E-mail communication with USDOL official. March 24, 2022.
- 12 Ministry of Education. GOVERNMENT TUITION FEE SUBSIDY (GTFS) POLICY FOR 2021 FOR THE GENERAL EDUCATION SECTOR SCHOOLS. Government of Papua New Guinea, January 4, 2021.  
<http://education.gov.pg/documents/MPS-No-1-of-2021-GTFS-Policy.pdf>
- 13 Waide, Scott. TFF Uncertainty Makes School Planning Difficult. EMTV. February 20, 2017.  
<https://emtv.com.pg/rural-schools-forced-into-debt-due-to-tff-funding-uncertainty/>
- 14 Zurenuoc, Ereberi. Morobe schools allowed to charge project fees: Official. The National. February 1, 2019.  
<https://www.thenational.com.pg/morobe-schools-allowed-to-charge-project-fees-official/>
- 15 UNICEF. A new normal for education in Papua New Guinea. September 7, 2021.  
<https://www.unicef.org/png/stories/new-normal-education-papua-new-guinea>
- 16 Government of Papua New Guinea. Employment Act. Enacted: 1978.  
[http://www.ilo.org/dyn/travail/docs/1097/Employment\\_Act\\_1978.pdf](http://www.ilo.org/dyn/travail/docs/1097/Employment_Act_1978.pdf)
- 17 Government of Papua New Guinea. Constitution of the Independent State of Papua New Guinea. Enacted: 1975.  
<https://www.ilo.org/dyn/natlex/docs/ELECTRONIC/44016/70625/F868019216/PNG44016.pdf>
- 18 Government of Papua New Guinea. Criminal Code (Amendment) Act of 2013, amending Criminal Code of 1974, No. 30. Enacted: July 4, 2014.  
<http://www.ilo.org/dyn/natlex/docs/ELECTRONIC/98690/117506/F334954182/PNG98690.pdf>
- 19 Government of Papua New Guinea. Criminal Code Act 1974, No. 262 of 9999. Enacted: 2002.  
[http://www.paclii.org/pg/legis/consol\\_act/cca1974115/](http://www.paclii.org/pg/legis/consol_act/cca1974115/)
- 20 Government of Papua New Guinea. Defence Act. Enacted: 1974.  
[http://www.paclii.org/pg/legis/consol\\_act/da197456/#:~:text=Being an Act to establish, discipline, and for related matters.](http://www.paclii.org/pg/legis/consol_act/da197456/#:~:text=Being an Act to establish, discipline, and for related matters.)
- 21 CIA. The World Factbook. Accessed February 28, 2019. Please see "Labor Law Enforcement: Sources and Definitions" in the Reference Materials section of this report.  
<https://www.cia.gov/the-world-factbook/countries/papua-new-guinea/>
- 22 ILO CEACR. Individual Observation concerning Minimum Age Convention, 1973 (No. 138) Papua New Guinea (ratification: 2000). Published: 2021.  
[http://www.ilo.int/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100\\_COMMENT\\_ID:4060914](http://www.ilo.int/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:4060914)
- 23 ILO CEACR. Individual Observation concerning Worst Forms of Child Labour Convention, 1999 (No. 182) Papua New Guinea (ratification: 2000). Published: 2021.  
[https://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100\\_COMMENT\\_ID:P11110\\_COUNTRY\\_ID:P11110\\_COUNTRY\\_NAME:P11110\\_COMMENT\\_YEAR:4002404,103487,Papua New Guinea,2019](https://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:P11110_COUNTRY_ID:P11110_COUNTRY_NAME:P11110_COMMENT_YEAR:4002404,103487,Papua New Guinea,2019)
- 24 Government of Papua New Guinea. Lukautim Pikinini Act 2015. Enacted: March 11, 2016. Source on file.
- 25 Walton, Grant; Davda, Tara; Kanaparo, Peter. The Challenges of Providing Free Education in Papua New Guinea. Australian National University. August 1, 2017.  
<http://dx.doi.org/10.2139/ssrn.3011101>
- 26 Post-Courier. Telephone Counseling Saving Lives. August 19, 2017.  
<https://postcourier.com.pg/telephone-counseling-saving-lives/>
- 27 ILOSTAT. ILO Labor Force Statistics (LFS)- Population and labour force. Accessed January 25, 2022. Labor force data is modelled on a combination of demographic and economic explanatory variables by the ILO. Please see "Labor Law Enforcement: Sources and Definitions" in the Reference Materials section of this report  
<https://ilostat.ilo.org/data/>
- 28 U.S. Embassy- Port Moresby official. E-mail communication to USDOL official. June 25, 2020.
- 29 ILO Committee of Experts. Observation concerning Worst Forms of Child Labor Convention, 1999 (No. 182) Papua New Guinea (ratification: 2000). Published: 2017.  
[http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100\\_COMMENT\\_ID:3294400](http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:3294400)
- 30 U.S. Embassy- Port Moresby. Reporting. April 21, 2022.
- 31 U.S. Embassy- Port Moresby official. E-mail communication to USDOL official. February 14, 2020.
- 32 UNICEF. Country Office Annual Report 2018. 2018.  
[https://www.unicef.org/about/annualreport/files/Papua\\_New\\_Guinea\\_2018\\_COAR.pdf](https://www.unicef.org/about/annualreport/files/Papua_New_Guinea_2018_COAR.pdf)
- 33 Government of Papua New Guinea. National Office of Child and Family Services. Accessed February 18, 2020.  
[http://www.dfcd.gov.pg/images/demo/National\\_Office\\_of\\_Child\\_and\\_Family\\_Services.pdf](http://www.dfcd.gov.pg/images/demo/National_Office_of_Child_and_Family_Services.pdf)
- 34 Department of Labour and Industrial Relations. National Action Plan to Eliminate Child Labour in Papua New Guinea 2017–2020. January 2017. Source on file.
- 35 U.S. Embassy- Port Moresby. Reporting. February 18, 2022.
- 36 Government of Papua New Guinea. National Action Plan to eliminate Child Labour in Papua New Guinea. July 2021.  
<https://png-data.sprep.org/dataset/national-action-plan-eliminate-child-labour-papua-new-guinea>
- 37 Government of Papua New Guinea. Papua New Guinea Trafficking in Persons National Action Plan (2015–2020). October 2016. Source on file.
- 38 U.S. Embassy- Port Moresby. Reporting. February 18, 2020.
- 39 U.S. Embassy- Port Moresby official. E-mail communications to USDOL official. December 21, 2020.
- 40 UNICEF. PNG Programme Strategy Note—Child Protection. January 14, 2017.  
<https://open.unicef.org/sites/transparency/files/documents/2017 PNG PSN CHILD PROTECTION TOC.pdf>
- 41 Government of Papua New Guinea. Department of Education TFF Introduction. February 2014.  
<http://www.educationpng.gov.pg/TFF/index.html>
- 42 Government of Papua New Guinea. Medium Term Development Plan 2 2016–2017: Pathway to a Responsible Sustainable Future. March 2015.  
<https://www.lse.ac.uk/GranthamInstitute/wp-content/uploads/laws/4854.pdf>
- 43 UNICEF. PNG joins global partnership to end violence against children. PORT MORESBY. May 29, 2021.  
<https://www.unicef.org/png/press-releases/png-joins-global-partnership-end-violence-against-children>
- 44 Loop News. Counselling Staff Undergo Training. May 15, 2022.  
<https://www.looppng.com/png-news/counselling-staff-undergo-training-112103>
- 45 U.S. Department of State. Trafficking in Persons Report- 2020: Papua New Guinea. Washington, DC, June 16, 2020.  
<https://www.state.gov/reports/2020-trafficking-in-persons-report/papua-new-guinea/>
- 46 U.S. Embassy- Port Moresby. E-mail communication to USDOL official. July 5, 2019.

In 2021, Paraguay made moderate advancement in efforts to eliminate the worst forms of child labor. The Ministry of Labor finalized a resolution that established new procedures for more prompt investigations of child labor and expanded its use of virtual outreach and training, and the Departmental Committees for the Eradication of Child Labor opened new offices in three departments across the country. The government also expanded the Support for the Community Kitchens Program, which focuses on relieving economic strain on families at risk of child labor. However, children in Paraguay are subjected to the worst forms of child labor, including in domestic servitude and in debt bondage in cattle raising, on dairy farms, and in charcoal factories. Children with disabilities as well as those from rural and indigenous communities face difficulties accessing and completing their education. 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 and in 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. Data on some of these indicators are not available from the sources used in this report.

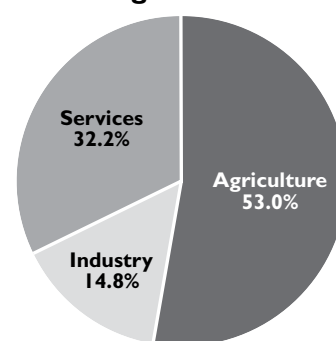
**Table 1. Statistics on Children's Work and Education**

Children	Age	Percent
Working (% and population)	10 to 14	5.4 (36,569)
Attending School (%)	10 to 14	Unavailable
Combining Work and School (%)	10 to 14	Unavailable
Primary Completion Rate (%)		75.0

Source for primary completion rate: Data from 2020, published by UNESCO Institute for Statistics, 2022. (7)

Source for all other data: International Labor Organization's analysis of statistics from Encuesta Permanente de Hogares Continua (EPHC), 2020. (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 (6,9,10)
	Raising poultry, hogs, cattle,† sheep, and goats and milk production (6)
	Fishing, including using hooks and harpoons,† preparing bait, and cleaning fish† (6)

# Paraguay

## MODERATE ADVANCEMENT

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

Sector/Industry	Activity
Industry	Construction, including handling heavy loads, machinery or equipment,† and production of bricks (1-3,5,9-12) Limestone quarrying† and gold mining† (1,2,5,9,10,13)
Services	Domestic work† (1-5,11,14-16) Street work,† including vending, shoe shining, and begging (1,3,5,9-11,15-17) Horse jockeying (9,16) Garbage dump scavenging† (5)
Categorical Worst Forms of Child Labor‡	Debt bondage in cattle raising, dairy farms, and charcoal factories (1-4,11) Commercial sexual exploitation and domestic servitude (1,3,11,17,18) Use in the production of child pornography (1-3,9-11,15) Use in illicit activities, including drug smuggling and drug trafficking (1,2,11,15)

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

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

*Criadazgo*, a practice in which middle-class and wealthy families informally employ and house child domestic workers from impoverished families, is pervasive in Paraguay. (1,3,11,18) Many of these children are in situations of domestic servitude, subjected to violence and abuse, and highly vulnerable to sex trafficking. (1,5,16,17) Lack of political will continues to prevent Congress from considering previously drafted legislation that would criminalize *criadazgo*. (11,19)




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. (1,3,11,20) 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. (1,11) Furthermore, children work alongside their parents in debt bondage on cattle ranches, dairy farms, and charcoal factories in the remote Chaco region. (1-3,9,11,16)

Children from rural and indigenous communities face difficulties accessing and completing their education, including language barriers and inadequate facilities and staff. (1,2,21,22) 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. (23) 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	18	Article 1 of Law No. 2332; Article 58 of the Childhood and Adolescence Code (24,25)
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 (24,26-29)
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 (24-30)
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 (31-34)
Prohibition of Child Trafficking	Yes		Articles 5, 6, and 7 of the Comprehensive Law Against Trafficking in Persons; Articles 125, 129, and 223 of the Penal Code; Articles 10 and 54 of the Constitution (31-34)
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 (24,26,32,34)
Prohibition of Using Children in Illicit Activities	Yes		Article 1 of Law No. 1657; Article 32 of the Childhood and Adolescence Code (24,35)
Minimum Age for Voluntary State Military Recruitment	Yes	18	Articles 3 and 5 of the Obligatory Military Service Law (36,37)
Prohibition of Compulsory Recruitment of Children by (State) Military	Yes		Articles 3 and 5 of the Obligatory Military Service Law (36,37)
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 (38-40)
Free Public Education	Yes		Article 76 of the Constitution; Article 32 of the General Education Law No. 1264 (31,38)

### III. ENFORCEMENT OF LAWS ON CHILD LABOR

The government has established institutional mechanisms for the enforcement of laws and regulations on child labor (Table 5). However, gaps exist within the operations of 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). (11)
Paraguayan National Police	Maintain 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. Maintain offices in five cities across the country. (41)
Public Ministry (Attorney General)	Investigates and prosecutes criminal cases of forced child labor; child trafficking; commercial sexual exploitation, the recruitment and use of child soldiers, and use of children in illicit activities. (1) 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. (41)
Ministry of Adolescents and Children (MINNA)	Maintains a hotline to report cases of human trafficking and commercial sexual exploitation of children. Provides social services to survivors referred by law enforcement agencies and refers cases of sexual exploitation and child labor to the Public Ministry's ATU. (1-3)

# Paraguay

## MODERATE ADVANCEMENT

In 2021, the MTESS expanded its use of virtual outreach and training, including a virtual training to over 300,000 students at vocational schools nationwide, hosted in cooperation with the National Professional Promotion Service and the National System of Labor Training. (11) In addition, the Ministry of Women's Affairs also provides social services to female survivors of human trafficking and houses an office staffed with five personnel dedicated to addressing trafficking of children. (2)

### Labor Law Enforcement

In 2021, labor law enforcement agencies in Paraguay took actions to address 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 insufficient financial resource allocation.

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

Overview of Labor Law Enforcement	2020	2021
Labor Inspectorate Funding	\$366,762 (1)	\$119,089 (11)
Number of Labor Inspectors	21 (1)	25 (11)
Mechanism to Assess Civil Penalties	Yes (27)	Yes (42)
Initial Training for New Labor Inspectors	N/A (1)	N/A (11)
Training on New Laws Related to Child Labor	N/A (1)	N/A (43)
Refresher Courses Provided	Yes (1)	Yes (11)
Number of Labor Inspections Conducted	9,710 (1,44)	1,177 (45)
Number Conducted at Worksite	99 (1)	224 (11)
Number of Child Labor Violations Found	8 (1)	9 (11)
Number of Child Labor Violations for Which Penalties Were Imposed	7 (1)	13 (11)
Number of Child Labor Penalties Imposed that Were Collected	6 (1)	4 (11)
Routine Inspections Conducted	Yes (1)	Yes (11)
Routine Inspections Targeted	Yes (1)	Yes (11)
Unannounced Inspections Permitted	Yes (1)	Yes (42)
Unannounced Inspections Conducted	Yes (41)	Yes (11)
Complaint Mechanism Exists	Yes (1)	Yes (11)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (1)	Yes (11)

In February 2021, the MTESS finalized a resolution that established new procedures to allow for more prompt investigations of child labor. Upon receiving a complaint of child labor, inspectors must initiate an investigation within 24 hours and must refer children in need of specialized services to the proper agencies within 12 hours. (11,46)

During the reporting period, MTESS operations continued to be affected by the COVID-19 pandemic. Government funds were redirected through continuing issues of state of emergencies and the MTESS was again obliged to shift the focus of its inspections from compliance with labor regulations to compliance with emergency workplace sanitary measures. (11,47) During the reporting period, sanitary "verifications", which in 2020 served as opportunities to also inspect for child labor, were reduced as the government loosened restrictions. (45) Despite the challenges posed by the pandemic, all inspectors received regular training on child labor issues during the reporting period. (11)

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) The number of labor inspectors is likely insufficient for the size of Paraguay's workforce, which includes over 3.5 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 need to employ about 238 inspectors. (48,49) 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 such as 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. (11) 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. (1,3,11)

An additional constraint to labor law enforcement is the lack of efficient and timely cooperation by judicial authorities in granting workplace inspection search warrants to the Public Ministry and the MTESS when an employer does not permit an inspector to enter a workplace to conduct an inspection. (1-3) 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 2021, criminal law enforcement agencies in Paraguay took actions to address 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 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	2020	2021
Initial Training for New Criminal Investigators	N/A (1)	N/A (11)
Training on New Laws Related to the Worst Forms of Child Labor	N/A (1)	N/A (11)
Refresher Courses Provided	Yes (50)	Unknown (11,45)
Number of Investigations	160† (1)	170‡ (11)
Number of Violations Found	Unknown (1)	Unknown (11)
Number of Prosecutions Initiated	25 (1)	47 (11)
Number of Convictions	6 (1)	24 (11)
Imposed Penalties for Violations Related to the Worst Forms of Child Labor	Yes (1)	Yes (11)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (1)	Yes (11)

† Number of investigations conducted between January and November 2020.

‡ Number of investigations conducted between January and November 2021.

During the reporting period, the anti-trafficking unit investigated 170 child labor-related cases including 58 that involved labor trafficking, 96 involving pimping, and 16 involving child pornography. (11) The Specialized Unit to Combat Human Trafficking and Sexual Exploitation of Children and Adolescents also removed 26 children from exploitative situations with collaboration from the Paraguayan National Police, the Public Defender's Office, and the Ministry of Adolescents and Children (MINNA). (11) The MINNA also held an internal training for officials on child labor, forced labor, sexual exploitation of children, and best practices in safely repatriating child and adolescent victims of international human trafficking. (51) The Ministry of Women's Affairs also held a training in cooperation with Attaining Lasting Change (ATLAS) Project and implementers Partners of the Americas for 30 public officials on best practices and challenges of applying Paraguayan anti-trafficking in persons law. (51) In addition, local authorities in the Caaguazú department organized two forums on Human Trafficking and Sexual Violence against Children and Adolescents. (51)

Despite these efforts, government agencies, international organizations, NGOs, and labor organizations have observed a nationwide need for more specialized prosecutors to support local prosecutors 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. (1,11)

# Paraguay

## 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 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	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. (43) Met eight times during the reporting period and approved a plan for an interinstitutional project to support children living on the street. (11)
Interinstitutional Working Group on Preventing and Combating Human Trafficking	Coordinates interagency efforts to address 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) Met three times during the reporting period. (11)
Defense Councils for the Rights of Children and Adolescents	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. (24) In many municipalities, staff from the Defense Councils for the Rights of Children and Adolescents were informally involved in child labor investigations and supported judges in civil cases involving children during the reporting period. (11)

The National Commission to Prevent and Eradicate Child Labor and Protect Adolescent Labor continued to decentralize through the creation of Departmental Committees for the Eradication of Child Labor and opened new offices in the Departments of Concepción, Canindeyú, and Guairá during the reporting period. (11,51)

While the Interinstitutional 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. (18) Coordination between the MTESS and the Ministries of Education and Health remains insufficient to address 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. (2,10,18,52)

### 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 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)	Focuses on raising awareness and strengthening enforcement of child labor laws. Provides child laborers with access to free quality education and offers livelihood alternatives for their families. (2,10,53) The government continued to implement this strategy during the reporting period. (11)
National Strategy to Prevent Forced Labor (2021–2024)†	Aims to prevent and eradicate forced labor and care for victims. (54) A second National Strategy for 2021–2024 was developed during the reporting period with the technical support of the <i>Okakuaa</i> Project. A total of 7 consultation workshops were held with the participation of 158 representatives from public and private institutions and unions to collect inputs for the new plan. (54,55)
National Plan for Development (2020–2030)	Addresses social exclusion and poverty, including by preventing and eliminating child labor. (56) During the reporting period, the strategy, which previously ended in 2020, was extended for the 2020–2030 period. (43)
National Plan on Human Rights	Promotes human rights, including the prevention and elimination of child labor and forced labor. (57) Research was unable to determine whether activities were undertaken to implement the policy during the reporting period.
National Plan for the Prevention of Trafficking in Persons (2020–2024)	Aims to guide government prevention, response, and protection actions and establish prosecution and penalty guidelines for trafficking in persons. Also prioritizes institutional capacity building and coordination between government entities. (1,58,59) Research was unable to determine whether activities were undertaken to implement the policy during the reporting period.

† Policy was approved during the reporting period.

## VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2021, 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 inadequate 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) Research was unable to determine whether activities were undertaken to implement the program during the reporting period.
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. (2,60) During the reporting period, the program approved a new operations manual for coordinators at <i>Abrazo</i> centers across the country that will provide consistent operational guidance. The program continued to offer trainings on income generation, financial literacy, and entrepreneurship, while also referring victims and survivors of child labor and human trafficking to the appropriate government programs. (11)
Well-Being Conditional Cash Transfer Program ( <i>Tekoporã</i> )‡	Government-administered program through the Ministry of Social Development. Provides conditional cash transfers to families in rural communities. (11) Incorporates aspects of the Embrace Program, such as the family monitoring methodology, to ensure participant children do not engage in child labor. (61) During the reporting period, the program helped an additional 63,498 families. (11)
USDOL-Funded Projects	USDOL projects that aim to eliminate child labor, including its worst forms, through research, improved monitoring and enforcement, policy development, and awareness raising. These projects include Attaining Lasting Change (ATLAS), a \$7.5 million project that aims to build the capacity of host governments to more adequately address child labor, forced labor, and human trafficking; and <i>Paraguay Okakuaa</i> (Paraguay Progresses), a \$7.5 million project implemented by Partners of the Americas, which ended in September 2021. (62,63) In 2021, the <i>Okakuaa</i> Project worked with the Paraguayan National Observatory of Childhood and Adolescence on greater coordination among the Ministries of Labor and Childhood and Adolescence, developing a computer system in which the Departmental Committees for the Eradication of Child Labor can upload reports to share with MINNA and MTESS. In August, MTESS held a virtual presentation on the progress made in the implementation of the national strategy to address child labor. (55) During the reporting period, the ATLAS Project held a symposium for law enforcement officials on child labor, forced labor, and human trafficking, and held a training for MTESS and the National Police officials who are in charge of training their respective staff on trafficking-related subject matter. (51)

† 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. (2,3,60,64)

A law enacted in 2021 expanded the Support for Community Kitchens Program to include beneficiaries of all ages. The program, founded in 2018, delivers food bimonthly to community kitchens nationwide that serve children with the goal of relieving economic strain on families at risk of child labor. (11) During the reporting period, the program provided food supplies and funds to 1,654 community kitchens, reaching 194,200 individuals. (45)

The 2012 Law Against Trafficking in Persons requires the Ministry of Women's Affairs to provide compensation and financial assistance to survivors of sexual and labor trafficking, including minors, but NGO and government officials report that compensation takes too long to be helpful. (14,20,33) 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).



# Paraguay

## MODERATE ADVANCEMENT

**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 – 2021
	Raise the compulsory age of education to match the minimum age for work.	2021
	Protect children from the abuse of the <i>criadazgo</i> system by regulating the practice with legislation.	2019 – 2021
Enforcement	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 – 2021
	Increase the number of labor inspectors to meet the ILO's technical advice.	2009 – 2021
	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 – 2021
	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 – 2021
	Publish information on how many violations of child labor were found through criminal investigations and whether refresher courses were provided to investigators.	2020 – 2021
	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 – 2021
	Provide resources to enable more criminal investigations in remote areas.	2012 – 2021
	Ensure that fines and penalties for the worst forms of child labor are consistently applied.	2019 – 2021
	Ensure that the Interinstitutional Working Group on Preventing and Combating Trafficking in Persons fulfills its mandate, including in collecting and reporting statistics.	2018 – 2021
Coordination	Strengthen interagency coordinating mechanisms, with particular focus on the communication between the Ministry of Labor, Employment and Social Security and the Ministries of Education and Health, to address child labor, including its worst forms.	2013 – 2021
	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 – 2021
	Ensure that activities were undertaken to implement key policies related to child labor during the reporting period and that data on these activities are published.	2020 – 2021
Government Policies	Ensure that activities were undertaken to implement key policies related to child labor during the reporting period and that data on these activities are published.	2020 – 2021
Social Programs	Publish information on activities undertaken for all key social programs related to child labor during the reporting period.	2021
	Increase access to education for children vulnerable to child labor, particularly children with disabilities, young girls, and children with language barriers living in rural and indigenous communities. Address the lack of infrastructure and staff to improve access to education for all children.	2014 – 2021
	Ensure that financial assistance programs for child trafficking and forced labor survivors are properly funded.	2018 – 2021
	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 – 2021

## REFERENCES

- U.S. Embassy- Asunción. Reporting. January 14, 2021.
- U.S. Embassy- Asunción. Reporting. February 8, 2019.
- U.S. Embassy- Asunción. Reporting. January 15, 2020.
- Partners of the Americas official. E-mail communication to USDOL official. April 14, 2020.
- ILO and Dirección General de Estadística, Encuestas y Censos del Paraguay. Magnitud y características del trabajo infantil y adolescente en el Paraguay. 2018. Source on file.
- ILO and Dirección General de Estadística, Encuestas y Censos del Paraguay. Trabajo infantil y adolescente en el sector rural agrícola, pecuario, forestal y de pesca y piscicultura en Paraguay - Encuesta de actividades de niños, niñas y adolescentes - EANA RURAL 2015. Geneva: Organización Internacional del Trabajo; Servicio de principios y derechos fundamentales en el trabajo (FUNDAMENTALS). 2016.  
[http://www.ilo.org/santiago/sala-de-prensa/WCMS\\_533723/lang-es/index.htm](http://www.ilo.org/santiago/sala-de-prensa/WCMS_533723/lang-es/index.htm)
- UNESCO Institute for Statistics. Gross intake ratio to the last grade of primary education, both sexes (%). Accessed March 3, 2022. For more information, please see "Children's Work and Education Statistics: Sources and Definitions" in the Reference Materials section of this report.  
<http://data.uis.unesco.org/>
- ILO. Analysis of Child Economic Activity and School Attendance Statistics from National Household or Child Labor Surveys. Original data from Encuesta Permanente de Hogares Continua (EPHC), 2020. Analysis received March 2022. Please see "Children's Work and Education Statistics: Sources and Definitions" in the Reference Materials section of this report.
- U.S. Embassy- Asunción. Reporting. January 18, 2018.
- U.S. Embassy- Asunción. Reporting. January 18, 2017.
- U.S. Embassy- Asunción. Reporting. January 7, 2022.
- ABC Color. Adolescente muere al caer en una trituradora de piedra. June 3, 2021.  
<https://www.abc.com.py/este/2021/06/03/adolescente-muere-al-caer-en-una-trituradora-de-piedra/>
- Hoy. Paso Yobái: fiebre por oro expone a niños a peligros. May 10, 2017.  
<http://www.hoy.com.py/nacionales/paso-yobai-fiebre-por-oro-expone-a-ninos-a-explotaciones>
- ILO Committee of Experts. Individual Observation concerning Worst Forms of Child Labour Convention, 1999 (No. 182) Paraguay (ratification: 2001). Published: 2017.  
[http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100\\_COMMENT\\_ID:3294985:NO](http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:3294985:NO)
- U.S. Embassy- Asunción. Reporting. February 12, 2021.

- 16 U.S. Department of State. Trafficking in Persons Report- 2021: Paraguay. Washington, D.C., July 1, 2021.  
<https://www.state.gov/reports/2021-trafficking-in-persons-report/paraguay/>
- 17 Office of the United Nations High Commissioner for Human Rights. End of mission statement of Urmila Bhoola, Special Rapporteur on contemporary forms of slavery, including its causes and consequences following her visit to Paraguay between 17–24 July 2017.  
<https://www.ohchr.org/en/statements/2017/07/end-mission-statement-urmila-bhoola-special-rapporteur-contemporary-forms>
- 18 U.S. Embassy- Asunción. Reporting. February 14, 2020.
- 19 U.S. Embassy- Asunción official. E-mail communication to USDOL official. May 19, 2022.
- 20 U.S. Embassy- Asunción. Reporting. March 13, 2019.
- 21 UN Convention on the Elimination of All Forms of Discrimination against Women. List of issues and questions in relation to the seventh periodic report of Paraguay. Replies of Paraguay. CEDAW/C/PRY/Q/7/Add.1. July 5, 2017.  
[http://tbinternet.ohchr.org/\\_layouts/treatybodyexternal/Download.aspx?symbolno=CEDAW/C/PRY/Q/7/Add.1&Lang=en](http://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=CEDAW/C/PRY/Q/7/Add.1&Lang=en)
- 22 ILO Committee of Experts. Individual Direct Request concerning Worst Forms of Child Labour Convention, 1999 (No. 182) Paraguay (ratification: 2001). Published: 2017.  
[http://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO:12100:P12100\\_INSTRUMENT\\_ID:312327:NO](http://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO:12100:P12100_INSTRUMENT_ID:312327:NO)
- 23 Nanduti. Trabajo infantil y embarazos juveniles, retos de Paraguay en la Agenda 2030. March 12, 2019.  
<https://www.efe.com/efe/america/sociedad/el-trabajo-infantil-y-embarazos-juveniles-retos-de-paraguay-en-la-agenda-2030/20000013-3921352>
- 24 Government of Paraguay. Código de la Niñez y la Adolescencia, No. 1680. Enacted: May 30, 2001. Source on file.
- 25 Government of Paraguay. Ley N° 2332, Que Aprueba el Convenio N° 138 Sobre la Edad Mínima, 1973. Enacted: December 19, 2003.  
<http://paraguay.justia.com/nacionales/leyes/ley-2332-dec-19-2003/gdoc/>
- 26 Government of Paraguay. El Listado de Trabajo Infantil Peligroso, Decree 4951. Enacted: March 22, 2005.  
<https://www.ilo.org/dyn/natlex/docs/ELECTRONIC/95150/111923/F-910630018/PRY95150.pdf>
- 27 Government of Paraguay. Código del Trabajo, No. 213. Enacted: June 15, 1993. Source on file.
- 28 Government of Paraguay. Ley N° 5407 Del Trabajo Doméstico. Enacted: October 12, 2015.  
<https://www.bacn.gov.py/leyes-paraguayas/4392/ley-n-5407-del-trabajo-domestico>
- 29 Government of Paraguay. Ley De Primer Empleo, Ley N° 1980/02. Enacted: September 20, 2002.  
<https://www.bacn.gov.py/leyes-paraguayas/8725/ley-n-1980-de-primer-empleo>
- 30 Government of Paraguay. Ley N° 496 Que Modifica, Amplia y Deroga Artículos de la Ley 213/93, Código del Trabajo. Enacted: August 22, 1995.  
<https://www.bacn.gov.py/leyes-paraguayas/2514/ley-n-496-modifica-amplia-y-deroga-articulos-de-la-ley-21393-codigo-del-trabajo>
- 31 Government of Paraguay. Constitución Política de 1992. Enacted: June 20, 1992. Source on file.
- 32 Government of Paraguay. Código Penal de Paraguay, No. 1.160/97. Enacted: November 26, 1997. Source on file.
- 33 Government of Paraguay. Ley Integral Contra la Trata de Personas, No. 4788. Enacted: September 6, 2012. Source on file.
- 34 Government of Paraguay. Ley N° 3.440/08 Que Modifica Varias Disposiciones de la Ley No. 1.160/97, Código Penal. Enacted: July 16, 2008.  
<http://www.pj.gov.py/images/contenido/ddpi/leyes/ley-3440-2008-que-modifica-el-codigo-penal.pdf>
- 35 Government of Paraguay. Ley N° 1657, Que Aprueba el Convenio N° 182 y la Recomendación Sobre la Prohibición de las Peores Formas de Trabajo Infantil y la Acción Inmediata Para Su Eliminación. Enacted: January 10, 2001.  
<http://paraguay.justia.com/nacionales/leyes/ley-1657-jan-10-2001/gdoc/>
- 36 Government of Paraguay. Ley que Deroga el Artículo 10 y Modifica el Artículo 5 de la Ley Número 569/75 "Del Servicio Militar Obligatorio," No. 3360. Enacted: November 6, 2007.  
<http://paraguay.justia.com/nacionales/leyes/ley-3360-nov-2-2007/gdoc/>
- 37 Government of Paraguay. Ley del Servicio Militar Obligatorio, Ley N° 569. Enacted: December 1975.  
<http://paraguay.justia.com/nacionales/leyes/ley-569-dec-24-1975/gdoc/>
- 38 Government of Paraguay. Ley General de Educación, No. 1264/98. Enacted: April 21, 1998. Source on file.
- 39 Government of Paraguay. Ley N° 4088 Que Establece la Gratuidad de la Educación Inicial y de la Educación Media. Enacted: May 20, 2010. Source on file.
- 40 Government of Paraguay. Decree No. 6162\_Law 4088. February 15, 2011.  
[https://siteal.iiep.unesco.org/sites/default/files/sit\\_accion\\_files/py\\_3184.pdf](https://siteal.iiep.unesco.org/sites/default/files/sit_accion_files/py_3184.pdf)
- 41 U.S. Embassy- Asunción official. E-mail communication to USDOL official. May 3, 2021.
- 42 Government of Paraguay. Resolution Number 47. January 29, 2016.  
[https://www.mtess.gov.py/application/files/2716/2160/5705/Resolucion\\_MTESS\\_N\\_47-16.pdf](https://www.mtess.gov.py/application/files/2716/2160/5705/Resolucion_MTESS_N_47-16.pdf)
- 43 U.S. Embassy- Asunción official. E-mail communication to USDOL official. March 21, 2022.
- 44 U.S. Embassy- Asunción official. E-mail communication to USDOL official. March 18, 2021.
- 45 U.S. Embassy- Asunción official. E-mail communication to USDOL official. January 18, 2022.
- 46 Government of Paraguay. Resolución No. 217. February 24, 2021.  
<https://www.mtess.gov.py/documentos/resolucion-mtess-n-2172021>
- 47 Government of Paraguay. Decree No. 3546. April 21, 2020.  
<https://www.msps.gov.py/dependencias/portal/adjunto/aff855-DecretoN3546Reglamentacinart.46deLey6524.pdf>
- 48 ILOSTAT. ILO Labor Force Statistics (LFS)—Population and labour force. Accessed (January 25, 2022). Labor force data is government-reported data collected by the ILO. Please see "Labor Law Enforcement: Sources and Definitions" in the Reference Materials section of this report.  
<https://ilostat.ilo.org/data/>
- 49 UN. World Economic Situation and Prospects 2019 Statistical Annex. New York: 2019. Please see "Labor Law Enforcement Sources and Definitions" in the Reference Materials section of this report.  
[https://www.un.org/development/desa/dpad/wp-content/uploads/sites/45/WESP2019\\_BOOK-web.pdf](https://www.un.org/development/desa/dpad/wp-content/uploads/sites/45/WESP2019_BOOK-web.pdf)
- 50 U.S. Embassy- Asunción official. E-mail communication to USDOL official. March 24, 2021.
- 51 U.S. Embassy- Asunción. Reporting. January 28, 2022.
- 52 Government of Paraguay. La Estrategia Nacional de Prevención del Trabajo Forzoso, Decree 6285. Enacted: November 15, 2016.  
[http://www.presidencia.gov.py/archivos/documentos/DECRETO6285\\_1a5msfru.pdf](http://www.presidencia.gov.py/archivos/documentos/DECRETO6285_1a5msfru.pdf)
- 53 Government of Paraguay. Estrategia Nacional de Prevención y Erradicación del Trabajo Infantil y Protección del Trabajador Adolescente. December 8, 2018.  
[https://www.mtess.gov.py/application/files/9715/6926/1549/Estrategia\\_Nacional\\_-\\_para\\_impression.pdf](https://www.mtess.gov.py/application/files/9715/6926/1549/Estrategia_Nacional_-_para_impression.pdf)
- 54 Government of Paraguay. Estrategia Nacional de Prevención Y Erradicación del Trabajo Forzoso. April 27, 2021.  
<https://www.mtess.gov.py/application/files/5616/4382/0503/Estrategia-Nacional-Trabajo-Forzoso-2021-2024-web.pdf>
- 55 Partners of the Americas official. E-mail communication to USDOL official. April 13, 2022.
- 56 Government of Paraguay. Paraguay para todos y todas: Propuesta de Política Pública para el Desarrollo Social 2010–2020. Asunción: 2010.  
<http://extwprlegs1.fao.org/docs/pdf/par157171.pdf>
- 57 Government of Paraguay. Plan Nacional de Derechos Humanos, Decree 10747. Enacted: March 6, 2013. Source on file.

# Paraguay

## MODERATE ADVANCEMENT

- 58 Government of Paraguay. Cancillería coordinará el Plan Nacional contra la Trata de Personas aprobado por el Ejecutivo. Ministerio de Relaciones Exteriores, December 15, 2020.  
<https://www.mre.gov.py/index.php/noticias-de-embajadas-y-consulados/cancilleria-coordinara-el-plan-nacional-contra-la-trata-de-personas-aprobado-por-el-ejecutivo#:~:text=El Plan Nacional tiene como,Trata de Personas en la>
- 59 Government of Paraguay. Decree 4473: Plan Nacional Prevención Trata de Personas December 14, 2020. Source on file.
- 60 U.S. Embassy- Asunción official. E-mail communication to USDOL official. January 26, 2017.
- 61 Government of Paraguay. Mediante Tekoporã más niños y niñas accedieron a servicios de salud este año. December 11, 2019.  
<https://www.ip.gov.py/ip/mediante-tekopora-mas-ninos-ninas-accedieron-servicios-de-salud-este-ano/>
- 62 U.S. Department of Labor. Attaining Lasting Change (ATLAS). Accessed May 7, 2021.  
<https://www.dol.gov/agencies/ilab/attaining-lasting-change-atlas>
- 63 U.S. Department of Labor. Paraguay Okakuaa (Paraguay Progresses). Accessed May 7, 2021.  
[https://www.dol.gov/agencies/ilab/paraguay-okakuaa-paraguay-progresses#:~:text=Paraguay Okakuaa \(Paraguay Progresses\) In partnership with the,families vulnerable to child labor, particularly young women](https://www.dol.gov/agencies/ilab/paraguay-okakuaa-paraguay-progresses#:~:text=Paraguay Okakuaa (Paraguay Progresses) In partnership with the,families vulnerable to child labor, particularly young women)
- 64 Government of Paraguay. Ministerio de la Niñez y Adolescencia Programa Abrazo. 2018.  
<http://www.minna.gov.py/pagina/229-abrazo.html>

In 2021, Peru made moderate advancement in efforts to eliminate the worst forms of child labor. The government created a National Forced Labor Observatory to collect and consolidate information on this abuse and government efforts to address it. It also approved national implementation of the Municipal Model for the Detection and Eradication of Child Labor and the Ministry of Labor and Promotion of Employment convened 26 regional commissions for the prevention and eradication of child labor. In addition, the government published an updated National Plan of Action Against Trafficking in Persons for the 2022–2030 period. 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. Labor law enforcement agencies in Peru also lack sufficient inspectors and training to adequately address child labor, and the government did not provide complete information on criminal enforcement efforts against 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 Specialized 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 I provides key indicators on children's work and education in Peru.

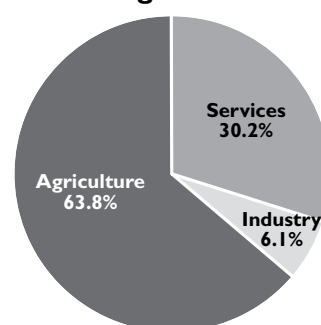
**Table I. Statistics on Children's Work and Education**

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, 2022. (4)

Source for all other data: International Labor Organization's analysis of statistics from Encuesta de Trabajo Infantil (ETI), 2015. (5)

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



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

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

Sector/Industry	Activity
Agriculture	Transplanting and harvesting rice, and collecting and harvesting Brazil nuts/chestnuts (6,7)
	Fishing† (1,6,8-10)
	Logging† timber and clearing forestland for mining, including cutting down and burning trees (1,8-12)
Industry	Mining† (3,11,13)
	Production of bricks† and fireworks,† construction, and metal manufacturing (3,8-11,13-17)

# Peru

## MODERATE ADVANCEMENT

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

Sector/Industry	Activity
Services	Street work, <sup>†</sup> including vending, begging, shoe shining, carrying loads, selling in kiosks and markets, collecting fares on public buses, <sup>†</sup> and washing cars (1,3,8,9,13,14,18)
	Treating leather, repairing shoes, and tailoring work (3,19)
	Repairing motor vehicles <sup>†</sup> (12)
	Garbage scavenging <sup>†</sup> (11)
	Working in restaurants, domestic work <sup>†</sup> and cleaning offices and hotels (3,9,11,13,14)
Categorical Worst Forms of Child Labor <sup>‡</sup>	Forced labor in mining, including for gold (12-14,20)
	Forced labor in logging timber, street vending, and begging (13,14,20)
	Forced domestic work (13,14,20)
	Commercial sexual exploitation, including in bars, nightclubs, brothels, and mining camps, each sometimes as a result of human trafficking (13)
	Growing and processing coca (stimulant plant) and transporting drugs (13,14,20)
	Counterfeiting U.S. dollars and lightbulbs (1,2,14,20)
	Recruitment of children by non-state armed groups for use in armed conflict (14,20)

<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 Peru work in informal and small-scale mining, particularly for gold, sometimes in situations of forced labor. (13,14,20) These children are exposed to hazards, including mercury and harmful gases, wall and mine collapses, landslides, and explosives accidents. (8,12,13,21) 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. (12-14,20,22) Young girls from Colombia, Ecuador, and Venezuela are also subjected to commercial sexual exploitation, domestic work, and forced labor in mining regions of Peru. (14,23) In addition, remnants of the Shining Path terrorist group continue to use children in combat, domestic servitude, and drug trafficking. (13,14,20) 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. (13,14,20) Civil society reported that COVID-19 pandemic restrictions led to an increase of online sexual exploitation of children during the reporting period. (13,14)

Remote education continued to be the primary educational method nationwide in 2021 due to the pandemic, leading to higher drop-out rates. (13) 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. (13,24) School retention of Venezuelan migrant and refugee students was often impacted by their families' lack of economic resources and sustainable livelihoods. (13)

## 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 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	Articles 1, 51, 69-70, and 73 of the Child and Adolescent Code; Articles 4 and 5 of Law No. 29981 on SUNAFIL (25,26)
Minimum Age for Hazardous Work	Yes	18	Articles 1, 56-58, 69-70, and 73 of the Child and Adolescent Code; Articles 4 and 5 of Law No. 29981 on SUNAFIL (26,27)
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 (27,28)
Prohibition of Forced Labor	Yes		Articles 2 and 23 of the Constitution; Article 4 of the Child and Adolescent Code; Articles 129-A, 129-B, 129-Ñ, and 129-O of the Penal Code (27,29,30)
Prohibition of Child Trafficking	Yes		Article 4 of the Child and Adolescent Code; Articles 129-A and 129-B of the Penal Code (27,29)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Article 4 of the Child and Adolescent Code; Articles 129-A, 129-B, 129-H--129-J, 129-L, 129-M, 179-181-B, and 183 of the Penal Code (27,29)
Prohibition of Using Children in Illicit Activities	Yes		Articles 46-D, 128, 296, 296-A, and 297 of the Penal Code; Law 28190 Protecting Children and Adolescents from Begging (29,31)
Minimum Age for Voluntary State Military Recruitment	Yes	18	Articles 2 and 23 of Law No. 29248 Military Service (32)
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 (30,33,34)
Free Public Education	Yes		Article 17 of the Constitution; Article 4 of the General Education Law (30,33)

† Country has no conscription

‡ Age calculated based on available information (30,33)

In March 2021, the government passed an amendment to the Penal Code which aims to better organize articles relating to the crimes of trafficking in persons and other forms of labor and sexual exploitation, now considering them crimes against human dignity. (14,35) This amendment is intended to ensure greater representation of children in legal proceedings and civil compensation for victims of human trafficking and other forms of exploitation. (35)

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. (13,25) 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. (27,30,33,34)

### 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 their child labor laws.

## MODERATE ADVANCEMENT

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

Organization/Agency	Role
Ministry of Labor and Promotion of Employment (MTPE)	Sets national policies and guidelines for labor law enforcement, including for inspections. (26) 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. (1,9,36-38) MIMP provides social services to children found in the worst forms of child labor and refers cases to the MTPE. (8) SUNAFIL maintains a dedicated unit of 10 inspectors who target forced labor and child labor violations and who train other inspectors on these topics. (1,38,39) In 2020, 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. (9,40) Regional Directorates for Labor consist of one representative of the regional government, one representative of MTPE, and one representative of SUNAFIL. These directorates conduct inspections in workplaces with fewer than 10 registered workers. (41) 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; activities undertaken by this program in 2021 are unknown. (42)
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. (9) Operates 28 offices nationwide. (17) Also works collaboratively with local municipal officials, including police, under the Semilla Project, using the Municipal Model for the Detection and Eradication of Child Labor (MIRTI) referral protocol to ensure adolescents who are removed from hazardous work receive appropriate social services. (42)
Public Ministry	Coordinates with MTPE, SUNAFIL, and the Peruvian National Police (PNP) to investigate and prosecute criminal violations of child labor laws. Maintains a specialized human trafficking prosecutorial unit in the National Prosecutor's Office. (9)
Ministry of the Interior (MININTER)	Investigates child trafficking cases and maintains a hotline to receive reports of human trafficking. (15) Provides victims and the public with information on human trafficking, refers cases of human trafficking to relevant government offices, and coordinates services for victims. (15) Within MININTER, the 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. (8) Municipal police also use the Semilla Project's MIRTI model to work collaboratively with DEMUNA to remove children and adolescents from hazardous work. (42)

In March 2021, Congress passed a law reinforcing the government's focus on preventing and eradicating forced labor and creating a National Forced Labor Observatory. The Observatory will collect and consolidate information in coordination with the National Commission Against Forced Labor, and the Ministry of Labor and Promotion of Employment (MTPE) will administer an annual progress report to Congress on efforts to address these abuses. (14,43)

### Labor Law Enforcement

In 2021, labor law enforcement agencies in Peru took actions to address child labor (Table 6). However, gaps exist within the operations of the MTPE that may hinder adequate labor law enforcement, including insufficient financial resource allocation.

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

Overview of Labor Law Enforcement	2020	2021
Labor Inspectorate Funding	\$55,500,000 (9)	\$47,000,000 (13)
Number of Labor Inspectors	822 (9)	822 (13)
Mechanism to Assess Civil Penalties	Yes (26)	Yes (26)
Initial Training for New Labor Inspectors	Yes (9)	Yes (13)
Training on New Laws Related to Child Labor	Yes (9)	Yes (13)
Refresher Courses Provided	Yes (9)	Yes (13)
Number of Labor Inspections Conducted	74,502 (40)	85,617 (13,44)
Number Conducted at Worksite	48,676 (40)	629 (13)

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

Overview of Labor Law Enforcement	2020	2021
Number of Child Labor Violations Found	63 (40)	34 (13)
Number of Child Labor Violations for Which Penalties Were Imposed	61 (40)	50 (13)
Number of Child Labor Penalties Imposed that Were Collected	Unknown (9)	Unknown
Routine Inspections Conducted	Yes (9)	Yes (13)
Routine Inspections Targeted	Yes (9)	Yes (13)
Unannounced Inspections Permitted	Yes (45)	Yes (45)
Unannounced Inspections Conducted	Yes (9)	Yes (13)
Complaint Mechanism Exists	Yes (9)	Yes (13)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (9)	Yes (13)

During the reporting period, the MTPE and the National Labor Inspection Superintendency (SUNAFIL), in coordination with the Public Ministry, conducted online child labor training courses for inspectors. SUNAFIL also conducted on-site courses on agricultural labor inspections at large agricultural industry compounds in the Ica region. (13) The government continued to promote the Municipal Model for the Detection and Eradication of Child Labor (MIRTI), which incorporates child labor identification criteria gathered during labor inspections carried out by municipalities, and in August 2021 approved national implementation of the model which had been in a trial phase since 2019. (9,13)

Funding remains inadequate to carry out sufficient inspections, hire new inspectors, and maintain facilities. (13) Enforcement in the informal sector, in which many child laborers are found, is insufficient. (13) SUNAFIL also prohibits inspectors from conducting follow-up programmed inspections of any given worksite within the same year. (13,46) Civil society and labor sector experts reported that training for SUNAFIL's labor inspectors was not adequate. (9) Trainings do not occur frequently enough and are limited outside of Lima, and inspectors are in need of more training on providing labor law compliance to employers and workers. (44)

The number of labor inspectors is likely insufficient for the size of Peru's workforce, which includes just under 17 million workers. According to the ILO's technical advice of a ratio approaching 1 inspector for every 15,000 workers in industrializing economies, Peru would need to employ about 1,130 inspectors. (47,48) 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. Auxiliary inspectors must have tenured inspectors supervise their inspection processes and review their inspection acts for any businesses with more than 10 employees. (49)

### **Criminal Law Enforcement**

In 2021, criminal law enforcement agencies in Peru took actions to address child labor (Table 7). However, gaps exist within the operations of criminal enforcement agencies that may hinder adequate criminal law enforcement, including insufficient financial resource allocation.

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

Overview of Criminal Law Enforcement	2020	2021
Initial Training for New Criminal Investigators	Unknown (9)	Yes (13)
Training on New Laws Related to the Worst Forms of Child Labor	Unknown (9)	Yes (13)
Refresher Courses Provided	Unknown (9)	Yes (13)
Number of Investigations	Unknown (9)	Unknown
Number of Violations Found	20 (40)	Unknown
Number of Prosecutions Initiated	Unknown (9)	Unknown
Number of Convictions	Unknown (9)	Unknown
Imposed Penalties for Violations Related to the Worst Forms of Child Labor	Yes (50,51)	Yes (52-54)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (9)	Yes (13)

# Peru

## MODERATE ADVANCEMENT

During the reporting period, police forces in the regions of Piura and Tumbes organized a training on "Investigating Cases of Missing Persons, the Crime of Trafficking in Persons, and Smuggling of Migrants" for 308 officers. (14) Members of the National Prosecutor's Office also participated in various trainings, including one on the application of the Operation Guide for the Investigation of Crimes of Trafficking in Persons. (13) While the government did not report annual statistics on the number of convictions for crimes related to the worst forms of child labor, during the reporting period, the Public Ministry, overseen by the National Prosecutor's Office, convicted and sentenced perpetrators of the worst forms of child labor. (52-55) This included sentencing 2 individuals to 25 years' imprisonment for trafficking an 11 year old girl from the Loreto region to Lima, where she was forced into domestic service for 2 years before being rescued by authorities. (55)

Despite these efforts, 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. (13,15,17,21,56)

Through the U.S.-Peru Child Protection Compact Partnership, the United States and Peru provide financial, operational, and programmatic support to seven shelters in Peru for child victims of trafficking in persons. These shelters play a crucial role in providing support services, counseling, and reintegration services to all victims. (44) Despite these efforts, there is an insufficient number of shelters for victims of the worst forms of child labor throughout the country, including shelters to serve boys, and a lack of specialized services for victims of human trafficking. (2,14,21,56,57)

## 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 the efficacy 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 Semilla Project as one of its three national pilot projects. (1) Coordinates, evaluates, and monitors efforts to prevent and eradicate child labor; proposing public policies on these issues. Led by MTPE, comprises representatives from 17 government agencies, including MININTER; the Ministries of Education and Justice; PNP; and business associations and unions. (13) In 2021, the CPETI coordinated mostly virtually and through messaging platforms due to pandemic restrictions. (13)
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. (58) In 2021, the MTPE sought to strengthen regional commissions' capacities to implement the national action plan against child labor and convened the 26 regional commissions in a virtual format at the launch meeting of Peru as an Alliance 8.7 "Pathfinder Country". (13) However, some Regional Commissions for the Prevention and Eradication of Child Labor have not fulfilled their mandate to create action plans to address child labor, while others have action plans but have failed to provide the necessary funding to carry them out. (1,6,59)
National Commission Against Forced Labor	Coordinates government efforts to address forced labor, including conducting research and awareness-raising campaigns, developing legislation, and strengthening Peru's institutional capacity. 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 Multisectoral 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. (60) Exceptionally high turnover due to political instability hindered progress on the work of this commission during the reporting period. (13)
Multisector Commission Against Trafficking in Persons	Leads and coordinates government efforts on human trafficking by designing, recommending, monitoring, and implementing policies to address human trafficking, including of children, and the provision of services to victims. Chaired by MININTER, comprises 13 government agencies and 2 NGOs. (9,61) The Commission continued to function as an interministerial coordinating body during the reporting period. (13) The Ministry of Finance did not approve a multisectoral anti-trafficking budget for 2021, as per regular practice in past years, which may have impeded comprehensive work at the national level on human trafficking issues. (14)

‡ The government has other coordinating mechanisms that may have addressed child labor issues or had an impact on child labor. (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 a lack of efficacy in carrying out policies.

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

Policy	Description
National Strategy for the Prevention and Eradication of Child Labor (2012–2021)	Aimed 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. (1,18) Also sought to improve the quality of child labor data in Peru. (18) Research was unable to determine whether activities were undertaken to implement this policy during the reporting period.
National Action Plan for Children and Adolescents (2012–2021)	Established a comprehensive set of government policies for children and adolescents to eradicate the worst forms of child labor. (1,58,62) Research was unable to determine whether activities were taken undertaken to implement this policy during the reporting period.
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. (63) Research was unable to determine whether activities were undertaken to implement this policy during the reporting period.
Intersectoral Protocol Against Forced Labor	Outlines the government's role in preventing and addressing 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. (64) Research was unable to determine whether activities were undertaken to implement this policy during the reporting period.
National Plan of Action Against Trafficking in Persons and its Forms of Exploitation (2022–2030)	Serves as the roadmap to prevent, control, reduce, and prosecute trafficking in persons crimes at all levels. In 2021, the government published an updated plan against human trafficking, to be implemented starting in 2022. (14) The Ministry of the Interior is the lead on all efforts and the plan focuses on expanding preventative monitoring; improving inspection, prosecution, and criminal sanction systems; and strengthening attention to and reintegration of victims. (65)

## VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2021, 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 inadequacy of efforts to address child labor in all sectors.

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

Program	Description
Secondary Tutorial Program†	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. (42) 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. (1,6,66) Connects working children and their families to educational and social services to withdraw them from exploitative work and improve family welfare. (8,66–68) The MIMP continued to administer the Street Educators program during the reporting period. (13)
Together Program ( <i>Juntos</i> )†	Ministry of Development and Social Inclusion program that provides cash transfers to low-income households in 15 of the country's 25 regions. (1,6,69) Research was unable to identify specific actions taken during the reporting period under this program.
USDOL-Funded Projects	USDOL projects aim to eliminate child labor, including its worst forms, through research, improved monitoring and enforcement, policy development, and awareness-raising. In 2021, Promoting Better Understanding of Indicators to Address Forced Labor and Labor Trafficking in Peru, a 4-year project implemented by <i>Capital Humano y Social Alternativo</i> (CHS), provided technical assistance to improve government knowledge on the prevention and eradication of forced labor, culminating in the July 2021 congressional approval of a law that formalizes public policies focused on forced labor and also creates the National Forced Labor Observatory. (43,70) Also during the reporting period, From Protocol to Practice: A Bridge to Global Action on Forced Labor (The Bridge Project) provided technical assistance in the development of a new national policy on forced labor in coordination with the MTPE. In November 2021, the project presented to the National Commission Against Forced Labor the draft of the National Policy on Forced Labor, including a normative and conceptual framework. (71) For additional information, please see our website.

† Program is funded by the Government of Peru.



# Peru

## MODERATE ADVANCEMENT

Throughout 2021, the Ministry of Women and Vulnerable Populations (MIMP) conducted activities through the "More Control, Less Exploitation Routes" strategy, which focuses on the prevention of human trafficking of children and adolescents overland and by river, disbursing flyers and posters and producing radio and video advertisements. (14) The human trafficking investigation unit (DIRECTPTIM) also carried out the #YourComplaintIsMyVoice (#TuDenunciaEsMiVoz) campaign to raise awareness on forced labor during which more than 500 citizens listened to audio testimony from children who were forced to sell candy on the streets. (14) 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. (6,72,73)

## 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 Peru (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 younger than age 18 by non-state armed groups.	2016 – 2021
	Ensure that the law's light work provisions are specific enough to prevent children from involvement in child labor.	2017 – 2021
	Raise the minimum age for work to the age up to which education is compulsory.	2018 – 2021
Enforcement	Publish information on labor law enforcement efforts, including whether penalties for violations were collected.	2015 – 2021
	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 – 2021
	Ensure adequate enforcement of child labor laws, including in the informal sector.	2009 – 2021
	Ensure that inspectors and criminal law enforcement personnel are properly trained on child labor and forced labor issues.	2019 – 2021
	Increase the number of labor inspectors to meet the ILO's technical advice.	2019 – 2021
	Remove the "auxiliary inspector classification" to increase efficiency in the labor inspection process and allow inspectors to conduct follow-up programmed inspections.	2017 – 2021
	Publish information on training for criminal investigators, the number of investigations conducted, prosecutions initiated, and convictions.	2015 – 2021
	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 – 2021
	Ensure that there are sufficient shelters, including shelters for boys, and specialized services available for victims of human trafficking.	2019 – 2021
	Ensure that Regional Commissions for the Prevention and Eradication of Child Labor develop action plans to address child labor and allocate sufficient funding to implement these plans.	2010 – 2021
Coordination	Ensure that key coordinating bodies related to the worst forms of child labor are active, publish information on annual activities, and carry out their mandates.	2020 – 2021
	Ensure that efforts to address trafficking in persons are fully funded by approving the multisectoral anti-trafficking budget.	2019 – 2021
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 – 2021
Social Programs	Enhance efforts to eliminate barriers and make education accessible for all children, in particular migrant and refugee communities, regardless of documentation.	2014 – 2021
	Publish information on activities taken under all social programs that address child labor.	2018 – 2021
	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 – 2021

## REFERENCES

- 1 U.S. Embassy- Lima. Reporting. December 21, 2018.
- 2 U.S. Embassy- Lima. Reporting. March 12, 2019.
- 3 ILO-MTPE. Magnitud y características del trabajo infantil en Perú: Informe de 2015 - Análisis de la Encuesta Nacional de Hogares (ENAHOG) y de la Encuesta sobre Trabajo Infantil (ETI). 2016.  
[http://www.ilo.org/ipecc/Informationresources/WCMS\\_IPEC\\_PUB\\_28857/lang-es/index.htm](http://www.ilo.org/ipecc/Informationresources/WCMS_IPEC_PUB_28857/lang-es/index.htm)
- 4 UNESCO Institute for Statistics. Gross intake ratio to the last grade of primary education, both sexes (%). Accessed March 3, 2022. For more information, please see "Children's Work and Education Statistics: Sources and Definitions" in the Reference Materials section of this report.  
<http://data.uis.unesco.org/>
- 5 ILO. Analysis of Child Economic Activity and School Attendance Statistics from National Household or Child Labor Surveys. Original data from Encuesta de Trabajo Infantil (ETI), 2015. Analysis received March 2022. Please see "Children's Work and Education Statistics: Sources and Definitions" in the Reference Materials section of this report.
- 6 U.S. Embassy- Lima. Reporting. January 12, 2018.
- 7 U.S. Embassy- Lima. Reporting. February 26, 2020.
- 8 U.S. Embassy- Lima. Reporting. February 18, 2020.
- 9 U.S. Embassy- Lima. Reporting. February 5, 2021.
- 10 Instituto Nacional de Estadística e Informática. Perú: Niños, Niñas y Adolescentes que Trabajan, 1993–2008. December 2009.  
[https://www.inei.gob.pe/media/MenuRecursivo/publicaciones\\_digitales/Est/Lib0875/libro.pdf](https://www.inei.gob.pe/media/MenuRecursivo/publicaciones_digitales/Est/Lib0875/libro.pdf)
- 11 UN General Assembly. Compilation on Peru – Report of the Office of the United Nations High Commissioner for Human Rights. August 28, 2017: A/HRC/WG.6/28/PER/2.  
<https://documents-dds-ny.un.org/doc/UNDOC/GEN/G17/250/98/PDF/G1725098.pdf?OpenElement>
- 12 Verité. Risk Analysis of Indicators of Forced Labor and Human Trafficking in Illegal Gold Mining in Peru. 2013.  
[https://www.verite.org/wp-content/uploads/2016/11/Indicators-of-Forced-Labor-in-Gold-Mining-in-Peru\\_0.pdf](https://www.verite.org/wp-content/uploads/2016/11/Indicators-of-Forced-Labor-in-Gold-Mining-in-Peru_0.pdf)
- 13 U.S. Embassy - Lima. Reporting. January 14, 2022.
- 14 U.S. Embassy- Lima. Reporting. January 27, 2022.
- 15 U.S. Embassy- Lima. Reporting. February 24, 2020.
- 16 Peru 21. Hacían trabajar a menor de edad en una ladrillera en condiciones peligrosas. September 15, 2017.  
<https://peru21.pe/peru/ica-hacian-menor-edad-ladrillera-condiciones-peligrosas-376094>
- 17 Government of Peru Ombudsman official. Interview with USDOL official. October 21, 2019.
- 18 Government of Peru. Estrategia Nacional para la Prevención y Erradicación del Trabajo Infantil 2012-2021. 2012. Source on file.
- 19 Expreso. Sunafil: Detectan 6 casos de explotación infantil. November 14, 2019.  
<https://www.expreso.com.pe/actualidad/sunafil-detectan-6-casos-de-explotacion-infantil/>
- 20 U.S. Department of State. Trafficking in Persons Report- 2021: Peru. Washington, D.C., June 2021.  
[https://www.state.gov/reports/2021-trafficking-in-persons-report/peru\\_trashed/](https://www.state.gov/reports/2021-trafficking-in-persons-report/peru_trashed/)
- 21 ILO CEACR. Individual Observation concerning Worst Forms of Child Labour Convention, 1999 (No. 182) Peru (ratification: 2002). Published: 2020. Source on File.
- 22 AJ+. Inside The Underage Sex Trafficking Brothels Of Peru's Illegal Gold Mines. January 21, 2017.  
[https://www.youtube.com/watch?v=JJo6o\\_2jvU&feature=youtu.be](https://www.youtube.com/watch?v=JJo6o_2jvU&feature=youtu.be)
- 23 Ojo Público. Trata de personas se consolida en Puno alrededor de la minería ilegal y la venta de cerveza. October 13, 2019.  
<https://ojo-publico.com/1394/trata-de-personas-por-la-mineria-ilegal-crece-en-frontera-con-bolivia>
- 24 Instituto Nacional de Estadística e Informática. Condiciones de vida de la población venezolana que reside en Perú. 2018.  
[https://www.inei.gob.pe/media/MenuRecursivo/publicaciones\\_digitales/Est/Lib1666/libro.pdf](https://www.inei.gob.pe/media/MenuRecursivo/publicaciones_digitales/Est/Lib1666/libro.pdf)
- 25 Government of Peru. Ley que Modifica el Artículo 51 de la Ley No. 27337, Law No. 27571. Enacted: December 4, 2001.  
[https://www.ilo.org/dyn/natlex/natlex4.detail?p\\_isn=60258](https://www.ilo.org/dyn/natlex/natlex4.detail?p_isn=60258)
- 26 Government of Peru. Ley 22981 que crea la Superintendencia Nacional de Fiscalización Laboral (SUNAFIL). January 14, 2013.  
<https://www.elperulegal.com/2013/01/ley-n-29981-ley-que-crea-la.html>
- 27 Government of Peru. Ley que Aprueba el Nuevo Código de los Niños y Adolescentes, No. 27337. Enacted: August 2, 2000.  
<https://www.mimp.gob.pe/files/direcciones/dga/nuevo-codigo-ninos-adolescentes.pdf>
- 28 Government of Peru. Decreto Supremo, No. 003-2010-MIMDES. April 2020.  
<http://www.ilo.org/dyn/natlex/docs/ELECTRONIC/96104/113460/F73813669/PER96104.pdf>
- 29 Government of Peru. Código Penal, No. 635. June 29, 2022.  
<https://lpderecho.pe/codigo-penal-peruano-actualizado/>
- 30 Government of Peru. Constitución Política del Perú. Enacted: 1993.  
<https://pdba.georgetown.edu/Parties/Peru/Leyes/constitucion.pdf>
- 31 Government of Peru. Ley que protege a las niñas, niños y adolescentes de la mendicidad, No. 28190. Enacted: February 26, 2004.  
<https://peru.justia.com/federales/leyes/28190-mar-16-2004/gdoc/>
- 32 Government of Peru. Ley del Servicio Militar, No. 29248. Enacted: June 28, 2008.  
[https://cdn.www.gob.pe/uploads/document/file/306136/L\\_29248.pdf](https://cdn.www.gob.pe/uploads/document/file/306136/L_29248.pdf)
- 33 Government of Peru. Ley General de Educación, Ley No. 28044. Enacted: July 28, 2003.  
[http://www.minedu.gob.pe/p/ley\\_general\\_de\\_educacion\\_28044.pdf](http://www.minedu.gob.pe/p/ley_general_de_educacion_28044.pdf)
- 34 Government of Peru. Reglamento de la Ley General de Educación, Decreto Supremo N 011-2012-ED. Enacted: July 6, 2012.  
[http://www.minedu.gob.pe/files/3926\\_201207101510.pdf](http://www.minedu.gob.pe/files/3926_201207101510.pdf)
- 35 Government of Peru. Ley que modifica el Código Penal, el Código Procesal Penal y la Ley 28950. March 28, 2021.  
[https://busquedas.elperuano.pe/normaslegales/ley-que-modifica-el-codigo-penal-el-codigo-procesal-penal-y-ley-n-31146-1939453-1/#:~:text=El objeto de la presente,garantizar la representación procesal de](https://busquedas.elperuano.pe/normaslegales/ley-que-modifica-el-codigo-penal-el-codigo-procesal-penal-y-ley-n-31146-1939453-1/#:~:text=El%20objeto%20de%20la%20presente,garantizar%20la%20representaci%C3%B3n%20procesal%20de)
- 36 Government of Peru. Intendencias Regionales. SUNAFIL, Accessed January 25, 2017.  
[http://aplicativosweb5.sunafil.gob.pe/gissunafil/#:~:text=Las Intendencias Regionales son órganos,dentro de su ámbito territorial.](http://aplicativosweb5.sunafil.gob.pe/gissunafil/#:~:text=Las%20Intendencias%20Regionales%20son%20%C3%B3rganos,dentro%20de%20su%20%C3%A1mbito%20territorial.)
- 37 Andina. Sunafil inaugura sede en Ayacucho en beneficio de 90,000 trabajadores. January 8, 2018.  
<https://andina.pe/agencia/noticia-sunafil-inaugura-sede-ayacucho-beneficio-90000-trabajadores-707466.aspx>
- 38 SUNAFIL representative. Interview with USDOL official. October 21, 2019.
- 39 Government of Peru. Sunafil crea grupo especializado de inspectores para prevenir y erradicar el trabajo forzoso e infantil. January 10, 2018.  
<https://proactivo.com.pe/sunafil-crea-grupo-especializado-de-inspectores-para-prevenir-y-erradicar-el-trabajo-forzoso-e-infantil/>
- 40 U.S. Embassy- Lima official. E-mail communication to USDOL official. June 17, 2021.
- 41 Government of Peru. Ley de Fortalecimiento del Sistema de Inspección del Trabajo. July 9, 2018.  
<https://busquedas.elperuano.pe/download/url/ley-de-fortalecimiento-del-sistema-de-inspeccion-del-trabajo-ley-n-30814-1667539-1>
- 42 United States Department of Labor. Final Performance Evaluation: Combatting Exploitative Rural Child Labor in Peru\_Semilla Project. December 2019.  
[https://www.dol.gov/sites/dolgov/files/ILAB/evaluation\\_type/final\\_evaluation/Peru\\_CECL\\_Phase II\\_feval.pdf](https://www.dol.gov/sites/dolgov/files/ILAB/evaluation_type/final_evaluation/Peru_CECL_Phase%20II_feval.pdf)

## MODERATE ADVANCEMENT

- 43 Government of Peru. Ley que declara de interés nacional el cumplimiento de las políticas públicas para prevenir y erradicar el trabajo forzoso. July 6, 2021.  
<https://busquedas.elperuano.pe/normaslegales/ley-que-declara-de-interes-nacional-el-cumplimiento-de-las-p-ley-no-31330-1979384-12/#:~:text=Declarase de interés nacional el,de registro administrativo de casos>
- 44 U.S. Embassy -Lima official. E-mail communication to USDOL official. June 9, 2022.
- 45 Government of Peru. Ley General de Inspección del Trabajo. July 19, 2006.  
<https://diariooficial.elperuano.pe/pdf/0029/ley-28806.pdf>
- 46 Government of Peru. Decreto Supremo que Modifica el Reglamento de la Ley General de Inspección del Trabajo, aprobado mediante Decreto Supremo Numero 019-2006-TR. May 31, 2017.  
<https://busquedas.elperuano.pe/download/url/decreto-supremo-que-modifica-el-reglamento-de-la-ley-general-decreto-supremo-n-007-2017-tr-1527079-1>
- 47 UN. World Economic Situation and Prospects. 2017 Statistical Annex. New York, 2017. Please see "Labor Law Enforcement: Sources and Definitions" in the Reference Materials section of this report.  
[https://www.un.org/development/desa/dpad/wp-content/uploads/sites/45/publication/2017wesp\\_full\\_en.pdf](https://www.un.org/development/desa/dpad/wp-content/uploads/sites/45/publication/2017wesp_full_en.pdf)
- 48 ILOSTAT. ILO Labour Force Statistics (LFS) - Population and labour force. Accessed (January 25, 2022). Labor force data is government-reported data collected by the ILO. Please see "Labor Law Enforcement: Sources and Definitions" in the Reference Materials section of this report.  
<https://ilostat.ilo.org/data/>
- 49 U.S. Department of Labor. Technical Assistance Progress Report- Strengthening the Institutional Capacity of the Peruvian Labor Inspectorate System. April 30, 2019. Source on file.
- 50 Government of Peru. 25 años de pena privativa de la libertad para un sujeto dedicado a la trata de personas de menores de edad. September 2, 2020.  
<https://www.gob.pe/institucion/mpfn/noticias/297461-25-anos-de-pena-privativa-de-la-libertad-para-un-sujeto-dedicado-a-la-trata-de-personas-de-menores-de-edad>
- 51 Government of Peru. Fiscalía obtuvo prisión preventiva para sujeto por pornografía infantil. October 15, 2020.  
<https://www.gob.pe/institucion/mpfn/noticias/307295-fiscalia-obtuvo-prision-preventiva-para-sujeto-por-pornografia-infantil>
- 52 Ministerio Publico Fiscalía de la Nación. Sentencian a dos sujetos por delitos de trata de persona y explotación de niños y adolescentes. November 10, 2021.  
<https://www.gob.pe/institucion/mpfn/noticias/552959-sentencian-a-dos-sujetos-por-delitos-de-trata-de-persona-y-explotacion-de-ninos-y-adolescentes>
- 53 Ministerio Publico Fiscalía de la Nación. Sentencian a dos personas por el delito de explotación sexual en agravio de una menor de edad. January 19, 2021.  
<https://www.gob.pe/institucion/mpfn/noticias/325354-sentencian-a-dos-personas-por-el-delito-de-explotacion-sexual-en-agravio-de-una-menor-de-edad>
- 54 Ministerio Publico Fiscalía de la Nación. Sentencias por delitos de trata de persona y explotación sexual de niños y adolescentes. July 30, 2021.  
<https://www.gob.pe/institucion/mpfn/noticias/508958-sentencias-por-delitos-de-trata-de-persona-y-explotacion-sexual-de-ninos-y-adolescentes>
- 55 Ministerio Publico Fiscalía de la Nación. San Martín de Porres: logran sentencia de 25 años a pareja por explotación laboral. March 27, 2021.  
<https://www.gob.pe/institucion/mpfn/noticias/350401-san-martin-de-porres-logran-sentencia-de-25-anos-a-pareja-por-explotacion-laboral>
- 56 ILO representative. Interview with USDOL official. October 23, 2019.
- 57 ILO official. Interview with USDOL official. October 25, 2019.
- 58 Government of Peru. Written Communication. Submitted in response to U.S. Department of Labor Federal Register Notice (September 30, 2016) "Request for Information on Efforts by Certain Countries to Eliminate the Worst Forms of Child Labor." December 13, 2016. Source on file.
- 59 Government of Peru, Ministry of Labor official. Interview with USDOL official. October 21, 2019.
- 60 Government of Peru, Defensoria del Pueblo. Gestión del Estado frente a la Minería Informal e Ilegal en el Perú. 2013.  
<http://www.defensoria.gob.pe/modules/Downloads/informes/varios/2013/Informe-N-001-2013-DP-AMASPP-MA.pdf>
- 61 U.S. Embassy- Lima. Reporting. February 26, 2021.
- 62 Government of Peru. Dirección General de Niñas, Niños y Adolescentes - ¿Quiénes Somos? Ministerio de la Mujer y Poblaciones Vulnerables. Accessed February 17, 2017.  
<http://www.mimp.gob.pe/homemimp/direcciones/dgna/pagina-dgna.php>
- 63 Government of Peru. Decreto Supremo que aprueba el III Plan Nacional para la Lucha contra el Trabajo Forzoso 2019–2022. September 18, 2019.  
[https://cdn.www.gob.pe/uploads/document/file/362693/Decreto\\_Supremo\\_que\\_aprueba\\_el\\_III\\_Plan\\_Nacional\\_para\\_la\\_Lucha\\_contra\\_el\\_Trabajo\\_Forzoso\\_2019\\_-\\_2022.pdf](https://cdn.www.gob.pe/uploads/document/file/362693/Decreto_Supremo_que_aprueba_el_III_Plan_Nacional_para_la_Lucha_contra_el_Trabajo_Forzoso_2019_-_2022.pdf)
- 64 Government of Peru. Decreto Supremo que aprueba el protocolo intersectorial contra el trabajo forzoso, Decreto Supremo N° 011-2014-TR. Enacted: October 2, 2014.  
[http://www.mintra.gob.pe/archivos/file/SNIL/normas/2014-10-03\\_011-2014-TR\\_3715.pdf](http://www.mintra.gob.pe/archivos/file/SNIL/normas/2014-10-03_011-2014-TR_3715.pdf)
- 65 Government of Peru. Decreto Supremo que aprueba la Política Nacional frente a la trata de personas y sus formas de explotación. July 27, 2021.  
<https://observatorioviolencia.pe/wp-content/uploads/2021/09/decreto-supremo-que-aprueba-la-politica-nacional-frente-a-la-decreto-supremo-no-009-2021-in-1976596-1.pdf>
- 66 Government of Peru. Programa Integral Nacional para el Bienestar Familiar. September 2019.  
<https://www.gob.pe/inabif>
- 67 Government of Peru. MIMP: 500 niñas, niños y adolescentes del servicio Educadores de Calle disfrutaron de show navideño. December 16, 2018.  
<https://www.gob.pe/institucion/mimp/noticias/23736-mimp-500-ninas-ninos-y-adolescentes-del-servicio-educadores-de-calle-disfrutaron-de-show-navideno>
- 68 Nacional. Mil familias usuarias del servicio educadores de calle participaron de jornada de integración. October 27, 2018.  
<https://www.radionacional.com.pe/informa/locales/mil-familias-usuarias-del-servicio-educadores-de-calle-participaron-de-jornada-de-integracion>
- 69 Government of Peru. Programa Nacional de Apoyo Directo a lo mas Pobres- JUNTOS. June 10, 2019.  
<https://www.gob.pe/588-programa-nacional-de-apoyo-directo-a-los-mas-pobres-juntos-programa-juntos>
- 70 U.S. Department of Labor. Technical Progress Report – Peru: Promoting Better Understanding of Indicators to Address Forced Labor and Trafficking. April 30, 2022. Source on file.
- 71 U.S. Department of Labor. Technical Progress Report\_BRIDGE Project Peru. March 31, 2022. Source on file.
- 72 U.S. Department of State. Trafficking in Persons Report- 2017: Peru. Washington, D.C., June 27, 2017.  
[https://www.state.gov/reports/2017-trafficking-in-persons-report/peru\\_trashed/](https://www.state.gov/reports/2017-trafficking-in-persons-report/peru_trashed/)
- 73 U.S. Embassy- Lima. Reporting. January 13, 2017.

In 2021, the Philippines made moderate advancement in efforts to eliminate the worst forms of child labor. The government launched an online hotline for reporting cases of online sexual exploitation of children and opened its first Cyber-Trafficking in Persons Monitoring Center in response to the substantial increase of online commercial sexual exploitation since the start of the COVID-19 pandemic. The government also launched the Child Protect Mobile app, which raises awareness about violence against children, including child labor, and provides information on public and private organizations that provide intervention services. In addition, the government committed \$800,000 to implement its anti-trafficking program and increased funding for its Inter-Agency Council Against Trafficking by \$200,000, which was applied toward surveillance, rescue operations, and victim assistance efforts. Although the government made meaningful efforts during the reporting period, it did not adequately protect children allegedly engaged in drug trafficking from inappropriate incarceration or physical harm during detention. 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. Moreover, the enforcement of child labor laws remained challenging throughout the country, especially due to the low number of labor inspectors and the lack of a mechanism to assess civil penalties for child labor violations.



### 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. (1,2) 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. (3-5) Table 1 provides key indicators on children's work and education in the Philippines.

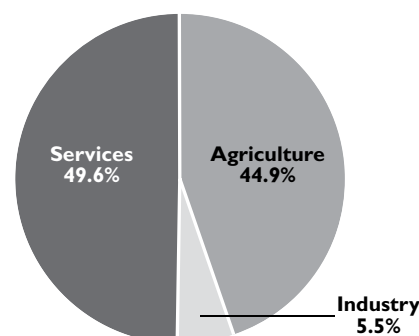
**Table 1. Statistics on Children's Work and Education**

Children	Age	Percent
Working (% and population)	5 to 14	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, 2022. (6)

Source for all other data: International Labor Organization's analysis of statistics from Labour Force Survey (LFS), 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.

# Philippines

## MODERATE ADVANCEMENT

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

Sector/Industry	Activity
Agriculture	Production of sugarcane,† including growing, weeding,† harvesting,† cutting,† and carrying sugarcane bundles† (1,2,8)
	Growing bananas, coconuts, corn, rice, rubber, and tobacco (2,11)
	Hog farming (10,12)
	Deep-sea fishing† (2,8,13)
Industry	Mining† and quarrying,† including for gold (1,2,13,14)
	Manufacturing pyrotechnics† (2,8,13)
	Construction,† activities unknown (2,8)
	Production of fashion accessories (1,2)
Services	Domestic work (1,2,17,18)
	Street work, including scavenging, selling flowers, and begging (1,4,8,19)
	Scavenging in dumpsites† and in rivers (2,13)
Categorical Worst Forms of Child Labor‡	Commercial sexual exploitation, including use in the production of pornography, sometimes as a result of human trafficking (2,4,20-22)
	Forced labor, including domestic work (1,2,22,24)
	Recruitment of children by non-state armed groups for use in armed conflict (1,25,26)
	Forced begging (1,4,8,27)

† 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 from rural communities, primarily girls, are subjected to trafficking domestically in urban centers and tourist destinations for the purposes of domestic work and commercial sexual exploitation. (2,24,28) 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. (28) Traffickers also lure children from remote areas in Mindanao and other regions by using tourist visas available in Middle Eastern countries, where many Filipinos work in household service jobs, and then sell the children to employment sponsors who exploit them. (24,28-30) Traffickers are able to circumvent the Government of the Philippines 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. (28)

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. There were 2.8 million reports of OSEC in 2021, compared with 1.3 million reports received in 2020. (2) Although most of the cases were not actionable due to multiple submissions or erroneous reporting, 268 OSEC investigations were launched in 2021, compared with 73 cases in 2020. (2) 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.” (1,18,22,24,28,31-33) Increasingly, women have been found to be perpetuating OSEC crimes, motivated mostly by 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. (24,31,34) In October 2021, for instance, Philippine police arrested a 39-year-old woman and rescued two minors from an operation of online sexual exploitation. (35)

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. (24,36)

Recruitment of child soldiers by non-government militias and terrorist organizations, predominately on the southern island of Mindanao, remains a concern. (1,4,8,22,25,26,28,33,37) Research also shows 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. (1,8,18,22,24,28,33,37) In addition, the Islamic State reportedly subjects women and girls to sexual slavery. (28) In 2021, 10 children were recruited or used in armed conflict by non-state forces, including the following: New People’s Army, Dawla Islamiyah, and Abu Sayyaf. Some of the child-victims were forced to serve in combat or non-combat roles, like medic, supply officer, or errand-runner. (2) 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. (1,22,38)




According to results from a 2020 survey on child labor, children were found working on sugarcane plantations and rice fields in Luzon; as vendors, tricycle drivers, and carwash crew in Cavite; as plastic and paper scrap 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. (4,39) Furthermore, a survey conducted by the Philippine Statistics Authority, in conjunction with the Department of Labor and Employment (DOLE), found that of 1.4 million domestic workers, more than 50,000 were minors, and 4,900 of them were under age 15. It also reported that 95 percent of all child laborers were found to be engaging in conditions of hazardous work. (4,17) The Philippine Statistics Authority included a child labor module in the October 2017 to 2020 rounds of the Labor Force Survey, the results of which were released during the reporting year. (2)

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. (33) The 2019 Functional Literacy and Mass Media Survey showed a decrease in school-age children not attending school—from 10.6 percent in 2013 to 5.7 percent in 2019. The Philippine Statistics Authority estimates that more than 10 million persons ages 6 to 24 were not attending school in 2019. (2)

## II. LEGAL FRAMEWORK FOR CHILD LABOR

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

**Table 3. Ratification of International Conventions on Child Labor**

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

The government 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 minimum age for work below the compulsory education age.

# Philippines

## MODERATE ADVANCEMENT

**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 (40-42)
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 (41-43)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Department Orders 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 (8,42-45)
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 (43,46)
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 (43,46)
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 (43,47-49)
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 (43,50)
Minimum Age for Voluntary State Military Recruitment	Yes	18	Section 12 of the Providing for the Development, Administration, Organization, Training, Maintenance and Utilization of the Citizen Armed Forces of the Philippines, and for Other Purposes Act (51)
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 (51)
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 (43)
Compulsory Education Age	Yes	18‡	Section 4 of the Enhanced Basic Education Act (52)
Free Public Education	Yes		Section 2 of the Philippine Constitution (53)

\* Country has no conscription (51)

‡ Age calculated based on available information (52)

For a fourth year, the Government of the Philippines reportedly continued reviewing proposed amendments to Republic Act 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. (1,4,8)

During the reporting period, the government proposed amendments to several House and Senate Bills dealing with the worst forms of child labor, but no legislative bill has been filed yet. This includes two bills related to human trafficking: House Bill No. 8295, which is an act to institute policies to eliminate trafficking in persons,

especially the trafficking of women and children, and establish institutional mechanisms to protect and support trafficked persons; and Senate Bill No. 2449, which aims to strengthen protection against trafficking in persons and reorganize the Inter-Agency Council Against Trafficking to include additional agencies. There also are two bills related to OSEC: House Bill No. 8760, which aims to strengthen the protection of children from OSEC by providing treatment for victims and penalties for unlawful acts constituting OSEC; and Senate Bill No. 2209, which will provide protection to children from OSEC and set up a National Coordinating Center Against OSEC. Lastly, House Bill No. 10235 would provide uniform night work prohibition by children under age 18. (2,54)

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. (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 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)	Manages the labor inspection program that oversees inspections conducted by DOLE regional offices nationwide, including enforcement of child labor laws. BWC also oversees training of labor inspectors, manages the DOLE Labor Inspection Management Information System, and responds to queries and complaints on labor standards and working conditions, including complaints on child labor, received through the DOLE 1349 hotline. (2,55) Inspects establishments and monitors compliance with labor laws in the formal sector. (56) BWSC oversees the Profiling Child Laborers Initiative. (1,57) 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. (58) During the reporting year, along with the World Vision Executive Director, signed a MOU that seeks to strengthen regulations and policies on the worst forms of child labor, specifically online sexual exploitation of children (OSEC) and hazardous working conditions. (59) In addition, reactivated the Isabela City Anti-Child Labor Council in honor of the 2021 World Day Against Child Labor. (60)
Department of Social Welfare and Development (DSWD)	Provides services for child-victims and survivors of the worst forms of child labor: (2) In December 2021, in partnership with the Department of the Interior and Local Government, signed a Joint Memorandum to enhance the 911 hotline, making it more accessible and more inclusive for victim-survivors of violence against women and children. (2) In November 2021, through its Strategic Helpdesk for Information Education Livelihood and Other Developmental Interventions program, provided educational assistance to 6 municipalities in Antique province aimed at addressing child labor issues, in which each of the 100 beneficiaries received \$565 (3,000 Philippine pesos) for school supplies and other needs. (2)
Rescue the Child Laborers Quick Action Teams ( <i>Sagip Batang Manggagawa</i> )	Detects, monitors, and rescues child laborers in hazardous, exploitative, or extremely abject working conditions. (2,8,27,61,62) An inter-agency, quick reaction mechanism that is chaired by DOLE-BWSC. (2,4)
Criminal Law Enforcement Agencies: Philippine National Police (PNP), National Bureau of Investigation (NBI) and the Philippine Drug Enforcement Agency (PDEA)	PNP investigates and prosecutes cases related to the worst forms of child labor: (2,4) PNP's Women and Children's Protection Center (WCPC) enforces laws on child trafficking and commercial sexual exploitation of children, and has 269 personnel nationwide. (24) 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. (8,24) Oversees the Anti-Human Trafficking Division, which investigates trafficking and illegal recruitment nationwide. (22) PDEA enforces the Comprehensive Dangerous Drugs Act, maintains a national hotline for reporting cases of children used in illicit activities, and coordinates with the DSWD to assist during rescue operations. (8,4)

# 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. (47,63) Department of Justice–Office of Cybercrime receives CyberTips reports from the U.S.-based National Center for Missing and Exploited Children regarding potential OSEC cases, conducts initial investigation into CyberTips, prioritizes cases, then sends cases to PNP's Internet Crime Against Children Center for follow up. (64) Comprises legal and investigative divisions. (64) 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. (24,38,65) Coordinates international investigations with the United Kingdom's National Crimes Agency (UK NCA) and the Australian Federal Police (AFP). (21,22,65-67) Receives funding from the UK NCA, AFP, and the U.S. Government. (54,68) In 2021, completed 58 successful OSEC operations. (54) Department of Information and Communication Technology–Cybersecurity Bureau provides preventative technological assistance to law enforcement and protects cybersecurity of Filipino citizens. (69) 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. (69) 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. (49,69,70) Oversees CyberSafePH, an awareness campaign and capacity-building program with a 3-year roadmap aimed at combating OSEC and cyberbullying. (22,28,71) In February 2021, in partnership with ECPAT Philippines, launched an online hotline to report OSEC cases. (72)

From January to September 2021, DOLE identified 152,084 child laborers: 121,506 were referred to other agencies for the provision of necessary services, 7,784 were provided with necessary services by DOLE, and 21,935 were removed from child labor. (2)

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 on complaints of child labor, including OSEC, in both investigations and prosecutions. (22,28)

### Labor Law Enforcement

In 2021, labor law enforcement agencies in the Philippines took actions to address 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	2020	2021
Labor Inspectorate Funding	\$4,240,743 (55)	\$3,657,520 (2)
Number of Labor Inspectors	710 (4)	1,210 (2)
Mechanism to Assess Civil Penalties	No (41)	No (41)
Initial Training for New Labor Inspectors	Yes (4)	Yes (2)
Training on New Laws Related to Child Labor	Yes (4)	Yes (2)
Refresher Courses Provided	Yes (4)	Yes (2)
Number of Labor Inspections Conducted	13,974 (4)	58,363 (2)
Number Conducted at Worksite	13,974 (4)	58,363 (2)
Number of Child Labor Violations Found	4 (4)	5 (2,72)
Number of Child Labor Violations for Which Penalties Were Imposed	4 (4)	Unknown (2)
Number of Child Labor Penalties Imposed that Were Collected	Unknown (4)	Unknown (2)
Routine Inspections Conducted	Yes (4)	Yes (2)
Routine Inspections Targeted	Yes (4)	Yes (2)
Unannounced Inspections Permitted	Yes (41)	Yes (41)
Unannounced Inspections Conducted	Yes (4)	Yes (2)
Complaint Mechanism Exists	Yes (4)	Yes (2)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (4)	Yes (2)

From January to September 2021, DOLE's inter-agency quick action team that detects, monitors, and rescues child laborers led 10 rescue operations and removed 18 children from child labor. Since its inception in 1993 until October 2021, the DOLE quick action team has rescued 3,639 child laborers. (2)

During the reporting year, DOLE hired 500 additional contractors to assist in the inspection of priority establishments, including workplaces that performed hazardous work and employed children. (2,73) DOLE has requested that these contractor positions be converted to regular inspection positions. DOLE Bureau of Working Conditions (BWC) noted that in 2021 it was unable to inspect all workplaces due to inadequate staffing. (2) The number of labor inspectors is likely insufficient for the size of the Philippines' workforce, which includes approximately 42 million workers. According to the ILO's technical advice of a ratio approaching 1 inspector for every 15,000 workers in developing economies, the Philippines would employ about 2,852 labor inspectors. (8,74,75)

An additional \$3.6 million was allocated to the BWC regional offices for administrative expenses, including for labor inspector travel and transportation costs, trainings, information system enhancement, personal protective equipment, and cellular data plan subscriptions. However, this funding does not include a budget for the salaries of the labor inspectors working outside the National Capital Region. (2) 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. (1,8,13,27) 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. (1,4)

From January to November 2021, DOLE-BWC inspected 58,363 establishments, which is an uptick from the decline in 2020. All inspections and assessments were conducted in the presence of the employer and employee representatives. (2) 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. (1,2,57) Despite this, enforcement of child labor protections is not sufficient for children employed in the informal sector and in small and medium-sized enterprises, particularly in agriculture and fishing, due to DOLE's lack of capacity and resources. (1,4,8,24,33,76) The Rescue the Child Laborers Quick Action Teams are permitted to conduct unannounced compliance visits to video karaoke bars, massage parlors, saunas 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. (1,4,8)

The government did not provide information on its labor law enforcement efforts related to the number of child labor violations for which penalties were imposed or collected.

### Criminal Law Enforcement

In 2021, criminal law enforcement agencies in the Philippines took actions to address child labor (Table 7). However, gaps exist within the operations of the Philippine National Police (PNP) that may hinder adequate criminal law enforcement, including ineffective or slow court proceedings.

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

Overview of Criminal Law Enforcement	2020	2021
Initial Training for New Criminal Investigators	Yes (4)	Yes (2)
Training on New Laws Related to the Worst Forms of Child Labor	Yes (4)	Yes (2)
Refresher Courses Provided	Yes (4)	Yes (2)
Number of Investigations	41 (4)	93 (2)
Number of Violations Found	87 (4)	125 (2)
Number of Prosecutions Initiated	70 (4)	70 (2)
Number of Convictions	55 (4)	53 (2)
Imposed Penalties for Violations Related to the Worst Forms of Child Labor	Yes (4)	Yes (2)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (4)	Yes (2)



# Philippines

## MODERATE ADVANCEMENT

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. (4,77,78) The Philippine Drug Enforcement Agency (PDEA) continuously monitored children involved in drug trafficking. From January to October, PDEA indicated that it rescued 522 minors ages 4 to 17 during anti-drug operations nationwide and identified 2,377 children between ages 9 and 17 as drug pushers, 963 as possessors, 434 as users, 229 as drug den visitors, 16 as drug den employees, 9 as drug den maintainers, 2 as cultivators, 1 as a clan lab employee, and 2 as runners. (2) 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. (8, 33,79)

Children also continued to be victims of extrajudicial killings during operations carried out as part of the anti-drug campaign. (2) 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. (1,80-81) According to a children's rights NGO, 18 children were victims of extrajudicial killings during law enforcement operations between January and June 2021. (2) While there appears to be no prosecutions or convictions of law enforcement officials accused of extrajudicial killings of children, the government reported that it began investigating killings during police operations during the reporting period. In October 2021, the DOJ indicated that it would review more than 6,000 killings during police operations that were part of the drug war. (82) This decision indicates a shift from the Philippines government's defense of the drug war, which comes after the United Nations and International Criminal Court put pressure on the government to investigate practices used during the drug war. The government released details of 52 deaths related to drug war. (82) However, no cases have been filed by the Philippine DOJ against erring policemen. (82)

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. (24)

Research indicates 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. (28,33) Slow-moving courts, the need for additional training on handling digital evidence, a lack of understanding regarding the legal framework, and too few prosecutors also hindered the effective and timely prosecution of human trafficking crimes. (18,24,28,30)

Moreover, prosecutors and law enforcement received training on OSEC in a 3.5-day training session that taught them how to effectively conduct cases and build investigations on rescue and entrapment operations of cases involving OSEC. The International Justice Mission, with the assistance of Interagency Council Against Trafficking (IACAT), also provided OSEC training through live webinars to 61 prosecutors and law enforcement professionals, which included topics like OSEC fundamental concepts and maximizing digital evidence in OSEC prosecution. (2,54)

## 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 Executive Order No. 92 in 2019. Chaired by DOLE and co-chaired by DSWD. (2,4,22,24,83-86) Expanded membership includes 19 government agencies and organizations. (2,84) Coordinates national efforts to combat child labor and implements the Philippine Program Against Child Labor. (8,62,86,87) 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. (1,22) During the reporting year, held four regular meetings, approved five new sectoral representatives of the council, and discussed the proposed action pledge as part of the 2021 International Year for the Elimination of Child Labor. (2)
Anti-Trafficking: Inter-Agency Council Against Trafficking (IACAT)	IACAT coordinates, monitors, and oversees efforts to combat human trafficking, including child trafficking. Chaired by the DOJ, co-chaired by DSWD, and composed of 11 government agencies and 3 NGOs, IACAT comprises 24 anti-human trafficking task forces, including 2 national task forces, 16 regional task forces, and 6 inter-agency task forces in major seaports and airports. (2,22,24,88) During the reporting period, IACAT received a budget of \$1,710,300, which was an increase of \$312,600, with a total allotted budget of \$1,397,800. DOJ added 24 new prosecutors in 2021. (2) IACAT also increased the number of its staff from 142 to 179. Additional staff were mostly assigned to the IACAT <i>Tahanan ng Iyong Pag-asa</i> Center, NBI-Anti-Human Trafficking Division (NBI-AHTRAD), NBI-International Airport Investigative Division, and Victim Witness Coordinator. (2) IACAT also oversees the 1343 Actionline emergency hotline for trafficking-in-persons victims. (2,88) The PNP-WCPC created the <i>Aleng Pulis</i> helpline, which receives direct messages from individuals on a wide range of trafficking in persons topics. (2) In 2021, IACAT and its regional anti-trafficking task forces organized or assisted with 85 training or capacity-building activities, attended by 5,242 persons. A total of \$200,000 was allotted to the IACAT Secretariat's Confidential Fund in 2021, which provides resources for surveillance and rescue operations and victim assistance. (2)
Inter-Agency Council Against Child Pornography	Serves as the primary government coordinating mechanism to address issues related to child pornography. (2) Monitors and implements the Anti-Child Pornography Act (Republic Act No. 9775). (1) Comprises 12 government agencies and 3 NGOs. (87) Chaired by DSWD. (89) During the reporting year, in partnership with UNICEF Philippines, conducted two studies to enhance evidence on OSEC: (1) National Study on Online Sexual Abuse and Exploitation of Children in the Philippines, and (2) Philippine Kids Online Survey. (89)
Children Involved in Conflict: Inter-Agency Council for the Welfare of Children (CWC) and the Inter-Agency Committee on Children in Situations of Armed Conflict (IAC-CSAC)	CWC initiates, promotes, and advocates policies and measures protecting children's rights. (1,24) 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. (22,24,90) IAC-CSAC advocates protecting children and preventing the involvement of children in armed conflict. Chaired by the CWC. (18,22,24) Coordinates and monitors the implementation of the Children in Armed Conflict Program Framework. (38,91) Convenes quarterly. Ensures that international instruments, including the Optional Protocol on the Involvement of Children in Armed Conflict, are referenced in discussions. (91) 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. (18,91) 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. (91) In October 2021, launched the Child Protect Mobile App, which provides the public information on violence against children, including information on relevant public and private organizations that provide intervention services. (2)
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. (79) Overseen by DSWD. (33,92) During the reporting year, held a Tik Tok Challenge aimed to inform youth on child protection laws, such as curfews during quarantine. (93)

IACAT and the National Bureau of Investigation, with the support of the UK National Crime Agency, opened the first Cyber-Trafficking in Persons Monitoring Center (CTIPMC) in the Philippines on July 22, 2021 to address OSEC. CTIPMC has 10 staff and aims to generate cases and police cyberspace to prevent it from being used as a medium for committing human trafficking. (2,54)

Moreover, the government also establish the Task Force Against the Trafficking of Overseas Filipino Workers to track trafficking cases referred by the Department of Foreign Affairs overseas missions. The Overseas Filipino Workers (OFW) Task Force is currently developing an Operational Handbook that will provide an effective and efficient referral mechanism for cases involving OFWs. (2,28,71) The final draft of the "Guidelines on the Investigation, Reporting, and Monitoring of Trafficking in Persons Cases Facilitated by Corruption" is now pending review with DOJ to ensure a zero-tolerance policy on trafficking-related malfeasance in government. The Manual of Operations for IACAT's *Tahanan Nang Inyong Pag-Asa* (TIP) Center is also being finalized, and contains

# Philippines

## MODERATE ADVANCEMENT

all essential information on the management of victim-survivors and the entire operation of the center. (2) IACAT and International Justice Mission are co-developing a comprehensive, harmonized, and unduplicated data collection system and analysis of trafficking in persons across agencies. The initial draft of the Department Circular on the Guidelines on the Implementation of Anti-Trafficking in Persons and Modern Slavery Policy in the Department Procurement Process was presented to the DOJ-Bids and Awards Committee for comments and finalization. (2)

## 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. (4,8,94) Implementation led by DOLE's BWSC. (95,96) During the reporting period, held 35 meetings to implement the plan and endorsed 5 representatives for NCACL to the Office of the President for appointment. Also developed and approved a Communication Plan (2021–2022), which aims to increase awareness of and generate support for the campaign against child labor and the protection of rights and welfare of children, and the Strategic Plan (2020–2022), which aims to monitor the progress of this program. (2)
Anti-Trafficking Policies: National Strategic Action Plan Against Trafficking in Persons (2017–2021) and the Child Protection Compact Partnership (CPC) (2017–2021)	<p>The National Strategic Action Plan Against Trafficking in Persons (Third StratPlan) aimed to address labor trafficking and sex trafficking, including OSEC. (97) Chaired by the Secretary of the DOJ and co-chaired by the Secretary of the DSWD. Employs a multi-stakeholder approach to fight human trafficking. (98) Mandated to prevent and suppress human trafficking, and ensure victim recovery, rehabilitation, and reintegration into society through four key result areas: (1) Prevention and Advocacy; (2) Protection, Recovery, Rehabilitation, and Reintegration; (3) Prosecution and Law Enforcement; and (4) Partnership and Networking. (98) In 2021, focused on two priorities: (1) developing a Task Force Manual and (2) creating a comprehensive advocacy and communication plan. (2)</p> <p>CPC, a plan jointly developed with USDOS, sought to increase prevention efforts and protections for child victims of OSEC and labor trafficking, while holding perpetrators accountable. (18,31,88,99) Aimed to improve the response to child trafficking, including the live-streaming of child sexual exploitation and child trafficking for labor purposes, by increasing criminal investigations, prosecutions, and convictions; strengthening the capacity of the government and civil society to identify and provide comprehensive services for victims; and strengthening existing community-based mechanisms that identify and protect victims of child trafficking. (88,100,101) The government committed approximately \$800,000 for its implementation. (99) During the reporting year, in collaboration with the World Vision Development Foundation, trained 3,699 government stakeholders on how to prevent and respond to OSEC and child labor trafficking. (54) Program concluded in April 2021. (2)</p>
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. (5,102) During the reporting year, updated its strategy to focus on building a healthy and resilient Philippines after the pandemic, including setting a target goal of zero child laborers. (2,4,87)
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. (103) Chaired by the Council for the Welfare of Children. (8) Third 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. (8,38,103,104) The Philippine National Multi-Sectoral Strategic Plan on Children in Street Situations, established in 2020, addresses the needs and concerns of street children using a child rights approach, and strengthens multi-sectoral cooperation among stakeholders. (4) The evaluability study of Child 21 is scheduled to be conducted from August to December 2022. The study aims to determine the extent to which it can be evaluated in a credible and reliable manner prior to its termination. (73)
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 the visions of Child 21 and the National Plan of Action for Children. (1,105) During the reporting year, implemented the plan in local areas for pilot-testing. (73)

‡ The government had other policies that may have addressed child labor issues or had an impact on child labor. (45,106,107)

### VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2021, 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. (8) Includes a provision of livelihood assistance to parents of child laborers, <i>Sagip Batang Manggagawa</i>, and Project Angel Tree. (8,88)</p> <p>Project Angel Tree is a social service with local government agency benefactors, known as "angels," who provide educational supplies to communities. (57,108) From January to September 2021, conducted 92 gift-giving activities benefitting 7,321 child laborers and children at-risk wherein school supplies, food packs, toiletries, and other items were donated by civic organizations and private institutions that acted as "angels" of the projects. (2,72)</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. (2) From January–September 2021, provided livelihood assistance to 3,771 parents of child laborers, in the form of <i>Negokart</i> (business carts), starter kits, and other materials needed to start a livelihood. (2,72) Remained active during the reporting year. (72)</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. (1,8,24,109) Includes a child labor module within the sessions on family development for program participants. (8,27,110) Covers 1,627 cities and municipalities in 79 provinces in all 17 regions. (1,8)</p>
Strategic Helpdesks for Information, Education, Livelihood and Other Developmental Interventions for Child Laborers†	<p>DSWD-led project implemented in 14 <i>barangays</i> in Catanaun, Labo, Jose Panganiban, Paracale, Kananga, and Ormoc City, with support from the ILO CARING Gold Mining Project. (55,57) Comprises three components: Child Labor Local Registry; Helpdesk and Convergence of Services; and Advocacy, Organizing, and Capacity Building. (8,110) Focuses on areas with a high child labor incidence rate, with interventions based on data from the Child Labor Local Registry. (110) Focused particularly on eliminating the worst forms of child labor in the small-scale gold mining, deep sea fishing, and sugarcane industries. (1,8,62,111) Nationwide implementation began in July 2021. (72)</p>
Anti-Trafficking Programs: Recovery and Reintegration Program for Trafficked Persons (RRTP)† and Strengthening Local Systems and Partnerships for More Effective and Sustainable Counter-Trafficking in Persons in the Philippines (Strength CTIP), 2019–2022	<p>RRTP 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. (24) There are 149 referral networks established in 16 regions. (27) Strength CTIP works in partnership with the Advocate for the Protection and Prevention of Abuse and Exploitation of Children Consortium. Initiates and sustains countertrafficking in persons activities in selected project sites in Iloilo City, Dumaguete City, and Cebu Province. (1) Designed to accommodate the needs of victims of human trafficking, specifically children subjected to commercial sexual exploitation and human trafficking. (1)</p>
USDOL-Funded Projects	<p>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: Against Child Exploitation (ACE) Project (2019-2023), a \$5 million project implemented by World Vision; BuildCA2P: Building Capacity, Awareness, Advocacy and Programs Project (2018-2023), a \$2.9 million project implemented by ChildFund International; SAFE Seas, implemented by Plan International USA; RICHES, implemented by the Grameen Foundation with the Philippines; Measurement, Awareness-Raising, and Policy Engagement (MAP16) Project on Child Labor and Forced Labor, implemented by ILO; and CARING Gold Mining Project, implemented by ILO and concluded in 2021. (113-118) Additional information is available on the USDOL website.</p>

† 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. (120,121)

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. (27) In addition, there are not adequate programs to provide insight on the impact of OSEC on child victims. (38,122,123)

# Philippines

## MODERATE ADVANCEMENT

DSWD works in consultation with parents and community leaders to determine how best to assist children suspected of being involved in the drug trade; however, 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. (8,124)

PDEA continued to coordinate with DSWD when dealing with children allegedly involved in drug trafficking. From July 2016 to October 2021, Philippine law enforcement arrested 4,033 minors. (2) 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. (2,4,125) Local government units or NGOs operate more than 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 rehabilitative services. Reports in past years showed that many Houses of Hope operated as youth detention centers where children were subjected to physical and emotional abuse, deprived of liberty, and forced into overcrowded and unhygienic cells. (33,55,78,125-126) In two facilities, for example, there were complaints of limited access to water, insufficient amounts of food, and expired food, including a report that unused sacks of rice were infested with weevils. (55,127,128) Research, however, was unable to show whether these issues continued during the reporting year. In 2021, the Juvenile Justice and Welfare Council undertook the following actions to ensure these detention centers were compliant with safety standards: conducted regular monitoring by visiting Houses of Hope; mandated registration of children in a centralized data-base system that determines program planning and policies; and began designing a Standards and Manual of Operations Guidebook to ensure detained children are provided with comprehensive programs, services, and interventions in a safe environment, which is expected to be completed by 2022. (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 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 – 2021
Enforcement	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 – 2021
	Establish a mechanism to assess civil penalties for child labor violations.	2015 – 2021
	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 – 2021
	Develop and provide specialized training for labor inspectors on identification of child labor.	2019 – 2021
	Allow Rescue the Child Laborers Quick Action Teams to conduct unannounced compliance visits to private homes.	2018 – 2021
	Publish information on labor law enforcement efforts, including the number of child labor violations for which penalties were imposed and collected.	2015 – 2021
	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 – 2021
	Prosecute law enforcement officials and civilians responsible for the killing of children engaged in the drug trade and officials who are complicit in trafficking or allow traffickers to operate without impunity.	2017 – 2021



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

Area	Suggested Action	Year(s) Suggested
Enforcement	Ensure that youth rehabilitation centers, including Houses of Hope (Bahay ng Pag-asa), are accredited and in compliance with standards set by the Department of Social Welfare and Development and Juvenile Justice and Welfare Council.	2020 – 2021
	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 – 2021
	Prosecute trafficking crimes in a timely manner and hire more criminal prosecutors to lessen the workload.	2020 – 2021
	Incorporate procedures to allow for efficient restitution to victims of trafficking.	2020 – 2021
Social Programs	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.	2020 – 2021
	Institute a program to address and combat the sexual abuse and exploitation of children in the production of child pornography, including live streaming.	2017 – 2021
	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 – 2021
	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 – 2021
	Ensure that Houses of Hope (Bahay ng Pag-asa) 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 – 2021
	Increase access to free, compulsory education by eliminating unofficial school-related fees and addressing issues related to inadequate school infrastructure, including architectural barriers.	2020 – 2021

### REFERENCES

- U.S. Embassy- Manila. Reporting. January 15, 2020.
- U.S. Embassy- Manila. Reporting. February 7, 2022.
- Government of the Philippines—National Statistics Office. The number of working children 5 to 17 years old is estimated at 5.5 million (Preliminary Results of the 2011 Survey on Children). Accessed: February 14, 2015. <http://psa.gov.ph/content/number-working-children-5-17-years-old-estimated-55-million-preliminary-results-2011-survey>
- U.S. Embassy- Manila. Reporting. January 21, 2021.
- Government of the Philippines, DOLE. Administrative Order No. 579 (Revised Guidelines on the Profiling of Child Laborers and Provision of Services to Remove them from Child Labor) January 6, 2020. Source on file.
- UNESCO Institute for Statistics. Gross intake ratio to the last grade of primary education, both sexes (%). Accessed March 3, 2022. For more information, please see "Children's Work and Education Statistics: Sources and Definitions" in the Reference Materials section of this report. <http://data.uis.unesco.org/>
- ILO. Analysis of Child Economic Activity and School Attendance Statistics from National Household or Child Labor Surveys. Original data from Labour Force Survey (LFS), 2019. Analysis received March 2022. For more information, please see "Children's Work and Education Statistics: Sources and Definitions" in the Reference Materials section of this report.
- U.S. Embassy- Manila. Reporting. January 30, 2019.
- Torres, Joe. Chronic poverty is fueling child labor in the Philippines. January 29, 2015. <http://www.ucanews.com/news/chronic-poverty-is-fueling-child-labor-in-the-philippines/72891>
- Castro, Charita Libao. Child Sakadas in Philippine Agriculture: Researching Injury Hazards for Working Children in the Context of International Labor Standards and United States Foreign Policy [Ph.D. diss.] The George Washington University, 2007. Source on file.
- ChildFund International. Building Capacity, Advocacy, Awareness and Program (BCA2P) of Civil Society Organizations (CSOs) in Mindanao. October 2020: Technical Progress Report. Source on file.
- UCW. Understanding Child Labour and Youth Employment Outcomes in the Philippines. December 2015. [http://www.ilo.org/wcmsp5/groups/public/---asia/---ro-bangkok/---ilo-manila/documents/publication/wcms\\_447853.pdf](http://www.ilo.org/wcmsp5/groups/public/---asia/---ro-bangkok/---ilo-manila/documents/publication/wcms_447853.pdf)
- U.S. Embassy- Manila. Reporting. January 19, 2016.
- Pascual, Ludwig John H., Domingo, S.N., and Manejar, A.J.A. Answering critical questions on small-scale mining in the Philippines. Philippine Institute for Development Studies - Policy Notes, April 2020. <https://think-asia.org/bitstream/handle/11540/11743/pidspn2006.pdf?sequence=1>
- Catoto, Roel N. Teens exposed to hazardous work in Surigao mining firm. Center for Trade Union and Human Rights, September 1, 2014. <https://www.pressreader.com/philippines/sunstar-davao/20140902/281715497800309>
- Sabillo, K.A. Where have all the children gone? August 4, 2014. <http://newsinfo.inquirer.net/626282/where-have-all-the-children-gone>
- Aquino, Leslie Ann. DOLE reports that less than 1 percent of domestic helpers are minors; warns vs. exploitation of child labor. Manila Bulletin, December 3, 2020. <https://mb.com.ph/2020/12/03/dole-reports-that-less-than-1-percent-of-domestic-helpers-are-minors-warns-vs-exploitation-of-child-labor/>
- ILO Committee of Experts. Individual Observation concerning the Worst Forms of Child Labour Convention, 1999 (No. 182) Philippines (ratification: 2000). Accessed: December 2, 2020. [https://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100\\_COMMENT\\_ID:4012525](https://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:4012525)
- Nacnac, Denise and Valera, Michael. On Trinoma-SM footbridge, boy sells flowers and reads his way to school. November 23, 2016. <https://www.rappler.com/move-ph/153210-young-brothers-sell-sampaguita-food-school-allowance>
- U.S. Embassy- Manila. Reporting. February 16, 2018.
- U.S. Department of State. Trafficking in Persons Report- 2019: Philippines. Washington, DC, June 14, 2019. [https://www.state.gov/reports/2019-trafficking-in-persons-report-2/philippines\\_\\_trashed/](https://www.state.gov/reports/2019-trafficking-in-persons-report-2/philippines__trashed/)
- U.S. Embassy- Manila. Reporting. February 21, 2020.

# Philippines

## MODERATE ADVANCEMENT

- 23 Lowe, Aya. Philippines Faces Hurdles to Shut Down Sex Trafficking. Channel NewsAsia, August 23, 2015. <http://apflnet.ilo.org/news/philippines-faces-hurdles-to-shut-down-sex-trafficking>
- 24 U.S. Embassy- Manila. Reporting. April 6, 2021.
- 25 UN Security Council. Report of the Secretary-General on children and armed conflict. New York, June 9, 2020: A/74/845-S/2020/525. [https://www.un.org/sg/sites/www.un.org.sg/files/atoms/files/15-June-2020\\_Secretary-General\\_Report\\_on\\_CAAC\\_Eng.pdf](https://www.un.org/sg/sites/www.un.org.sg/files/atoms/files/15-June-2020_Secretary-General_Report_on_CAAC_Eng.pdf)
- 26 Office of the Special Representative of the Secretary General for Children and Armed Conflict. Philippines: Significant Measures to Protect Conflict-Affected Children in Place but Full Implementation Essential for Effective Protection. New York: August 25, 2020. <https://childrenandarmedconflict.un.org/2020/08/philippines-significant-measures-to-protect-conflict-affected-children-in-place-but-full-implementation-essential-for-effective-protection/>
- 27 U.S. Embassy- Manila. Reporting. February 1, 2017.
- 28 U.S. Department of State. Trafficking in Persons Report- 2020: Philippines. Washington, DC, June 20, 2020. <https://www.state.gov/reports/2020-trafficking-in-persons-report/philippines/>
- 29 McQue, Katie. Sold into Syrian servitude, Filipina workers tell of abuse, rape and imprisonment. The Washington Post, January 24, 2021. [https://www.washingtonpost.com/world/middle\\_east/trafficking-migrant-workers-syria-uae/2021/01/24/1d79e43c-3f0d-11eb-b58b-1623f6267960\\_story.html](https://www.washingtonpost.com/world/middle_east/trafficking-migrant-workers-syria-uae/2021/01/24/1d79e43c-3f0d-11eb-b58b-1623f6267960_story.html)
- 30 ILO Committee of Experts. Individual Observation concerning Forced Labour Convention, 1930 (No. 29) Philippines (ratification: 2005). Accessed: December 2, 2020. [https://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100\\_COMMENT\\_ID:4012549](https://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:4012549)
- 31 International Justice Mission. Online Sexual Exploitation of Children in the Philippines: Analysis and Recommendations for Governments, Industry, and Civil Society. May 20, 2020. [https://www.ijm.org/documents/studies/Final-Public-Full-Report-5\\_20\\_2020.pdf](https://www.ijm.org/documents/studies/Final-Public-Full-Report-5_20_2020.pdf)
- 32 U.S. Embassy- Manila official. E-mail communication to USDOL official. March 4, 2020.
- 33 U.S. Department of State. Country Reports on Human Rights Practices- 2020: Philippines. Washington, DC, March 2021. <https://www.state.gov/wp-content/uploads/2021/03/PHILIPPINES-2020-HUMAN-RIGHTS-REPORT.pdf>
- 34 Malindog-Uy, Anna. Philippines: Online Child Sexploitation Hotspot. The ASEAN Post, October 18, 2020. <https://theaseanpost.com/article/philippines-online-child-sexploitation-hotspot>
- 35 International Justice Mission. Police rescue two girls from online child sexual abuse in the Philippines. October 29, 2021. <https://www.ijmuk.org/news/police-rescue-two-girls-from-online-sexual-exploitation-in-the-philippines>
- 36 Anti-Money Laundering Council. Online Sexual Exploitation of Children: A crime with a global impact and an evolving transnational threat. 2020. [http://www.amlc.gov.ph/images/PDFs/2020\\_AUG\\_AMLC\\_OSEC\\_AN\\_EMERGING\\_RISK\\_AMID\\_THE\\_COVID19\\_PANDEMIC.pdf](http://www.amlc.gov.ph/images/PDFs/2020_AUG_AMLC_OSEC_AN_EMERGING_RISK_AMID_THE_COVID19_PANDEMIC.pdf)
- 37 United Nations Human Rights Committee. Report of the United Nations High Commissioner for Human Rights: Situation of human rights in the Philippines June 29, 2020: A/HRC/44/22. <https://undocs.org/en/A/HRC/44/22>
- 38 U.S. Department of State official. E-mail communication to USDOL official. July 1, 2020.
- 39 Ki, Czarina Nicole Ong. Filipino youth most concerned about child labor, early pregnancy. Manila Bulletin, November 25, 2020. <https://mb.com.ph/2020/11/25/filipino-youth-most-concerned-about-child-labor-early-pregnancy/>
- 40 Government of the Philippines. An Act Instituting Policies for the Protection and Welfare of Domestic Workers, No. 10361. Enacted: January 18, 2013. Source on file.
- 41 Government of the Philippines. The Labor Code of the Philippines, Presidential Decree No. 442. Enacted: May 1, 1974. [http://hrlibrary.umn.edu/research/Philippines/PD\\_442\\_-\\_Labor\\_Code\\_of\\_the\\_Philippines.pdf](http://hrlibrary.umn.edu/research/Philippines/PD_442_-_Labor_Code_of_the_Philippines.pdf)
- 42 Government of the Philippines. Republic Act No. 7610 - Special Protection of Children Against Child Abuse, Exploitation, and Discrimination Act. Enacted: June 17, 1992. Source on file.
- 43 Government of the Philippines. An Act Providing for the Elimination of the Worst Forms of Child Labor and Affording Stronger Protection for the Working Child, Amending for this Purpose Republic Act No. 7610, No. 9231. Enacted: December 19, 2003. [http://www.lawphil.net/statutes/repacts/ra2003/ra\\_9231\\_2003.html](http://www.lawphil.net/statutes/repacts/ra2003/ra_9231_2003.html)
- 44 Government of the Philippines. Guidelines in Assessing and Determining Hazardous Work in the Employment of Persons Below 18 Years of Age. Act No. 149-A. January 16, 2017. <https://www.dole.gov.ph/news/department-order-149-a-17-guidelines-in-assessing-and-determining-hazardous-work-in-the-employment-of-persons-below-18-years-of-age/>
- 45 Government of the Philippines. Guidelines in Assessing and Determining Hazardous Work in the Employment of Persons Below 18 Years of Age, Department Order No. 149. Enacted: February 15, 2016. <https://www.dole.gov.ph/news/department-order-no-149-2016-guidelines-in-assessing-and-determining-hazardous-work-in-the-employment-of-persons-below-18-years-of-age/>
- 46 Government of the Philippines. Expanded Anti-Trafficking in Persons Act of 2012. No. 10364. Enacted: February 6, 2013. [https://www.lawphil.net/statutes/repacts/ra2013/ra\\_10364\\_2013.html](https://www.lawphil.net/statutes/repacts/ra2013/ra_10364_2013.html)
- 47 Government of the Philippines. Anti-Child Pornography Act of 2009. No. 9775. Enacted: November 17, 2009. [http://www.lawphil.net/statutes/repacts/ra2009/ra\\_9775\\_2009.html](http://www.lawphil.net/statutes/repacts/ra2009/ra_9775_2009.html)
- 48 Government of the Philippines. An Act Defining Cybercrime, Providing for the Prevention, Investigation, Suppression and the Imposition of Penalties Therefore and for Other Purposes, Republic Act No. 10175. Enacted: 2011. [https://www.lawphil.net/statutes/repacts/ra2012/ra\\_10175\\_2012.html](https://www.lawphil.net/statutes/repacts/ra2012/ra_10175_2012.html)
- 49 Government of the Philippines. Free Internet Access in Public Places Act. Republic Act No 10929. August 2, 2017. [https://www.senate.gov.ph/republic\\_acts/ra\\_10929.pdf](https://www.senate.gov.ph/republic_acts/ra_10929.pdf)
- 50 Government of the Philippines. Comprehensive Dangerous Drugs Act of 2002, No. 9165. Enacted: June 7, 2002. [http://www.lawphil.net/statutes/repacts/ra2002/ra\\_9165\\_2002.html](http://www.lawphil.net/statutes/repacts/ra2002/ra_9165_2002.html)
- 51 Government of the Philippines. Providing for the Development, Administration, Organization, Training and Maintenance and Utilization of the Citizen Armed Forces of the Philippines, and for Other Purposes Act, No. 7077. Enacted: June 27, 1991. [http://www.lawphil.net/statutes/repacts/ra1991/ra\\_7077\\_1991.html](http://www.lawphil.net/statutes/repacts/ra1991/ra_7077_1991.html)
- 52 Government of the Philippines. Enhanced Basic Education Act of 2013, No. 10533. Enacted: May 15, 2012. [https://www.lawphil.net/statutes/repacts/ra2013/ra\\_10533\\_2013.html](https://www.lawphil.net/statutes/repacts/ra2013/ra_10533_2013.html)
- 53 Government of the Philippines. The 1987 Constitution of the Republic of the Philippines. Enacted: February 11, 1987. <https://www.lawphil.net/consti/consti1987.html>
- 54 U.S. Embassy- Manila. Reporting. March 18, 2022.
- 55 U.S. Department of State official. E-mail communication to USDOL official. June 22, 2021.
- 56 ILO. E-mail communication to USDOL official. April 13, 2018.
- 57 Government of the Philippines, Department of Labor and Employment official. Interview with USDOL official. May 10, 2019.
- 58 Government of the Philippines, Department of Labor and Employment. Bureau of Workers with Special Concerns. Accessed: May 29, 2019. <https://bwsc.dole.gov.ph/>

- 59 Government of the Philippines, DOLE and World Vision inked a MOA to address WFCL. July 14, 2021. [https://bwc.dole.gov.ph/images/GoodNews/2021/Aug2021/20210728\\_NewsRelease\\_DOLEandWorldVisioninkedaMOAtoaddressWFCL.pdf](https://bwc.dole.gov.ph/images/GoodNews/2021/Aug2021/20210728_NewsRelease_DOLEandWorldVisioninkedaMOAtoaddressWFCL.pdf)
- 60 Government of the Philippines, DOLE, LGU Isabela City and partners reactivate Anti-Child Labor Council. June 25, 2021. <https://www.dole9portal.com/dole-lgu-isabela-city-and-partners-reactivate-anti-child-labor-council/>
- 61 Government of the Philippines, Department of Labor and Employment—Bureau of Workers with Special Concerns. Sagip Batang Manggagawa (SBM). Accessed: 2018. <https://bwsc.dole.gov.ph/programs-and-projects-submenu/1/clpep/sbm.html>
- 62 ILO. Application of International Labour Standards 2020—Report of the Committee of Experts on the Application of Conventions and Recommendations. February 14, 2020. [https://www.ilo.org/global/standards/applying-and-promoting-international-labour-standards/committee-of-experts-on-the-application-of-conventions-and-recommendations/WCMS\\_735945/lang-en/index.htm](https://www.ilo.org/global/standards/applying-and-promoting-international-labour-standards/committee-of-experts-on-the-application-of-conventions-and-recommendations/WCMS_735945/lang-en/index.htm)
- 63 Remitio, Rex. Gov't blocks major porn websites. CNN Philippines, January 20, 2017. <http://cnnphilippines.com/news/2017/01/16/government-blocks-major-porn-websites.html>
- 64 Government of the Philippines, Department of Justice official. Interview with USDOL official. May 6, 2019.
- 65 Australian Federal Police. Inauguration of the Philippine Internet Crimes Against Children Center. Washington, DC: Targeted News Service, February 27, 2019. <https://www.afp.gov.au/news-media/media-releases/inauguration-philippine-internet-crimes-against-children-center>
- 66 Barker, Anne. Mothers play an increasingly large and shocking role in South-East Asian child sexual abuse. ABC News, July 1, 2020. <https://www.abc.net.au/news/2020-07-02/south-east-asian-mums-sell-child-abuse-material-to-paedophiles/12407294>
- 67 British Embassy- Manila. Launch of the Philippines Internet Crimes Against Children Center. February 27, 2019. <https://www.gov.uk/government/news/launch-of-the-philippine-internet-crimes-against-children-center>
- 68 Philippines National Police official. Interview with USDOL official. May 6, 2019.
- 69 Government of the Philippines, Department of Information and Communications Technology official. Interview with USDOL official. May 7, 2019.
- 70 Government of the Philippines. Rules and Regulations Implementing Republic Act No. 10929, known as the Free Internet Access in Public Places Act. Accessed: July 23, 2018. <https://dict.gov.ph/wp-content/uploads/2017/10/Draft-IRR-RA-10929.pdf>
- 71 U.S. Embassy- Manila official. E-mail correspondence with USDOL official. April 27, 2021.
- 72 U.S. Embassy-Manila official. Email communication with USDOL official. May 17, 2022.
- 73 U.S. Embassy- Manila official. Email correspondence with USDOL official. July 6, 2022.
- 74 UN. World Economic Situation and Prospects 2017 Statistical Annex. New York, 2017. Please see "Labor Law Enforcement: Sources and Definitions" in the Reference Materials section of this report. [https://www.un.org/development/desa/dpad/wp-content/uploads/sites/45/publication/2017wesp\\_full\\_en.pdf](https://www.un.org/development/desa/dpad/wp-content/uploads/sites/45/publication/2017wesp_full_en.pdf)
- 75 ILO. Labor Force Statistics (LFS) – Population and labour force. Accessed: January 25, 2022. Labor force data is government-reported data collected by the ILO. Please see "Labor Law Enforcement: Sources and Definitions" in the Reference Materials section of this report. <https://ilostat.ilo.org/data/>
- 76 Government of the Philippines, DOLE Transition of informal sector workers to formal economy gets boost. May 6, 2017. <https://www.dole.gov.ph/news/transition-of-informal-sector-workers-to-formal-economy-gets-boost/>
- 77 Reuters. Death of a Schoolboy. August 25, 2017. <http://fingfx.thomsonreuters.com/gfx/rngs/PHILIPPINES-DRUGS/010050JX18M/index.html>
- 78 Macaraig, Ayee. 'Worse than prison': Abuses in Philippine youth homes. ABS-CBN, July 22, 2019. <https://news.abs-cbn.com/spotlight/07/22/19/worse-than-prison-abuses-in-philippine-youth-homes>
- 79 U.S. Embassy- Manila official. E-mail communication to USDOL official. June 29, 2018.
- 80 Nebehay, Stephanie. Scores of children killed in Philippines' war on drugs: Report. Reuters, June 29, 2020. <https://www.reuters.com/article/us-philippines-rights-idUSKBN2401BZ>
- 81 Human Rights Watch. Philippines: Abusive 'Drug War' Targets Children. September 9, 2017. <https://www.hrw.org/news/2017/09/09/philippines-abusive-drug-war-targets-children>
- 82 Reuters. Philippines to review thousands more 'drug war' killings. October 20, 2021. <https://www.reuters.com/world/asia-pacific/philippines-review-thousands-drugs-war-killings-if-time-justice-minister-2021-10-20/>
- 83 Esguerra, Darryl John. Duterte creates National Council Against Child Labor: The Philippine Daily Inquirer, September 27, 2019. <https://newsinfo.inquirer.net/1170328/duterte-creates-national-council-against-child-labor>
- 84 Merez, Arianne. Duterte forms National Council Against Child Labor. ABS-CBN News, September 27, 2019. <https://news.abs-cbn.com/news/09/27/19/duterte-forms-national-council-against-child-labor>
- 85 Agoot, Liza. DOLE reactivates regional child labor committee. Philippine News Agency, October 2, 2019. <https://www.pna.gov.ph/articles/1081992>
- 86 Rappler.com Trade union welcomes creation of anti-child labor council. September 28, 2019. <https://r3.rappler.com/nation/241284-trade-union-welcomes-creation-anti-child-labor-council>
- 87 Government of the Philippines. Government Efforts to Combat the Worst Forms of Child Labor: Presentation to U.S. Department of Labor. July 18, 2017. Source on file.
- 88 United Nations Human Rights Committee. Periodic reports of state parties, due in 2016: Philippines. May 2019: CCPR/C/PHL/5. Source on file.
- 89 Government of the Philippines. A Safer Home for Safer Kids of the Inter-Agency Council Against Child Pornography. July 26, 2021. [https://www.deped.gov.ph/wp-content/uploads/2021/07/DA\\_s2021\\_041-1.pdf](https://www.deped.gov.ph/wp-content/uploads/2021/07/DA_s2021_041-1.pdf)
- 90 U.S. Embassy- Manila official. E-mail communication with USDOL official. March 5, 2020.
- 91 Council for the Welfare of Children—Inter-Agency Committee on Children in Situations of Armed Conflict (IAC CSAC). Inputs to the US Department of Labor Annual Report. June 2020. Source on file.
- 92 Government of the Philippines, Department of Social Welfare and Development official. Interview with USDOL official. May 7, 2019.
- 93 Manila Bulletin. DSWD, JJWC to continue raising awareness, promoting children's rights. November 18, 2021. <https://mb.com.ph/2021/11/18/dswd-jjwc-to-continue-raising-awareness-promoting-childrens-rights/>
- 94 Government of the Philippines. Philippines Plan of Action to End Violence Against Children (PPAEVAC). 2017. Source on file.
- 95 U.S. Embassy- Manila official. E-mail communication with USDOL official. February 24, 2020.
- 96 ILO-IPEC. Global Action Program on Child Labor Issues. October 2016: Technical Progress Report. Source on file.
- 97 Government of the Philippines. IACAT Plans and Programs in Combating Labor Trafficking and Online Sexual Exploitation of Children: Presentation to U.S. Department of Labor. July 17, 2017. Source on file.

# Philippines

## MODERATE ADVANCEMENT

- 98 Government of the Philippines. National Strategic Action Plan Against Trafficking in Persons (2017-2022). Inter-Agency Council Against Trafficking, Source on file.
- 99 U.S. Department of State. Diplomacy in Action—Child Protection Compact Partnerships. Washington, D.C., Accessed: January 15, 2019. <https://www.state.gov/child-protection-compact-partnerships/>
- 100 Government of the Philippines. Justice Secretary Aguirre signs Child Protection Compact (CPC) partnership with US Embassy official. April 11, 2017. Source on file.
- 101 U.S. Department of State. Child Protection Compact Partnership Between the Government of the United States of America and the Government of the Republic of the Philippines. April 11, 2017. <https://www.state.gov/child-protection-compact-partnerships-philippines/>
- 102 U.S. Embassy- Manila. Reporting. January 30, 2018.
- 103 UNICEF. Child 21. A Legacy to the Filipino Children of the 21st Century, Philippines National Strategic Framework for Plan Development for Children, 2000–2025, 2000. Source on file.
- 104 Government of the Philippines. Third National Plan of Action for Children (2017–2022), Executive Summary. 2017. Source on file.
- 105 Government of the Philippines. Philippine Program Against Child Labor, Development Action Plan, 2017–2022. 2017. Source on file.
- 106 Government of the Philippines. DOLE. Guidance to Host Establishments in Ensuring Safe Workplaces for Senior High School Students under Work Immersion Program. July 14, 2017.  
Government of the Philippines. DOLE. Guidance to Host Establishments in Ensuring Safe Workplaces for Senior High School Students under Work Immersion Program. July 14, 2017
- 107 Government of the Philippines. Implementing Rules and Regulations of Republic Act No. 10917 Amending for the Purpose Republic Act 9547 and 7323, Otherwise Known as the Special Program for the Employment of Students (SPES). March 20, 2017. Source on file.
- 108 Dumaboc, Fe Marie. DOLE gathers 900 Cebu kids for anti-child labor program. Philippine News Agency, November 26, 2019. <https://www.pna.gov.ph/articles/1087054>
- 109 Government of the Philippines, Department of Social Welfare and Development. The Pantawid Pamilyang Pilipino Program (4Ps). Accessed: July 27, 2018. <https://pantawid.dswd.gov.ph/about/>
- 110 ILO. Philippines bolsters fight against child labour. Accessed: May 31, 2017. [http://www.ilo.org/manila/public/pr/WCMS\\_541499/lang--en/index.htm](http://www.ilo.org/manila/public/pr/WCMS_541499/lang--en/index.htm)
- 111 Calunsod, Ronron. Campaigners enlist kids in bid to end child labor. Kyodo News, June 7, 2018. <https://news.abs-cbn.com/news/06/07/18/campaigners-enlist-kids-in-bid-to-end-child-labor>
- 112 Philippine Department of Education official. Interview with USDOL official. July 18, 2017.
- 113 U.S. Department of Labor. Against Child Exploitation (ACE) Project—Project Summary (2020). Accessed: May 25, 2021. <https://www.dol.gov/agencies/ilab/against-child-exploitation-ace-project>
- 114 U.S. Department of Labor. BuildCA2P: Build Capacity, Awareness, Advocacy and Programs Project—Project Summary (2020). Accessed May 25, 2021. <https://www.dol.gov/agencies/ilab/buildca2p-building-capacity-awareness-advocacy-and-programs-project>
- 115 U.S. Department of Labor. SAFE Seas—Project Summary (2020). Accessed May 25, 2021. <https://www.dol.gov/agencies/ilab/safe-seas>
- 116 U.S. Department of Labor. Reducing Incidence of Child Labor and Harmful Conditions of Work in Economic Strengthening Initiatives (RICHES)—Project Summary (2020). Accessed: May 25, 2021. <https://www.dol.gov/agencies/ilab/riches>
- 117 U.S. Department of Labor. Measurement, Awareness-Raising, and Policy Engagement (MAPI6) Project on Child Labor and Forced Labor—Project Summary (2020). Accessed May 25, 2021. <https://www.dol.gov/agencies/ilab/measurement-awareness-raising-and-policy-engagement-map-16-project-child-labor-and>
- 118 U.S. Department of Labor. CARING Gold Mining Project—Project Summary (2020). Accessed: May 25, 2021. <https://www.dol.gov/agencies/ilab/caring-gold-mining-project-convening-stakeholders-develop-and-implement-strategies>
- 119 ILO-IPEC. Country Level Engagement and Assistance to Reduce (CLEAR) Child Labor Project. Technical Progress Report. October 2015. Source on file.
- 120 Government of the Philippines. Department of Labor and Employment-Bureau of Workers with Special Concerns. Social Amelioration Program in the Sugar Industry. March 2, 2014. Source on file.
- 121 Government of the Philippines. Strengthening the Social Amelioration Program in the Sugar Industry, Providing the Mechanics for its Implementation, and for Other Purposes Act, No. 6982. Enacted: May 1, 1991. <http://www.chanrobles.com/republicactno6982.htm>
- 122 Jalea, Mary Gleefer F. Social media tool for child trafficking. The Manila Times, October 21, 2017. <http://www.manilatimes.net/social-media-tool-child-trafficking/357750/>
- 123 Murdoch, Lindsay. Children as young as two rescued from Philippine cybersex abuse dens. The Sydney Morning Herald, June 3, 2017. <https://www.smh.com.au/world/children-as-young-as-two-rescued-from-philippine-cybersex-abuse-dens-20170603-gwjmg5.html>
- 124 Human Rights Watch. "Our Happy Family Is Gone"—Impact of the "War on Drugs" on Children in the Philippines. May 27, 2020. <https://www.hrw.org/report/2020/05/27/our-happy-family-gone/impact-war-drugs-children-philippines>
- 125 Philippines NGO. Interview with USDOL official. June 26, 2018. Source on file.
- 126 Cullen, Fr. Shay, SSC. Children abused in detention. The Manila Times, June 24, 2018. <http://www.manilatimes.net/children-abused-in-detention/411729/>
- 127 Commission on Human Rights. Report of Online Visit at Marikina Youth Home (Bahay Pag-asa Marikina). December 10, 2020. Source on file.
- 128 Commission on Human Rights. Report of Remote and Physical Visit to Bahay Pag-Asa in Pasig City. January 18, 2021. Source on file.



In 2021, Rwanda made moderate advancement in efforts to eliminate the worst forms of child labor. Rwanda finalized a new national action plan to combat human trafficking and launched a new hotline for the public to report child abuse, including child labor. Furthermore, the Isange One Stop Centers that provide services to human trafficking victims inaugurated the first child-safe space to provide care to child victims of trafficking. However, children in Rwanda are subjected to the worst forms of child labor, including in forced domestic work. Children also perform dangerous tasks in mining, including carrying heavy loads. 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. The number of labor inspectors does not meet the International Labor Organization's technical advice for the size of Rwanda's 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. Children also perform dangerous tasks in mining, including carrying heavy loads. (I-3) Table I provides key indicators on children's work and education in Rwanda.

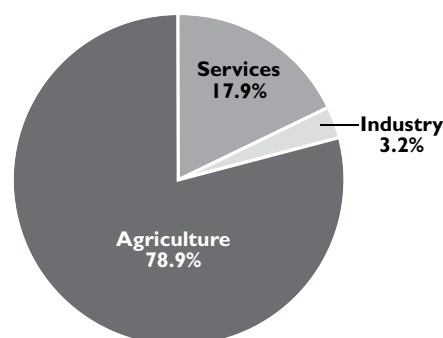
**Table I. Statistics on Children's Work and Education**

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, 2022. (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 I. 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 (6,7)
	Production of tea, including applying fertilizers,† carrying heavy loads,† planting, plucking tea leaves, and weeding (6,8,9)
	Fishing† (10)
	Herding cattle and caring for pigs, sheep, goats, and chickens (6,11)
Industry	Construction,† including laying and making bricks (1,5,6,12)
	Mining† tantalum ore (coltan) and quarrying (1,5,6,13,14)



# Rwanda

## MODERATE ADVANCEMENT

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

Sector/Industry	Activity
Industry	Producing charcoal (6)
Services	Domestic work† (5,6,12,15,16)
	Repair and cleaning of motorcycles and motor vehicles (5,17)
	Street work, including collecting scrap metal,† carrying heavy loads as porters,† begging, and small-scale vending (6,17-19)
Categorical Worst Forms of Child Labor‡	Commercial sexual exploitation, sometimes as a result of human trafficking (16,17,20)
	Forced labor in agricultural work, mining, domestic work, and begging (11,12,15,21)

† 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.

Rwanda is a source and transit country for child trafficking victims, primarily those from Rwanda and neighboring countries trafficked to Saudi Arabia, Uganda, Kenya, and elsewhere in East Africa, the Middle East, and East Asia. (11,20,22,23) 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. (16,22-25) Children between ages 13 and 18 are often trafficked for commercial sexual exploitation in hotels, at times with the cooperation of hotel owners. Reports indicate an increase in domestic human trafficking, possibly due to the COVID-19 pandemic and restrictions on cross-border travel. (20) Homeless and orphaned children, children with disabilities, and girls are at particular risk of being trafficked. (20)

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. (9,11,20) The closure of schools due to the pandemic may have contributed to an increase in forced begging, and children who begged typically worked almost 11 hours per day and were at risk of not returning to school. (9,20)

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. (10,26) In a survey of working children between ages 5 and 17 from 11 districts in the country, Rwanda’s National Commission for Human Rights reported in 2020 that more than half of the respondents indicated that they performed some type of hazardous labor, including carrying heavy loads, working in construction and brick kilns, and mining. (3,9)




Officials have indicated that children in mining often drop out of school and work in abandoned artisanal mines with their parents. (9,27) During the reporting period, police in the Musanze district of Northern Province indicated that hundreds of children had dropped out of school and many had begun working in the sugarcane and brick-making industries. (7) Poverty was identified as the key factor contributing to child labor, which in turn led to an increased incidence of children dropping out of school. (3,9)

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. (25,27,28) Furthermore, children with disabilities face particular difficulties accessing education due to stigma and because schools lack the capacity to accommodate special needs. (9,20,27,29)

## 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 in 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 2, 3, and 7-9 of the Ministerial Instruction Relating to Prevention and Fight Against Child Labor (30,31)
Minimum Age for Hazardous Work	Yes	18	Article 6 of the Labor Law (30)
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 (30-32)
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 (30,31,33,34)
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 (31,33-37)
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 and 35 of the Law Relating to the Protection of the Child; Article 9 of the Ministerial Instruction Relating to Prevention and Fight against Child Labor (31,33,34,36,37)
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 (31,33,34,38)
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 (33,39,40)
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 (38,39)
Prohibition of Military Recruitment by Non-state Armed Groups	Yes		Article 221 of the Penal Code (34)

# Rwanda

## MODERATE ADVANCEMENT

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

Standard	Meets International Standards	Age	Legislation
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 Organization of Education (33,41)
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 Organization of Education (33,41)

\* Country has no conscription (33,39,40)

The 2020 Law Determining the Organization of Education stipulates that primary education is free and compulsory through the first 6 years of schooling, but the law does not provide for free and compulsory secondary education. (9,41) Although Rwanda has adopted policies separate from the education law to implement fee-free 12 years basic education and compulsory education through age 15, the national education law does not provide for free basic education through the first 9 years of schooling and states that education is compulsory only up to age 12. (26,41,42) The Law Determining the Organization of Education also establishes English as the primary language of instruction, which may create a barrier to education for children whose first language is not English. (41) 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.

### 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, in coordination with other government entities at the national and district level. (27) 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, the Ministry of Justice, and the Ministry of Local Government, to take an active role in child labor law enforcement. (1,9)
Rwandan National Police (RNP)	Through the Child Protection Unit and Anti-Trafficking Unit, enforce criminal laws related to the worst forms of child labor and operate a free hotline to report incidents of gender-based violence and child abuse, including child labor. (1,24,29) It is unknown how many calls to the hotline, if any, were related to child labor. (43)
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, dedicates 12 prosecutors to work with an additional 60 prosecutors trained in handling relevant cases at the district level. (44)
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 to verify that children transported across the border are traveling with the permission of their parents or guardians. (1)

#### Labor Law Enforcement

In 2021, labor law enforcement agencies in Rwanda took actions to address 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 insufficient allocation of human resources.

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

Overview of Labor Law Enforcement	2020	2021
Labor Inspectorate Funding	\$257,000 (9)	\$166,705 (27)
Number of Labor Inspectors	36 (9)	37 (27)
Mechanism to Assess Civil Penalties	Yes (30,45)	Yes (30,45)
Initial Training for New Labor Inspectors	Yes (9)	Yes (27)
Training on New Laws Related to Child Labor	Yes (9)	N/A
Refresher Courses Provided	Yes (9)	Yes (27)
Number of Labor Inspections Conducted	8,712 (9)	9,432 (27)
Number Conducted at Worksite	8,712 (9)	9,432 (27)
Number of Child Labor Violations Found	624 (46)	253 (43)
Number of Child Labor Violations for Which Penalties Were Imposed	6 (9)	8 (27)
Number of Child Labor Penalties Imposed that Were Collected	6 (9)	8 (27)
Routine Inspections Conducted	Yes (9)	Yes (27)
Routine Inspections Targeted	Yes (9)	Yes (27)
Unannounced Inspections Permitted	Yes (47)	Yes (47)
Unannounced Inspections Conducted	Yes (9)	Yes (27)
Complaint Mechanism Exists	Yes (9)	Yes (27)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (9)	Yes (27)

Rwanda again significantly increased the number of labor inspections it conducted over the previous year as part of its effort to improve the efficiency of its public servants while using fewer resources. MIFOTRA indicated it has implemented a strategy of targeted planning and increased cooperation with Child Labor Steering Committees at the village level. (27) MIFOTRA also noted that despite budget cuts due to pandemic-related challenges, inspectors were among the few civil servants to receive vehicle and transportation allowances as well as other resources, in what the ministry highlighted as evidence of the prioritization of the labor inspectorate. (27) Of the inspections conducted during the reporting period, 720 specifically targeted child labor, and MIFOTRA reported removing 253 children from child labor situations. Inspectors receive at a minimum quarterly trainings on various labor-related topics, and in 2021 three new inspectors received initial training that included topics on child labor elimination. (27)

The number of labor inspectors is likely insufficient for the size of Rwanda's workforce, which includes approximately 4 million workers. According to the ILO's technical advice of a ratio approaching 1 inspector for every 40,000 workers in less developed economies, Rwanda would need to employ about 107 labor inspectors. (48) Despite MIFOTRA's indication that the labor inspectorate was sufficiently funded, research finds that limited resources, lack of personnel, high workloads, and insufficient training may limit labor inspectors' ability to enforce child labor laws and perform onsite inspections. (4,9,20,27) Reports indicate that officials at the local level had difficulty identifying characteristics of child trafficking and child labor. (11,44)

### **Criminal Law Enforcement**

In 2021, criminal law enforcement agencies in Rwanda took actions to address child labor (Table 7). However, gaps exist within the operations of the Rwandan National Police that may hinder adequate criminal law enforcement, including inadequate victim screening and identification.

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

Overview of Criminal Law Enforcement	2020	2021
Initial Training for New Criminal Investigators	Yes (9)	Yes (27)
Training on New Laws Related to the Worst Forms of Child Labor	Yes (9)	N/A
Refresher Courses Provided	Yes (9)	Yes (27)
Number of Investigations	6 (9)	8 (27)
Number of Violations Found	6 (9)	19 (43)
Number of Prosecutions Initiated	6 (9)	8 (27)
Number of Convictions	0 (9)	0 (27)

## MODERATE ADVANCEMENT

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

Overview of Criminal Law Enforcement	2020	2021
Imposed Penalties for Violations Related to the Worst Forms of Child Labor	Yes (9)	Yes (27)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (9)	Yes (27)

The government identified 19 child victims of child trafficking and forced child labor in 2021. (23) In a notable case during the reporting period, the Rwanda Investigation Bureau arrested folk singer Francois Nsengiyumva and charged him with defiling a 13-year-old girl and forcing her to work for him. (27,49) Although the alleged victim herself had reported Nsengiyumva to the authorities, he was released from custody 2 months later by the Nyagatare High Court, which found that the claims against him were baseless. (50,51)

The government has acknowledged detaining thousands of street children in accordance with 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. (52,53) 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. (20,23,24,27) 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. (54) 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. (23,53) Sources report that children subjected to commercial sexual exploitation and forced street begging have been detained in the transit centers, in part due to inadequate screening by law enforcement officials to identify victims of human trafficking. (20,23,55) 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. (29,52,56) Rehabilitation services at the centers were limited, and children were detained for prolonged periods at transit centers before they were referred to a rehabilitation facility or released back into the street. (20,57,58)

Despite government efforts to combat trafficking in persons, agencies lack a centralized database to share among law enforcement agencies, hindering coordination efforts. (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 lack of implementation.

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

Coordinating Body	Role & Description
Interministerial 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) As part of the coordination efforts, MIFOTRA completed its annual Compliance Forum across all provinces and the city of Kigali, and held coordinating meetings with the Ministry of Local Government (MINALOC) every 2 weeks during the reporting period. (27)
Interagency Working Group on Human Trafficking	Enables national-level discussion and coordination of efforts to address human trafficking, including child labor. Includes representatives of the Ministry of Gender and Family Promotion (MIGEPROF), the Ministry of Justice, RNP, and NPPA. (1,9) The working group remained active during the reporting period, though it held fewer meetings than the previous reporting period. (43)
MIGEPROF's National Child Development Agency	Replaced the dissolved National Child Commission and the National Early Childhood Development Program in an effort to centralize the implementation of child's rights protection efforts. Monitors, promotes, and advocates for children's rights, and develops action plans to protect children from abuse and exploitation. (1,9,59,60) During the reporting period, partnered with the Rwanda Governance Board to conduct an early child development survey in 13 districts measuring various indicators of child well-being, such as child protection, to inform policy interventions. (61) Also hosted its annual National Children's Summit in 2021 to discuss issues such as school service, family violence, and sexual exploitation of children. (27)



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

Coordinating Body	Role & Description
Child Labor Steering Committees	Monitor incidents of child labor nationwide and implement policies developed by the Interministerial 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. (1,16) Since their establishment in 2018, research has since been unable to identify any meaningful activities or efforts from these committees, particularly at the sector and cell levels. (43,46)

Reports indicate that poor coordination, training, and resource constraints hindered efforts to combat human trafficking and that efforts were focused primarily on transnational rather than domestic human trafficking. (20,44)

## 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 mainstreaming child labor issues into relevant policies.

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

Policy	Description
Strategic Plan for the Integrated Child Rights Policy 2019–2024	Aims to improve coordination and implementation issues in child protection, including strategies to address child labor. Focuses on key areas of identity and nationality; family and alternative care; health, survival, and standard of living; education; protection; justice; and participation. (62) Research was unable to determine whether activities were undertaken to implement this policy during the reporting period.
Anti-Human Trafficking Action Plan†	Finalized in 2021 based on analysis of the 2019 anti-human trafficking national action plan, focuses efforts on trafficking prevention, victim protection and assistance, prosecution, and strategic partnerships with various stakeholders. (23,65)
Rwanda Urban Development Project Labor Management Procedure	Lays out specific responsibilities for MINALOC to monitor and enforce child labor laws at the local level. Mandates that appointed local authorities conduct inspections, enforce child labor laws for rural development projects, and field child labor complaints from Grievance Redress Committees established at local worksites. (9,66) 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 has other policies that may have addressed child labor issues or had an impact on child labor. (63,64)

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 and elimination of child labor are not integrated into the policy. (67)

## VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2021, 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 inadequate efforts to address child labor in all sectors.

# Rwanda

## MODERATE ADVANCEMENT

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

Program	Description
Programs to Combat Child Labor and Raise Awareness†	Include 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>Inshuti 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) While the Friends of the Family Program remained active during the reporting period, research was unable to identify activities undertaken to address child labor specifically.
Victim Assistance Programs‡	Musanze Child Rehabilitation Center in Northern Province assists children separated from armed groups in the Democratic Republic of the Congo. (27,29) Gitagata Center provides education, vocational training, and psychosocial support, and aims to reunite former street children with their families. Isange One Stop Centers located in 44 hospitals and district capitals assist victims of gender-based violence and human trafficking. (1,68) The government continued to fund the rehabilitation and Isange One Stop Centers during the reporting period. (27) In 2021, the government inaugurated its first child-friendly space within an Isange One Stop Center to provide specialized services to child trafficking victims. (23)
It Takes Every Rwandan to End Child Exploitation	Advocacy campaign against child labor and sexual abuse of children supported by MIGEPROF and World Vision Rwanda. (1,69) During the reporting period, the program launched a new campaign in the Nyagatare district of Eastern Province that aims to work with children and communities to educate them about children's rights and preventing violence against children. The campaign also seeks to simplify referral mechanisms to report incidents. (70) Also in 2021, World Vision partnered with the Rwanda Extractive Industry Worker's Union to launch a new hotline to enable the public to report child abuses, including child labor. (71)
Strengthening Social Protection Project (2017–2021)	An \$80 million World Bank-funded project in support of the Vision 2020 Umurenge Program that aimed to deliver cash transfers and improve social safety nets. (72) Research was unable to determine whether activities were undertaken to implement the program during the reporting period.

† 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. (73)

Although Rwanda has programs that target child labor, research did not identify sufficient programming to address the extent of child labor in the agriculture and mining sectors, in which child labor is prevalent.

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. (22,25) In addition, service providers lacked sufficient training to properly identify victims of human trafficking. (20,22)

## VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE CHILD LABOR

Based on the reporting above, suggested actions are identified that would advance the elimination of child labor in 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 – 2021
	Ensure that the age up to which education is compulsory is the same as the minimum age for work.	2020 – 2021
Enforcement	Report the number of complaints received by the Rwandan National Police's hotline that relate to child labor.	2013 – 2021
	Increase the number of inspectors to meet the ILO's technical advice.	2009 – 2021
	Ensure that the labor inspectorate has sufficient resources, personnel, and training to enforce child labor laws.	2017 – 2021
	Cease the practice of detaining and physically abusing 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 – 2021
	Improve ability of law enforcement agencies to share data relevant to the worst forms of child labor.	2021
Coordination	Ensure that all coordinating bodies are able to carry out their intended mandates.	2019 – 2021
	Ensure that coordinating bodies receive adequate resources and are able to combat both domestic and transnational human trafficking.	2019 – 2021

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

Area	Suggested Action	Year(s) Suggested
Government Policies	Ensure that actions are taken to implement the Strategic Plan for the Integrated Child Rights Policy.	2019 – 2021
	Integrate child labor elimination and prevention strategies into the National Social Protection Strategy.	2011 – 2021
Social Programs	Ensure that activities are undertaken to implement social programs during the reporting period and make information about implementation measures publicly available.	2020 – 2021
	Remove barriers to education, such as language barriers for non-English speakers, costs for uniforms and school supplies, and unofficial school fees, and ensure access for children with disabilities.	2010 – 2021
	Expand existing social programs to address all relevant sectors of child labor, including agriculture and mining.	2017 – 2021
	Expand services for human trafficking victims, including programs for long-term care in shelters.	2019 – 2021
	Ensure that service providers are properly trained to identify victims of human trafficking.	2019 – 2021

**REFERENCES**

- U.S. Embassy- Kigali. Reporting. February 7, 2019.
- ILO. Analysis of Child Economic Activity and School Attendance Statistics from National Household or Child Labor Surveys. Original data from Integrated Household Living Conditions Survey (EICV-5), 2016–2017. Analysis received March 2022. Please see “Children’s Work and Education Statistics: Sources and Definitions” in the Reference Materials section of this report.
- Government of Rwanda. Analysis of Child Labor and Its Impact on Child Rights in Rwanda. National Commission for Human Rights. May 2020. [http://www.cndp.org.rw/fileadmin/user\\_upload/Child\\_Labor\\_Survey\\_Report.pdf](http://www.cndp.org.rw/fileadmin/user_upload/Child_Labor_Survey_Report.pdf)
- UNESCO Institute for Statistics. Gross intake ratio to the last grade of primary education, both sexes (%). Accessed March 3, 2022. For more information, please see “Children’s Work and Education Statistics: Sources and Definitions” in the Reference Materials section of this report. <http://data.uis.unesco.org/>
- National Institute of Statistics of Rwanda. Integrated Household Living Conditions Survey (EICV) 2013/2014 Thematic Report: Economic Activity. March 2016. <http://www.statistics.gov.rw/publication/eicv-4-thematic-report-economic-activity>
- Rwanda Extractive Industry Workers Union. Rapid Assessment Report on Rwanda Child Labor. October 1, 2020. <https://rewu.org.rw/wp-content/uploads/2020/11/2020-10-01-Rapid-Assessment-Report-on-child-labor-in-Rwanda.pdf>
- Government of Rwanda. Parents urged to send children to school. Musanze: Rwanda National Police. May 11, 2021. <https://police.gov.rw/media-archives/news-detail/news/musanze-parents-urged-to-send-children-to-school/>
- Winrock International. Baseline Prevalence Study on Child Labor in Tea Growing Areas in Rwanda. Published in 2016. Source on file.
- U.S. Embassy- Kigali. Reporting. January 21, 2021.
- National Institute of Statistics of Rwanda. The Fifth Integrated Household Living Conditions Survey EICV5 2016/17: Economic Activity. December 2018. <http://www.statistics.gov.rw/publication/eicv5thematic-report-economic-activity-thematic-report.pdf>
- U.S. Embassy- Kigali. Reporting. February 12, 2021.
- Kantengwa, Sharon. How is Rwanda faring in the fight against child labour? The New Times, June 16, 2017. <http://www.newtimes.co.rw/section/read/214331/>
- Okello, James. Police Warns Over Child Labour. [news.rwanda.com](http://news.rwanda.com), April 10, 2016. Source on file.
- Government of Rwanda. The duo arrested over illegal mining, child labour. Rwanda National Police. June 11, 2021. <https://www.police.gov.rw/media-archives/news-detail/news/rulindo-the-duo-arrested-over-illegal-mining-child-labour/>
- Nkurunziza, Michel. Is there hope for mistreated domestic workers? Rwanda Focus. July 2, 2016. <http://allafrica.com/stories/201607040487.html>
- ILO Committee of Experts. Individual Direct Request concerning Worst Forms of Child Labour Convention, 1999 (No. 182) Rwanda (ratification: 2000). Published: 2018. [https://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100\\_COMMENT\\_ID:3331386:NO](https://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:3331386:NO)
- U.S. Embassy- Kigali. Reporting. January 19, 2018.
- Agaba, Dennis. Kigali’s Market Children Dream of Going Back to School [analysis]. Kigali: The New Times, s.n., May 17, 2015. Source on file.
- Dushimimana, Marie Anne. How Can We Keep Our Children Off Streets? All Africa, November 9, 2017. <http://allafrica.com/stories/201711090172.html>
- U.S. Department of State. 2021 Trafficking in Persons Report: Rwanda. Washington, D.C., June 2021. <https://www.state.gov/reports/2021-trafficking-in-persons-report/rwanda/>
- U.S. Department of State. Trafficking in Persons Report- 2019: Rwanda. Washington, D.C., June 20, 2019. <https://www.state.gov/reports/2019-trafficking-in-persons-report-2/rwanda/>
- International Organization for Migration. In Rwanda, Research on Understanding Human Trafficking Validated. August 2, 2019. <https://www.iom.int/news/rwanda-research-understanding-human-trafficking-validated>
- U.S. Embassy--Kigali. Reporting. February 14, 2022.
- U.S. Department of State. Trafficking in Persons Report- 2020: Rwanda. Washington, D.C., June 16, 2020. <https://www.state.gov/reports/2020-trafficking-in-persons-report/rwanda/>
- U.S. Embassy- Kigali. Reporting. February 14, 2020.
- U.S. Embassy- Kigali. Reporting. January 15, 2020
- US Embassy Kigali. Reporting. January 14, 2022.
- U.S. Department of State. Country Reports on Human Rights Practices- 2021 Rwanda. Washington, D.C., March 30, 2022. <https://www.state.gov/reports/2021-country-reports-on-human-rights-practices/rwanda/>
- U.S. Department of State. Country Reports on Human Rights Practices- 2020: Rwanda. Washington, D.C., March 30, 2021. <https://www.state.gov/reports/2020-country-reports-on-human-rights-practices/rwanda/>
- Government of Rwanda. Law regulating Labour in Rwanda, N° 66/2018. Enacted: August 30, 2018. Source on file.
- Ministry of Public Service and Labour. Ministerial Instructions No. 01/2017 Relating to Prevention and Fight Against Child Labour. Enacted November 11, 2017. Source on file.
- Government of Rwanda. Instructions of the Council of the City of Kigali City N°02 establishing mechanisms of prevention and fight against illegal child labour in Kigali City. Enacted: April 29, 2012. Source on file.

## MODERATE ADVANCEMENT

- 33 Government of Rwanda. Law N°54/2011 relating to the rights and the protection of the child. Enacted: June 25, 2012. Source on file.
- 34 Government of Rwanda. Organic Law N°01/2012 Instituting the Penal Code. Enacted: May 2, 2012.  
[https://www.unodc.org/res/cld/document/rwa/1999/penal-code-of-rwanda\\_html/Penal\\_Code\\_of\\_Rwanda.pdf](https://www.unodc.org/res/cld/document/rwa/1999/penal-code-of-rwanda_html/Penal_Code_of_Rwanda.pdf)
- 35 Government of Rwanda. Law N°59 on prevention and punishment of gender-based violence. Enacted: September 10, 2008. Source on file.
- 36 Government of Rwanda. Law N° 51/2018 of 13/08/2018 Relating to the Prevention, Suppression and Punishment of Trafficking in Persons and Exploitation of Others. Enacted: August 13, 2018.  
<https://rwandalii.africanlii.org/sites/default/files/gazette/OG+no+39+of+24+9+18+1.pdf>
- 37 Government of Rwanda. Law N°71/2018 relating to the protection of the child. Enacted: August 31, 2018.  
<https://rwandalii.africanlii.org/sites/default/files/gazette/OG+no+37+bis+of+10-09-2018.pdf>
- 38 Government of Rwanda. Law N°68/2018 determining offences and penalties in general. Enacted: August 30, 2018.  
<https://rwandalii.africanlii.org/sites/default/files/gazette/OG+no+Special+of+27-09-2018.pdf>
- 39 Government of Rwanda. Presidential Order N°72/01 Establishing Army General Statutes. July 8, 2002. Source on file.
- 40 Government of Rwanda. Presidential Order N°32/01 Establishing Rwanda Defence Forces Special Statute. Enacted: September 3, 2012.  
[http://www.rlrc.gov.rw/fileadmin/user\\_upload/Laws/Laws/RWA LAWS PUBLISHED IN 2012/RWA 2012 PO N0 32-01-2012 RWANDA DEFENSE FORCES SPECIAL STATUTE -- OG N0 36 OF 03 SEPT. 2012.pdf](http://www.rlrc.gov.rw/fileadmin/user_upload/Laws/Laws/RWA LAWS PUBLISHED IN 2012/RWA 2012 PO N0 32-01-2012 RWANDA DEFENSE FORCES SPECIAL STATUTE -- OG N0 36 OF 03 SEPT. 2012.pdf)
- 41 Government of Rwanda. Law No. 010-2021 of 16-02-2021, determining the organization of education. February 16, 2021. Source on file.
- 42 Government of Rwanda. Education Sector Strategic Plan 2018-2024. Ministry of Education. Accessed April 5, 2022. Source on file.
- 43 U.S. Embassy- Kigali. Official communication to USDOL official. June 23, 2022.
- 44 U.S. Embassy- Kigali. Reporting. March 1, 2019.
- 45 Government of Rwanda. Information Requested on Labour Inspection and Child Labour. Ministry of Public Service and Labour. February 7, 2020. Source on file.
- 46 U.S. Embassy- Kigali. Official e-mail communication to USDOL official. July 1, 2021.
- 47 Government of Rwanda. N. 001 19.20. Ministerial Order Relating to Labour Inspection. March 17, 2020. Source on file.
- 48 ILO Labor Force Statistics (LFS). Population and labour force. Accessed January 25, 2022. Labor force data is government-reported data collected by the ILO. Please see "Labor Law Enforcement: Sources and Definitions" in the Reference Materials section of this report  
<https://ilostat.ilo.org/data/>
- 49 Kagire, Edmund. Singer Francois 'Gisupusupu' Nsengiyumva Detained on Suspicion of Defilement, Child Labour. KT Press. June 30, 2021.  
<https://www.ktpress.rw/2021/06/singer-francois-gisupusupu-nsengiyumva-detained-on-suspicion-of-defilement-child-labour/>
- 50 Kawera, Jeannette. Artist Francois Nsengiyumva released. The New Times. August 26, 2021.  
<https://www.newtimes.co.rw/entertainment/artist-francois-nsengiyumva-released>
- 51 Sabiiti, Daniel. Singer Nsengiyumva- Igisupusupu Appeals Defilement, Child Labor case. KT Press. August 01, 2021.  
<https://www.ktpress.rw/2021/08/singer-nsengiyumva-igisupusupu-appeals-defilement-child-labor-case/>
- 52 Human Rights Watch. As Long as We Live on the Streets, They Will Beat Us – Rwanda's Abusive Detention of Children. January 27, 2020.  
<https://reliefweb.int/report/rwanda/long-we-live-streets-they-will-beat-us-rwanda-s-abusive-detention-children>
- 53 Government of Rwanda. Law N001 07.01 Ministerial Order determining mission of transit centers. National Rehabilitation Service. April 19, 2018.  
<https://rwandalii.africanlii.org/sites/default/files/gazette/OG+No.+Special+bis+du+26+April+2018.pdf>
- 54 Government of Rwanda. Rwanda Rescues and Rehabilitates Street Children. Kigali: MIGEPROF. February 6, 2020. Source on file.
- 55 U.S. Embassy- Kigali. Official e-mail communication to USDOL official. May 18, 2021.
- 56 UN Committee against Torture. Concluding observations on the second periodic report of Rwanda. December 21, 2017: CAT/C/RWA/CO/2.  
[https://tbinternet.ohchr.org/\\_layouts/treatybodyexternal/Download.aspx?symbolno=CAT/C/RWA/CO/2&Lang=en](https://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=CAT/C/RWA/CO/2&Lang=en)
- 57 Human Rights Watch. Rwanda: UN Body Targets Abuse of Street Children. Nairobi. February 14, 2020.  
<https://www.hrw.org/news/2020/02/14/rwanda-un-body-targets-abuse-street-children#>
- 58 UN Committee on the Rights of the Child. Concluding Observations on the Combined Fifth and Sixth Periodic Reports of Rwanda. February 10, 2020.  
[https://tbinternet.ohchr.org/Treaties/CRC/Shared Documents/RWA/CRC\\_C\\_RWA\\_CO\\_5-6\\_41514\\_E.pdf](https://tbinternet.ohchr.org/Treaties/CRC/Shared Documents/RWA/CRC_C_RWA_CO_5-6_41514_E.pdf)
- 59 Ntiringanya, Emmanuel. Rwanda - Children Commission Dissolved. Kigali: The New Times. July 28, 2020.  
<https://allafrica.com/stories/202007290117.html>
- 60 Government of Rwanda. Law No. 12-2020 of 28-08-2020 establishing the National Commission for Children.  
<https://gazettes.africa/archive/rw/2020/rw-government-gazette-dated-2020-09-04-no-Special.pdf>
- 61 Ntiringanya, Emmanuel. New Scorecard Exposes Challenges in Early Childhood Development. Kigali: The New Times. October 28, 2021.  
<https://allafrica.com/stories/202110280527.html>
- 62 Government of Rwanda. Strategic Plan for Integrated Child Rights Policy 2019-2024. National Commission for Children. December 30, 2018. Source on file.
- 63 African Union. Ten Year Action Plan on Eradication of Child Labour, Forced Labour, Human Trafficking, and Modern Slavery in Africa 2020-2030. Addis Ababa. April 6, 2021.  
[https://www.ilo.org/africa/technical-cooperation/accel-africa/WCMS\\_778563/lang--en/index.htm](https://www.ilo.org/africa/technical-cooperation/accel-africa/WCMS_778563/lang--en/index.htm)
- 64 African Union. Launch the International Year for the Elimination of Child Labour in Africa and accelerate the implementation of the African Union Ten Year Action Plan. March 31, 2021.  
<https://au.int/en/newsevents/20210331/launch-international-year-elimination-child-labour-africa-and-accelerate>
- 65 Government of Rwanda. National Action Plan for Combatting Trafficking in Persons in Rwanda. March 2019. Source on file.
- 66 Government of Rwanda. Rwanda Urban Development Project Labor Management Procedures. May 2020.  
[https://www.mininfra.gov.rw/fileadmin/user\\_upload/Mininfra/Documents/Housing\\_and\\_Urban\\_Planning\\_Docs/RUDP\\_II\\_LMP\\_May\\_2020\\_for\\_Public\\_Disclosure.pdf](https://www.mininfra.gov.rw/fileadmin/user_upload/Mininfra/Documents/Housing_and_Urban_Planning_Docs/RUDP_II_LMP_May_2020_for_Public_Disclosure.pdf)
- 67 Government of Rwanda. National Social Protection Policy. Ministry of Local Government. June, 2020.  
[https://nyarugenge.gov.rw/fileadmin/user\\_upload/REPORT/Approved\\_Social\\_Protection\\_Policy.pdf](https://nyarugenge.gov.rw/fileadmin/user_upload/REPORT/Approved_Social_Protection_Policy.pdf)
- 68 U.S. Department of State. Trafficking in Person Report- 2018: Rwanda. Washington, D.C., June 2018.  
<https://www.state.gov/reports/2018-trafficking-in-persons-report/rwanda/>
- 69 World Vision. Rwanda Annual Report 2019 – Our impact update. 2019. Source on file.
- 70 Nkurunziza, Michel. World Vision launches child protection campaign in Eastern Province. The New Times. April 16, 2021.  
<https://www.newtimes.co.rw/featured/world-vision-launches-child-protection-campaign-eastern-province>

- 71 Favour, Ester. World Vision Rwanda launches platform to ease reporting child abuse. The New Times. September 08, 2021.  
<https://www.newtimes.co.rw/featured/featured-world-vision-rwanda-launche-platform-ease-reporting-child-abuse>
- 72 World Bank. Project Appraisal Document on a Proposed Credit in the Amount of US\$80 Million to the Republic of Rwanda for a Strengthening Social Protection Project. November 27, 2017.  
<http://documents.worldbank.org/curated/en/761071513825243134/pdf/RWANDA-PAD-11292017.pdf>
- 73 U.S. Department of Agriculture. Active McGovern-Dole Projects [website]. Accessed March 1, 2019.  
<https://www.fas.usda.gov/programs/mcgovern-dole-food-education-program/active-mcgovern-dole-projects>



# Saint Helena, Ascensión, and Tristán da Cunha

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

Although research found no evidence that child labor exists in Saint Helena, Ascensión, and Tristán da Cunha, in 2021, the government made minimal advancement in efforts to prevent the worst forms of child labor. The Government of Ascensión passed a new Employment Ordinance during the reporting period which sets the minimum age for work at 14. However, Saint Helena, Ascensión, and Tristán da Cunha is assessed as having made only minimal advancement because it continued to implement a practice that delayed advancement in preventing the worst forms of child labor. There is no functioning labor inspectorate in Saint Helena, Ascensión, and Tristán da Cunha to enforce labor laws. Labor inspections are a key tool for identifying child labor violations, and their absence makes children more vulnerable to the worst forms of child labor. In addition, the islands have yet to define, by law or regulation, the types of hazardous work prohibited for children, other than work on vessels engaged in maritime navigation. Gaps also remain in legislation across Saint Helena, Ascensión, and Tristán da Cunha 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, Ascensión, and Tristán da Cunha. (1-3)

### 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. (4) Domestic UK law does not generally apply unless explicitly extended to these territories. Saint Helena, Ascensión, and Tristán 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. (4,5) 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. (4) The following Conventions have been extended to and accepted by Saint Helena, Ascensión, and Tristán 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, Ascensión, and Tristán da Cunha has established laws and regulations related to child labor (Table 2). However, gaps exist in Saint Helena, Ascensión, and Tristán da Cunha's legal framework to adequately protect children from the worst forms of child labor, including prohibition of forced labor.

# Saint Helena, Ascensión, and Tristán da Cunha

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

**Table 2. Laws and Regulations on Child Labor**

Standard	Related Entity	Meets International Standards	Age	Legislation
Minimum Age for Work	Saint Helena and Tristán da Cunha	Yes	16	Sections 157B and 158 of the Welfare of Children Ordinance (Saint Helena and Tristán da Cunha) (6)
	Ascensión	No	14	Section 29 of the Employment Ordinance (7)
Minimum Age for Hazardous Work	Saint Helena and Tristán da Cunha	Yes	18	Sections 157A, 157B, and 158 of the Welfare of Children Ordinance (6)
	Ascensión	No		Section 51 of the Child Welfare Ordinance (8)
Identification of Hazardous Occupations or Activities Prohibited for Children	Saint Helena and Tristán da Cunha	Yes		Section 157B of the Welfare of Children Ordinance (6)
	Ascensión	No		
Prohibition of Forced Labor	Saint Helena and Tristán da Cunha	No		Sections 8 (Saint Helena) and 190 (Tristán da Cunha) of the Constitution Order (9)
	Ascensión	No		Section 125 of the Constitution Order (9)
Prohibition of Child Trafficking		No		Articles 57–60 of the Sexual Offenses Act (10)
Prohibition of Commercial Sexual Exploitation of Children	Saint Helena and Tristán da Cunha	Yes		Articles 47–51 of the Sexual Offenses Act; Sections 145, 147, 157A, and 157C of the Welfare of Children Ordinance (6,10)
	Ascensión	Yes		Articles 47–51 of the Sexual Offenses Act; Sections 48 and 50 of the Child Welfare Ordinance (8,10)
Prohibition of Using Children in Illicit Activities	Saint Helena and Tristán da Cunha	Yes		Sections 157A and 157C of the Welfare of Children Ordinance (6)
	Ascensión	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	Saint Helena and Tristán da Cunha	Yes	16	Section 34 of the Education Ordinance (11)
	Ascensión	Yes	16	Ascensión Island Education Policy (12)
Free Public Education	Saint Helena and Tristán da Cunha	Yes		Section 16 (Saint Helena) and Section 198 (Tristán da Cunha) of the Constitution Order; Section 43 of the Education Ordinance (Saint Helena) (9,11)
	Ascensión	Yes		Section 132 of the Constitution Order; Ascensión Island Education Policy (9,12)

\* Country has no conscription (13)

† Country has no standing military (13)

In 2021, the Government of Ascensión passed a new Employment Ordinance into law which took effect in June 2022. This new law sets the minimum age for work in Ascensión at 14. (7,14) However, the law still does not prohibit the employment of children in hazardous work, other than work on vessels engaged in maritime navigation. Additionally, Ascensión does not have any laws prohibiting the use of children in illicit activities. (7) 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. (9) While the UK Sexual Offenses 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. (10)

# Saint Helena, Ascensión, and Tristán da Cunha

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

### 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 absence of a labor inspectorate at the national level in Saint Helena, Ascensión, and Tristán da Cunha may impede the enforcement of child labor laws.

### 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, the following actions would advance the continued prevention of child labor in Saint Helena, Ascensión, and Tristán 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 – 2021
	Implement legislation prohibiting children from engaging in all types of hazardous work in Ascensión, in consultation with employers' and workers' organizations.	2013 – 2021
	Ensure that forced labor, debt bondage, and slavery are criminally prohibited.	2017 – 2021
	Establish laws to criminally prohibit trafficking of children for labor exploitation.	2014 – 2021
	Establish laws to criminally prohibit the use of children in illicit activities in Ascensión.	2015 – 2021
	Ensure that the law criminally prohibits the recruitment of children under age 18 by non-state armed groups.	2016 – 2021
Enforcement	Establish a labor inspectorate to enforce labor laws, including laws pertaining to child labor.	2021

### REFERENCES

- U.S. Embassy- London. Reporting. February 3, 2022.
- U.S. Embassy- London. Reporting. January 15, 2021.
- ILO. Analysis of Child Economic Activity and School Attendance Statistics from National Household or Child Labor Surveys. Analysis received March 2022. For more information, please see "Children's Work and Education Statistics: Sources and Definitions" in the Reference Materials section of this report.
- U.S. Embassy- London. Reporting. January 24, 2017.
- U.S. Embassy- London. Reporting. January 14, 2020.
- Government of Saint Helena. Welfare of Children Ordinance. Enacted: March 1, 2010; Amended December 20, 2017. <http://www.sainthelena.gov.sh/wp-content/uploads/2018/06/Welfare-of-Children-Ord-Updated-040618.pdf>
- Government of Ascensión Island. Employment Ordinance. 2021. <https://www.sainthelena.gov.sh/wp-content/uploads/2021/07/Employment-Ordinance.pdf>
- Government of Ascensión Island. Child Welfare Ordinance. 2011. <https://www.sainthelena.gov.sh/wp-content/uploads/2017/12/Child-Welfare-Ordinance.pdf>
- Government of the United Kingdom of Great Britain and Northern Ireland. The Saint Helena, Ascensión, and Tristán da Cunha Constitution Order 2009. Enacted: September 1, 2009. <http://www.legislation.gov.uk/ukSI/2009/1751/made/data.pdf>
- Government of the United Kingdom of Great Britain and Northern Ireland. Sexual Offences Act 2003. Enacted: 2003. [http://www.legislation.gov.uk/ukpga/2003/42/pdfs/ukpga\\_20030042\\_en.pdf](http://www.legislation.gov.uk/ukpga/2003/42/pdfs/ukpga_20030042_en.pdf)
- Government of Saint Helena. Education Ordinance. Enacted: August 30, 2008. <http://www.sainthelena.gov.sh/wp-content/uploads/2013/01/Education-Ordinance-310712.pdf>
- Government of Ascensión Island. Ascensión Island Education Policy. Enacted: October 2010. Source on file.
- CIA. The World Factbook: Saint Helena, Ascension, and Tristan da Cunha. Accessed August 6, 2018. <https://www.cia.gov/the-world-factbook/countries/saint-helena-ascension-and-tristan-da-cunha/>
- Government of Ascension Island. New Employment Legislation Introduced. June 17, 2022. <https://www.ascension.gov.ac/new-employment-legislation-introduced>

In 2021, Saint Lucia made moderate advancement in efforts to eliminate the worst forms of child labor. The government approved the Counter-Trafficking Amendment Act, which includes provisions to protect victims of human trafficking regardless of their citizenship status. The government also increased its number of labor inspectors from four in 2020 to eight in 2021 and updated standard operating procedures for the identification, referral, and protection of victims of 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 prohibit the commercial sexual exploitation of children and the use of children in 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 (%)		100.4

Source for primary completion rate: Data from 2020, published by UNESCO Institute for Statistics, 2022. (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 (2)
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 (1,3)

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

Saint Lucia lacks detailed data on the extent of child labor in the country. A rapid assessment conducted by the ILO in 2016 revealed limited evidence that children 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. (1,2,7) Additional sources also indicate that local and foreign children are subjected to human trafficking for the purpose of commercial sexual exploitation, including by parents and caregivers. (2,4,8)

All children in Saint Lucia are entitled to free public education. However, violence in schools, some gang related, might hinder some children from attending. (9) Children who do not attend school are vulnerable to engage in child labor.




# Saint Lucia

## MODERATE ADVANCEMENT

### 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 (10,11)
Minimum Age for Hazardous Work	Yes	18	Article 122(2) of the Labor Code (10)
Identification of Hazardous Occupations or Activities Prohibited for Children	No		Articles 126(b) and 214 of the Labor Code (10)
Prohibition of Forced Labor	Yes		Article 4 of the Constitution; Article 6 of the Labor Code; Articles 3, 5, and 10(c) of Counter-Trafficking Act No. 7 (10,12,13)
Prohibition of Child Trafficking	Yes		Articles 3, 5, and 10(c) of Counter-Trafficking Act No. 7 (13)
Prohibition of Commercial Sexual Exploitation of Children	No		Article 141 of the Criminal Code; Articles 2 and 5 of Counter-Trafficking Act No. 7 (13,14)
Prohibition of Using Children in Illicit Activities	No		Articles 141 and 560 of the Criminal Code (14)
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 (15)
Free Public Education	Yes		Article 16 of the Education Act (15)

\* Country has no conscription (16)

† Country has no standing military (16)

During the reporting period, the government approved the Counter-Trafficking Amendment Act, which includes provisions for the protection and safety of victims of trafficking in persons regardless of their citizenship status. In addition, the government also began a comprehensive revision of the Labor Act in 2020 to specifically address certain issues related to the Labor Department's mandate. As of the publishing of this report, the revision remained under the review of the Attorney General. (17)



Saint Lucia has not determined by national law or regulation the types of hazardous work prohibited for children. (10) 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. (14) Moreover, the use of children for commercial sexual exploitation is not criminally prohibited. (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 Infrastructure, Ports, Energy, and Labor	Enforces laws on child labor through labor inspections conducted by its Department of Labor. (17)
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. (8,7) 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. (18)
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. (9,19) Monitors and implements relevant legal framework related to cases of commercial sexual exploitation and trafficking in persons, including child victims. (20) Located within the Ministry of Equity, Social Justice and Empowerment. (9)

### Labor Law Enforcement

In 2021, labor law enforcement agencies in Saint Lucia took actions to address child labor (Table 6). However, gaps exist within the operations of the Ministry of Infrastructure, Ports, Energy, and Labor that may hinder adequate labor law enforcement, including insufficient financial resource allocation.

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

Overview of Labor Law Enforcement	2020	2021
Labor Inspectorate Funding	\$392,313 (2)	\$496,296 (21)
Number of Labor Inspectors	4 (2)	8 (21)
Mechanism to Assess Civil Penalties	Yes (10)	Yes (10)
Initial Training for New Labor Inspectors	No (2)	Yes (21)
Training on New Laws Related to Child Labor	N/A	N/A (21)
Refresher Courses Provided	No (2)	Yes (21)
Number of Labor Inspections Conducted	150 (2)	45 (21)
Number Conducted at Worksite	150 (2)	45 (21)
Number of Child Labor Violations Found	0 (2)	0 (21)
Number of Child Labor Violations for Which Penalties Were Imposed	N/A	N/A (21)
Number of Child Labor Penalties Imposed that Were Collected	N/A	N/A (21)
Routine Inspections Conducted	Yes (2)	Yes (21)
Routine Inspections Targeted	No (2)	Yes (21)
Unannounced Inspections Permitted	Yes (10)	Yes (10)
Unannounced Inspections Conducted	No (2)	Yes (21)
Complaint Mechanism Exists	Yes (2)	Yes (17)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (2)	Yes (17)

In 2021, the Government of Saint Lucia increased its number of labor inspectors from four in 2020 to eight.

# Saint Lucia

## MODERATE ADVANCEMENT

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) In addition, existing penalties are insufficient to deter employers from committing child labor violations. (2,22)

### Criminal Law Enforcement

In 2021, criminal law enforcement agencies in Saint Lucia took actions to address child labor (Table 7). However, gaps exist within the operations of enforcement agencies that may hinder adequate criminal law enforcement, including insufficient allocation of financial and human resources.

**Table 7. Criminal Law Enforcement Efforts Related to Child Labor**

Overview of Criminal Law Enforcement	2020	2021
Initial Training for New Criminal Investigators	No (2)	Yes (21)
Training on New Laws Related to the Worst Forms of Child Labor	No (2)	N/A (21)
Refresher Courses Provided	No (2)	Yes (21)
Number of Investigations	30 (23)	Unknown (17)
Number of Violations Found	0 (2)	Unknown (17)
Number of Prosecutions Initiated	0 (2)	Unknown (17)
Number of Convictions	0 (2)	Unknown (17)
Imposed Penalties for Violations Related to the Worst Forms of Child Labor	Unknown (2)	Unknown (17)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (2)	Yes (17)

Although reports indicate that the Royal St. Lucia Police Force received new vehicles during the reporting period, which enabled them to respond more efficiently to violations, insufficient resources, including funding and equipment, may have continued to hamper police capacity to enforce child labor laws. (7,21) The judicial system within the Ministry of Home Affairs, Justice, and National Security has a backlog of cases, and lacks sufficient personnel and resources; however, during the reporting period, the government hired an additional judge and two prosecutors to address the backlog. (4,24)

The government did not publicly release comprehensive data on its criminal law enforcement efforts 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 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. (2,25) In October 2021, signed an MOU with the Ministries of Agriculture, Health and Education to improve St. Lucia's National School Feeding Program and school gardens. (26)
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. (13,27) In June 2021, hosted an online meeting for the public sector to examine its response to child sex trafficking, particularly among those economically disadvantaged by the COVID-19 pandemic. In addition, issued press releases and public service announcements promoting human trafficking awareness. (21)
Office of Gender Relations	Provides referrals to human trafficking victims for health, advocacy, crisis, and legal services. (2) 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. (7) Child protection policies are incorporated into poverty reduction concepts and promote access to education. (28) Research was unable to determine whether activities were undertaken to implement the National Social Protection Policy during the reporting period.

During the reporting period, the government updated standard operating procedures for the identification, referral, and protection of victims of human trafficking. Updates aim to establish a national referral mechanism for appropriate assistance, ensure expeditious and effective law enforcement, including the conviction of offenders, and ensure the non-revictimization of victims from the time of identification to reintegration. (29)

Research found no evidence of any policies addressing child labor and its worst forms.

## VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2021, 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 inadequate funding and the inadequacy 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. Include 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 maintain 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 Koudmen Sent Lisi 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. (18) Active in 2021. (21)
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. (30) In 2019, the government assumed full financial support for this program from IOM. (30) Active in 2021. (21)

† 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. (31)

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. (18,32)

## 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 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 – 2021
	Ensure that laws criminally prohibit using a child for commercial sexual exploitation.	2016 – 2021
	Ensure that laws prohibit procuring or offering a child for illicit activities, including drug trafficking and production.	2011 – 2021
	Ensure that the law criminally prohibits the recruitment of children under age 18 into non-state armed groups.	2016 – 2021
Enforcement	Ensure that the labor inspectorate receives sufficient funding for conducting labor inspections.	2015 – 2021
	Publish data on criminal law enforcement efforts conducted during the reporting period.	2015 – 2021
	Increase the resources allocated to criminal investigators, including funding and equipment.	2017 – 2021
	Ensure that existing penalties are sufficient to deter employers from committing child labor violations.	2018 – 2021
	Ensure that the judiciary has sufficient resources and personnel to allow cases to be tried in a timely manner.	2017 – 2021
Coordination	Ensure the Office of Gender Relations is active and able to carry out its intended mandate.	2020 – 2021
Government Policies	Ensure that the National Social Protection Policy is implemented and is able to fulfill its mandate.	2015 – 2021
	Adopt policies to address the worst forms of child labor, including the commercial sexual exploitation of children.	2010 – 2021
Social Programs	Collect and publish data on the extent and nature of child labor to inform policies and programs.	2017 – 2021
	Enhance efforts to eliminate barriers to education, and make it accessible for all children by ensuring that violence does not occur at schools.	2018 – 2021
	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 – 2021
	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 – 2021

## REFERENCES

- ILO. Rapid assessment of child labour in Saint Lucia. 2017. [http://www.ilo.org/wcmsp5/groups/public/---americas/---ro-lima/---sro-port\\_of\\_spain/documents/publication/wcms\\_570384.pdf](http://www.ilo.org/wcmsp5/groups/public/---americas/---ro-lima/---sro-port_of_spain/documents/publication/wcms_570384.pdf)
- U.S. Embassy- Bridgetown. Reporting. February 5, 2021.
- UN. Joint Submission of the United Nations Sub-Regional Team for Barbados and OECS for the Third Cycle Universal Periodic Review of St. Lucia. August 17, 2020. <https://uprdoc.ohchr.org/uprweb/downloadfile.aspx?filename=8443&file=EnglishTranslation>
- U.S. Department of State. Trafficking in Persons Report- 2021: Saint Lucia. Washington, D.C., July 1, 2021. <https://www.state.gov/reports/2021-trafficking-in-persons-report/saint-lucia/>
- UNESCO Institute for Statistics. Gross intake ratio to the last grade of primary education, both sexes (%). Accessed March 3, 2022. For more information, please see the "Children's Work and Education Statistics: Sources and Definitions" in the Reference Materials section of this report. <http://data.uis.unesco.org/>
- ILO. Analysis of Child Economic Activity and School Attendance Statistics from National Household or Child Labor Surveys. Original data from Multiple Indicator Cluster Survey 4 (MICS 4), 2012. Analysis received March 2022. Please see "Children's Work and Education Statistics: Sources and Definitions" in the Reference Materials section of this report.
- U.S. Embassy- Bridgetown. Reporting. January 11, 2017.
- U.S. Embassy- Bridgetown. Reporting. February 14, 2020.
- U.S. Embassy- Bridgetown. Reporting. January 10, 2019.
- Government of Saint Lucia. Labour Code. Enacted: 2006. <http://www.govt.lc/media.govt.lc/www/resources/legislation/SaintLuciaLabourCode2006.pdf>
- Government of Saint Lucia. Labour Code Amendment Act. Enacted: 2011. Source on file.
- Government of Saint Lucia. The Saint Lucia Constitutional Order of 1978. Enacted: 1978. <http://pdba.georgetown.edu/Constitutions/Lucia/Luc78.html>
- Government of Saint Lucia. Counter-Trafficking Act 2010, No. 7. Enacted: January 25, 2010. Source on file.
- Government of Saint Lucia. Criminal Code. Enacted: 2004. Source on file.
- Government of Saint Lucia. Education Act, 41. Enacted: 1999. [http://www.ilo.org/dyn/natlex/natlex4.detail?p\\_lang=en&p\\_isn=88071&p\\_country=LCA&p\\_count=82](http://www.ilo.org/dyn/natlex/natlex4.detail?p_lang=en&p_isn=88071&p_country=LCA&p_count=82)
- CIA. The World Factbook: Saint Lucia. 2021. <https://www.cia.gov/the-world-factbook/countries/saint-lucia/>
- U.S. Embassy- Bridgetown. Reporting. February 3, 2022.
- U.S. Embassy- Bridgetown. Reporting. January 24, 2018.
- Government of Saint Lucia. Child Care, Protection, and Adoption Bill. October 24, 2018. <http://www.govt.lc/publications/child-care-protection-and-adoption-bill>
- ILO Committee of Experts. Individual Direct Request Concerning Worst Forms of Child Labor Convention, 1999 (No. 182) Saint Lucia (Ratification: 2000). Published: 2019. 2020. [http://www.ilo.org/dyn/normlex/en/?p=1000:13100:0::NO:13100:P13100\\_COMMENT\\_ID:3963516](http://www.ilo.org/dyn/normlex/en/?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:3963516)
- U.S. Embassy- Bridgetown official. E-mail communication to USDOL official. June 22, 2022.
- U.S. Embassy- Bridgetown official. E-mail communication to USDOL official. June 20, 2018.
- U.S. Embassy- Bridgetown official. E-mail communication to USDOL official. May 26, 2021.
- U.S. Embassy- Bridgetown. Reporting. February 13, 2017.
- U.S. Embassy Bridgetown official. E-mail communication with USDOL official. July 6, 2020.

- 26 St. Lucia Times. Watch: MOU Signed to Improve Saint Lucia's National School Feeding Programme. October 1, 2021.  
<https://stluciatimes.com/watch-mou-signed-to-improve-saint-lucias-national-school-feeding-programme/>
- 27 U.S. Embassy- Bridgetown official. E-mail communication to USDOL official. February 3, 2017.
- 28 Government of Saint Lucia. National Social Protection Policy. 2015.  
<http://www.govt.lc/media.govt.lc/www/resources/publications/NSPP---FINAL-05.03.15.pdf>
- 29 Government of Saint Lucia. Standard Operating Procedures for the Identification, Referral and Protection of Victims of Trafficking in Persons in Saint Lucia (SOP). November 2018. Source on file.
- 30 U.S. Embassy- Bridgetown. Reporting. February 18, 2020.
- 31 Dominica News Online. Anti-domestic violence computer game rolls out in St Lucian schools. Dominica News Online. October 12, 2018.  
<http://dominicanewsonline.com/news/homepage/news/educationyouth/anti-domestic-violence-computer-game-rolls-out-in-st-lucian-schools/>
- 32 U.S. Embassy- Bridgetown official. E-mail communication to USDOL official. February 19, 2019.



In 2021, Saint Vincent and the Grenadines made moderate advancement in efforts to eliminate the worst forms of child labor.

The National Task Force Against Trafficking in Persons coordinated numerous trainings for the Anti-Trafficking in Persons Unit of the Royal Saint Vincent and the Grenadines Police Force, frontline healthcare workers, and frontline volunteers from the Saint Vincent and the Grenadines Red Cross Society. The training modules addressed human trafficking indicators, such as victim identification, care and protection, awareness raising, and survivor and professional resources. In addition, the government distributed food parcels to 349 student participants through its program Zero Hunger Trust Fund. The government also funded and provided resources for several human trafficking awareness campaigns, including a live radio program, distributing hundreds of brochures to evacuees of the La Soufrière volcano eruption, and training to healthcare and frontline workers. However, children in Saint Vincent and the Grenadines engage in child labor in street vending, including selling fruits and vegetables at local farmers' markets. Gaps remain in the legal framework, as Saint Vincent and the Grenadines 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

Children in Saint Vincent and the Grenadines engage in child labor in street vending, including selling fruits and vegetables at local farmers' markets. (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 (%)		104.9

Source for primary completion rate: Data from 2019, published by UNESCO Institute for Statistics, 2022. (3)  
Data were unavailable from International Labor Organization's analysis, 2022. (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)

‡ Child labor understood as the worst forms of child labor *per se* under Article 3(a)–(c) of ILO C. 182.

# 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. (1,6,7) 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 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	14	Article 8 of the Employment of Women, Young Persons, and Children Act (8)
Minimum Age for Hazardous Work	No		Schedule, Part I, Articles 1, 2, and 5 of the Employment of Women, Young Persons, and Children Act (8)
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 (8,9)
Prohibition of Forced Labor	Yes		Chapter XII, Part 207 of the Criminal Code (10)
Prohibition of Child Trafficking	Yes		Part II, Articles 5–8 of the Prevention of Trafficking in Persons Act (11)
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)

\* Country has no conscription (12)

† Country has no standing military (13)

The government has not determined by national law or regulation the types of hazardous work prohibited for children. (8,9) 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. (11)

# Saint Vincent and the Grenadines

## MODERATE ADVANCEMENT

As the minimum age for work is lower than the compulsory education age, children may be encouraged to leave school before the completion of compulsory education.

### 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. (14) If the Department finds a criminal violation, it forwards the case to the Royal Saint Vincent and the Grenadines Police Force. (15)
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 survivors to appropriate social services and funds financial requests made by ATIPU. (15)
Office of the Director of Public Prosecution	Prosecutes criminal violations, including those related to the worst forms of child labor. (15)
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 2021, labor law enforcement agencies in Saint Vincent and the Grenadines took actions to address child labor (Table 6). However, gaps exist within the operations of the Ministry of Labor that may hinder adequate labor law enforcement, including a lack of a mechanism to assess civil penalties.

**Table 6. Labor Law Enforcement Efforts Related to Child Labor**

Overview of Labor Law Enforcement	2020	2021
Labor Inspectorate Funding	\$618,758 (1)	\$591,907 (16)
Number of Labor Inspectors	6 (1)	6 (15)
Mechanism to Assess Civil Penalties	No (17)	No (17)
Initial Training for New Labor Inspectors	No (1)	N/A (16)
Training on New Laws Related to Child Labor	N/A	N/A
Refresher Courses Provided	No (1)	Yes (15)
Number of Labor Inspections Conducted	37 (1)	35 (16)
Number Conducted at Worksite	37 (1)	35 (16)
Number of Child Labor Violations Found	0 (1)	0 (15)
Number of Child Labor Violations for Which Penalties Were Imposed	0 (1)	N/A
Number of Child Labor Penalties Imposed that Were Collected	0 (1)	N/A
Routine Inspections Conducted	Yes (1)	Yes (15)
Routine Inspections Targeted	Yes (1)	Unknown
Unannounced Inspections Permitted	Yes (17)	Yes (17)
Unannounced Inspections Conducted	Yes (1)	Yes (15)
Complaint Mechanism Exists	Yes (1)	Yes (15)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (1)	Yes (15)

During the reporting period, the Department of Labor reported that the number of inspectors and amount of funding was sufficient. (15,16)

#### Criminal Law Enforcement

In 2021, criminal law enforcement agencies in Saint Vincent and the Grenadines took actions to address child labor (Table 7). However, gaps exist within the operations of the criminal enforcement agencies that may hinder adequate criminal law enforcement, including insufficient allocation of 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	2020	2021
Initial Training for New Criminal Investigators	Yes (18)	Yes (19,20)
Training on New Laws Related to the Worst Forms of Child Labor	N/A	N/A
Refresher Courses Provided	Yes (18)	No (15)
Number of Investigations	0 (1)	0 (15)
Number of Violations Found	0 (1)	0 (15)
Number of Prosecutions Initiated	0 (1)	0 (15)
Number of Convictions	0 (1)	0 (15)
Imposed Penalties for Violations Related to the Worst Forms of Child Labor	Unknown	0 (15)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (1)	Yes (15)

In 2021, the Anti-Trafficking in Persons Unit (ATIPU) participated in more than 30 online learning programs on human trafficking conducted through the Criminal Justice Reform project, which aims to develop training aids for frontline responders who may encounter human trafficking survivors during their daily duties. The training modules addressed human trafficking indicators, such as victim identification, care, and protection; awareness raising; and survivor and professional resources. (19,20)

Reports indicate that insufficient resources, including limited personnel and vehicles, hampered the capacity of ATIPU to address human trafficking throughout the country. (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 the effective coordination of efforts to address child labor, including a lack of 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 survivors, and provides training to all relevant government officials and authority figures. Chaired by the Prime Minister. (11) Comprises representatives from police, immigration, public prosecutors, social services, gender affairs, the Department of Labor, and a local NGO. (21) In 2021, coordinated various trainings given to ATIPU, frontline healthcare workers, and frontline volunteers from Saint Vincent and the Grenadines Red Cross Society. (19,20)

Research shows that, outside the scope of human trafficking, there is no specific coordinating mechanism dedicated solely to addressing issues related to the worst forms of child labor.

## V. GOVERNMENT POLICIES ON CHILD LABOR

The government has established policies related to child labor (Table 9). However, policy gaps exist that hinder efforts to address child labor, including coverage of all worst forms of child labor.

**Table 9. Key Policies Related to Child Labor**

Policy	Description
National Plan of Action Against Trafficking in Persons (2021–2025)	Establishes procedures to eradicate human trafficking, including training for frontline staff and other relevant stakeholders; conducts awareness-raising campaigns; and provides victim protection and assistance, although the government has not identified a victim since 2019. Administered by the National Task Force Against Trafficking in Persons. (22,23)
Memorandum of Understanding (MOU) on Countering Human Trafficking in Saint Vincent and the Grenadines	Outlines the responsibilities of each signatory agency in addressing human trafficking and the worst forms of child labor. Assigns tasks and responsibilities among nine government stakeholders regarding human trafficking. (24) Includes the Department of Labor; Ministry of Foreign Affairs; Trade and Commerce; ATIPU and others. (25)

# Saint Vincent and the Grenadines

## MODERATE ADVANCEMENT

Research found no evidence of any policy addressing child labor, including street vending. In addition, research was unable to determine whether activities were undertaken to implement key policies during the reporting period.

### VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2021, 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 inadequacy of programs to address child labor in relevant sectors.

**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. Active in 2021. (24)
Zero Hunger Trust Fund†	Provides textbooks, cash for the purchase of school supplies, and daily meals to over 300 grade 4 and 5 students in 12 primary schools. Seeks to alleviate poverty and improve the standard of living of primary school-age children through its "Adopt a Classroom" program. (25) During the reporting period, distributed food parcels to 349 recipients. (26)

† Program is funded by the Government of Saint Vincent and the Grenadines.

During the reporting period, the Government of Saint Vincent and the Grenadines funded and provided resources toward human trafficking awareness campaigns, including through a live radio program on Radio 705, a national broadcasting corporation; the distribution of hundreds of brochures to evacuees who were placed in shelters during the explosive eruption of La Soufrière volcano; and the training of healthcare workers and Red Cross frontline workers. (15,20)

Although the government has implemented programs to address educational and food needs, research found no evidence that it has carried out programs specifically focused on addressing child labor in all relevant sectors.

### 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	Establish 18 as the minimum age for hazardous work and identify hazardous occupations and activities prohibited for children.	2009 – 2021
	Ensure that laws criminally prohibit the use of children for prostitution, pornography, and pornographic performances.	2017 – 2021
	Ensure that laws criminally prohibit the use, procuring, and offering of children for illicit activities, including in the production of drugs.	2011 – 2021
	Ensure that the law criminally prohibits the recruitment of children under age 18 by non-state armed groups.	2016 – 2021
	Raise the minimum age for work to the age up to which education is compulsory.	2018 – 2021
Enforcement	Establish a mechanism to assess civil penalties for child labor violations.	2016 – 2021
	Increase resources, including personnel and vehicles, for the Anti-Trafficking in Persons Unit to expand their capacity to address human trafficking throughout the country.	2017 – 2021
	Ensure training is provided, including offering periodic refresher courses to criminal investigators during the reporting period.	2021
Coordination	Establish coordinating mechanisms to address all worst forms of child labor.	2019 – 2021
Government Policies	Adopt policies to address child labor, including street vending.	2021
	Ensure that activities are undertaken to implement key policies and publish results from activities implemented during the reporting period.	2019 – 2021



# Saint Vincent and the Grenadines

## MODERATE ADVANCEMENT

**Table 11. Suggested Government Actions to Eliminate Child Labor (Cont.)**

Area	Suggested Action	Year(s) Suggested
Social Programs	Collect and publish data on the extent and nature of child labor to inform policies and programs.	2017 – 2021
	Enhance efforts to eliminate barriers and make education accessible for all children, including children in rural communities, by providing public transportation.	2018 – 2021
	Institute programs to address child labor in relevant sectors.	2021

## REFERENCES

- 1 U.S. Embassy- Bridgetown. Reporting. January 13, 2021.
- 2 U.S. Department of State. Trafficking in Persons Report- 2021: St. Vincent and the Grenadines. Washington, D.C., July 1, 2021. <https://www.state.gov/reports/2021-trafficking-in-persons-report/st-vincent-and-the-grenadines/>
- 3 UNESCO Institute for Statistics. Gross intake ratio to the last grade of primary education, both sexes (%). Accessed March 3, 2022. For more information, please see “Children’s Work and Education Statistics: Sources and Definitions” in the Reference Materials section of this report. <http://data.uis.unesco.org/>
- 4 ILO. Analysis of Child Economic Activity and School Attendance Statistics from National Household or Child Labor Surveys. Original data from National Child Activity Survey (SIMPOC), 2013. Analysis received March 2022. Please see “Children’s Work and Education Statistics: Sources and Definitions” in the Reference Materials section of this report.
- 5 U.S. Embassy- Bridgetown official. E-mail communication to USDOL official. May 3, 2021.
- 6 Government of Saint Vincent and the Grenadines. Education Act Revised 2005. Enacted: 1992. Source on file.
- 7 iWitnessNews. Gov’t to clamp down on abuse of school buses. February 25, 2022. <https://www.iwitness.com/2022/02/25/govt-to-clamp-down-on-abuse-of-school-buses/>
- 8 Government of Saint Vincent and the Grenadines. Employment of Women, Young Persons, and Children Act, no. 85. Enacted: July 1, 1938. Source on file.
- 9 Government of Saint Vincent and the Grenadines. Occupational Safety and Health Act of 2017. Enacted: November 24, 2017. Source on file.
- 10 Government of Saint Vincent and the Grenadines. Criminal Code. Enacted: 1988. Source on file.
- 11 Government of Saint Vincent and the Grenadines. Prevention of Trafficking in Persons Act, no. 27. Enacted: September 29, 2011. Source on file.
- 12 Government of Saint Vincent and the Grenadines. Police Act Revised Edition 1990, Chapter 280. Enacted: 1947. Source on file.
- 13 CIA. The World Factbook: Saint Vincent and the Grenadines. Accessed March 6, 2019. Please see “Labor Law Enforcement: Sources and Definitions” in the Reference Materials section of this report. <https://www.cia.gov/the-world-factbook/countries/saint-vincent-and-the-grenadines/>
- 14 U.S. Embassy- Bridgetown. Reporting. January 12, 2018.
- 15 U.S. Embassy- Bridgetown. Reporting. February 8, 2022.
- 16 U.S. Embassy- Bridgetown official. E-mail communication to USDOL official. June 10, 2022.
- 17 Government of Saint Vincent and the Grenadines. Factories Act, Chapter 335. Revised Edition: 1990. [https://www.ilo.org/dyn/legosh/en/?p=LEGPOL:I100:6423512078601:::PI100\\_THEME\\_ID:100497](https://www.ilo.org/dyn/legosh/en/?p=LEGPOL:I100:6423512078601:::PI100_THEME_ID:100497)
- 18 U.S. Embassy- Bridgetown. Reporting. February 16, 2021.
- 19 Royal St. Vincent and the Grenadines Police Force. St. Vincent and the Grenadines receives digital training in their fight against Human Trafficking. July 8, 2021. <http://rsvgpf.gov.vc/rsvgpf/index.php/organizational-releases-2020/1793-st-vincent-and-the-grenadines-receives-digital-training-in-their-fight-against-human-trafficking>
- 20 U.S. Embassy- Bridgetown. Reporting. February 17, 2022.
- 21 U.S. Embassy- Bridgetown. Reporting. February 14, 2020.
- 22 Government of Saint Vincent and the Grenadines. National Plan of Action (NAP) to Combat Human Trafficking 2016–2020. 2016. Source on file.
- 23 Government of Saint Lucia. Summary of Actions - NAP 2021 - 2025. 2021. Source on file.
- 24 Government of Saint Vincent and the Grenadines. Memorandum of Understanding on Countering Human Trafficking in Saint Vincent and the Grenadines. June 30, 2017. Source on file.
- 25 U.S. Embassy- Bridgetown official. E-mail communication to USDOL official. February 2, 2018.
- 26 Government of Saint Vincent and the Grenadines, Ministry of Education. School Feeding Programme. [http://www.education.gov.vc/education/index.php?option=com\\_content&view=article&id=62&Itemid=81](http://www.education.gov.vc/education/index.php?option=com_content&view=article&id=62&Itemid=81)
- 27 U.S. Embassy- Bridgetown. Reporting. January 12, 2017.
- 28 Breadfruit News. Zero Hunger Trust Fund Continues to Aid Students across SVG. March 12, 2021. <https://www.breadfruitnews.com/2021/03/12/zero-hunger-trust-fund-continues-to-aid-students-across-svg/>

In 2021, Samoa made moderate advancement in efforts to eliminate the worst forms of child labor. The government published the results of the Samoa Demographic Health Survey and the Multiple Indicator Cluster Survey 2019–2020, with data on child labor. In addition, Samoa's Ministry of Commerce, Industry, and Labor, the Samoa Child Labor Task Force, and the International Labor Organization hosted the Child Labor Forum, in which the Government of Samoa committed to becoming an Alliance 8.7 Pathfinder Country. However, children in Samoa are subjected to the worst forms of child labor, including use in illicit activities, including the production and trafficking of drugs. Children also engage in dangerous tasks in street work. Furthermore, 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 enforcement efforts.



### I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Samoa are subjected to the worst forms of child labor, including use in illicit activities, including the production and trafficking of drugs. (1) Children also engage in dangerous tasks in street work. (1-8) 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	22.1 (Unavailable)
Attending School (%)	5 to 14	89.2
Combining Work and School (%)	7 to 14	30.4
Primary Completion Rate (%)		111.4

Source for primary completion rate: Data from 2020, published by UNESCO Institute for Statistics, 2022. (9)

Source for all other data: International Labor Organization's analysis of statistics from Multiple Indicator Cluster Survey 6 (MICS 6), 2019–2020. (10)

Based on a review of available information, Table 2 provides an overview of children's work by sector and activity.

**Table 2. Overview of Children's Work by Sector and Activity**

Sector/Industry	Activity
Agriculture	Farming and animal husbandry (1,3)
Services	Domestic work (1,4)
	Street work, including begging and selling food, garlands, and other products (1-8)
	Garbage scavenging (1)
Categorical Worst Forms of Child Labor‡	Use in illicit activities, including the production and trafficking of drugs (1)

‡ Child labor understood as the worst forms of child labor *per se* under Article 3(a)–(c) of ILO C. 182.

During the reporting period, the government published the results of the Samoa Demographic Health Survey and the Multiple Indicator Cluster Survey 2019–2020. Data were collected from 3,196 households from October 2019 to February 2020. (3,11) According to the survey, almost 14 percent of children ages 5 to 17 engage in child labor, all of them under hazardous conditions. (11)

Children who participate in street vending may work long hours, work 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. (1,3,6)




# Samoa

## MODERATE ADVANCEMENT

### II. LEGAL FRAMEWORK FOR CHILD LABOR

Samoa has ratified most key international conventions concerning child labor (Table 3).

**Table 3. Ratification of International Conventions on Child Labor**

Convention	Ratification
 ILO C. 138, Minimum Age	✓
ILO C. 182, Worst Forms of Child Labor	✓
 UN CRC	✓
UN CRC Optional Protocol on Armed Conflict	✓
UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	✓
 Palermo Protocol on Trafficking in Persons	

The government has established laws and regulations related to child labor (Table 4). However, gaps exist in Samoa's legal framework to adequately protect children from the worst forms of child labor, including failure to criminalize 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 51 of the Labor and Employment Relations Act (12)
Minimum Age for Hazardous Work	Yes	18	Article 51 of the Labor and Employment Relations Act (12)
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 (12-14)
Prohibition of Forced Labor	No		Article 8 of the Constitution; Articles 2 and 18 of the Labor and Employment Relations Act; Section 157 of the Crimes Act (12,15,16)
Prohibition of Child Trafficking	Yes		Sections 155–157 of the Crimes Act (16)
Prohibition of Commercial Sexual Exploitation of Children	No		Sections 73, 74, 82, and 157 of the Crimes Act (16)
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 (17)
Compulsory Education Age	Yes	16	Article 2 (Section 2) of the Education Amendment Act (18)
Free Public Education	No		

† Country has no standing military (17)

Amendments to the Labor and Employment Relations Amendment Act and the Child Care and Protection Bill 2020 are still under government consideration, as a months-long political impasse following the general election during the reporting period stalled legislation in 2021. (3)

The Labor 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. (8,13) 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. (12,18) The Government of Samoa passed the Education Amendment Act 2019, which raised the compulsory education age to 16. (18)

Research found no evidence of laws that ban using, procuring, or offering of children for illicit activities, including for the production and trafficking of drugs. (19) 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. (17) 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. (8,16) In addition, laws prohibiting forced labor are not sufficient because, while they do criminalize forced labor, they do not also criminalize slavery and practices similar to slavery or debt bondage. (12,15,16)

### 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).

**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. (20,21) Refers cases to the Ministry of Police and the Office of the Attorney General for enforcement. (21)
Ministry of Police, Prisons, and Corrections	Enforces criminal laws related to child labor. (3,21)
Office of the Attorney General	Prosecutes criminal cases of the worst forms of child labor. (21)
Ministry of Women, Community, and Social Development	Identifies children in situations of child labor; helps to locate families of the children, schedules home visits, and with the aid of child protection teams, educates families on the importance of attending school and on the risks and hazards of street vending. (22)
Ministry of Education, Sports, and Culture	Enforces the Education Act and assists MCIL with investigations of children suspected of being involved in child labor. (23)

#### **Labor Law Enforcement**

In 2021, labor law enforcement agencies in Samoa took actions to address child labor (Table 6). However, gaps exist within the authority of Ministry of Commerce, Industry, and Labor (MCIL) that may hinder adequate labor law enforcement, including insufficient human resource allocation.

**Table 6. Labor Law Enforcement Efforts Related to Child Labor**

Overview of Labor Law Enforcement	2020	2021
Labor Inspectorate Funding	Unknown (24)	Unknown (3)
Number of Labor Inspectors	Unknown (24)	Unknown (3)
Mechanism to Assess Civil Penalties	No (12)	No (12)
Initial Training for New Labor Inspectors	Unknown (24)	Yes (3,23)
Training on New Laws Related to Child Labor	Unknown (24)	N/A (3)
Refresher Courses Provided	Unknown (24)	Unknown (3)
Number of Labor Inspections Conducted	Unknown (24)	Unknown (3)
Number Conducted at Worksite	Unknown (24)	Unknown (3)
Number of Child Labor Violations Found	Unknown (24)	Unknown (3)
Number of Child Labor Violations for Which Penalties Were Imposed	Unknown (24)	Unknown (3)
Number of Child Labor Penalties Imposed that Were Collected	Unknown (24)	Unknown (3)
Routine Inspections Conducted	Unknown (24)	Yes (3)
Routine Inspections Targeted	Unknown (24)	Unknown (3)
Unannounced Inspections Permitted	Yes (12)	Yes (12)
Unannounced Inspections Conducted	Unknown (24)	Unknown (3)

# Samoa

## MODERATE ADVANCEMENT

**Table 6. Labor Law Enforcement Efforts Related to Child Labor (Cont.)**

Overview of Labor Law Enforcement	2020	2021
Complaint Mechanism Exists	Unknown (24)	Yes (3)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Unknown (24)	Yes (3)

The MCIL registers complaints about child labor, and the Samoa Police Service refers children found during labor inspections to the NGO Samoa Victim Support Group. (3) The government did not provide additional information on its labor law enforcement efforts for inclusion in this report. While the number of labor inspectors in Samoa is unknown, it is likely insufficient for the size of Samoa's workforce, which includes approximately 54,000 workers. According to the ILO's technical advice of a ratio approaching 1 inspector for every 15,000 workers in developing economies, Samoa would need to employ roughly 4 labor inspectors. (25,26)

### Criminal Law Enforcement

Research did not find information on whether criminal law enforcement agencies in Samoa took actions to address child labor (Table 7).

**Table 7. Criminal Law Enforcement Efforts Related to Child Labor**

Overview of Criminal Law Enforcement	2020	2021
Initial Training for New Criminal Investigators	Unknown (24)	Yes (23)
Training on New Laws Related to the Worst Forms of Child Labor	Unknown (24)	N/A (3)
Refresher Courses Provided	Unknown (24)	Unknown (3)
Number of Investigations	Unknown (24)	Unknown (3)
Number of Violations Found	Unknown (24)	Unknown (3)
Number of Prosecutions Initiated	Unknown (24)	Unknown (3)
Number of Convictions	Unknown (24)	Unknown (3)
Imposed Penalties for Violations Related to The Worst Forms of Child Labor	Unknown (24)	Unknown (3)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Unknown (24)	Unknown (3)

All new police employees in Samoa undergo a 17-week Basic Recruit Course Program that consists of police training. This training includes modules addressing child labor, including a review of legislation relevant to child labor issues. (23) However, the government did not provide information on its criminal law enforcement efforts for inclusion in this report. (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
Child Labor Task Force	Comprises the MCIL; Ministry of Police, Prisons, and Corrections; Ministry of Women, Community, and Social Development; and Ministry of Education, Sports, and Culture. Aims to reduce the prevalence of child vendors in towns and cities through patrol sweeps and conducting outreach activities. (21) Formerly the Child Vending Task Force. (21) During the reporting period, MCIL, the Child Labor Task Force, and the ILO hosted a Child Labor Forum aimed at improving coordination of efforts to address child labor. (3)
Transnational Crime Unit	Investigates laws against transnational crimes in the Pacific Region, including on child and human trafficking, drugs and arms smuggling, terrorism, and money laundering. (23,27) Comprises the Ministry of Police, Prisons, and Corrections; the Ministry for Revenue-Customs; and the Ministry of the Prime Minister's Immigration Unit. (28) Active in 2021. (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 mainstreaming child labor issues into relevant policies.



**Table 9. Key Policies Related to Child Labor**

Policy	Description
National Child Care and Protection Policy (2020–2030)	Sets a strategic and high-level direction for child protection in Samoa. Led by the Ministry of Women, Community, and Social Development. (3) Includes policies to prevent, eliminate, and address all forms of child labor and child trafficking; and to regulate, monitor, and evaluate child labor in the formal and informal business and employment sectors. (29) During the reporting period, the government worked on a draft Child Care and Protection Bill, with efforts led by the Ministry of Women, Community, and Social Development. In addition, the Ministry of Education, Sports, and Culture commenced a review of laws and regulations on child street vending. (30)
United Nations Pacific Strategy (2018–2022)	Addresses, develops, and implements strategic economic development priorities in the South Pacific, including eliminating child labor and the worst forms of child labor. A multinational strategic framework program consisting of 14 South Pacific nations. (31) Activities during the reporting period were conducted under the UNICEF Pacific Multi-Country Child Protection Program (2018–2022). (32,33)

During the reporting period, Samoa committed to becoming an Alliance 8.7 Pathfinder Country at the Child Labor Forum hosted by the MCIL, the Samoa Child Labor Task Force, and the ILO. Alliance 8.7 calls for the eradication of child labor by 2025, and forced labor, modern slavery, and human trafficking by 2030. (3)

The government has not integrated child labor elimination and prevention strategies into the Strategy for the Development of Samoa or the Education Sector Plan (2019–2024), which detail the Government of Samoa's goals and key outcomes regarding education and development priorities. (24,34)

## VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2021, 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 inadequacy of programs to address the full scope of the problem.

**Table 10. Key Social Programs to Address Child Labor**

Program	Description
UNICEF Pacific Multi-Country Child Protection Program (2018–2022)	Prioritizes children's rights including the elimination of the worst forms of child labor. Multi-country program in 14 Pacific Island countries aligned with the UN Pacific Strategy 2018–2022. (32) During the reporting period, UNICEF supported the gathering of data through the Multiple Indicator Cluster Survey to better understand and eliminate child labor. (33)
The Samoa School Fee Grant Scheme and Government Grant to Mission and Public Schools†	Provide financial support to families to assist with ancillary school fees, supplies, and equipment that their child(ren) may need during the school year. (3,35) Active in 2021. (3)
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. (36,37) Active in 2021. (23)

† 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).

## MODERATE 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 – 2021
	Ensure that the law's provisions addressing "light work" are specific enough to prevent children from becoming involved in child labor, including street vending.	2013 – 2021
	Ensure that the law criminally prohibits using, procuring, or offering of a child for illicit activities, including for the production and trafficking of drugs.	2014 – 2021
	Ensure that the law criminally prohibits the recruitment of children under age 18 by non-state armed groups.	2016 – 2021
	Ensure that laws prohibiting forced labor criminalize slavery and practices similar to slavery or debt bondage.	2021
	Ensure that the law criminally prohibits commercial sexual exploitation of children between ages 16 to 18.	2018 – 2021
	Raise the minimum age for work to the age to which education is compulsory.	2019 – 2021
	Ensure access to free public education.	2020 – 2021
Enforcement	Publish labor law 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, and whether refresher training courses were provided.	2020 – 2021
	Establish a mechanism to assess civil penalties for child labor violations.	2015 – 2021
	Ensure the number of labor inspectors in Samoa meets the ILO's technical guidance.	2020 – 2021
	Publish criminal law enforcement data for the worst forms of child labor, including the numbers of both routine and unannounced investigations conducted, violations found, prosecutions initiated, convictions made, and penalties imposed. In addition, publish information on whether refresher courses were provided for criminal law investigators and whether reciprocal referral mechanism exists between criminal authorities and social services.	2013 – 2021
Government Policies	Integrate strategies to eliminate and prevent child labor into the Strategy for the Development of Samoa and the Education Sector Plan.	2012 – 2021
Social Programs	Collect and publish data on the extent and nature of child labor to inform policies and programs.	2017 – 2021
	Institute programs to address child labor, including in street vending and commercial sexual exploitation of children.	2009 – 2021

## REFERENCES

- ILO. Report of the Rapid Assessment of Children Working on the Streets of Apia, Samoa: A Pilot Study. 2017. [http://www.ilo.org/wcmsp5/groups/public/---asia/---ro-bangkok/---ilo-suva/documents/publication/wcms\\_546199.pdf](http://www.ilo.org/wcmsp5/groups/public/---asia/---ro-bangkok/---ilo-suva/documents/publication/wcms_546199.pdf)
- Radio New Zealand. Samoa launches ILO report on child street vendors. March 10, 2017. <https://www.radionz.co.nz/international/programmes/datelinepacific/audio/201836195/samoa-launches-ilo-report-on-child-street-vendors>
- U.S. Embassy- Apia. Reporting. January 14, 2022.
- ILO CEACR. Direct Request concerning the Minimum Age Convention, 1973 (No. 138) Samoa (ratification: 2008). 2021. [https://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100\\_COMMENT\\_ID:4057731:NO](https://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:4057731:NO)
- ILO CEACR. Discussion concerning the Worst Forms of Child Labour Convention, 1999 (No. 182) Samoa (ratification: 2008). 2018. [https://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:13100:0::NO:P13100\\_COMMENT\\_ID:3953294](https://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:13100:0::NO:P13100_COMMENT_ID:3953294)
- Samoa Observer. Ministry Investigates vendors' activities. January 12, 2017. [http://www.samoaoobserver.ws/en/12\\_01\\_2017/local/15760/Ministry-investigates-vendors'-activities.htm](http://www.samoaoobserver.ws/en/12_01_2017/local/15760/Ministry-investigates-vendors'-activities.htm)
- Samoa Observer. Govt. takes first step to address child vendors. January 28, 2017. [http://www.samoaoobserver.ws/en/28\\_01\\_2017/local/16284/Govt-takes-first-step-to-address-child-vendors.htm](http://www.samoaoobserver.ws/en/28_01_2017/local/16284/Govt-takes-first-step-to-address-child-vendors.htm)
- ILO CEACR. Observation concerning the Worst Forms of Child Labor Convention, 1999 (No. 182) Samoa (ratification: 2008). 2021. [https://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100\\_COMMENT\\_ID:4057789:NO](https://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:4057789:NO)
- UNESCO Institute for Statistics. Gross intake ratio to the last grade of primary education, both sexes (%). Accessed: March 3, 2022. For more information, please see "Children's Work and Education Statistics: Sources and Definitions" in the Reference Materials section of this report. <http://data.uis.unesco.org/>
- ILO. Analysis of Child Economic Activity and School Attendance Statistics from National Household or Child Labor Surveys. Original data from Multiple Indicator Cluster Survey 6 (MICS 6), 2019–2020. Analysis received March 2022. Please see "Children's Work and Education Statistics: Sources and Definitions" in the Reference Materials section of this report.
- Samoa Bureau of Statistics. 2021 Samoa Demographic and Health – Multiple Indicator Cluster Survey 2019–20, Survey Findings Report. Apia: 2021. [https://www.sbs.gov.ws/images/sbs-documents/DHS-MICS/Samoa\\_2019-20\\_DHS-MICS\\_Statistical\\_Snapshots\\_English.pdf](https://www.sbs.gov.ws/images/sbs-documents/DHS-MICS/Samoa_2019-20_DHS-MICS_Statistical_Snapshots_English.pdf)
- Government of Samoa. Labour and Employment Relations Act, No. 7. Enacted: 2013. [https://www.ilo.org/dyn/natlex/docs/ELECTRONIC/93575/109439/F88586476/VWSM93575\\_Eng.pdf](https://www.ilo.org/dyn/natlex/docs/ELECTRONIC/93575/109439/F88586476/VWSM93575_Eng.pdf)
- Government of Samoa. Labour and Employment Relations Regulations. Enacted: 2015. Source on file.
- Government of Samoa. Public Notice: Employing a Child Age 18 and Under Hazardous Conditions. August 22, 2017. [https://www.mcil.gov.ws/wp-content/uploads/2017/08/Public\\_Notice\\_Dangerous\\_Work.pdf](https://www.mcil.gov.ws/wp-content/uploads/2017/08/Public_Notice_Dangerous_Work.pdf)

- 15 Government of Samoa. Constitution of the Independent State of Samoa. Enacted: 1960.  
<https://wipo.int/en/legislation/details/7787>
- 16 Government of Samoa. Crimes Act, No. 10. Enacted: 2013.  
[https://www.ilo.org/dyn/natlex/docs/ELECTRONIC/93579/124323/F-1523655815/WSM93579\\_2015.pdf](https://www.ilo.org/dyn/natlex/docs/ELECTRONIC/93579/124323/F-1523655815/WSM93579_2015.pdf)
- 17 Government of Samoa. International Criminal Court, No. 26. Enacted: 2007.  
[https://iccdb.hrlc.net/documents/implementations/pdf/Samoa\\_ICC\\_Act\\_2007.pdf](https://iccdb.hrlc.net/documents/implementations/pdf/Samoa_ICC_Act_2007.pdf)
- 18 Government of Samoa. Education Amendment Act 2019. 2019.  
<https://www.palemene.ws/wp-content/uploads/Education-Amendment-Act-2019-Eng.pdf>
- 19 ILO CEACR. Direct Request concerning the Worst Forms of Child Labor Convention, 1999 (No. 182) Samoa (ratification: 2008). 2020.  
[https://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100\\_COMMENT\\_ID:4057786:NO](https://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100_COMMENT_ID:4057786:NO)
- 20 Government of Samoa. MCIL Our Legislation. Accessed February 19, 2020.  
<https://www.mcil.gov.ws/about/our-legislation/>
- 21 U.S. Embassy- Apia official. E-mail communication to USDOL official. July 1, 2020.
- 22 U.S. Embassy- Apia official. E-mail communication to USDOL official. February 25, 2020.
- 23 U.S. Embassy- Apia official. E-mail communication to USDOL official. February 17, 2022.
- 24 U.S. Embassy- Apia. Reporting. February 19, 2021.
- 25 UN. World Economic Situation and Prospects 2021: Annex. 2021.  
<https://www.un-ilibrary.org/content/books/9789210054980c007>
- 26 ILO modelled estimates and projections (ILOEST) – Population and labour force. Accessed: January 25, 2022. <https://ilostat.ilo.org/data/> Labor force data is modelled on a combination of demographic and economic explanatory variables by the ILO. Please see "Labor Law Enforcement: Sources and Definitions" in the Reference Materials section of this report.
- 27 U.S. Embassy- Apia official. E-mail communication to USDOL official. April 27, 2022.
- 28 Government of Samoa. Transnational Crime Unit. Accessed March 8, 2019.  
<https://mpmc.gov.ws/divisions/tcu/>
- 29 Government of Samoa, Ministry of Women, Community, and Social Development. Samoa National Child Care and Protection Policy 2020–2030. Enacted: May 2020.  
<https://drive.google.com/file/d/1UPeadebX48nVob7Kihpyi6np-8CnNsVq/view>
- 30 U.S. Embassy- Apia official. E-mail communication to USDOL official. March 1, 2022.
- 31 UN. United Nations Pacific Strategy 2018–2022: A Multi-Country Sustainable Development Framework in the Pacific Region. 2017.  
<https://unsdg.un.org/download/1740/16580>
- 32 UN. Strategy Note for the 2018–2022 Pacific Multi-Country Programme of Cooperation. New York: October 10, 2017. Source on file.
- 33 UNICEF. UNICEF Pacific Islands Multi-Country Programme Annual Report 2020. Published: 2021.  
<https://www.unicef.org/media/101086/file/Pacific-Islands-2020-COAR.pdf>
- 34 Government of Samoa. Press Release: Launch of the Education Sector Plan 2019 – 2024. February 5, 2020.  
<https://mesc.gov.ws/press-release-launch-of-the-education-sector-plan-2019-2024/>
- 35 U.S. Department of State official. E-mail communication to USDOL official. January 22, 2019.
- 36 U.S. Embassy- Apia official. E-mail communication to USDOL official. July 10, 2019.
- 37 Fruean, Adel. Private schools get \$14 m Govt. help. Samoa Observer, January 13, 2019.  
<https://www.samoaoobserver.ws/category/samoa/5356>



In 2021, São Tomé and Príncipe made moderate advancement in efforts to eliminate the worst forms of child labor. The government provided training for all labor inspectors on issues related to the COVID-19 pandemic, with a focus on the 2019 Labor Code. Additional training was also provided by the International Labor Organization, including the module "Labor Inspection in Fighting Against Child Labor." Moreover, in July 2021, funding for the Family Program increased from \$10 million to \$18 million, raising the number of program participants from 3,500 to 16,000. The distribution of these funds will continue for a period of 9 months, providing stipends twice a month for the poorest families. 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 does not apply to children working outside of a formal labor relationship, such as children who are self-employed. Moreover, limited financial resources hampered law enforcement efforts, and criminal law enforcement did not take actions to address child labor during the reporting period. In addition, policies addressing the worst forms of child labor do not exist.



## 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. (3,4) 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	14.2 (Unavailable)
Attending School (%)	5 to 14	92.5
Combining Work and School (%)	7 to 14	23.3
Primary Completion Rate (%)		84.3

Source for primary completion rate: Data from 2017, published by UNESCO Institute for Statistics, 2022. (5)

Source for all other data: International Labor Organization's analysis of statistics from Multiple Indicator Cluster Survey 6 (MICS6), 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, <sup>†</sup> including weeding and fertilizing <sup>†</sup> (3,4,7)
	Fishing, <sup>†</sup> including line and hook fishing (3,4,7)
Industry	Carpentry and woodworking (1)
	Construction <sup>†</sup> (1,3)
Services	Working in shops, restaurants, and bars <sup>†</sup> (1,3,4)
	Street work, <sup>†</sup> including begging and street vending <sup>†</sup> (1,3)
Categorical Worst Forms of Child Labor <sup>‡</sup>	Commercial sexual exploitation (1,2)

<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.

# São Tomé and Príncipe




## MODERATE ADVANCEMENT

Reports indicate that children with special needs, especially those with mobility or hearing difficulties, may have limited access to education. (4)

## 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 (8)
Minimum Age for Hazardous Work	Yes	18	Articles 273(2), 274, and 536 of the Labor Code; Article 171 of the Civil Code (8,9)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Hazardous Work List in Annex IV of the Labor Code (8)
Prohibition of Forced Labor	No		Articles 159 and 160 of the Penal Code (10)
Prohibition of Child Trafficking	Yes		Articles 160 and 181 of the Penal Code (10)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Articles 179–182 of the Penal Code (10)
Prohibition of Using Children in Illicit Activities	Yes		Articles 279, 280, and 289 of the Penal Code (10)
Minimum Age for Voluntary State Military Recruitment	Yes	17	Legislation title unknown (11)
Prohibition of Compulsory Recruitment of Children by (State) Military	Yes		Article 1 of Decree-Law 3/83 (12)
Prohibition of Military Recruitment by Non-state Armed Groups	No		
Compulsory Education Age	Yes	15‡	Articles 11 and 12 of the Basic Education System Law (13)
Free Public Education	Yes		Article 12 of the Basic Education System Law (13)

‡ Age calculated based on available information. (13)

The Labor Code permits children aged 14, who have completed their compulsory education, to perform light work that is not deemed harmful to their health or development; however, this framework does not establish a minimum work age and special legislation specifying the activities and conditions in which light work may be undertaken has yet to be adopted. (8) Furthermore, the minimum age protections contained in the Labor



Code do not apply to children working outside of a formal labor relationship, such as children who are self-employed. (8,14)

Laws prohibiting forced labor are not sufficient as they do not criminalize practices similar to slavery or debt bondage and forced or compulsory labor. (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
Ministry of Labor, Solidarity, Family, and Professional Training	Enforces labor laws, including child labor. (1,15)
Ministry of Justice, Public Administration and Human Rights	Enforces criminal laws against the worst forms of child labor. (1,15)

#### *Labor Law Enforcement*

In 2021, labor law enforcement agencies in São Tomé and Príncipe took actions to address child labor (Table 6). However, gaps exist within the operations of the Ministry of Labor, Solidarity, Family, and Professional Training that may hinder adequate labor law enforcement, including insufficient financial resource allocation.

**Table 6. Labor Law Enforcement Efforts Related to Child Labor**

Overview of Labor Law Enforcement	2020	2021
Labor Inspectorate Funding	\$25,000 (1)	\$23,000 (4)
Number of Labor Inspectors	4 (1)	6 (4)
Mechanism to Assess Civil Penalties	Yes (16)	Yes (16)
Initial Training for New Labor Inspectors	N/A	No (15)
Training on New Laws Related to Child Labor	N/A	Yes (4)
Refresher Courses Provided	No (1)	Yes (4)
Number of Labor Inspections Conducted	60 (1)	60 (4)
Number Conducted at Worksite	60 (1)	60 (4)
Number of Child Labor Violations Found	0 (1)	0 (4)
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 (1)	Yes (4)
Routine Inspections Targeted	Yes (1)	Yes (4)
Unannounced Inspections Permitted	Yes (16)	Yes (16)
Unannounced Inspections Conducted	Yes (1)	Yes (4)
Complaint Mechanism Exists	Yes (1)	Yes (4)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (1)	Yes (4)

During the reporting period, two additional labor inspectors were hired by the government. There are also four assistant inspectors. (4,15) In addition, the government conducted a training session for labor inspectors on issues related to the COVID-19 pandemic, while also focusing on regulations in the 2019 Labor Code. Virtual trainings, funded by the ILO, were also provided to labor inspectors in November and December 2021, including the module "Labor Inspection in Fighting Against Child Labor." (4)

Although inspections are permitted in all sectors, they are seldom conducted in the informal sector, in which child labor is more prevalent. (4) Reports also indicate that the allotted budget for the Labor Inspectorate was insufficient to cover operating costs, including office facilities, fuel, and transportation. Inspectors' lack of technical training also hinders their ability to perform their duties. (4,17)

# São Tomé and Príncipe

## MODERATE ADVANCEMENT

Children found working during inspections by labor inspectors are referred to the Ministry of Justice, Public Administration and Human Rights or the Directorate of Social Protection and Solidarity within the Ministry of Labor, Solidarity, Family, and Professional Training for integration and counseling services. Currently, there are three official centers for child integration in the country, and each works in partnership with the government. (1,15)

### **Criminal Law Enforcement**

In 2021, criminal law enforcement agencies in São Tomé and Príncipe took actions to address child labor (Table 7). However, gaps exist within the authority of enforcement agencies that may hinder adequate criminal law enforcement, including insufficient allocation of financial resources.

**Table 7. Criminal Law Enforcement Efforts Related to Child Labor**

Overview of Criminal Law Enforcement	2020	2021
Initial Training for New Criminal Investigators	No (1)	No (4)
Training on New Laws Related to the Worst Forms of Child Labor	N/A	N/A
Refresher Courses Provided	No (1)	No (4)
Number of Investigations	0 (1)	0 (4)
Number of Violations Found	0 (1)	0 (4)
Number of Prosecutions Initiated	0 (1)	0 (4)
Number of Convictions	0 (1)	0 (4)
Imposed Penalties for Violations Related to the Worst Forms of Child Labor	Unknown	Unknown
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (1)	Yes (4)

During the reporting year, investigators lacked resources, including transportation, fuel, and other necessities to carry out investigations. (1,4)

Children found by Ministry of Justice, Public Administration and Human Rights officials are referred for integration and counseling services to the Directorate of Social Protection and Solidarity in the Ministry of Labor, Solidarity, Family, and Professional Training. (1,15)

## 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
Anti-Child Labor Committee	Leads efforts to eliminate the worst forms of child labor. (1) Led by the Ministry of Labor, Solidarity, Family, and Professional Training. (18) Research was unable to determine whether activities were undertaken by the Anti-Child Labor Committee during the reporting period.
Directorate of Social Protection and Solidarity	Provides counseling and integration services to children found during labor inspections and criminal investigations. Within the Ministry of Labor, Solidarity, Family, and Professional Training. (1,15) Research was unable to determine whether activities were undertaken by the Directorate of Social Protection and Solidarity 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 coverage of 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 time frame, reinforcing the rights of children, and addressing 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) Although the National Policy and Strategy for Social Protection remained active during the reporting period, reports indicate that no activities were undertaken to implement it. (4)

## VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2021, 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 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. (20,21) Active in 2021. (4)
Disadvantaged Mothers Program ( <i>Mães Carentiadas</i> )†	Government program that provides family stipends, including food, school materials, and uniforms on an as-needed basis. The support is distributed by social workers. (22) In 2021, the government increased the family stipends to \$44 per month and changed dispersal methods; instead of the stipend being dispersed by social workers, participants are issued an ATM card and can receive their stipend every 2 months. (15)
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. (1,23,24) In 2021, the World Bank increased funding for the Family Program from \$10 million to \$18 million, thus increasing the number of program participants from 3,500 to 16,000. The distribution of these funds began in July 2021 and will continue for a period of 9 months. (4,25) Research was unable to determine whether activities were undertaken to implement the Girls Empowerment and Quality Education for All Project.
Decent Work Country Program (2018–2021)†	Government program in collaboration with the ILO that aimed to address child labor through legislative action and strategic programs. (7,26) Research was unable to determine whether activities were undertaken to implement the Decent Work Country Program 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 – 2021
	Ensure that the law criminally prohibits the recruitment of children under age 18 by non-state armed groups.	2016 – 2021
	Establish by law a minimum age at which light work may be undertaken and adopt legislation defining the activities and conditions permissible for light work.	2018 – 2021
	Ensure that the law criminally prohibits practices similar to slavery or criminally prohibits debt bondage and forced or compulsory labor.	2021
	Ensure that all children are protected by law, including children who are self-employed.	2015 – 2021

# São Tomé and Príncipe

## MODERATE ADVANCEMENT

**Table 11. Suggested Government Actions to Eliminate Child Labor (Cont.)**

Area	Suggested Action	Year(s) Suggested
Enforcement	Strengthen the Labor Inspectorate by initiating targeted inspections based on analysis of data identifying risk-prone sectors and patterns of serious incidents, and ensure that inspections are conducted in the informal sector in which child labor is known to occur.	2017 – 2021
	Provide labor inspectors with adequate technical training to strengthen their ability to perform their duties and ensure that they are equipped with the necessary resources to conduct inspections, including sufficient office facilities, fuel, and transportation.	2009 – 2021
	Publish information on criminal law enforcement efforts undertaken, including data regarding imposed penalties for violations related to the worst forms of child labor.	2009 – 2021
	Ensure that criminal investigators are equipped with the necessary resources, including transportation, fuel, and other necessities to carry out investigations, and ensure they receive initial training and refresher courses to better address violations of the worst forms of child labor.	2009 – 2021
Coordination	Ensure that all coordinating bodies are active and able to carry out their intended mandates.	2020 – 2021
Government Policies	Adopt policies to address the worst forms of child labor, including the commercial sexual exploitation of children.	2020 – 2021
	Ensure that activities are undertaken to implement the National Policy and Strategy for Social Protection and that data on these activities are published.	2021
Social Programs	Collect and publish data on the extent and nature of child labor to inform policies and programs.	2021
	Increase access to education for children with special needs, including creating programs that address children with mobility and hearing difficulties.	2021
	Ensure that activities are undertaken to implement all programs, including the Girl Empowerment and Quality Education for All project and the Decent Work Country Program, and publish data on these activities during the reporting period.	2020 – 2021
	Implement programs that specifically target child labor in agriculture.	2010 – 2021

## REFERENCES

- U.S. Embassy- Libreville. Reporting. February 5, 2021.
- Medeiros, Óscar. Prostituição infantil está a atingir níveis alarmantes em São Tomé e Príncipe. VOA, November 5, 2020. <https://www.voaportugues.com/a/prostituição-infantil-está-a-atingir-níveis-alarmantes-em-são-tomé-e-príncipe/5649373.html>
- Government of São Tomé and Príncipe. Diagnóstico Rápido Sobre Trabalho Infantil em São Tomé e Príncipe. September 2014. Source on file.
- U.S. Embassy- Libreville. Reporting. January 19, 2022.
- UNESCO Institute for Statistics. Gross intake ratio to the last grade of primary education, both sexes (%). Accessed March 3, 2022. For more information, please see "Children's Work and Education Statistics: Sources and Definitions" in the Reference Materials section of this report. <http://data.uis.unesco.org/>
- ILO. Analysis of Child Economic Activity and School Attendance Statistics from National Household or Child Labor Surveys. Original data from Multiple Indicator Cluster Survey 6 (MICS6), 2019. Analysis received March 2022. Please see "Children's Work and Education Statistics: Sources and Definitions" in the Reference Materials section of this report.
- ILO. Programa de Promoção do Trabalho Digno 2018–2021 de São Tomé e Príncipe. 2018. Source on file.
- Government of São Tomé and Príncipe. Código do Trabalho, Lei n° 6/2019. Enacted: April 11, 2019. Source on file.
- Government of São Tomé and Príncipe. Código Civil, Lei n° 2/77. Enacted: September 28, 1977. Source on file.
- Government of São Tomé and Príncipe. Código Penal, Lei n° 6/2012. Enacted: November 6, 2012. Source on file.
- ILO Committee of Experts. Individual Direct Request concerning Worst Forms of Child Labour Convention, 1999 (no. 182) São Tomé and Príncipe (ratification: 2005). Published: 2017. [https://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100\\_COMMENT\\_ID,P11110\\_COUNTRY\\_ID,P11110\\_COUNTRY\\_NAME,P11110\\_COMMENT\\_YEAR:3294433,103341,Sao Tome and Principe,2016](https://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID,P11110_COUNTRY_ID,P11110_COUNTRY_NAME,P11110_COMMENT_YEAR:3294433,103341,Sao Tome and Principe,2016)
- Government of São Tomé and Príncipe. Decreto-Lei n° 3/83. Enacted: February 25, 1983. Source on file.
- Government of São Tomé and Príncipe. Lei de Bases do Sistema Educativo. Enacted: February 18, 2019. Source on File.
- ILO Committee of Experts. Individual Direct Request concerning Minimum Age Convention, 1973 (no. 138) São Tomé and Príncipe (ratification: 2005). Published: 2018. [https://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100\\_COMMENT\\_ID:3331759:NO](https://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:3331759:NO)
- U.S. Embassy- Libreville official. E-mail communication to USDOL official. February 11, 2022.
- Government of São Tomé e Príncipe. Decreto-Lei n° 7/2016 – Aprova o novo Estatuto da Inspeção de Trabalho, doravante designada de Estatuto da Inspeção Geral de Trabalho – (EIGT). Enacted: November 14, 2016. Source on file.
- ILO Committee of Experts. Individual Direct Request concerning Labour Inspection Convention, 1947 (No. 81) Sao Tome and Principe (ratification: 1982) Published: 2021. [https://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100\\_COMMENT\\_ID:4061926:NO](https://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:4061926:NO)
- U.S. Embassy- Libreville official. E-mail communication to USDOL official. April 11, 2017.
- Government of São Tomé and Príncipe. Política e Estratégia Nacional de Proteção Social. February 2014. Source on file.
- Government of São Tomé and Príncipe. Resumo de Despesas por U.G.- Função-SF-PG-P/A-FR-AC-Natureza Econômica. 2021. Source on file.
- U.S. Embassy- Libreville official. E-mail communication to USDOL official. May 4, 2022.
- U.S. Embassy- Libreville official. E-mail communication to USDOL official. May 22, 2018.
- U.S. Embassy- Libreville. Reporting. January 17, 2020.
- The World Bank. World Bank Injects \$15 million to Improve Girls Education in Sao Tome and Principe. December 11, 2020. <https://www.worldbank.org/en/news/press-release/2020/12/11/world-bank-injects-15-million-to-improve-girls-education-in-sao-tome-and-principe>
- Veiga, Abel. Em fila, 16 mil famílias começaram a receber ajuda financeira do BM. July 1, 2021. <https://www.telanon.info/economia/2021/07/01/34639/em-fila-16-mil-familias-comecaram-a-receber-ajuda-financiera-do-bm/>
- U.S. Embassy- Libreville. Reporting. January 14, 2019.

In 2021, Senegal made moderate advancement in efforts to eliminate the worst forms of child labor. The government commenced activities for the 2021–2023 National Action Plan to Combat Trafficking in Human Beings and launched a program to support children living and working on the streets. It also held trainings for labor inspectors focused on data collection on child labor in the informal economy. However, children in Senegal are subjected to the worst forms of child labor, including in forced begging. Children also perform dangerous tasks in gold mining, sometimes as a result of human trafficking. 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, Senegal does not have a current national action plan or a national coordinating body for the elimination of child labor.



## I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Senegal are subjected to the worst forms of child labor, including in forced begging. Children also perform dangerous tasks in gold mining, sometimes as a result of human trafficking. (1-3) Table 1 provides key indicators on children's work and education in Senegal. Data on some of these indicators are not available from the sources used in this report.

**Table 1. Statistics on Children's Work and Education**

Children	Age	Percent
Working (% and population)	5 to 14	22.3 (Unavailable)
Attending School (%)	5 to 14	53.0
Combining Work and School (%)	7 to 14	13.9
Primary Completion Rate (%)		60.5

Source for primary completion rate: Data from 2020, published by UNESCO Institute for Statistics, 2022. (4)

Source for all other data: International Labor Organization's analysis of statistics from Demographic and Health Survey (DHS), 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	Fishing, activities unknown (2)
	Farming, including harvesting crops (2)
Industry	Mining gold and iron, including washing ore, crushing rocks, using mercury, and carrying heavy loads† (2,3,7)
Services	Welding and auto repair (2,8)
	Domestic work (2,9)
	Street work, including vending (2,10)
Categorical Worst Forms of Child Labor‡	Forced labor in domestic work and gold mining (2,7,9,11)
	Commercial sexual exploitation, sometimes as a result of human trafficking (2,7,9,11)
	Forced begging (2,3,9,12-15)

† 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.

Forced begging remains a significant problem in Senegal. (2,3) It is a traditional practice to send boys to Koranic schools called *daaras*, where students known as *talibés* receive a Koranic education from teachers known



# Senegal

## MODERATE ADVANCEMENT

as *marabouts*. The traditional Islamic practice of asking for alms has in certain instances been corrupted, and some *daaras* force children to beg all day to collect money to enrich the *marabouts*. (2,3,9,14,16) Some *marabouts* set daily quotas and frequently beat or whip *talibés* who fail to collect enough. (14) An estimated 100,000 *talibés* are subjected to forced begging, including over 30,000 in the capital city, Dakar. (15) *Talibés* are often forced to live in overcrowded, unsanitary conditions, receive inadequate food and medical care, and are vulnerable to physical and sexual abuse. (3,14,15) Children from rural areas in Senegal and neighboring countries including The Gambia, Mali, Guinea-Bissau, and Guinea are particularly vulnerable to this practice and are sometimes subjected to human trafficking. (2,9,15,16)




Children in Senegal are exploited in domestic servitude and forced labor in gold mines and are subjected to human trafficking for commercial sexual exploitation, particularly within the country. (2,9,11,17) Children are particularly vulnerable to forced labor in mining and commercial sexual exploitation in the gold producing regions. (2,3,7,9) Adolescent girls are often trafficked from other countries, including Nigeria, for purposes of commercial sexual exploitation around the gold mines in Kédougou. Research shows that traffickers often tell girls that they are going to Europe, then withhold their identity documents and use debt bondage to force them into commercial sexual exploitation in Senegal. (2,7,9,11) Under a system known as *confiage*, Senegalese parents sometimes send their children, primarily young girls, to live with relatives and family friends to have better educational and economic opportunities, often in exchange for domestic labor. Some girls, however, are not sent to school and are subjected to forced labor and sexual exploitation. (2,9,11)

While Senegalese law provides for free and compulsory education from ages 6 to 16, approximately one-third of children in this age group do not attend school. (18) In practice, only primary school is tuition-free, and supplementary fees are often charged for secondary school. (1,18) Other barriers to education include lack of birth registration documents, distance from schools, and lack of accommodations for students with disabilities. (8,18,19) Poor sanitation infrastructure, including lack of running water and bathrooms, and sexual harassment in schools force some girls to leave school early. According to one NGO, sexual harassment and abuse is widespread in secondary schools in Senegal. In certain cases, when some girls attempted to reject male teachers' advances, they were penalized with lower grades and exclusion from class activities. (2,18,20,21)

## 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 lack of 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 (22,23)
Minimum Age for Hazardous Work	Yes	18	Articles 1–3 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 1–3 of the Ministerial Order No. 3751 Determining the Categories of Business and Work Prohibited to Children and Youth (24-26)
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 (24-26)
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; Articles 1 and 2 of the Law Concerning the Fight Against Trafficking in Persons and Similar Practices and the Protection of Victims (22,26,27)
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 (27)
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 (26,28)
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 (26)
Minimum Age for Voluntary State Military Recruitment	Yes	18	Article 19 of Law No. 2008-28 (29)
Prohibition of Compulsory Recruitment of Children by (State) Military	N/A*		
Prohibition of Military Recruitment by Non-state Armed Groups	No		
Compulsory Education Age	Yes	16	Article 3 of Law No. 2004-37 (30)
Free Public Education	Yes		Article 3 of Law No. 2004-37; Articles 21 and 22 of the Constitution (30,31)

\* Country has no conscription (6)

Ministerial Order No. 3749 Determining and Prohibiting the Worst Forms of Child Labor bans the use of children in illicit activities, but neither this law, the Penal Code, nor the Labor Code define specific criminal penalties for this offense. (26-28) The 2005 anti-trafficking law criminalizes forced begging. However, section 245 of the Penal Code provides that “the act of seeking alms on days, in places and under conditions established by religious traditions does not constitute the act of begging,” which makes it unclear whether forced begging under these religious traditions is criminally prohibited. (3,27,28) 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. (6,11,24,26) 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. (22,23,30)

### III. ENFORCEMENT OF LAWS ON CHILD LABOR

The government has established institutional mechanisms for the enforcement of laws and regulations on child labor (Table 5). However, gaps exist within the operations of 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, Social Dialogue, and Institutional Relations (MOL)	Identifies and investigates labor code violations, including child labor cases. (2,22) Empowered to refer criminal cases to the Police or Gendarmerie. (2)
Ministry of Justice (MOJ)	Responsible for the enforcement and prosecution of all criminal laws, including criminal violations of child labor laws. (2,32) Through its Department of Correctional Education and Social Protection, coordinates with the Ministry of Women, Family, Gender, and Child Protection (MWFGCP) to provide services to vulnerable children. (2,32) Through its Criminal Affairs and Pardons Branch, collects information and statistics on criminal cases involving forced child labor, child trafficking, and the commercial sexual exploitation of children. (2,32)
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. Houses the Children's Unit, located in Dakar, which employs three officers who specialize in child protection, victim identification, and reintegration. (32) Through its Children's Unit, receives assistance from the Vice Squad in child protection cases. Through its Air and Border Police ( <i>Police de l'air et des frontières</i> ), focuses on migrant smuggling and transnational crimes. (32)
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, which cares for children who are survivors of labor exploitation or human trafficking. (2,9,16) In 2021, chaired a 2-day regional meeting on child protection in West Africa and held informational meetings with religious leaders about the protection of children in <i>daaras</i> . (2)

#### Labor Law Enforcement

In 2021, labor law enforcement agencies in Senegal took actions to address child labor (Table 6). However, gaps exist within the operations of enforcement agencies that may hinder adequate labor law enforcement, including the insufficient allocation of human resources.

**Table 6. Labor Law Enforcement Efforts Related to Child Labor**

Overview of Labor Law Enforcement	2020	2021
Labor Inspectorate Funding	Unknown (19)	Unknown (2)
Number of Labor Inspectors	68 (19)	68 (2)
Mechanism to Assess Civil Penalties	Yes (22)	Yes (22)
Initial Training for New Labor Inspectors	Yes (19)	N/A (2)
Training on New Laws Related to Child Labor	N/A (19)	N/A (2)
Refresher Courses Provided	Yes (19)	Yes (2)
Number of Labor Inspections Conducted	2,835 (19)	Unknown (2)
Number Conducted at Worksite	2,835 (2)	Unknown (2)
Number of Child Labor Violations Found	0 (19)	0 (2)
Number of Child Labor Violations for Which Penalties Were Imposed	N/A (19)	N/A (2)
Number of Child Labor Penalties Imposed that Were Collected	N/A (19)	N/A (2)
Routine Inspections Conducted	Yes (19)	Yes (2)
Routine Inspections Targeted	Yes (19)	Yes (2)
Unannounced Inspections Permitted	Yes (22)	Yes (22)
Unannounced Inspections Conducted	Yes (19)	Yes (2)
Complaint Mechanism Exists	No (19)	No (2)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (19)	Yes (2)

The number of labor inspectors is likely insufficient for the size of Senegal's workforce, which includes over 4.7 million workers. According to the ILO's technical advice of a ratio approaching 1 inspector for every 15,000 workers in developing economies, Senegal would need to employ about 317 labor inspectors. (33,34) The labor inspectorate has assigned one inspector and one controller, who assists the labor inspector in their duties, to child labor cases. (2,22)

While labor inspectors are allowed to conduct inspections in private homes and farms, where child labor is widespread, there were no inspections in these sites during the reporting period. (2) In November 2021, the Ministry of Labor, Social Dialogue, and Institutional Relations organized a workshop for labor inspectors on data collection in the fight against child labor in the informal economy. (2) Anecdotal reports indicate that there is a lack of child labor law enforcement in the informal sector, in which most children are employed. Research suggests that the labor inspectorate only has sufficient funding to inspect the formal sector. (2) The Government of Senegal does not have a dedicated hotline or complaint mechanism to receive reports of child labor. (2)

### **Criminal Law Enforcement**

In 2021, criminal law enforcement agencies in Senegal took actions to address 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	2020	2021
Initial Training for New Criminal Investigators	Yes (19)	Yes
Training on New Laws Related to the Worst Forms of Child Labor	N/A (19)	N/A
Refresher Courses Provided	Yes (19)	Yes
Number of Investigations	Unknown (19)	Unknown
Number of Violations Found	Unknown (19)	Unknown
Number of Prosecutions Initiated	3 (19)	Unknown
Number of Convictions	3 (19)	Unknown
Imposed Penalties for Violations Related to the Worst Forms of Child Labor	Unknown (19)	Unknown
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (19)	Yes

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 penalties imposed for violations related to the worst forms of child labor for inclusion in this report. (2)

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. (2,3,9,15,35) Judicial officials often drop or reduce charges against Koranic teachers due to social and political pressures. (15) 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. Research was unable to determine how police stations handled cases that were not referred to the Children's Unit. (9) Research also 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 the lack of an entity dedicated to coordinating efforts to address child labor.

**Table 8. Key Mechanisms to Coordinate Government Efforts on Child Labor**

Coordinating Body	Role & Description
National Task Force Against Trafficking in Persons (CNLTP)	Leads efforts to prevent trafficking in persons, prosecute perpetrators, and protect survivors. (36) Housed under MOJ. Includes elected officials and representatives from MWFGCP; the National Police; and the Department of Social Services. (2,35) Reports on human trafficking in Senegal and coordinates the implementation of the National Action Plan to Combat Trafficking in Human Beings. (9,35,36) In 2021, organized trainings on trafficking in persons for law enforcement, magistrates, and local elected officials. (2)
Childhood Protection Unit (CAPE)	Housed under the MWFGCP. Coordinates government efforts related to child protection, including through the implementation of the National Strategy on Child Protection. (2) Contributes to the creation and implementation of child protection policies, and is developing 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. (37) Brings complaints of child endangerment before the President of the Juvenile Court. (2) 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. (38)
Trafficking in Persons Database (Systraite)	Launched in partnership with the IOM and funding from the USDOS with the aim to track cases of trafficking in persons. Initially piloted in Dakar, Saint Louis, Thiès, Kédougou, and Tambacounda. (17,39,40) Continued to function in the pilot cities in 2021. (9)

While various bodies coordinated efforts to address forced child begging and commercial sexual exploitation of children, there was no active coordinating body dedicated to preventing and eliminating other forms of child labor, including in agriculture and domestic work. (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 the lack of a national policy covering all worst forms of child labor

**Table 9. Key Policies Related to Child Labor**

Policy	Description
National Action Plan to Combat Trafficking in Human Beings (2021–2023) <sup>†</sup>	Drafted and implemented by the National Task Force Against Trafficking in Persons (CNLTP). (2) Structured around four priority areas: prevention; protection and care of victims; pursuit; and research, monitoring, evaluation, and partnerships. (42) Goals include raising awareness and advocating for legislation, conducting public awareness campaigns, improving capacity of shelters and services for survivors, strengthening the capacity of criminal law enforcement and the judicial system, and improving regional cooperation. (42) In 2021, efforts outlined within the plan commenced, including trainings for law enforcement and awareness-raising events. (36)
National Strategy on Child Protection	Aims to strengthen child protection systems in Senegal and accelerate behavioral change toward child protection. Organized around the pillars of prevention, care, and promotion of children's rights. (32) As part of this strategy, during the reporting year, the government, in coordination with the Child Protection Committee in the Dakar region, continued its program for the withdrawal and social reintegration of street children. (2)

<sup>†</sup> Policy was approved during the reporting period.

In 2021, the government began the process of updating the National Action Plan on the Prevention and Abolition of Child Labor in Senegal, which expired in 2016. (2)

## VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2021, 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 inadequacy of programs to address the full scope of the problem.

**Table 10. Key Social Programs to Address Child Labor**

Program	Description
Removal and Socioeconomic Reintegration Program for Children in Street Situations <sup>†*</sup>	Government of Senegal-funded and operated program to oversee the removal and socioeconomic reintegration of street children, many of whom are victims of forced begging. (2) Provides assistance to <i>daaras</i> to curb forced begging. Aids child victims by returning them to their families, providing shelter in government-sponsored centers, or placing them in foster families. (2) In 2021, the program spent \$603,000 and assisted 10,934 children, including 418 removed from <i>daaras</i> or the street by the government. (2)



**Table 10. Key Social Programs to Address Child Labor (Cont.)**

Program	Description
Daara Modernization Program†	\$18.5 million government-funded voluntary program implemented by Tostan and the African Meeting for the Defense of Human Rights ( <i>La Rencontre Africaine pour la Défense des Droits d'Homme</i> ). Aims to eliminate forced begging and to regulate, inspect, and fund <i>daaras</i> . (19) The program continued in 2021. (32)
Ginddi Center†	Serves abused and vulnerable children, including runaway <i>talibés</i> , street children, and child trafficking survivors. (8,9,16,35) Provides food, education, vocational training, family mediation, medical care, and psychological care in its shelter. (16,35) Supports a 24-hour a day toll-free hotline, staffed by French, Wolof, and Pular speakers, that allows anonymous reporting of cases of child trafficking and/or labor abuse. (9,16) During the reporting period, continued to operate its hotline and provide assistance to survivors of child trafficking and labor exploitation. (2)
Senegal Social Safety Net Program	\$108.55 million World Bank-funded project which aims to build social safety nets by providing targeted cash transfers to poor households. During the reporting period, the project continued to provide cash transfers to poor and vulnerable households. (43)
Centers to address child trafficking†	Provides monitoring, education, rehabilitation, and reintegration services for survivors of child trafficking through Ministry of Justice-run transit houses in Dakar, Pikine, and Saint-Louis. (8) During the reporting period, the government continued to provide food and shelter through these centers. (9,32)

† Program is funded by the Government of Senegal.

\* Program was launched during the reporting period.

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. (2) Civil unrest for several days in March 2021 temporarily stopped the activities of the Removal and Socioeconomic Reintegration Program for Children in Street Situations program, and as of December 2021, the government has not yet resumed program activities. In addition, sometimes rehabilitated street children who are returned to their families end up again being subject to forced begging in *daaras*. (2,36)

## 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 Senegal (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 – 2021
	Establish criminal penalties for the use of children in illicit activities.	2021
	Clarify 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 – 2021
	Ensure that the law governing hazardous work prohibitions for children is comprehensive.	2016 – 2021
	Raise the minimum age for work to the age up to that which education is compulsory.	2018 – 2021
Enforcement	Publish all relevant information on labor inspectorate funding and on the number of inspections conducted, including those conducted at worksites.	2013 – 2021
	Establish a mechanism to receive child labor complaints, and track cases of child labor for referral to law enforcement or social services providers.	2014 – 2021
	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 – 2021
	Ensure that labor inspections and enforcement are carried out in the informal sector, including in private homes and farms.	2014 – 2021
	Publish criminal law enforcement information on the number of investigations, violations found, and imposed penalties on the worst forms of child labor.	2020 – 2021
	Ensure that courts have sufficient resources and coordination to be able to successfully prosecute cases.	2019 – 2021
	Ensure that criminal cases involving child victims are referred to the Ministry of the Interior and Public Security's Children's Unit.	2021
	Ensure that training for criminal investigators adequately addresses issues related to the worst forms of child labor in Senegal.	2019 – 2021
Coordination	Establish a national coordinating body with established mechanisms to prevent and eliminate child labor.	2021

**Table 11. Suggested Government Actions to Eliminate Child Labor (Cont.)**

Area	Suggested Action	Year(s) Suggested
Government Policies	Adopt a national policy to address child labor.	2016 – 2021
Social Programs	Ensure that all children have access to education by eliminating school-related fees, building additional schools, improving school infrastructure and sanitation, ensuring access for students with disabilities, providing all children with access to birth registration, and protecting children in schools from sexual harassment and abuse.	2011 – 2021
	Institute programs to address child labor in domestic work, agriculture, and mining.	2010 – 2021
	Conduct education and awareness-raising activities among families of rescued street children to ensure children are not returned to forced begging.	2021
	Restart the removal activities of the Removal and Socioeconomic Reintegration Program for Children in Street Situations program.	2021

### REFERENCES

- ILO Committee of Experts. Direct Request concerning Worst Forms of Child Labor Convention, 1999 (No. 182) Senegal (ratification: 2000), adopted 2020. Published: 2021.  
[https://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100\\_COMMENT\\_ID:4063339](https://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:4063339)
- U.S. Embassy- Dakar. Reporting. January 28, 2022.
- ILO Committee of Experts. Individual Observation concerning Worst Forms of Child Labor Convention, 1999 (No. 182) Senegal (ratification: 2000). Published: 2022.  
[https://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100\\_COMMENT\\_ID:4115811:YES](https://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:4115811:YES)
- UNESCO Institute for Statistics. Gross intake ratio to the last grade of primary education, both sexes (%). Accessed March 3, 2022. For more information, please see "Children's Work and Education Statistics: Sources and Definitions" in the Reference Materials section of this report.  
<http://data.uis.unesco.org/>
- ILO. Analysis of Child Economic Activity and School Attendance Statistics from National Household or Child Labor Surveys. Original data from Demographic and Health Survey (DHS), 2015. Analysis received March 2022. For more information, please see "Children's Work and Education Statistics: Sources and Definitions" in the Reference Materials section of this report.
- U.S. Embassy- Dakar. Reporting. March 10, 2017.
- Le Quotidien. Traite et trafic d'enfants dans les sites d'orpaillage: Kédougou, le drame des mineurs. October 2, 2019.  
<https://www.lequotidien.sn/traite-et-traffic-denfants-dans-les-sites-dorpaillage-kedougou-le-drame-des-mineurs/>
- U.S. Embassy- Dakar. Reporting. March 8, 2018.
- U.S. Department of State. Trafficking in Persons Report- 2021: Senegal. Washington, D.C., July 1, 2021.  
<https://www.state.gov/reports/2021-trafficking-in-persons-report/senegal/>
- Diallo, Mamadou Alpha. Stop au travail des enfants! Deutsche Welle, June 12, 2017.  
<http://www.dw.com/fr/stop-au-travail-des-enfants/a-39206229>
- ECPAT International. Panorama due Pays: Un rapport sur l'échelle, l'ampleur et le contexte de l'exploitation sexuelle des enfants au Sénégal. June 2019.  
<https://ecpat.org/wp-content/uploads/2021/08/ECPAT-Country-Overview-Research-Report-Senegal-2019-2.pdf>
- Bengel, Anna. 'Protect our Children' project prevents trafficking of three brothers in Senegal. Free the Slaves, June 6, 2017.  
<https://www.freetheslaves.net/protect-our-children-project-prevents-trafficking-of-three-brothers-in-senegal/>
- Guilbert, Kieran. Child begging rampant in Senegal despite state crackdown: activists. Reuters, July 11, 2017.  
<https://www.reuters.com/article/us-senegal-trafficking-children/child-begging-rampant-in-senegal-despite-state-crackdown-activists-idUSKBN19W28O>
- Human Rights Watch. "I still see the talibés begging": Government Program to Protect Talibé Children in Senegal Falls Short. 2017.  
[https://www.hrw.org/sites/default/files/report\\_pdf/senegal0717\\_web\\_1.pdf](https://www.hrw.org/sites/default/files/report_pdf/senegal0717_web_1.pdf)
- Human Rights Watch. These Children Don't Belong on the Streets: A Roadmap for Ending Exploitation, Abuse of Talibés in Senegal. December 16, 2019.  
<https://www.hrw.org/report/2019/12/16/these-children-dont-belong-streets/roadmap-ending-exploitation-abuse-talibes>
- U.S. Embassy- Dakar. Reporting. February 16, 2021.
- U.S. Embassy- Dakar. Reporting. February 14, 2020.
- U.S. Department of State. Country Reports on Human Rights Practices- 2020: Senegal. Washington, D.C., March 30, 2021.  
<https://www.state.gov/reports/2020-country-reports-on-human-rights-practices/senegal/>
- U.S. Embassy - Dakar. Reporting. February 24, 2021.
- Human Rights Watch. Submission by Human Rights Watch to the Committee on Economic, Social and Cultural Rights on Senegal. 2019.  
<https://www.hrw.org/news/2019/01/15/submission-human-rights-watch-committee-economic-social-and-cultural-rights-senegal>
- Human Rights Watch. "It's Not Normal": Sexual Exploitation, Harassment and Abuse in Secondary School in Senegal. 2018.  
<https://www.hrw.org/report/2018/10/18/its-not-normal/sexual-exploitation-harassment-and-abuse-secondary-schools-senegal>
- Government of Senegal. Code du Travail, Law No. 97-17. Enacted: December 1, 1997.  
[https://www.ilo.org/dyn/travail/docs/839/Code du travail.pdf](https://www.ilo.org/dyn/travail/docs/839/Code%20du%20travail.pdf)
- Government of Senegal. Décret Fixant l'Échelle des Peines de Simple Police Applicables aux Auteurs de Contraventions aux Dispositions du Code du Travail et des Règlements Prévus pour son Application, Decret No. 62-017. Enacted: January 22, 1962. Source on file.
- Government of Senegal. Arrêté Ministériel n° 3750 MFPTOP-DTSS en date du 6 juin 2003, Fixant la Nature des Travaux Dangereux Interdits aux Enfants et Jeunes Gens. Enacted: June 6, 2003.  
<http://www.ilo.org/dyn/natlex/docs/SERIAL/64611/64953/FI229124862/SEN64611.pdf>
- Government of Senegal. Arrêté Ministériel n° 3751 MFPTOP-DTSS en date du 6 juin 2003. Enacted: June 6, 2003.  
<http://www.ilo.org/dyn/natlex/docs/SERIAL/64612/64952/F364251671/SEN64612.pdf>

- 26 Government of Senegal. Arrêté Ministériel n° 3749 MFPTÉOP-DTSS en date du 6 juin 2003. Enacted: June 6, 2003.  
<http://www.ilo.org/dyn/natlex/docs/SERIAL/64610/64951/F2020269921/SEN64610.pdf>
- 27 Government of Senegal. Loi n° 2005-06 du 10 mai 2005 Relatif à la Lutte Contre la Traite des Personnes et Pratiques Assimilées et à la Protection des Victimes. Enacted: May 10, 2005. Source on file.
- 28 Government of Senegal. Code Penal, Law No. 65-60. Enacted: July 21, 1965.  
<http://www.wipo.int/edocs/lexdocs/laws/fr/sn/sn010fr.pdf>
- 29 Government of Senegal. Loi n° 2008-28 du 28 juillet 2008. Enacted: July 28, 2008.  
<http://www.jo.gouv.sn/spip.php?article7178>
- 30 Government of Senegal. Loi n° 2004-37 du 15 Décembre 2004. Enacted: December 15, 2004.  
<http://www.jo.gouv.sn/spip.php?article2689>
- 31 Government of Senegal. Constitution of the Republic of Senegal. Enacted: January 22, 2001. Source on file.
- 32 U.S. Embassy-Dakar official. E-mail communication to USDOL official. March 15, 2022.
- 33 ILO Labor Force Statistics (LFS) – Population and labour force. Accessed (January 25, 2022). <https://ilostat.ilo.org/data/> Labor force data is government-reported data collected by the ILO. Please see “Labor Law Enforcement: Sources and Definitions” in the Reference Materials section of this report.
- 34 UN. World Economic Situation and Prospects. 2021 Statistical Annex. New York, 2021. Please see “Labor Law Enforcement: Sources and Definitions” in the Reference Materials section of this report.  
[https://www.un.org/development/desa/dpad/wp-content/uploads/sites/45/WESP2021\\_ANNEX.pdf](https://www.un.org/development/desa/dpad/wp-content/uploads/sites/45/WESP2021_ANNEX.pdf)
- 35 U.S. Embassy- Dakar. Reporting. March 7, 2019.
- 36 U.S. Embassy- Dakar. Reporting. February 4, 2022.
- 37 Government of Senegal. Présentation de la CAPE. March 1, 2016. Source on file.
- 38 U.S. Embassy- Dakar official. E-mail communication to USDOL official. May 12, 2021.
- 39 Migan, Candide. First Human Trafficking Case Law Database Launched in Senegal. IOM UN Migration, October 25, 2019.  
<https://www.iom.int/news/first-human-trafficking-case-law-database-launched-senegal>
- 40 Peyton, Nellie. Senegal Launches Online Database to Track the Traffickers. Reuters, October 30, 2019.  
<https://www.reuters.com/article/us-senegal-trafficking/senegal-launches-online-database-to-track-the-traffickers-idUSKBN1X928Z>
- 41 U.S. Department of State. Trafficking in Persons Report- 2019: Senegal. Washington, D.C., June 20, 2019.  
<https://www.state.gov/reports/2019-trafficking-in-persons-report/senegal/>
- 42 Government of Senegal. National Action Plan for the Fight Against Human Trafficking, 2021-2023. December 2020. Source on File.
- 43 World Bank. Senegal Safety Net Project, Summary. February 10, 2022.  
<https://projects.worldbank.org/en/projects-operations/project-detail/PI33597>

In 2021, Serbia made moderate advancement in efforts to eliminate the worst forms of child labor. The government passed a number of guidelines to facilitate improved coordination between social services providers and labor authorities. The Labor Inspectorate also received an increased budget, which allowed inspectors to conduct more inspections than in previous years. However, children in Serbia are still subjected to the worst forms of child labor, including in commercial sexual exploitation, sometimes as a result of human trafficking, and forced begging. Children also perform 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 commercial sexual exploitation, sometimes as a result of human trafficking, and forced begging. Children also perform 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 (%)		97.9

Source for primary completion rate: Data from 2020, published by UNESCO Institute for Statistics, 2022. (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 (4)
	Forestry, activities unknown (8)
	Fishing, activities unknown (8)
Industry	Manufacturing, activities unknown (9,10)
	Construction, activities unknown (10,11)
Services	Street work, including washing cars, collecting scrap material, vending, and begging (1,4,9,12)
	Wholesale and retail trade (8,9,11,12)
	Working in food service, information and communication, and transportation and storage (4,9,10)
Categorical Worst Forms of Child Labor‡	Commercial sexual exploitation, sometimes as a result of human trafficking (4,5,9,11,13)
	Forced begging (4,5,14,15)
	Use in the production of pornography, sometimes as a result of human trafficking (4,11)
	Domestic work, sometimes as a result of human trafficking (16,17)
	Use in illicit activities, including in petty crime (5,9,13,18)

‡ Child labor understood as the worst forms of child labor *per se* under Article 3(a)–(c) of ILO C. 182.

# Serbia

## MODERATE ADVANCEMENT

Children from Serbia, particularly those from Roma communities, are victims of domestic human trafficking and the worst forms of child labor, including commercial sexual exploitation. (9,13,18,19) Girls, Roma children, and children from low-income families in rural communities are most vulnerable to child labor, including human trafficking. (1,20)

Undocumented migrants are at a significantly higher risk of human trafficking for the purposes of labor or sexual exploitation. (19) 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. (21-23)




Some Roma, Ashkali, and Balkan Egyptian children in Serbia experience challenges in obtaining birth registration, which may make school enrollment difficult and increase their vulnerability to child labor. (9,14,24-29) 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, uneven application of this policy, economic hardship, ethnic discrimination, language barriers, disabilities, and placement in non-mainstream schools sometimes discourage Roma children, especially girls, from attending school. (14,17,24,26,27,30,31) Roma children are also more likely to begin school at a later age and drop out of school more frequently than their non-Roma peers. (9,25)

Constitutional and legal protections prohibit discrimination in the education system against individuals with disabilities. (14,32,33) 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. (24,28,29,34)

## 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 has established laws and regulations related to child labor (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 (32,35)
Minimum Age for Hazardous Work	Yes	18	Article 25 of the Labor Law; Article 66 of the Constitution (32,35)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Articles 25, 84, 87, and 88 of the Labor Law; Regulation on Hazardous Labor of Children (35,36)
Prohibition of Forced Labor	Yes		Article 390 of the Criminal Code; Article 26 of the Constitution (32,37)
Prohibition of Child Trafficking	Yes		Article 388 of the Criminal Code; Article 26 of the Constitution (32,37)



**Table 4. Laws and Regulations on Child Labor (Cont.)**

Standard	Meets International Standards	Age	Legislation
Prohibition of Commercial Sexual Exploitation of Children	No		Articles 112 and 183–185 of the Criminal Code (37)
Prohibition of Using Children in Illicit Activities	No		Article 388 of the Criminal Code (37)
Minimum Age for Voluntary State Military Recruitment	Yes	18	Article 39 of the Law on the Army (38)
Prohibition of Compulsory Recruitment of Children by (State) Military	N/A*		Article 4 of the Law on Military, Labor, and Material Obligation (39)
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 (40)
Compulsory Education Age	Yes	15‡	Article 71 of the Constitution; Articles 94 and 98 of the Law on the Foundations of the Education System (32,41)
Free Public Education	Yes		Article 71 of the Constitution; Article 91 of the Law on the Foundations of the Education System (32,41)

\* Country has no conscription (39)

‡ Age calculated based on available information (32,40)

During the reporting period, government ministries reviewed a hazardous child labor list created with the assistance of the ILO for potential passage in 2022. (14) Serbia's law does not treat child beggars as victims, but rather as perpetrators and offenders. (4,42) In addition, Serbian law does not criminally prohibit use of a child in illicit activities except when it results from human trafficking. (37) 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." (37)

### III. ENFORCEMENT OF LAWS ON CHILD LABOR

The government has established institutional mechanisms for the enforcement of laws and regulations on child labor (Table 5). However, gaps exist within the operations of 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. (14) Has internal sub-units that focus on the protection of children with disabilities and children working on the street. (4) Through the Center for Human Trafficking Victims' Protection (CPTV), identifies victims of child trafficking and those at risk, conducts needs assessments, contributes to human 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 Urgent Reception Center. (13,16,24) In addition, CPTV works with state institutions, international organizations, and NGOs on human trafficking prevention and protection efforts and activities. (24)
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. (18) Informs the Centers for Social Work of any child labor violations found. (4,16)
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. (14)
Parliamentary Committee on Children	Reviews draft legislation and monitors the implementation of laws pertinent to children's rights. (14)
Deputy Ombudsman for Children's Rights, Office of the Protector of Citizens	Monitors and conducts research on the situation regarding 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. (4,14)

# Serbia

## MODERATE ADVANCEMENT

Social Welfare Centers (SWCs) provide social services, track the number of street children, and receive reports of labor violations from the Ministry of Labor, Employment, Veteran, and Social Affairs (MOLEVSA) and the Ministry of the Interior (MOI). According to MOLEVSA, the SWCs are significantly overburdened. (14,43)

### Labor Law Enforcement

In 2021, labor law enforcement agencies in Serbia took actions to address child labor (Table 6). However, gaps exist within the operations of MOLEVSA that may hinder adequate labor law enforcement, including insufficient labor inspector training.

**Table 6. Labor Law Enforcement Efforts Related to Child Labor**

Overview of Labor Law Enforcement	2020	2021
Labor Inspectorate Funding	\$3,910,898 (17)	\$4,242,720 (14)
Number of Labor Inspectors	217 (17)	206 (14)
Mechanism to Assess Civil Penalties	Yes (35)	Yes (35)
Initial Training for New Labor Inspectors	Yes (43)	No (14)
Training on New Laws Related to Child Labor	No (17)	N/A (14)
Refresher Courses Provided	Yes (17)	Yes (14)
Number of Labor Inspections Conducted	62,475 (17)	63,670 (14)
Number Conducted at Worksite	62,427 (43)	63,670 (14)
Number of Child Labor Violations Found	20 (17)	18 (14)
Number of Child Labor Violations for Which Penalties Were Imposed	10 (17)	16 (14)
Number of Child Labor Penalties Imposed that Were Collected	Unknown	Unknown
Routine Inspections Conducted	Yes (17)	Yes (14)
Routine Inspections Targeted	Yes (43)	Yes (14)
Unannounced Inspections Permitted	Yes (35)	Yes (35)
Unannounced Inspections Conducted	Yes (17)	Yes (14)
Complaint Mechanism Exists	Yes (17)	Yes (14)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (17)	Yes (14)

Labor inspectors are responsible for inspecting registered and unregistered businesses, including businesses in the agricultural sector. (14) 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. (14,44) 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. The Inspectorate also maintains a hotline number to allow observers to report illegal work activities and other labor irregularities that could impact health and safety at worksites. (14,45) Inspectorate leadership indicated that they had plans to hire new inspectors in an effort to replace a number of retiring staff, though low salaries and a lack of interested pre-retirement age applicants have hindered these plans. (14)

In June 2021, new government guidance entitled "Instruction on Conduct of Social Protection Institutions and Organizations in Providing Social Protection Services to Protect Children from Child Labor" was passed. In addition, in September, the government approved the Instruction on Conduct of the Labor Inspection in the Protection of Children from Child Labor. (14)

The Labor Inspectorate has designated experts on child labor at each of its branches to provide training to other inspectors. (17) 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. (4)

### Criminal Law Enforcement

In 2021, criminal law enforcement agencies in Serbia took actions to address 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 resource allocation.

**Table 7. Criminal Law Enforcement Efforts Related to Child Labor**

Overview of Criminal Law Enforcement	2020	2021
Initial Training for New Criminal Investigators	No (17)	No (14)
Training on New Laws Related to the Worst Forms of Child Labor	No (17)	N/A (14)
Refresher Courses Provided	No (17)	No (14)
Number of Investigations	27 (43)	21 (46)
Number of Violations Found	22 (43)	7 (46)
Number of Prosecutions Initiated	33 (43)	7 (46)
Number of Convictions	22 (43)	1 (46)
Imposed Penalties for Violations Related to the Worst Forms of Child Labor	Yes (43)	Yes (46)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (17)	Yes (14)

Training on identifying human trafficking is provided as a part of the general police curriculum given to law enforcement officials who process immigration cases. (47) Continuous training on identifying human trafficking is also provided to one public prosecutor in each of the 25 Higher Public Prosecutor's Offices. However, sources indicated that some agencies responsible for investigation of human trafficking cases lack funding. (4)

Criminal law enforcement authorities continue to adhere to the 2017 Special Protocol of Labor Inspection for Protecting Children Against Child Labor, which authorizes police and labor inspectors to inform the SWCs regarding any cases of child labor discovered during inspections. The SWCs, the primary providers of social services to human trafficking victims, also assist authorities 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 a lack of efficacy in allocation of human and financial resources.

**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. (17) During the reporting period, the Council was active and held a number of meetings. (14)
National Council for Combating Trafficking in Human Beings (Anti-Trafficking Council)	Sets government policies on human trafficking; chaired by MOI. Drafts updated annual standard operating procedures for CPTV. (4) The National Coordinator for Combating Trafficking in Persons acts as the Secretary of the Council and manages the work of the implementation team. (17) In April 2021, the President of the Anti-Trafficking Council (the Minister of the Interior) formed a working group to draft a new annual National Action Plan under the 2017–2027 Strategy for Prevention of Trafficking in Human Beings. In addition, the President of the Council adopted a Decision on forming a working group to improve proactive detection of human trafficking cases, encourage effective prosecution strategies, and create an environment that supports the legal protection of victims of human trafficking. (14)
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. (14) During the reporting period, the Working Group met on a monthly basis. (14)

The position of National Coordinator for Combating Trafficking in Persons continues to experience constraints on time and financial resources. (24,43)

### 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 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 SWCs to monitor and record risks of child labor, and continuous development for professional workers. (48) Research was unable to determine whether activities were undertaken to implement this policy during the reporting period.
Action Plan for Protection of Children from Violence (2018–2022)	Prevents violence against children and extends support to children who have been victims of violence. (49,50) Part of the Roadmap for Eliminating Abuse of Child Labor in Serbia. Includes enhanced interventions for the protection of children from violence, including the usage of organizational mechanisms to ensure compliance with national law in ensuring children's safety. (49) Research was unable to determine whether activities were undertaken to implement this 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 address human trafficking. (11,51) In September 2021, the Ministry of Education, Science, and Technological Development collaborated with the Council of Europe to revise the list of indicators utilized to identify children who are potential victims of human trafficking. (14)
Protocol on Rules and Procedures for the Institutions and Organizations Working with Children Involved in Life and Work on the Streets of Belgrade	Aims to enhance institutional cooperation among MOI, the Criminal Police Directorate, the Communal Police, city SWCs, the Belgrade City Secretariat for Education, the Belgrade City Secretariat for Health, and civil society organizations. (52) Defines street children, worst forms of child labor, child work, and child trafficking. (17,52) 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. (17) Research was unable to determine whether activities were undertaken to implement this policy 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 the Roma population in Serbia, including access to preschool. (53) During the reporting period, representatives of the National Assembly of Serbia, the National Council of the Roma National Minority, civil society organizations, and international bodies attended a technical meeting that covered topics such as the consequences of the COVID-19 pandemic on the Roma community and how to address poverty, gender inequality, and discrimination. (54)

During the reporting period, the government worked with the UN to draft a new Development Partnership Framework. (14) In addition, the government worked with the ILO to establish a new Instruction on Conduct of Social Protection Institutions and Organizations in Providing Social Protection Services to Protect Children from Child Labor. These guidelines will be utilized by entities that work in the realm of social protection and will include indicators of potential child labor issues. (14) Child labor elimination and prevention strategies should be further integrated into the National Strategy for Roma Inclusion (2016–2025). (12)

### VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2021, 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†	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. (55) Research was unable to determine whether this program was active during the reporting period.
Assistance to Roma Children in Education	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. (55) In June 2021, the Government of Serbia collaborated with the European Commission to host a six-session technical meeting on the social inclusion of the Roma community. The sessions focused on Roma education and employment, in addition to housing, healthcare, and social welfare policies. (54)
Belgrade Children's Shelter†	Social welfare institution funded by the City of Belgrade; opened in 2019. (4) 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. (4) The shelter was operational during the reporting period. (56)

**Table 10. Key Social Programs to Address Child Labor (Cont.)**

Program	Description
Strengthening the Identification and Protection of Victims of Trafficking†	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. (25) 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. The Memorandum defines mutual rights in the identification of human trafficking, assistance and protection of victims, and statistical reporting. (9,13,57) During the reporting period, CPTV continued to provide victims of human trafficking with guidance and counseling during legal proceedings. In addition, MOI formed three working groups to draft the 2021–2022 Action Plan for the Strategy for Prevention of Trafficking in Human Beings 2017–2027, to monitor and implement the Action Plan, and to encourage proactive human trafficking investigations. (15)
Measurement, Awareness-Raising, and Policy Engagement (MAPI6) Project on Child Labor and Forced Labor	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 address child labor and forced labor. (17,58) 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. (58) Additional information is available on the USDOL website.

† 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 other programs on child labor and inclusive education, including the Inclusive Early Childhood Education and Care program, which is coordinated by the Ministry of Finance; the Ministry of Education, Science, and Technology; and the World Bank. In addition, the national Child Allowance Program increased the monthly payment amount of cash benefits available for families with at-risk children ages 7 or older. (14,60,61)

## 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 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 – 2021
	Finalize and adopt the hazardous child labor list.	2019 – 2021
	Ensure that the law criminally prohibits the use of children in illicit activities, including in the production and trafficking of drugs.	2021
	Ensure that the use of children for prostitution is criminally prohibited.	2021
Enforcement	Ensure that staff members at Social Welfare Centers have sufficient resources, such as personnel and funding, to address the specific needs of child trafficking victims.	2015 – 2021
	Train new labor inspectors on child labor and provide training on new laws related to child labor to all labor inspectors.	2015 – 2021
	Ensure that criminal investigators and agencies addressing human trafficking have the necessary funding and training to conduct thorough investigations.	2010 – 2021
	Publish data pertaining to labor law enforcement efforts, including the number of child labor penalties imposed that were collected and whether routine inspections were targeted.	2021
	Ensure that the National Coordinator for Combating Trafficking in Persons has a level of financial support that facilitates efforts to eliminate child labor.	2015 – 2021
Government Policies	Integrate child labor elimination and prevention strategies into the National Strategy for Roma Inclusion.	2017 – 2021
	Publish information on key policies undertaken to combat child labor.	2020 – 2021
	Ensure that activities are undertaken to implement the 2018–2022 Roadmap for Eliminating Abuse of Child Labor in Serbia.	2021
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 – 2021
	Conduct research to determine the activities carried out by children engaged in child labor, including those in farming and construction.	2020 – 2021
	Ensure that the Access to Education Programs initiative is active.	2021



## MODERATE ADVANCEMENT

### REFERENCES

- 1 U.S. Embassy- Belgrade. Reporting. January 13, 2017.
- 2 U.S. Embassy- Belgrade. Reporting. February 13, 2017.
- 3 U.S. Department of State. Trafficking in Persons Report- 2017: Serbia. Washington, D.C., June 27, 2017.  
<https://www.state.gov/reports/2017-trafficking-in-persons-report/serbia/>
- 4 U.S. Embassy- Belgrade. Reporting. January 15, 2020.
- 5 U.S. Department of State. Trafficking in Persons Report- 2021: Serbia. Washington, D.C., 2021.  
<https://www.state.gov/reports/2021-trafficking-in-persons-report/serbia/>
- 6 UNESCO Institute for Statistics. Gross intake ratio to the last grade of primary education, both sexes (%). Accessed March 3, 2022. For more information, please see "Children's Work and Education Statistics: Sources and Definitions" in the Reference Materials section of this report.  
<http://data.uis.unesco.org/>
- 7 ILO. Analysis of Child Economic Activity and School Attendance Statistics from National Household or Child Labor Surveys. Original data from Multiple Indicator Cluster Survey 6 (MICS 6), 2019. Analysis received March 2022. Please see "Children's Work and Education Statistics: Sources and Definitions" in the Reference Materials section of this report.
- 8 Government of Serbia. Labor Force Survey 2016. 2017.  
<http://www.ilo.org/surveydata/index.php/catalog/1860>
- 9 U.S. Embassy- Belgrade. Reporting. January 28, 2019.
- 10 Government of Serbia. Annual Report on Labor Inspections, 2020. 2021.  
<http://rad.inspektor.gov.rs/inspections/33>
- 11 U.S. Embassy- Belgrade. Reporting. January 8, 2018.
- 12 ILO-IPEC Geneva official. E-mail communication to USDOL official. April 10, 2018.
- 13 U.S. Embassy- Belgrade. Reporting. March 1, 2019.
- 14 U.S. Embassy- Belgrade. Reporting. January 28, 2022.
- 15 U.S. Embassy- Belgrade. Reporting. February 18, 2022.
- 16 U.S. Embassy- Belgrade. Reporting. February 13, 2020.
- 17 U.S. Embassy- Belgrade. Reporting. January 29, 2021.
- 18 U.S. Embassy- Belgrade. Reporting. February 8, 2018.
- 19 U.S. Department of State. Trafficking in Persons Report- 2019: Serbia. Washington, D.C., June 20, 2019.  
<https://www.state.gov/reports/2019-trafficking-in-persons-report/serbia/>
- 20 U.S. Department of State. Trafficking in Persons Report- 2018: Serbia. Washington, D.C., June 28, 2018.  
<https://www.state.gov/reports/2018-trafficking-in-persons-report/serbia/>
- 21 ILO-IPEC Geneva official. E-mail communication to USDOL official. October 2017.
- 22 U.S. Department of State. Country Reports on Human Rights- 2019: Serbia. Washington, D.C., 2019.  
<https://www.state.gov/reports/2019-country-reports-on-human-rights-practices/serbia/>
- 23 U.S. Embassy- Belgrade official. E-mail communication to USDOL official. May 31, 2017.
- 24 U.S. Embassy- Belgrade official. E-mail communication to USDOL official. February 14, 2019.
- 25 U.S. Embassy- Belgrade official. E-mail communication to USDOL official. June 12, 2018.
- 26 UNHCR. Serbia may eradicate statelessness within a few years. Belgrade. November 2, 2018.  
<http://www.unhcr.rs/en/dokumenti/saopstenja-za-medije/srbija-moze-iskoreniti-apatridiju-u-roku-od-nekoliko-godina.html>
- 27 UNHCR. Quantitative Snapshot of the UNHCR Serbia 2018 Programme. January 8, 2019.  
<https://data2.unhcr.org/en/documents/download/67961>
- 28 Human Rights Watch. World Report 2017: Serbia. 2017.  
[https://www.hrw.org/sites/default/files/world\\_report\\_download/wr2017-web.pdf](https://www.hrw.org/sites/default/files/world_report_download/wr2017-web.pdf)
- 29 U.S. Department of State. Country Reports on Human Rights Practices- 2018: Serbia. Washington, D.C., March 14, 2019.  
<https://www.state.gov/wp-content/uploads/2019/03/SERBIA-2018-HUMAN-RIGHTS-REPORT.pdf>
- 30 UN Committee on the Elimination of Discrimination against Women. Fourth periodic report submitted by Serbia under article 18 of the Convention, due in 2017. Periodic Reports of States Parties due in 2017: Serbia, Prepared by Government of Serbia, CEDAW/C/SRB/CO/2-3. October 18, 2017.  
[http://tbinternet.ohchr.org/Treaties/CEDAW/Shared Documents/SRB/CEDAW\\_C\\_SRB\\_4\\_7321\\_E.pdf](http://tbinternet.ohchr.org/Treaties/CEDAW/Shared%20Documents/SRB/CEDAW_C_SRB_4_7321_E.pdf)
- 31 UN Committee on the Rights of the Child. Committee on the Rights of the Child considers the report of Serbia. January 24, 2017.  
<http://www.ohchr.org/en/NewsEvents/Pages/DisplayNews.aspx?NewsID=21115&LangID=E>
- 32 Government of Serbia. Constitution of the Republic of Serbia. Enacted November 8, 2005.  
<http://legislationline.org/documents/action/popup/id/8851/preview>
- 33 U.S. Department of State. Country Reports on Human Rights- 2020: Serbia. Washington, D.C., 2020.  
<https://www.state.gov/reports/2020-country-reports-on-human-rights-practices/serbia/>
- 34 UN Convention on the Rights of the Child. Committee on the Rights of the Child, Concluding observation on the combined second and third periodic reports of Serbia. March 7, 2017.  
[http://tbinternet.ohchr.org/\\_layouts/treatybodyexternal/Download.aspx?symbolno=CRC/C/SRB/CO/2-3&Lang=en](http://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=CRC/C/SRB/CO/2-3&Lang=en)
- 35 Government of Serbia. Labor Law of the Republic of Serbia. Enacted March 15, 2005.  
<http://www.elfak.ni.ac.rs/downloads/akta/zakon-o-radu.pdf>
- 36 Government of Serbia. Regulation on Hazardous Labour of Children. May 29, 2017. Source on file.
- 37 Government of Serbia. Criminal Code of the Republic of Serbia. Enacted February 28, 2006.  
<http://legislationline.org/documents/section/criminal-codes>
- 38 Government of Serbia. Law on the Army. Enacted December 11, 2007.  
[http://www.vs.rs/content/attachments/zakon\\_o\\_vojsci\\_srbije\\_sa\\_izmenama\\_i\\_dopunama.pdf](http://www.vs.rs/content/attachments/zakon_o_vojsci_srbije_sa_izmenama_i_dopunama.pdf)
- 39 Government of Serbia. Law on Military, Labor and Material Obligation. Enacted December 15, 2010.  
[http://www.paragraf.rs/propisi/zakon\\_o\\_vojnoj\\_radnoj\\_i\\_materijalnoj\\_obavezi.html](http://www.paragraf.rs/propisi/zakon_o_vojnoj_radnoj_i_materijalnoj_obavezi.html)
- 40 Government of Serbia. Law on the Ratification of the Optional Protocol Involvement of Children in Armed Conflict, Official Gazette of the FRY - International Treaties, No. 7/2002. Enacted July 2002.  
[http://www.ljudskaprava.gov.rs/sites/default/files/dokument\\_file/zakon\\_o\\_potvrdivanju\\_fakultativnog\\_protokola\\_u\\_ucescu\\_dece\\_u\\_oruzanim\\_sukobima\\_uz\\_konvenciju\\_o\\_pravima\\_deteta.pdf](http://www.ljudskaprava.gov.rs/sites/default/files/dokument_file/zakon_o_potvrdivanju_fakultativnog_protokola_u_ucescu_dece_u_oruzanim_sukobima_uz_konvenciju_o_pravima_deteta.pdf)
- 41 Government of Serbia. The Law on the Foundations of the Education System. Enacted 2002.  
[http://www.seio.gov.rs/upload/documents/ekspertske\\_misije/protection\\_of\\_minorities/the\\_law\\_on\\_education\\_system.pdf](http://www.seio.gov.rs/upload/documents/ekspertske_misije/protection_of_minorities/the_law_on_education_system.pdf)
- 42 Government of Serbia. Annual Report of the Ombudsman 2016. June 2017.  
[http://www.ombudsman.org.rs/attachments/article/134/Introduction\\_2016\\_Annual\\_Report.pdf](http://www.ombudsman.org.rs/attachments/article/134/Introduction_2016_Annual_Report.pdf)
- 43 U.S. Embassy- Belgrade. Reporting. May 19, 2021.
- 44 Government of Serbia. Inspection Control Plan for 2019. 2018. Source on file.
- 45 Government of Serbia. Instruction on Conduct of Labor Inspection in the Protection of Children from Child Labor. 2017. Source on file.
- 46 U.S. Embassy- Belgrade official. E-mail communication to USDOL official. May 6, 2022.

- [illegible]

In 2021, Sierra Leone made moderate advancement in efforts to eliminate the worst forms of child labor. The government ratified the Protocol of the Forced Labor Convention, the Domestic Workers Convention, and Migrant Workers (Supplementary Provisions) Convention, as well as the Economic Community of West African States Convention on Mutual Assistance in Criminal Matters, providing the government with additional tools to apprehend and prosecute human traffickers. Sierra Leone also launched the National Policy on Radical Inclusion in Schools with the aim of ensuring education access to all children in the country. However, children in Sierra Leone are subjected to the worst forms of child labor, including in commercial sexual exploitation, sometimes as a result of human trafficking, and forced labor in mining. 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 commercial sexual exploitation, sometimes as a result of human trafficking, and forced labor in mining. Children also perform 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 (%)		87.2

Source for primary completion rate: Data from 2020 published by UNESCO Institute for Statistics, 2022. (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, oil (palm), cocoa, coffee, peanuts, rice, and processing garri flour (4)
	Fishing,† including artisanal fishing (1,4-6)
Industry	Mining† for diamonds, gold, and sand (1,5-7)
	Quarrying† and crushing stone, including granite, and shoveling gravel (1,5-7)
	Construction, including housing construction, and serving as laborers for contractors (1,4-6)
	Manufacturing,† activities unknown (1,5,8,9)
	Production of charcoal (1,5,6,8)
Services	Scavenging scrap metals and recyclable materials from dumpsites (1,10)
	Domestic work (1,5,6,10)
	Street work, including begging, trading, and selling goods (1,5,6,10)

# Sierra Leone

## MODERATE ADVANCEMENT

**Table 2. Overview of Children’s Work by Sector and Activity (Cont.)**

Sector/Industry	Activity
Services	Portering, including carrying heavy loads† (7)
	Working as apprentices, including in auto repair shops and on transportation vehicles, including mini buses and motorbike taxis (4)
Categorical Worst Forms of Child Labor‡	Forced begging (1,5,6,11)
	Forced domestic work (1,5,6,11,12)
	Commercial sexual exploitation, including prostitution, sometimes as a result of human trafficking (1,5,6,12)
	Forced labor in street hawking, mining, agriculture, scavenging for scrap metal, and motorbike taxi driving, quarrying granite, rock breaking, and mining for alluvial diamonds (5,7,11,12)
	Cultivation of marijuana (5,6)

† Determined by national law or regulation as hazardous and, as such, relevant to Article 3(d) of ILO C. 182.

‡ Child labor understood as the worst forms of child labor *per se* under Article 3(a)–(c) of ILO C. 182.

Sierra Leone is a source, transit, and destination country for human trafficking of children for labor and commercial sexual exploitation. (13-16) Sierra Leone has a form of internal child trafficking called “*men pikin*,” meaning foster care in Krio, in which family members send children to relatives in urban areas with promises of better educational opportunities. 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. (5,6,10,11,17) Some children sent to Koranic schools are also trafficked for labor exploitation. (10,16) Research indicates that a decreased number of commercial sexual exploitation cases were reported during the reporting period, likely due to COVID-19 pandemic restrictions. (4,5)







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. (8)

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. (1,5,6,18,19) In particular, one report indicated that teachers demanded sex from students in exchange for higher grades. (5) 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. (5)

## 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	✓

In August 2021, Sierra Leone ratified the P029 Protocol of the Forced Labor Convention. Additionally, the government ratified the C189 Domestic Workers Convention, and the C143 Migrant Workers (Supplementary Provisions) Convention. The Protocol and Conventions will go into effect in August 2022. (6,20)

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 (21,22)
Minimum Age for Hazardous Work	Yes	18	Section 128 of the Child Right Act (21)
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 (21-23)
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 (24,25)
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		Part II, Section 2, of the Anti-Human Trafficking Act; Section 19 of the 2019 Sexual Offenses (Amendment) Act; Sections 20–34 of the 2012 Sexual Offenses Act (24,26,27)
Prohibition of Using Children in Illicit Activities	Yes		Sections 7 and 13 of the National Drugs Control Act (28)
Minimum Age for Voluntary State Military Recruitment	Yes	18	Section 28 of the Child Right Act (21)
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 (21,29)
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 (21,25,29)

\* Country has no conscription (30)

The Child Right Act sets the minimum age for light work at age 13; however, it is not in compliance with international standards 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. (21) In addition, although the Child Right Act identifies hazardous work prohibited for children, it does not cover scavenging for recyclable materials at dumpsites, in which children are exposed to toxic fumes and smoke from burning trash, sharp objects, and broken bottles. (1,10,11,21,31)

### 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.



# Sierra Leone

## MODERATE ADVANCEMENT

**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 via its District Labor Officers. Through its Child Labor Unit, formulates, implements, and monitors compliance with child labor regulations. (6)
Ministry of Justice's Director of Public Prosecution	Undertakes criminal proceedings and prosecutions, including enforcement of criminal laws against slavery, human trafficking, forced child labor, commercial sexual exploitation, recruitment and use of child soldiers, and use of children in illicit activities. (1,6)
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. (6)
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. Through its Transnational Organized Crime Unit, enforces human trafficking laws and provides statistical data and general information on cases of human trafficking. (1,6)
District Councils	Enforces child labor laws in the informal sector. (6)

During the reporting period, the Ministry of Labor and Social Security (MLSS) held several awareness-raising events on child labor. (6)

### Labor Law Enforcement

In 2021, labor law enforcement agencies in Sierra Leone took actions to address child labor (Table 6). However, gaps exist within the operations of the MLSS that may hinder adequate labor law enforcement, including a limited number of inspectors and insufficient financial resources allocation.

**Table 6. Labor Law Enforcement Efforts Related to Child Labor**

Overview of Labor Law Enforcement	2020	2021
Labor Inspectorate Funding	\$40,000 (5)	Unknown (6)
Number of Labor Inspectors	29 (5)	29 (6)
Mechanism to Assess Civil Penalties	Yes (22)	Yes (22)
Initial Training for New Labor Inspectors	Yes (5)	N/A (6)
Training on New Laws Related to Child Labor	N/A (5)	N/A (6)
Refresher Courses Provided	Yes (5)	Yes (6)
Number of Labor Inspections Conducted	Unknown (5)	Unknown (6)
Number Conducted at Worksite	Unknown (5)	Unknown (6)
Number of Child Labor Violations Found	0 (5)	Unknown (6)
Number of Child Labor Violations for Which Penalties Were Imposed	N/A (5)	N/A (6)
Number of Child Labor Penalties Imposed that Were Collected	N/A (5)	N/A (6)
Routine Inspections Conducted	Yes (5)	Yes (6)
Routine Inspections Targeted	Yes (5)	Yes (6)
Unannounced Inspections Permitted	Unknown (22,32)	Yes (22,32)
Unannounced Inspections Conducted	Unknown (5)	Yes (6)
Complaint Mechanism Exists	No (5)	Yes (6)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	No (5)	Yes (6)

During the reporting period, labor inspectors received training on child labor, labor inspections, and monitoring on the worst forms of child labor from the ILO and the Africa Regional Labor Administration Center in Harari, Zimbabwe. (6) The number of labor inspectors is likely insufficient for the size of Sierra Leone's workforce, which includes more than 2.6 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 needs to employ about 66 inspectors. (33,34) In addition, there is a significant lack of resources for labor inspections because the MLSS does not have the necessary funding, and has only one vehicle for inspections. (1,5,6)

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. (13,35,36)

The practice of notifying employers in advance of inspections may have contributed to the lack of violations found. (37)

### **Criminal Law Enforcement**

In 2021, criminal law enforcement agencies in Sierra Leone took actions to address child labor (Table 7). However, gaps exist within the operations of the criminal enforcement agencies that may hinder adequate criminal law enforcement, including insufficient allocation of financial resources.

**Table 7. Criminal Law Enforcement Efforts Related to Child Labor**

Overview of Criminal Law Enforcement	2020	2021
Initial Training for New Criminal Investigators	Unknown (5)	Unknown (6)
Training on New Laws Related to the Worst Forms of Child Labor	N/A (5)	N/A (6)
Refresher Courses Provided	Unknown (5)	Yes (17)
Number of Investigations	Unknown (5)	Unknown (6)
Number of Violations Found	Unknown (5)	Unknown (6)
Number of Prosecutions Initiated	Unknown (5)	Unknown (6)
Number of Convictions	Unknown (5)	Unknown (6)
Imposed Penalties for Violations Related to the Worst Forms of Child Labor	Unknown (5)	Unknown (6)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (5)	Yes (6)

During the reporting period, the government did not provide information on initial training of new investigators, training on new laws related to the worst forms of child labor, any refresher courses provided, the number of investigations done, violations found, prosecutions initiated, and convictions handed out, as well as any penalties imposed for violations. 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. (1,16)

## **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 efficacy in accomplishing mandates.

**Table 8. Key Mechanisms to Coordinate Government Efforts on Child Labor**

Coordinating Body	Role & Description
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. (1,4) MGCA is currently reviewing the 2007 Child Right Act and the Street Child Strategy. (4) Research was unable to determine whether the MGCA was active during the reporting period.
National Technical Steering Committee on Child Labor	Coordinates efforts to address child labor. (1) Led by MLSS and MGCA and includes representatives from 10 other government agencies, international organizations, and NGO's. 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; supports agencies that provide shelter and services for human trafficking survivors; gathers data on reported human trafficking cases; and meets regularly to develop policies related to child trafficking. (1,5) Hybrid entity made up of NGO's, civil society, and government agencies. Led by the MGCA and the Ministry of Justice. (1,6,17,38) Task Force members met monthly during the reporting period, coordinating the requirements for NGO's which provided shelter and services to human trafficking survivors. (6,17)
Child Welfare Committees	Functions under the MGCA, and promotes awareness of children's rights and report child welfare concerns to officials responsible for children's issues. Provide recommendations in giving support to children, report human trafficking cases, and address inhabitants' complaints and concerns at the village level. (1,4,5,16,17,30) During the reporting period, held an awareness-raising campaign on child labor and human trafficking, among other engagement activities. (6)

# Sierra Leone

## MODERATE ADVANCEMENT

The Child Right 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. (21,39)

## 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 NGO's, international organizations, and government agencies in addressing human trafficking and calls for a review of Sierra Leone's Anti-Human Trafficking Act of 2005. (40,41) The plan also aligns with the ECOWAS Plan of Action Against Trafficking in Persons. (16)
National Policy on Radical Inclusion in Schools† 2021	Ensures that schools throughout Sierra Leone are accessible to all children, especially those typically marginalized or excluded. In particular, the policy focuses on four excluded and marginalized groups: children with disabilities; children from low-income families; children in rural and underserved areas; and girls—especially girls who are currently pregnant or already parents and in school. (6)

† Policy was approved during the reporting period.

‡ The government had other policies that may have addressed child labor issues or had an impact on child labor. (1)

In January 2022, the government undertook a migration policy review and launched a new policy document which put in place further control measures to ensure that actors in migration processes can coordinate, share information on issues around migration, and fully understand their roles. According to the new policy, recruitment agencies should be registered with the government and vetted by the Transnational Organized Crime Unit before starting operations. (17) In 2021, the government ratified the ECOWAS Convention on Mutual Assistance in Criminal Matters, providing the government with additional tools to apprehend and prosecute human traffickers. (17)

Although the Government of Sierra Leone has adopted the National Action Plan Against Trafficking in Persons, Especially Women and Children, research found no evidence of a policy on other worst forms of child labor, including child labor in mining, quarrying, and the commercial sexual exploitation of children.

## VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2021, 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 survivors to privately run shelters that house child survivors of forced labor and human trafficking. (16) 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)†	A Ministry of Basic and Senior Secondary Education (MBSSE) program that covers the costs of school tuition and fees and provides meals, textbooks, and some teaching materials in remote communities. (1,5,42) In 2021, the MBSSE held a nationwide campaign to inform the public about education by partnering with local councils, radio stations, civil society, and school administrators (6) The MBSSE continued its radio teaching program and its awareness-raising campaign for the Free Quality School Education program. (6)
USG-Funded Projects	USDOS Program to End Modern Slavery funded a study to research the prevalence, methods, and impacts of child trafficking and child labor in Kono, Kenema, and Kailahun. Research continued during the reporting period in the Kambia District of Sierra Leone. (4)

† 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. (43)

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. (11) 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 11).

**Table 11. Suggested Government Actions to Eliminate Child Labor**

Area	Suggested Action	Year(s) Suggested
Legal Framework	Ensure that the Child Right Act'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 – 2021
	Ensure hazardous work occupations prohibited for children are comprehensive, including scavenging at dumpsites.	2020 – 2021
	Ensure that the law criminally prohibits the recruitment of children under age 18 by non-state armed groups.	2016 – 2021
Enforcement	Increase the number of labor inspectors to meet the ILO's technical advice.	2011 – 2021
	Provide labor law and criminal law enforcement officials with sufficient resources to adequately enforce labor laws throughout the country.	2012 – 2021
	Ensure the Ministry of Mines has adequate funding and resources to carry out enforcement efforts.	2015 – 2021
	Publish information on labor law enforcement efforts, including labor inspectorate funding, the number of inspections carried out and conducted at worksites.	2011 – 2021
	Ensure unannounced inspections are conducted and cease the practice of employers being informed ahead of time.	2020 – 2021
	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 – 2021
	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 – 2021
Coordination	Ensure that village-level and chiefdom-level Child Welfare Committees are established and operational in all areas.	2014 – 2021
	Ensure that all coordinating bodies are able to carry out their intended mandates.	2020 – 2021
Government Policies	Adopt policies to address child labor in relevant sectors, such as mining, quarrying, and commercial sexual exploitation.	2019 – 2021
Social Programs	Publish activities undertaken to implement the Child Trafficking Shelters program.	2020 – 2021
	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 – 2021
	Institute programs in the education sector to address issues including lack of transportation, increasing the number of schools and qualified teachers, paying teachers' salaries on time, reducing school-related costs, and eliminating abuse, including sexual and gender-based violence by teachers and other students.	2013 – 2021
	Increase the availability of and funding for shelters and safe houses for survivors of forced labor and for children removed from street work.	2009 – 2021
	Institute programs to address child labor in the sectors of agriculture, domestic work, and street vending.	2019 – 2021

## REFERENCES

- 1 U.S. Embassy- Freetown. Reporting. January 21, 2020.
- 2 UNESCO Institute for Statistics. Gross intake ratio to the last grade of primary education, both sexes (%). Accessed March 3, 2022. For more information, please see "Children's Work and Education Statistics: Sources and Definitions" in the Reference Materials section of this report. <http://data.uis.unesco.org/>
- 3 ILO. Analysis of Child Economic Activity and School Attendance Statistics from National Household or Child Labor Surveys. Original data from the Multiple Indicator Cluster Survey 6 (MICS 6), 2017. Analysis received March 2022. Please see "Children's Work and Education Statistics: Sources and Definitions" in the Reference Materials section of this report.
- 4 U.S. Embassy- Freetown official. E-mail communication to USDOL official. June 30, 2021.
- 5 U.S. Embassy- Freetown. Reporting. January 25, 2021.
- 6 U.S. Embassy- Freetown. Reporting. March 14, 2022.

## MODERATE ADVANCEMENT

- 7 Thomas, Abdul Rashid. Child labour on the increase in Sierra Leone – weak and unimplemented laws Sierra Leone Telegraph, July 23, 2019. <https://www.thesierraleonetelegraph.com/child-labour-on-the-increase-in-sierra-leone-weak-and-unimplemented-laws/>
- 8 Government of Sierra Leone and the World Bank. Sierra Leone Integrated Household Survey (SLIHS) Report 2018. October 2019. [https://www.statistics.sl/images/StatisticsSL/Documents/SLIHS2018/SLIHS\\_2018\\_New/sierra\\_leone\\_integrated\\_household\\_survey2018\\_report.pdf](https://www.statistics.sl/images/StatisticsSL/Documents/SLIHS2018/SLIHS_2018_New/sierra_leone_integrated_household_survey2018_report.pdf)
- 9 Save the Children. Stolen Childhoods: End of Childhood Report 2017. June 1, 2017. <https://www.savethechildren.org/content/dam/usa/reports/emergency-response/end-of-childhood-report.PDF>
- 10 U.S. Embassy- Freetown. Reporting. February 20, 2020.
- 11 U.S. Department of State. Trafficking in Persons Report- 2021: Sierra Leone. Washington, D.C., June 2021. <https://www.state.gov/reports/2021-trafficking-in-persons-report/sierra-leone/>
- 12 U.S. Department of State. Trafficking in Persons Report- 2019: Sierra Leone. Washington, D.C., June 14, 2019. <https://www.state.gov/reports/2019-trafficking-in-persons-report-2/sierra-leone/>
- 13 U.S. Embassy- Freetown. Reporting. February 20, 2019.
- 14 U.S. Department of State. Trafficking in Persons Report- 2018: Sierra Leone. Washington, D.C., June 20, 2018. <https://www.state.gov/reports/2018-trafficking-in-persons-report/sierra-leone/>
- 15 U.S. Embassy- Freetown official. E-mail communication to USDOL official. July 12, 2019.
- 16 U.S. Embassy- Freetown. Reporting. February 22, 2021.
- 17 U.S. Embassy- Freetown. Reporting. March 10, 2022.
- 18 Government of Sierra Leone. Education Sector Plan 2018–2020. n.d. <https://www.globalpartnership.org/content/education-sector-plan-2018-2020-sierra-leone-0>
- 19 Okello, Christina. Sierra Leone Makes Schools Free but Scraps University Subsidies. Radio France Internationale, August 24, 2018. <https://allafrica.com/stories/201808270419.html>
- 20 ILO. Ratifications for Sierra Leone. Accessed February 11, 2022. [http://www.ilo.int/dyn/normlex/en/?p=1000:11200:0::NO:11200:PI1200\\_COUNTRY\\_ID:103269](http://www.ilo.int/dyn/normlex/en/?p=1000:11200:0::NO:11200:PI1200_COUNTRY_ID:103269)
- 21 Government of Sierra Leone. The Child Right Act. Enacted: 2007. <http://www.sierra-leone.org/Laws/2007-7p.pdf>
- 22 Government of Sierra Leone. The Laws of Sierra Leone: Employers and Employed Act (Chapter 212). Enacted: 1960. <http://www.ilo.org/dyn/natlex/docs/MONOGRAPH/28611/57066/F2005526770/SLE28611.pdf>
- 23 Government of Sierra Leone. The Mines and Minerals Act, 2009. Enacted: 2010. <http://www.sierra-leone.org/Laws/2009-12.pdf>
- 24 Government of Sierra Leone. The Anti-Human Trafficking Act. Enacted: 2005. Source on file.
- 25 Government of Sierra Leone. The Constitution of Sierra Leone. Enacted: 1991. <http://www.sierra-leone.org/Laws/constitution1991.pdf>
- 26 Government of Sierra Leone. Sexual Offences (Amendment) Act. 2019. <http://old.sierralii.org/sl/legislation/act/2019/8>
- 27 Government of Sierra Leone. The Sexual Offences Act. Enacted: 2012. Source on file.
- 28 Government of Sierra Leone. National Drugs Control Act. Enacted: 2008. <http://www.sierra-leone.org/Laws/2008-10.pdf>
- 29 Government of Sierra Leone. The Education Act. Enacted: 2004 <http://www.sierra-leone.org/Laws/2004-2p.pdf>
- 30 U.S. Embassy- Freetown official. E-mail communication to USDOL official. May 31, 2018.
- 31 Street, Alice. Diagnostic waste: whose responsibility? Globalization and Health, 2022. <https://globalizationandhealth.biomedcentral.com/track/pdf/10.1186/s12992-022-00823-7.pdf>
- 32 Government of Sierra Leone. The Regulation of Wages and Industrial Relations Act, 1971. Enacted: 1971. Source on file.
- 33 UN. World Economic Situation and Prospects. 2017 Statistical Annex. New York, 2017. Please see “Labor Law Enforcement: Sources and Definitions” in the Reference Materials section of this report. [https://www.un.org/development/desa/dpad/wp-content/uploads/sites/45/publication/2017wesp\\_full\\_en.pdf](https://www.un.org/development/desa/dpad/wp-content/uploads/sites/45/publication/2017wesp_full_en.pdf)
- 34 ILOSTAT ILO Labor Force Statistics (LFS) –Population and labour force. Accessed (January 25, 2022). Labor force data is government-reported data collected by the ILO. Please see “Labor Law Enforcement: Sources and Definitions” in the Reference Materials section of this report. <https://ilostat.ilo.org/data/>
- 35 U.S. Department of State. Country Reports on Human Rights Practices- 2019: Sierra Leone. Washington, D.C., 2019. <https://www.state.gov/wp-content/uploads/2020/02/SIERRA-LEONE-2019-HUMAN-RIGHTS-REPORT.pdf>
- 36 U.S. Embassy- Freetown. Reporting. February 5, 2018.
- 37 ILO CEACR. Individual Observation concerning Labour Inspection Convention, 1947 (No. 81) Sierra Leone (Ratification: 1961). Published: 2021. [http://ilo.org/dyn/normlex/en/?p=1000:13100:0::NO:13100:PI3100\\_COMMENT\\_ID:4061933](http://ilo.org/dyn/normlex/en/?p=1000:13100:0::NO:13100:PI3100_COMMENT_ID:4061933)
- 38 U.S. Embassy- Freetown official. E-mail communication to USDOL official. July 9, 2020.
- 39 U.S. Embassy- Freetown official. E-mail communication to USDOL official. February 28, 2017.
- 40 Government of Sierra Leone. National Action Plan on Trafficking in Persons (2015–2020). 2015. Source on file.
- 41 Government of Sierra Leone. National Action Plan on Trafficking in Persons (2021–2023). 2015. Source on file.
- 42 Government of Sierra Leone. Free Quality School Education - MBSSE. <https://mbsse.gov.sl/fqse/>
- 43 Milton, Betty. Sierra Leone News: EU signs €1.1m with GOAL on child labour, human trafficking. Awoko Newspaper, October 18, 2017. <https://awokonewspaper.sl/sierra-leone-news-eu-signs-e1-1m-with-goal-on-child-labour-human-trafficking/>



In 2021, the Solomon Islands made minimal advancement in efforts to eliminate the worst forms of child labor. The government developed a National Education Action Plan for 2021–2025 and held consultations on the process to accede to the Protocol to Prevent, Suppress, and Punish Trafficking in Persons. 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. In addition, there is no law that makes education compulsory, which increases children's vulnerability to child labor exploitation. The government also did not publish labor and criminal law enforcement data for the reporting year.



### 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. (1-3) 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 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, 2022. (4)  
Data were unavailable from International Labor Organization's analysis, 2022. (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	Working on plantations, including harvesting palm oil fruits (2,6)
	Harvesting seafood, including diving in deep water (2,3,6)
Industry	Alluvial mining† (2,3)
	Furniture construction (2,6)
	Construction on roads and buildings, including making bricks (2,6)
Services	Domestic work, including working as cooks (2,3,6)
	Scavenging for cans and metal in garbage dumpsites, streets, and streams (2,6,7)
	Working in nightclubs, casinos, and motels (6–8)
Categorical Worst Forms of Child Labor‡	Commercial sexual exploitation, sometimes as a result of human trafficking (1,2,6,7,9,10)
	Use in illicit activities, including in the cultivation and trafficking of drugs (2,3,6)
	Forced domestic work, including working as cooks (6–8)
	Forced pickpocketing (3)

† 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.

# Solomon Islands




## MINIMAL ADVANCEMENT

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. (1,3) Children are also forced to assist in manufacturing and transporting drugs such as betel nut and marijuana. (2,3) Children in the country are vulnerable to forced labor in the agriculture sector and in harvesting seafood. (3) Children are exposed to toxic pesticides on palm oil plantations while tending to, harvesting, and collecting palm oil fruits. (2) In addition, children—mainly boys—are exposed to extreme water depths and temperatures while diving for sea cucumbers. (2,3,6,8) The government provides free education up to grade nine as part of the Fee- Free Basic Education Policy. (11) However, despite the Fee-Free education policy, schools continue to charge fees to cover costs. (8) Moreover, teacher absenteeism, and transportation limitations also make it challenging for some children to access education. (6,8) 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 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; Articles 70-79 of the Immigration Act (13,14)
Prohibition of Child Trafficking	No		Articles 70-79 of the Immigration Act; Article 145 of the Penal Code (14,15)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Articles 136, 141, 143, and 144 of the Penal Code (14)
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†		

**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		
Free Public Education	No		

† Country has no standing military (16)

The Solomon Islands' 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. While the Labor Act 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. (1,12) 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. (2,12) 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) The Penal Code includes heightened penalties if an offense is committed against a child, but has insufficient prohibitions against child trafficking because the transfer of children is not criminalized. (10,14) The law also does not criminally prohibit the use of children in illicit activities. (6) In addition, education is not compulsory, which increases children's vulnerability to child labor exploitation. (17) Although there are no laws that provide free basic education, the Fee-Free basic education policy does provide free basic education for children up to grade nine. This policy does not cover all costs, and still allows schools to request some fees. (2,11,18)

### 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 Commerce, Industry, Labor and Immigration	Enforces child labor laws. (6,8) Through its Immigration Division, leads efforts to address human trafficking, including the trafficking of children. (2,19)
Royal Solomon Islands Police	Enforce criminal laws against the worst forms of child labor. (8) Lead investigations of internal human trafficking cases and currently chair the Anti-Human Trafficking Advisory Committee (AHTAC). (10,20)
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. (21)

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. (2,6)

#### **Labor Law Enforcement**

Research did not find information on whether labor law enforcement agencies in the Solomon Islands took actions to address child labor (Table 6).

**Table 6. Labor Law Enforcement Efforts Related to Child Labor**

Overview of Labor Law Enforcement	2020	2021
Labor Inspectorate Funding	Unknown (6)	Unknown (2)
Number of Labor Inspectors	Unknown (6)	Unknown (2)
Mechanism to Assess Civil Penalties	Yes (12)	Yes (12)

# Solomon Islands

## MINIMAL ADVANCEMENT

**Table 6. Labor Law Enforcement Efforts Related to Child Labor (Cont.)**

Overview of Labor Law Enforcement	2020	2021
Initial Training for New Labor Inspectors	Unknown (6)	Unknown (2)
Training on New Laws Related to Child Labor	N/A (6)	Unknown (2)
Refresher Courses Provided	Unknown (6)	Unknown (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	Unknown (6)	Unknown (2)
Routine Inspections Targeted	Unknown (6)	Unknown (2)
Unannounced Inspections Permitted	Yes (12)	Yes (12)
Unannounced Inspections Conducted	Yes (6)	Yes (2)
Complaint Mechanism Exists	Yes (6)	Yes (2)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Unknown (6)	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 likely hamper the labor inspectorate's capacity to enforce child labor laws, including a lack of budget transparency and enforcement efforts. (2, 17) 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, Solomon Islands would need to employ roughly 9 labor inspectors as its workforce consists of over 361,000 workers. (22)

### **Criminal Law Enforcement**

Research did not find information on whether criminal law enforcement agencies in the Solomon Islands took actions to address child labor (Table 7).

**Table 7. Criminal Law Enforcement Efforts Related to Child Labor**

Overview of Criminal Law Enforcement	2020	2021
Initial Training for New Criminal Investigators	Unknown (6)	Unknown (2)
Training on New Laws Related to the Worst Forms of Child Labor	N/A (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)	Unknown (2)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Unknown (6)	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 lack of efficacy in accomplishing mandates.

**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. (23) Comprises representatives from 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; law enforcement agencies; NGOs; and UN agencies. MCILI acts as secretariat. (23) Research was unable to confirm if the committee met during the reporting period.
National Advisory and Action Committee on Children (NAACC)	Coordinates government and NGOs to address child trafficking and commercial sexual exploitation of children. (24) Comprises representatives from several ministries, including the Ministry of Women, Youth, Children and Family Affairs; MCILI; and the Ministry of Home Affairs. Several NGOs participate, including Save the Children, UNICEF, and WHO. (25) 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 coverage of 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. (7,23) In August 2021, the Government of the Solomon Islands and non-government counterparts met for a national consultation to support the process of acceding to the UN Convention against Transnational Crime and to the Protocol to Prevent, Suppress, and Punish Trafficking in Persons (TIP Protocol). The consultation reconfirmed the Solomon Islands' commitment to the National Action Plan Against Human Trafficking and People Smuggling. (2)
Fee-Free Basic Education Policy	Subsidizes school fees for grades one through nine to increase access to education. (25,26) 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 (2016–2030)	Provides free primary and secondary education to boys and girls. (27) During the reporting period, the government developed the National Education Action Plan for 2021–2025 that translates the objective of the education plan for implementation across the education sector. (28)
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. (29) Research was unable to determine whether activities were undertaken to implement the United Nations Pacific Strategy during the reporting period.

‡ The government had other policies that may have addressed child labor issues or had an impact on child labor. (29)

The Government of the Solomon Islands did not respond to requests for information regarding its policies to eliminate child labor. (2) Child labor prevention and elimination strategies do not appear to be integrated into the Fee-Free Basic Education Policy. (26) 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. (23)

## 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 eliminating or preventing 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).



# Solomon Islands

## MINIMAL ADVANCEMENT

**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 – 2021
	Ratify the UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography.	2014 – 2021
	Ratify the Palermo Protocol on Trafficking in Persons.	2014 – 2021
	Raise the minimum age for employment to comply with international standards.	2009 – 2021
	Establish age 18 as the minimum age for hazardous work.	2009 – 2021
	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 – 2021
	Establish by law an age up to which education is compulsory that extends to the minimum age for employment.	2009 – 2021
	Ensure that the law criminally prohibits the transfer of children for the purpose of child trafficking.	2016 – 2021
	Ensure that the law criminally prohibits using, procuring, and offering a child for illicit activities, including in the production and trafficking of drugs.	2011 – 2021
	Ensure that the law criminally prohibits the recruitment of children under age 18 by non-state armed groups.	2016 – 2021
Enforcement	Establish by law free basic public education.	2018 – 2021
	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 – 2021
	Publish information on 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 – 2021
	Ensure agencies address issues with commitment, coordination, priorities, structural capacity, and budget allocations to enable them to enforce child labor laws.	2020 – 2021
	Publish data about reciprocal referral mechanisms between labor and criminal authorities and social services.	2021
	Ensure the number of labor inspectors in Solomon Islands meets the ILO's technical guidance.	2020 – 2021
Coordination	Publish information about child labor-related training for labor inspectors and criminal investigators.	2021
	Publish information on coordination mechanisms and efforts undertaken to address child labor.	2020 – 2021
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 – 2021
	Integrate child labor elimination and prevention strategies into the Fee-Free Basic Education Policy.	2014 – 2021
	Publish activities undertaken to implement the National Education Action Plan, the Fee-Free Basic Education Policy, and the United Nations Pacific Strategy.	2018 – 2021
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 – 2021
	Collect and publish data on the extent and nature of child labor to inform policies and programs.	2013 – 2021
	Eliminate barriers to basic education, including by improving access to school transportation and eliminating school-related fees.	2014 – 2021

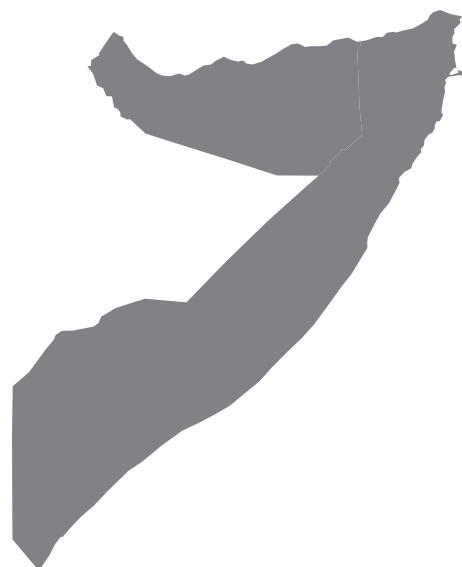
## REFERENCES

- ILO Committee of Experts. Individual Direct Request concerning Worst Forms of Child Labour Convention, 1999 (No. 182) Solomon Islands (ratification: 2012). Published: 2021. [https://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:PI3100\\_COMMENT\\_ID:4020341:NO](https://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:PI3100_COMMENT_ID:4020341:NO)
- U.S. Embassy- Port Moresby. Reporting. January 28, 2022.
- U.S. Department of State. Trafficking in Persons Report- 2021: Solomon Islands. Washington, D.C. July 1, 2021. <https://www.state.gov/reports/2021-trafficking-in-persons-report/solomon-islands/>
- UNESCO Institute for Statistics. Gross intake ratio to the last grade of primary education, both sexes (%). Accessed March 3, 2022. For more information, please see “Children’s Work and Education Statistics: Sources and Definitions” in the Reference Materials section of this report. <http://data.uis.unesco.org/>.
- ILO Analysis of Child Economic Activity and School Attendance Statistics from National Household or Child Labor Surveys. Analysis received March 2022. Please see “Children’s Work and Education Statistics: Sources and Definitions” in the Reference Materials section of this report.
- U.S. Embassy- Port Moresby. Reporting. February 3, 2021.
- U.S. Department of State. Trafficking in Persons Report- 2020: Solomon Islands. Washington, D.C., June 12, 2020. <https://www.state.gov/reports/2020-trafficking-in-persons-report/solomon-islands/>
- U.S. Embassy- Port Moresby. Reporting. January 29, 2020.
- IOM. Community health and mobility in the Pacific: Solomon Islands case study. 2019. <https://publications.iom.int/books/community-health-and-mobility-pacific-solomon-islands-case-study>
- U.S. Embassy- Port Moresby. Reporting. February 11, 2021.

- 11 Puia, Mike. Where is the 'Fee Free' policy? February 5, 2018. <https://theislandsun.com.sb/fee-free-policy/#~:text=The BEFF policy apply to,for years one to nine.>
- 12 Government of the Solomon Islands. Labour Act (Chapter 73). Enacted: 1996. <http://www.ilo.org/dyn/natlex/docs/ELECTRONIC/57397/72674/F1866068114/SLB57397.pdf>
- 13 Government of the Solomon Islands. Constitution. Enacted: 1978. [http://www.pacii.org.sb/legis/consol\\_act/c1978167/](http://www.pacii.org.sb/legis/consol_act/c1978167/)
- 14 Government of the Solomon Islands. Immigration Act 2012, No. 3 of 2012. Penal Code (Amendment) (Sexual Offences) Bill 2016, amending the Penal Code, No. 1 of 2016. Enacted: 2016. [http://www.parliament.gov.sb/files/committees/bills&legislationcommittee/2016/Penal\\_\\_Code\\_\(Amendment\)\\_\(Sexual\\_\\_Offences\)\\_Bill\\_2016.pdf](http://www.parliament.gov.sb/files/committees/bills&legislationcommittee/2016/Penal__Code_(Amendment)_(Sexual__Offences)_Bill_2016.pdf)
- 15 Government of the Solomon Islands. Immigration Act 2012, No. 3 of 2012. Enacted: March 9, 2012. [http://www.pacii.org.sb/legis/num\\_act/ia2012138/](http://www.pacii.org.sb/legis/num_act/ia2012138/)
- 16 CIA. The World Factbook. Accessed April 20, 2018. Please see "Labor Law Enforcement: Sources and Definitions" in the Reference Materials section of this report. <https://www.cia.gov/the-world-factbook/countries/solomon-islands/>
- 17 ILO Committee of Experts. Direct Request concerning the Minimum Age Convention (No. 138) Solomon Islands (ratification: 2013). Published: 2021. [https://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100\\_COMMENT\\_ID:4020752](https://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:4020752)
- 18 U.S. Embassy- Port Moresby official. E-mail communications to USDOL official. April 6, 2021.
- 19 Government of the Solomon Islands. Enforcement and Human Trafficking Unit. Ministry of Commerce, Industry, Labour and Immigration Accessed March 17, 2022. <http://www.commerce.gov.sb/departments-units/immigration/about-the-division/our-units/397-enforcement-and-human-trafficking-unit.html?highlight=WYj0cmFmZmlja2luZyJd>
- 20 U.S. Embassy- Port Moresby. Reporting. February 13, 2017.
- 21 U.S. Embassy- Port Moresby. Reporting. June 15, 2021.
- 22 ILOSTAT. ILO Labor Force Statistics (LFS)- Population and labour force. Accessed January 25, 2022. Labor force data is modelled on a combination of demographic and economic explanatory variables by the ILO. Please see "Labor Law Enforcement: Sources and Definitions" in the Reference Materials section of this report <https://ilostat.ilo.org/data/>
- 23 Government of the Solomon Islands. Solomon Islands National Action Plan Against Human Trafficking and People Smuggling (2020–2025). 2020. Source on file.
- 24 U.S. Embassy- Port Moresby. Reporting. January 16, 2018.
- 25 U.S. Embassy- Port Moresby. Reporting. February 13, 2018.
- 26 Government of the Solomon Islands. Fee-Free Basic Education Policy, 2010. Source on file.
- 27 Ministry of Education and Human Resource Development Education Strategic Framework 2016-2030. Solomon Islands Government, 2016. [https://planipolis.iiep.unesco.org/sites/default/files/ressources/solomon\\_islands\\_education\\_strategic\\_framework\\_2016-2030.pdf](https://planipolis.iiep.unesco.org/sites/default/files/ressources/solomon_islands_education_strategic_framework_2016-2030.pdf)
- 28 Government of the Solomon Islands Education reform must be built upon best practice: PM. October 11, 2021. <https://solomons.gov.sb/education-reform-must-be-built-upon-best-practice-pm/>
- 29 UN. United Nations Pacific Strategy 2018–2022: A Multi-Country Sustainable Development Framework in the Pacific Region. 2017. [https://www.unicef.org/about/execboard/files/Final\\_UNPS\\_2018-2022\\_Pacific.pdf](https://www.unicef.org/about/execboard/files/Final_UNPS_2018-2022_Pacific.pdf)

## MINIMAL ADVANCEMENT – EFFORTS MADE BUT CONTINUED PRACTICE THAT DELAYED ADVANCEMENT

In 2021, Somalia made minimal advancement in efforts to eliminate the worst forms of child labor. The Federal Government of Somalia and Federal Member States participated in a workshop to validate findings from an International Labor Organization-conducted assessment of child labor in Somalia, which will inform future programming and policies in Somalia, including the National Action Plan to address child labor. The Ministry of Defense's Child Protection Unit also organized a number of training and awareness-raising forums to support implementation of the United Nations-supported 2012 action plans and the 2019 roadmap to end and prevent the recruitment and use of children in armed conflict. However, despite new initiatives to address child labor, Somalia is receiving an assessment of minimal advancement because it continued to implement practices that delay advancement to eliminate child labor. During the reporting period, there is evidence that federal and state security forces continued to recruit and use children in armed conflict, in violation of national law. In other cases, government security forces detained children for suspected association with armed groups, in some cases subjecting them to lengthy interrogations and coerced confessions. Children in Somalia are subjected to the worst forms of child labor, including in armed conflict. Children also perform dangerous tasks in street work. The government did not conduct worksite inspections in 2021. Children also perform dangerous tasks in street work. Somali laws do not criminally prohibit child labor trafficking, commercial sexual exploitation, or the recruitment of children by non-state armed groups. The government did not provide complete information on its criminal law enforcement efforts to address child labor for inclusion in this report.



### 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. (2,3) 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. (4) In 2019, the ILO funded Somalia's first labor force survey, which included sectoral information on child labor and IDPs. The government published the survey in 2021 and is working with the ILO to validate the statistics related to child labor. (4-6)

**Table 1. Statistics on Children's Work and Education**

Children	Related Entity	Age	Percent
Working (%)	Somalia (North East zone)	5 to 14	9.5 (Unavailable)
	Somalia (Somaliland)	5 to 14	13.2 (Unavailable)
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, 2022. (7)

Source for all other data: International Labor Organization's analysis from Multiple Indicator Cluster Survey 4 (MICS 4), 2011. (8)

Based on a review of available information, Table 2 provides an overview of children's work by sector and activity.

# Somalia

## 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	Farming, including planting, weeding, harvesting, and cleaning and packing crops (1,4,9-11)
	Herding livestock, including goats, sheep, and camels (1,4,9)
	Fishing, including cleaning fish (1,4)
Industry	Construction, including crushing stones, mining, and excavating (1,2,4,11)
	Producing garments and textiles (12)
Services	Working as maids or domestic staff in hotels and private residences (1,9,10)
	Domestic work (1,3,9,13)
	Street work, including shining shoes, washing cars, driving minibuses, vending, and transporting and selling <i>khat</i> (a legal, amphetamine-like stimulant) (1-4,9-13)
	Voluntarily recruited children used in hostilities by state armed groups (1,2,9,14)
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 (1,3,4,14,15)
	Forced labor in domestic work, agriculture, herding livestock, breaking rocks, selling or transporting <i>khat</i> , begging, and construction work (9,12,14)
	Use in illicit activities, including trafficking drugs, sometimes as a result of human trafficking (4)
	Commercial sexual exploitation as a result of human trafficking (14)

‡ Child labor understood as the worst forms of child labor *per se* under Article 3(a)–(c) of ILO C. 182.

The Federal Government of Somalia (FGS) maintains limited territorial control outside populated areas and some forward operating bases. Al-Shabaab, a non-state armed group, occupies rural areas in south-central Somalia. (9) In other parts of the country, essential governance functions were provided by state administrations, including the Somaliland region in the northwest. (9,14)

In 2021, as in previous years, Somalia recorded one of the world's highest numbers of child abductions by non-state actors. (16-18) State and non-state armed groups recruited at 1,116 children during the reporting period. (18-20) Al-Shabaab, which forcibly recruited children as young as age 8 into its ranks, committed a majority of these violations, recruiting 854 children in 2021. (18-20) Al-Shabaab fighters infiltrate *madrassas* and mosques, using deception or coercion tactics to forcibly recruit victims, including children, into sexual slavery and combat and support roles. (14) Al-Shabaab also continued the practice of forcing communities to turn over male children to serve as child soldiers, imposing a financial penalty on families who refused to cooperate. (9,14,16,17,21,22) In addition, Al-Shabaab used children to plant explosive devices, act as human shields, conduct assassinations and suicide attacks, gather intelligence, and provide domestic services. Some girls also were forced into sexual servitude. (2,14,23) Somalia’s numerous clan militias also reportedly recruited children for use in armed conflict. (1,14,17) In Somalia, clan membership is often the primary point for social affiliation and community identity. (24) Children from minority clan households are uniquely vulnerable to forced recruitment by military groups, including at school. (25)

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. (1618,26-28) Perpetrators included federal armed forces and security services, and regional forces and police in Galmudug, Jubaland, and Puntland. (28) In 2021, the UN verified the recruitment and use of children by the Somali Police Force (SPF-75 children recruited), the Somali National Army (SNA-60 children recruited), and the National Intelligence and Security Agency (3 children recruited); Jubaland forces (21 children recruited), Galmudug forces (14 children recruited), Puntland forces (26 children recruited), Jubaland police (2 children recruited), Puntland police (1 child recruited), and Galmudug police (4 children recruited); and clan militia (63 children recruited). (18-20,29,30) Child recruitment is in violation of Somalia's General Order No. 1, which prohibits military personnel from recruiting and employing child soldiers. (14,31)

## MINIMAL ADVANCEMENT – EFFORTS MADE BUT CONTINUED PRACTICE THAT DELAYED ADVANCEMENT

As Somalia passes its third decade of internal armed conflict, the country's IDP population stands at 2.95 million, with unofficial estimates approaching 3.2 million. (9,32) 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. (33,34) These developments compounded the risks to vulnerable populations, including children. (14,33,34) Many were transited through Nairobi's Eastleigh neighborhood, a known trafficking hub. Research also found that traffickers exploit children from Somalia in forced begging in Saudi Arabia and Djibouti. (14) In Puntland, hundreds of children allegedly were exploited in forced labor or sex trafficking. (35)




Somalia lacks a countrywide birth registration system, further complicating efforts to identify victims of child labor. (9) 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, which is among the highest rates in the world. (36,37) Access to education further deteriorated amidst recurrent climate shocks, protracted violence, and pandemic-related lockdowns. State and non-state forces occupied and damaged schools, further limiting access to educational facilities. (16) The limited number of public schools outside of Mogadishu and high fees charged by private schools also undercut enrollment rates. (9,25) Girls faced additional obstacles, including lower prioritization of girls' education and insufficient female teachers, which negatively affected girls' attendance and learning. (2,38)

Pastoralist communities, which account for approximately 25 percent of Somalia's population, faced 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. (2) Children and youth among these groups are considered at high risk of exploitation or recruitment into armed groups such as al-Shabaab. (9,25) For many IDP children, nearby schools do not exist; even where donors build temporary learning spaces, IDP children typically experienced disrupted education due to constant movement and unpredictable evictions from their camp homes. (2) Drought conditions and water scarcity likely exacerbated children's vulnerability to recruitment by armed groups and other worst forms of child labor. UNICEF estimates that as many as 420,000 children living under drought conditions were at risk of leaving school. (39)

## 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 prohibiting the recruitment and use of children under age 18 in armed conflict.



# Somalia

## 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 93 of the Labor Code; Article 38(1) of the Private Sector Employees Law (40,41)
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 (40-42)
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 (40,41)
Prohibition of Forced Labor	Yes		Articles 455 and 464 of the Penal Code (43)
Prohibition of Child Trafficking	No		
Prohibition of Commercial Sexual Exploitation of Children	No		Articles 403, 404, 407, and 408 of the Penal Code (43)
Prohibition of Using Children in Illicit Activities	No		
Minimum Age for Voluntary State Military Recruitment	Yes	18	General Order No. I (31)
Prohibition of Compulsory Recruitment of Children by (State) Military	Yes		General Order No. I (31)
Prohibition of Military Recruitment by Non-state Armed Groups	No		Article 29 of the Provisional Constitution (42)
Compulsory Education Age	No	14‡	Articles 13 and 15 of the General Education Law (44)
Free Public Education	Yes		Article 14 of the General Education Law (44)

‡ Age calculated based on available information (44)

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. (5) The Federal Member States (FMS), which are semi-autonomous regions, maintain separate legal systems. (45) Nevertheless, the FGS asserts that the 1972 Labor Code, the Provisional Constitution, and newly enacted laws apply nationally. (2) Officials in the Somaliland region, which has self-declared independence from the FGS, have criminalized human trafficking for the purposes of commercial sexual exploitation and have a draft trafficking in persons law that is pending parliamentary approval. (2,34,46,47)

In 2021, the Ministry of Labor and Social Affairs (MOLSA) finished drafting a National Labor Code; the legislation awaits ratification in the upper house of Parliament. (2,5,9,48) The draft Labor Code prohibits forced or compulsory recruitment of children for use in armed conflict, however Somalia currently lacks a legal standard prohibiting the recruitment of children by non-state armed groups. (38) During the reporting period, the Ministry of Women and Human Rights Development also drafted the Child Rights Bill, which will bring Somalia's legal framework into alignment with the Convention on the Rights of the Child. (5,21) The law will protect all children under age 18 from prosecution as an adult and will codify a compulsory education age. (5) It is awaiting cabinet-level approval. (2) 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. (13,44)

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. (40) 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 identifies hazardous occupations and activities for children. (40) While the 1972 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. (9,40)

## MINIMAL ADVANCEMENT – EFFORTS MADE BUT CONTINUED PRACTICE THAT DELAYED ADVANCEMENT

The FGS lacks legislation prohibiting human trafficking, including of children, or the use of children in illicit activities. Laws prohibiting the commercial sexual exploitation of children also are not sufficient because the use, procuring, and offering of a child for prostitution, pornography, and pornographic performances are not criminally prohibited. (40) 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. (40) Many fines in the Criminal Code equal less than \$1, which does not serve as an effective deterrent. (2,43,49)

### III. ENFORCEMENT OF LAWS ON CHILD LABOR

The government has established institutional mechanisms for the enforcement of laws and regulations on child labor (Table 5). However, gaps exist within the operations of enforcement agencies that may hinder adequate enforcement of their 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. (1,9) The Counter-Trafficking and Organized Crime Unit has six officers. SPF's Airport Police Task Force investigators are trained to recognize trafficked persons based on behavioral indicators and suspicious documents. (34) The SPF Criminal Investigation Division also continued to operate units dedicated to investigating cases of human trafficking for prosecution. (1,34,50,51)
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. (2) MOLSA also maintains an Office for the Senior Advisor on Child Labor under its Department of Legal and Labor Relations. The senior advisor, who oversees a staff of six, is charged with drafting and implementing a National Action Plan to address the worst forms of child labor in Somalia. (2,52,53)
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. (9) Through the Child Protection Unit, screens Somali National Army (SNA) units for child soldiers. (9,10) Raises awareness of child soldier issues, and implements standard operating procedures on protecting children associated with armed conflict. (2)
Puntland Enforcement Agencies	Includes the Puntland Ministry of Justice, which prosecutes human trafficking cases within Puntland. (54) Also includes security forces that investigate and enforce human trafficking laws within Puntland. (54)
Somaliland Enforcement Agencies	Includes the Somaliland Police, who investigate human trafficking within the Somaliland region. (50) Also includes the Somaliland Attorney General's Office that prosecutes human trafficking cases within the Somaliland region. (50)

### Labor Law Enforcement

In 2021, labor law enforcement agencies in Somalia took actions to address child labor (Table 6). However, the absence of worksite inspections conducted at the national level in Somalia may have impeded the enforcement of child labor laws.

**Table 6. Labor Law Enforcement Efforts Related to Child Labor**

Overview of Labor Law Enforcement	2020	2021
Labor Inspectorate Funding	\$0 (2)	\$0 (1)
Number of Labor Inspectors	35 (2)	35 (1)
Mechanism to Assess Civil Penalties	Yes (40)	Yes (40)
Initial Training for New Labor Inspectors	Yes (2)	No (55)
Training on New Laws Related to Child Labor	Yes (2)	N/A (55)
Refresher Courses Provided	Unknown (2)	No (55)
Number of Labor Inspections Conducted	2 (2)	0 (55)
Number of Child Labor Violations Found	0 (2)	N/A (55)
Number of Child Labor Violations for Which Penalties Were Imposed	N/A	N/A (55)
Number of Child Labor Penalties Imposed that Were Collected	N/A	N/A (55)
Routine Inspections Conducted	Unknown (2)	No (55)
Routine Inspections Targeted	Unknown (2)	No (55)
Unannounced Inspections Permitted	Yes (40)	Yes (40)
Unannounced Inspections Conducted	Yes (2)	No (55)
Complaint Mechanism Exists	Yes (2)	Yes (1)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	No (2)	No (1)

# Somalia

## MINIMAL ADVANCEMENT – EFFORTS MADE BUT CONTINUED PRACTICE THAT DELAYED ADVANCEMENT

MOLSA formally established a labor inspectorate in 2020, hiring and training 35 inspectors for its Banaadir regional office. (2) However, the number of labor inspectors remains insufficient for the size of the Somali workforce, which includes nearly 3 million workers. According to the ILO's technical advice of a ratio approaching 1 inspector for every 40,000 workers in less developed economies, Somalia would employ about 75 inspectors. (56,57) MOLSA's mandate allows for 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 and research indicates that there were no labor inspections conducted in 2021. (2)

### Criminal Law Enforcement

In 2021, criminal law enforcement agencies in Somalia took actions to address child labor (Table 7). However, gaps exist within the operations of 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	2020	2021
Initial Training for New Criminal Investigators	No (2)	Yes (51)
Training on New Laws Related to the Worst Forms of Child Labor	No (2)	Unknown (1)
Refresher Courses Provided	No (2)	Yes (51)
Number of Investigations	7 (51)	Unknown (51)
Number of Violations Found	1,735 (2,58)	1,161 (1,18)
Number of Prosecutions Initiated	Unknown (2)	Unknown (51)
Number of Convictions	Unknown (2)	Unknown (51)
Imposed Penalties for Violations Related to the Worst Forms of Child Labor	Unknown (2)	No (1)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (2,58)	Yes (2,58)

In 2021, the FGS Attorney General's Office undertook investigations and prosecuted 9 cases of forced labor, involving 30 defendants under the Somali Penal Code; however, research could not confirm the ages of the individuals subjected to forced labor to determine whether these cases were related to the worst forms of child labor. (51) In addition, in July 2021, the IOM reported that approximately 20 girls ages 14 to 16 were referred to Somali immigration authorities as potential trafficking victims. (51) The authorities found the girls' families and returned them to their relatives. However, Somalia lacks a standardized system to effectively respond to these types of cases. (51) The government, working with UNICEF and other NGOs, has established a limited mechanism for case management, family tracing and reunification, and the provision of social services in response to trafficking in persons and other related worst forms of child labor. (34,58)

In December 2021, the Somali Police Force's Criminal Investigation Department, with USDOS funding, established two new anti-trafficking units, one in Garowe, Puntland and one in Baidoa, South West State. (51) Between November 27 and December 2, 2021, investigators assigned to these units completed UNODC-delivered training on the investigation of trafficking in persons and smuggling of migrants cases. (51) Despite these developments, the SPF and other criminal law enforcement authorities remained understaffed and undertrained, and lacked sufficient financial resources to conduct investigations and enforce laws on the worst forms of child labor. (9) Resources to assist victims of human trafficking also were limited to government-operated Migrant Response Centers in Bosaso, Hargeisa, and Mogadishu. (9,34) Government authorities, including in the Somaliland region, continued to rely on the international community to provide support to survivors of trafficking and forced labor. (51) In addition, there were reports that in 2021, the Somali National Police recruited and used at least 75 children in police activities. (19,20,29,30)

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 2021, highlighting gaps in enforcement and uneven command and control of some units. (59) The Child Protection Unit does not refer cases relating to child soldiers to the civilian justice system; however, it would theoretically prosecute violations

## MINIMAL ADVANCEMENT – EFFORTS MADE BUT CONTINUED PRACTICE THAT DELAYED ADVANCEMENT

in the military justice system. (9) In 2021, FGS security forces (police and SNA) detained at least 136 children, at times in the company of adults, for their suspected association with non-state armed groups. (19,20,29,30) Research finds that detained children have sometimes been interrogated without legal representation and coerced into signing or recording confessions. (17,22,42)

Somalia's FMS command separate police and military forces. These forces are not under the FGS chain of command. (60,61) 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 during the early months of 2021. (17,33,62) There is no evidence that the FGS or member states prosecuted offenders during the reporting period. (17,33) 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. (22,63)

## 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
Child Protection Unit (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. (2,34) Works in concert with the SPF, which is responsible for investigating and enforcing laws against the worst forms of child labor. (2) In 2021, the Federal Government of Somalia (FGS) continued to rely on CPU to screen SNA forces for underage recruits and more broadly raise awareness of child soldiers in Somalia, screening 3,296 SNA personnel during the reporting period. (51,64,65) CPU also conducted training and awareness campaigns to prevent the recruitment and use of child soldiers, which included an event commemorating the International Day Against the Use of Child Soldiers. (65) Finally, CPU continued to make progress on its African Union Mission in Somalia (AMISOM) transition strategy, including through capacity building and training. (1,64)
Children Associated with Armed Conflict Working Group (CAACWG)	Implements the 2012 Action Plan to Eliminate Recruitment and Use of Child Soldiers and the Action Plan to End the Killing and Maiming of Children in Contravention of International Law. (9) 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. (60,66) In 2020, the government expanded the scope of CAACWG by including officials from the Federal Member States (FMS). (9,34) In 2021, the CAACWG met on four occasions to support the continued implementation of the 2019 Roadmap to Prevent the Recruitment and Use of Children in Armed Conflict. (65)
Human Trafficking Task Forces	FGS, Puntland, and the Somaliland region 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. (23) It was inactive during the reporting period. (51) Separately, Puntland's Counter-Trafficking Board leads the state's anti-trafficking efforts. Somaliland's Counter-Human Trafficking Agency also coordinates the development of legislation and the collection of data in the semi-autonomous region. (23) 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 in overseeing efforts on migration, human trafficking, and reintegration across the state and regional governments. (34)
Somali National Tripartite Consultative Committee (SNTCC)	Manages implementation of the Labor Code and the National Employment Policy. An ILO-recognized body, it meets quarterly to review progress and has taken on child labor as an area of special concern. (9) The committee has included child labor as a priority focus, which has enabled the ministry to coordinate efforts within the government and between the government and the private sector. (9) The committee was active until 2021, meeting quarterly; however, activities were suspended due to the delayed presidential elections. (1,67)

MOLSA coordinates informally with the Ministry of Women and Human Rights Development and the Ministry of Defense on child labor-related issues. Other law enforcement agencies with whom MOLSA coordinates include the SPF, the National Intelligence and Security Agency, and the Immigration and Naturalization Directorate. (2)

# Somalia

## MINIMAL ADVANCEMENT – EFFORTS MADE BUT CONTINUED PRACTICE THAT DELAYED ADVANCEMENT

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, the effects of the pandemic continued to hinder coordination due to restrictions on in-person meetings. (51)

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; however, the task force was inactive this year. Puntland independently instituted their own laws and resource mechanisms without coordinating with the FGS. (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 the lack of scope of existing policies to address all worst forms of child labor.

**Table 9. Key Policies Related to Child Labor**

Policy	Description
National Employment Policy	Provides the SNTCC 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. (9,48) During the reporting period, FGS and FMS validated an ILO Child Labor Assessment in Somalia, which will form the basis of a forthcoming National Action Plan to Address the Worst Forms of Child Labor. The plan calls for the deployment of a national child labor prevalence survey and numerous stakeholder meetings, including with line ministries from Somalia's FMS. (68)
UN Child Soldier Action Plans	Establish a strategy for identifying and removing children from the SNA ranks through education and monitoring of military camps. (2,69) In 2012, FGS committed to two UN Action Plans to end grave violations against children—the Action Plan to Eliminate Recruitment and Use of Child Soldiers and the Action Plan to End the Killing and Maiming of Children in Contravention of International Law. In October 2019, the government committed to a UN Roadmap to expedite the implementation of the two action plans. (70,71) The adoption of the 2019 Roadmap to Prevent the Recruitment and Use of Children in Armed Conflict will address grave violations, including recruitment and use. (16) Federal governments, including Southwest and Galmudug, made efforts to implement both the 2012 Action Plan and the 2019 Roadmap on ending the recruitment and use of children in armed conflict. Somalia's Ministry of Defense, for example, collaborated with other security forces, including the Somali Federal Darwish Police and the SPF, on child protection-related issues. (17,33)
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. (72,73) 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. (9) The policy focuses, in part, on mitigating the vulnerability of IDPs and other populations to gender-based violence and human trafficking. (1,34) A Shock Responsive Safety Net for Human Capital Project was created to implement the Somalia Social Protection Policy. (74) The project is currently active and provides cash transfers to targeted poor and vulnerable households. As of January 2022, of the 200,000 targeted households, 188,000 have benefited from the project. (74,75)
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. (76,77) Research could not determine whether activities were undertaken to implement the National Development Plan during the reporting period. (1)

‡ The government has other policies that may have addressed child labor issues or had an impact on child labor. (81)

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, commercial sexual exploitation, or domestic work.

## VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2021, 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 inadequacy of programs to address the full scope of the problem in all sectors.



## MINIMAL ADVANCEMENT – EFFORTS MADE BUT CONTINUED PRACTICE THAT DELAYED ADVANCEMENT

**Table 10. Key Social Programs to Address Child Labor**

Program	Description
ACT to Protect Children Affected by Armed Conflict†	Federal Government of Somalia awareness-raising initiative launched under the auspices of a global UN advocacy campaign highlighting children in armed conflict. (82) Throughout the year, Child Protection Units continued to disseminate radio and print media content regarding the prevention of child recruitment and conscription in armed conflict. (2,19,34) To commemorate the Day of the African Child, the United National Assistance Mission in Somalia and AMISOM, in coordination with the Ministry of Defense and the FMS Ministries of Women and Human Rights Development in Baidoa and Kismayo, organized numerous events. These included the dissemination of awareness-raising materials from the campaign "ACT to Protect Children Affected by Armed Conflict." (19) Civil society, women and youth groups and Somali security forces participated. (19)
Donor-Funded Programs	UNICEF partnerships with the FGS Ministry of Defense to address issues related to the recruitment and use of child soldiers in Somalia. (58) Includes the Defectors Reintegration Program that rehabilitates and reintegrates former combatants, emphasizing the specific needs of former child soldiers, including demobilized female combatants and their dependents. (58) Centers located in Baidoa, Beledweyne, Kismayo, and Mogadishu provide accommodations, medical care, psychological counseling, education, and vocational training to former combatants. (58,83) During the reporting period, the program facilitated the release of 1,041 children formerly associated with armed groups, providing them with reintegration support, including family reunification and access to safe shelters, medical care, and formal and informal education. (39) UNICEF programs also include educational services that provided emergency education packages to 40,723 children, school supplies reaching 20,000 children, and access to safe drinking water reaching 20,723 children. (39) UNICEF-supported awareness-raising campaigns, which focus on the prevention of child recruitment, child marriage, female genital mutilation, and gender-based violence, reached more than 170,000 people during the reporting period. (39) Donor-funded programs also include the WFP Country Strategic Plan, which provides both conditional and unconditional food or cash-based food assistance to vulnerable children. (84) In 2021, WFP provided hot meals and nutritional assistance to 110,000 boys and girls through its homegrown school feeding programs. (85)
Peace Building Fund	\$2 million UN-funded project that supports the prevention of child recruitment and the reintegration of former child soldiers. (71) The project, announced in October 2019 in Baidoa, the capital of South West State, supplements SNA child soldier prevention and screening methods and calls for the identified children to be released, rehabilitated, and reintegrated into society. (21,23,71) Research was unable to determine whether activities were undertaken to implement the program during the reporting period.
Joint Program on Youth Employment in Somalia	Joint program by the Food and Agriculture Organization, ILO, UNDP, UN-Habitat, and the 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. (86) Research was unable to determine whether activities were undertaken to implement the program during the reporting period.
Global Accelerator Lab 8.7 Project*	DOL-supported global project, implemented by ILO, which will support broader and more effective action under Alliance 8.7, a global partnership to assist UN member states to end child labor, forced labor, human trafficking, and modern slavery by 2030. The project will facilitate dialogue among regional institutions on forced labor and child labor, and encourage regional and country ownership of initiatives to reduce child and forced labor. (87) In addition, the project will support countries, such as Somalia, in achieving their commitments to eradicate child labor, forced labor, human trafficking, and modern slavery, in line with the UN Sustainable Development Goals' Target 8.7, by helping countries replicate promising practices and identify and implement new solutions. (87) For additional information, please see our website.

\* Program was launched during the reporting period. (87)

† Program is partially funded by the FGS. (23)

‡ The government had other social programs that may have included the goal of eliminating or preventing child labor. (88)

The ILO supported the MOLSA in conducting a child labor assessment to determine the key drivers of child labor in Somalia. Findings will be used to support the development of a more comprehensive National Action Plan Against Child Labor. (1,68)

Although the FGS implemented programs to address child soldiers and child trafficking, research found that existing programs were insufficient to address the scope of the problem, including in 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).

# Somalia

## MINIMAL ADVANCEMENT – EFFORTS MADE BUT CONTINUED PRACTICE THAT DELAYED ADVANCEMENT

**Table 11. Suggested Government Actions to Eliminate Child Labor**

Area	Related Entity	Suggested Action	Year(s) Suggested
Legal Framework		Ratify the UN CRC Optional Protocol on Armed Conflict.	2013 – 2021
		Ratify ILO Convention 138.	2021
		Ratify the UN CRC Optional Protocol on the Sale of Children, Child Prostitution, and Child Pornography.	2013 – 2021
		Ratify the Palermo Protocol on Trafficking in Persons.	2013 – 2021
		Clarify whether the pre-1991 Labor Code and Penal Code are still in effect under the Federal Government of Somalia.	2009 – 2021
		Ensure that the law's light work provisions specify the activities in which light work may be undertaken and limit the number of hours for light work.	2009 – 2021
		Determine by national law or regulation the types of hazardous work prohibited for children, after consultation with employers' and workers' organizations,	2009 – 2021
		Raise the compulsory education age to be commensurate with the minimum age for work.	2009 – 2021
		Criminally prohibit using, procuring, and offering a child for prostitution, pornography, and pornographic performances.	2015 – 2021
		Ensure that penalties for the commercial sexual exploitation of children are sufficiently stringent to deter violations.	2013 – 2021
		Ensure that the law protects children involved in commercial sexual exploitation from criminal charges.	2011 – 2021
		Criminally prohibit child trafficking for the purposes of labor and sexual exploitation.	2009 – 2021
		Criminally prohibit the use of children in illicit activities.	2009 – 2021
		Criminally prohibit the recruitment of children under age 18 by non-state armed groups.	2016 – 2021
Enforcement		Ensure that the labor inspectorate has dedicated funding.	2021
		Ensure that labor inspections are conducted, including in targeted sectors in which child labor most frequently occurs.	2021
		Institutionalize training for labor inspectors, including by training new labor inspectors at the beginning of their employment and providing refresher courses.	2021
		Increase the number of labor inspectors to meet the ILO's technical advice.	2020 – 2021
		Establish a referral mechanism between the labor inspectorate and social welfare services for children subjected to child labor.	2014 – 2021
		Publish information on criminal law enforcement efforts.	2021
		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 – 2021
		Cease the recruitment and use of child soldiers by the Somali Police Force, the National Intelligence and Security Agency, and the Somali National Army, 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 – 2021
Coordination		Ensure that children associated with armed groups are referred to social services providers while ceasing the practices of detaining them with adults, subjecting them to lengthy interrogations without legal representation, eliciting coerced confessions, and imposing long prison terms. Transfer children currently in detention to social services providers.	2015 – 2021
		Establish coordinating mechanisms to combat all forms of child labor.	2009 – 2021
		Ensure that all coordinating bodies are active and able to carry out their intended mandates.	2021
	Puntland independently instituted their own laws and resource mechanisms without coordinating with FGS.	Strengthen coordination between the Federal Government of Somalia and the Federal Member States, including Puntland.	2021

## MINIMAL ADVANCEMENT – EFFORTS MADE BUT CONTINUED PRACTICE THAT DELAYED ADVANCEMENT

**Table 11. Suggested Government Actions to Eliminate Child Labor (Cont.)**

Area	Related Entity	Suggested Action	Year(s) Suggested
Government Policies		Adopt policies to address child labor in agriculture, industry, street work, and domestic work.	2018 – 2021
		Ensure that activities are undertaken to implement the Somalia Social Protection Policy and the National Development Plan and publish the results from activities implemented during the reporting period	2021
Social Programs		Adopt a countrywide birth registration system to facilitate identification of child labor violations.	2019 – 2021
		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 that girls, IDP children, and nomadic and rural children have access.	2013 – 2021
		Develop programs to address all forms of child labor, including in street work and forced labor in agriculture. Expand the scope of existing programs to address the use of children in armed conflict.	2009 – 2021

### REFERENCES

- U.S. Embassy- Somalia. Reporting. January 14, 2022.
- U.S. Embassy- Mogadishu. Reporting. January 31, 2021.
- UN Human Rights Council. Report of the Independent Expert on the situation of human rights in Somalia. Geneva: September 15, 2016: A/HRC/33/64. [http://ohchr.org/EN/HRBodies/HRC/RegularSessions/Session33/Documents/A\\_HRC\\_33\\_64\\_en.docx](http://ohchr.org/EN/HRBodies/HRC/RegularSessions/Session33/Documents/A_HRC_33_64_en.docx)
- Federal Government of Somalia. ILOs Reporting on the Worst Forms of Child Labour, Convention 182. November 2019. Source on file.
- MOLSA officials. Phone interview with USDOL official. March 7, 2020. Source on file.
- Federal Republic of Somalia. Labour Force Survey Report: 2019. 2021. [https://www.nbs.gov.so/wp-content/uploads/2021/10/LFS-Report\\_2021.pdf](https://www.nbs.gov.so/wp-content/uploads/2021/10/LFS-Report_2021.pdf)
- UNESCO Institute for Statistics. Gross intake ratio to the last grade of primary education, both sexes (%). Accessed March 3, 2022. For more information, please see “Children’s Work and Education Statistics: Sources and Definitions” in the Reference Materials section of this report. <http://data.uis.unesco.org/>
- ILO. Analysis of Child Economic Activity and School Attendance Statistics from National Household or Child Labor Surveys. Original data from Multiple Indicator Cluster Survey 4 (MICS 4), 2011. Analysis received March 2022. Please see “Children’s Work and Education Statistics: Sources and Definitions” in the Reference Materials section of this report.
- U.S. Mission- Somalia. Reporting. January 20, 2020.
- U.S. Mission- Somalia. Reporting. January 25, 2019.
- ILO Committee of Experts. Individual Direct Request concerning Worst Forms of Child Labour Convention (No. 182) Somalia (ratification: 2014) Published: 2018. [https://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100\\_COMMENT\\_ID:3963529:NO](https://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:3963529:NO)
- Federation of Somali Trade Unions. Somalia Human and Trade Union Rights Report: January-December 2016. 2017. <http://www.festu.org/festu/wp-content/uploads/2017/02/FESTU-HTUR-Report-2017.pdf>
- U.S. Mission- Somalia. Reporting. February 6, 2018.
- U.S. Department of State. Trafficking in Persons Report - 2021: Somalia. July 1, 2021. <https://www.state.gov/reports/2021-trafficking-in-persons-report/somalia/>
- Regilme, Salvador Santino Jr. Fuló & Spoldi, Elisabetta. Children in Armed Conflict: A Human Rights Crisis in Somalia. Global Jurist, Vol. 21, No. 2, 2021, pp. 365-402. <https://doi.org/10.1515/gj-2020-0083>
- UN Security Council. Children and Armed Conflict: Report of the Secretary-General. June 9, 2020. [https://www.un.org/sg/sites/www.un.org.sg/files/atoms/files/15-June-2020\\_Secretary-General\\_Report\\_on\\_CAAC\\_Eng.pdf](https://www.un.org/sg/sites/www.un.org.sg/files/atoms/files/15-June-2020_Secretary-General_Report_on_CAAC_Eng.pdf)
- UN Security Council. Children and Armed Conflict: Report of the Secretary-General on Children and armed conflict. May 6, 2021. (A/75/873-S/2021/437). [https://www.un.org/ga/search/view\\_doc.asp?symbol=S/2021/437&Lang=E&Area=UNDOC](https://www.un.org/ga/search/view_doc.asp?symbol=S/2021/437&Lang=E&Area=UNDOC)
- UN. Secretary-General Annual Report on Children and Armed Conflict. June 23, 2022. <https://daccess-ods.un.org/access.nsf/Get?OpenAgent&DS=S/2022/493&Lang=E>
- UN Reporting. September 27, 2021. Source on file.
- UN Reporting. June 30, 2021. Source on file.
- UN Security Council. Children and Armed Conflict: Report of the Secretary General. June 20, 2019. (A/73/907-S/2019/509). [https://www.un.org/ga/search/view\\_doc.asp?symbol=S/2019/509&Lang=E&Area=UNDOC](https://www.un.org/ga/search/view_doc.asp?symbol=S/2019/509&Lang=E&Area=UNDOC)
- Human Rights Watch. “It’s Like We’re Always in a Prison”: Abuses Against Boys Accused of National Security Offenses in Somalia. February 2018. [https://www.hrw.org/sites/default/files/report\\_pdf/somalia0218\\_web.pdf](https://www.hrw.org/sites/default/files/report_pdf/somalia0218_web.pdf)
- U.S. Mission- Somalia. Reporting. March 13, 2020.
- Felbab-Brown, Vanda. The problem with militias in Somalia: Almost everyone wants them despite their dangers. Brookings. April 14, 2020. <https://www.brookings.edu/research/the-problem-with-militias-in-somalia-almost-everyone-wants-them-despite-their-dangers/>
- USAID. Joint Multi-Cluster Needs Assessment. September 2018. [https://reliefweb.int/sites/reliefweb.int/files/resources/reach\\_som\\_initial\\_findings\\_report\\_joint\\_multi\\_cluster\\_needs\\_assessment\\_2018.pdf](https://reliefweb.int/sites/reliefweb.int/files/resources/reach_som_initial_findings_report_joint_multi_cluster_needs_assessment_2018.pdf)
- UN Reporting. December 2020. Source on file.
- UN Security Council. Situation in Somalia: Report of the Secretary-General. February 13, 2020. <https://documents-dds-ny.un.org/doc/UNDOC/GEN/N20/030/17/pdf/N2003017.pdf?OpenElement>
- UN Security Council. Children and Armed Conflict: Report of the Secretary-General. November 13, 2020. <https://undocs.org/S/2020/1113>
- UN Reporting. February 8, 2022. Source on file.
- UN Reporting. April 8, 2022. Source on file.
- Federal Government of Somalia. General Order – 1. Enacted: July 22, 2011. Source on file.
- UNHCR. Somalia: Estimated IDP Population in Informal Sites and Camp-Like Settings. August 2021. <https://data2.unhcr.org/en/documents/download/88838>

## MINIMAL ADVANCEMENT – EFFORTS MADE BUT CONTINUED PRACTICE THAT DELAYED ADVANCEMENT

- 33 U.S. Department of State official. E-mail correspondence with USDOL official. June 23, 2021.
- 34 U.S. Embassy- Mogadishu. Reporting. February 9, 2021.
- 35 Radio Ergo. Trafficked Somali children ending up in Puntland. October 24, 2020.  
<https://radioergo.org/en/author/ergo/>
- 36 UNICEF. Somalia Education Cluster Children's Voices Survey 2019. February 14, 2020.  
<https://reliefweb.int/report/somalia/somalia-education-cluster-children-s-voices-survey-2019>
- 37 Mwanjisi, Jamillah. COVID-19: School Closures Put Decades Of Gains For Somali Children at Risk. Save the Children. July 13, 2020.  
<https://www.savethechildren.net/blog/covid-19-school-closures-put-decades-gains-somali-children-risk>
- 38 ILO. Observation (CEACR) adopted 2020, published 109th ILC session (2021).  
[https://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100::PI3100\\_COMMENT\\_ID:4049494:NO](https://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100::PI3100_COMMENT_ID:4049494:NO)
- 39 UNICEF. Somalia: Humanitarian Situation Report No. 12. January 1-December 31, 2021. February 7, 2022.  
[https://reliefweb.int/sites/reliefweb.int/files/resources/UNICEF\\_Somalia\\_Humanitarian\\_Situation\\_Report\\_No.\\_12\\_January\\_-\\_December\\_2021.pdf](https://reliefweb.int/sites/reliefweb.int/files/resources/UNICEF_Somalia_Humanitarian_Situation_Report_No._12_January_-_December_2021.pdf)
- 40 Government of Somalia. Law No. 65 to Promulgate the Labour Code. Enacted: October 18, 1972.  
[https://www.ilo.org/dyn/natlex/natlex4.detail?p\\_isn=16530](https://www.ilo.org/dyn/natlex/natlex4.detail?p_isn=16530)
- 41 Republic of Somaliland. Private Sector Employees Law. Enacted: 2004.  
[http://www.somalilandlaw.com/Xeerka\\_Shqaalaha\\_Rayidka\\_2010Final.pdf](http://www.somalilandlaw.com/Xeerka_Shqaalaha_Rayidka_2010Final.pdf)
- 42 Federal Republic of Somalia. Provisional Constitution. Enacted: August 1, 2012.  
<http://hrlibrary.umn.edu/research/Somalia-Constitution2012.pdf>
- 43 Government of Somalia. Penal Code, Legislative Decree No. 5 of 16. Enacted: December 1962.  
[http://www.somalilandlaw.com/Penal\\_Code\\_English.pdf](http://www.somalilandlaw.com/Penal_Code_English.pdf)
- 44 Federal Government of Somalia. General Education Law. Enacted: July 30, 2017. Source on file.
- 45 Stremlau, Nicole. Governance Without Government in the Somali Territories. Columbia SIPA: Journal of International Affairs. January 9, 2019.  
<https://jia.sipa.columbia.edu/governance-without-government-somali-territories>
- 46 U.S. Mission- Somalia. Reporting. March 23, 2018.
- 47 Bhalla, Nita. Somaliland elders approve 'historic' law criminalising rape. Reuters. April 9, 2018.  
<https://www.reuters.com/article/us-somalia-women-rape-idUSKBN1HG2PR>
- 48 ILO. National employment policy for Somalia finalized. February 27, 2019.  
[https://www.ilo.org/africa/media-centre/pr/WCMS\\_673622/lang--en/index.htm](https://www.ilo.org/africa/media-centre/pr/WCMS_673622/lang--en/index.htm)
- 49 U.S. Mission- Somalia. Reporting. January 14, 2016.
- 50 U.S. Mission- Somalia. Reporting. June 8, 2018.
- 51 U.S. Embassy- Mogadishu. Reporting. January 30, 2022.
- 52 U.S. Department of Labor reporting. Meeting Notes USDOL and Director General, MOSLA. September 28, 2020.
- 53 Somali Federal Republic, Ministry of Labor and Social Affairs. Work plan for Child Labor Department. 2020. Source on file.
- 54 U.S. Mission- Somalia official.. E-mail communication with USDOL official. June 6, 2017.
- 55 Government of Somalia official. E-mail communication with USDOL official. April 5, 2022.
- 56 UN. World Economic Situation and Prospects 2021 Statistical Annex. New York, 2021. Please see "Labor Law Enforcement: Sources and Definitions" in the Reference Materials section of this report.  
[https://www.un.org/development/desa/dpad/wp-content/uploads/sites/45/WESP2021\\_ANNEX.pdf](https://www.un.org/development/desa/dpad/wp-content/uploads/sites/45/WESP2021_ANNEX.pdf)
- 57 ILO. Modelled estimates and projections (ILOEST) on population and labour force. February 7, 2022. Labor force data are modelled on a combination of demographic and economic explanatory variables by the ILO. Please see "Labor Law Enforcement: Sources and Definitions" in the Reference Materials section of this report.  
<https://ilostat.ilo.org/data/>
- 58 UNICEF. Somalia: Humanitarian Situation Report No. 12. December 2020.  
[https://www.unicef.org/media/91641/file/UNICEF\\_Somalia\\_Humanitarian\\_Situation\\_Report\\_No\\_12\\_Jan\\_-\\_Dec\\_2020.pdf](https://www.unicef.org/media/91641/file/UNICEF_Somalia_Humanitarian_Situation_Report_No_12_Jan_-_Dec_2020.pdf)
- 59 UN Security Council. Working Group on Children and Armed Conflict: Conclusions on children and armed conflict in Somalia. August 11, 2020.  
<http://web.archive.org/web/20220202011531/https://undocs.org/pdf?symbol=en/S/AC.51/2020/6>
- 60 UN Security Council. Children and Armed Conflict in Somalia: Report of the Secretary-General. March 4, 2020.  
<https://www.undocs.org/en/S/2020/174>
- 61 Horton, Michael. How Somaliland Combats al-Shabaab. Combating Terrorism Center at West Point. November 2019.  
<https://ctc.usma.edu/somaliland-combats-al-shabaab/>
- 62 Shabelle TV Report. Translation Provided by U.S. Embassy Mogadishu. February 7, 2021.  
<https://www.youtube.com/watch?v=GBCsFVNxGwE>
- 63 UN Security Council. Report of the Secretary-General on Somalia. May 9, 2017.  
[http://www.un.org/ga/search/view\\_doc.asp?symbol=S/2017/408](http://www.un.org/ga/search/view_doc.asp?symbol=S/2017/408)
- 64 Federal Republic of Somalia Ministry of Defense Office of the Child Protection Unit. Minutes of the Executive briefing and introduction of CAAC Somalia. Virtual meeting via Ms. teams on 18 Jan 2022. January 22, 2022. Source on file.
- 65 Government of Somalia, Ministry of Defense Child Protection Unit. Child Protection Unit Annual Report, 2021. December 23, 2021. Source on file.
- 66 UN Security Council. Children and armed conflict: Report of the Secretary-General. (A/72/865-S/2018/465). May 16, 2018.  
[https://www.securitycouncilreport.org/atf/cf/{65BFCF9B-6D27-4E9C-8CD3-CF6E4FF96FF9}/a\\_72\\_865\\_s\\_2018\\_465.pdf](https://www.securitycouncilreport.org/atf/cf/{65BFCF9B-6D27-4E9C-8CD3-CF6E4FF96FF9}/a_72_865_s_2018_465.pdf)
- 67 U.S. Embassy- Somalia official. E-mail from Post to USDOL. June 15, 2022.
- 68 ILO. Assessment of the Child Labour Situation in Somalia. April 6, 2021. Source on file.
- 69 U.S. Embassy- Nairobi. Reporting. February 17, 2015.
- 70 UN Security Council. Report of the Secretary General on children and armed conflict in Somalia. December 22, 2016: S/2016/1098.  
[http://www.un.org/ga/search/view\\_doc.asp?symbol=S/2016/1098&Lang=E&Area=UNDOC](http://www.un.org/ga/search/view_doc.asp?symbol=S/2016/1098&Lang=E&Area=UNDOC)
- 71 United Nations Assistance Mission in Somalia. UN, Somalia recommit to end the recruitment and use of child soldiers October 30, 2019.  
<https://unsom.unmissions.org/un-somalia-recommit-end-recruitment-and-use-child-soldiers>
- 72 Federal Government of Somalia, Ministry of Labour and Social Affairs. Somalia Social Protection Policy. March 2019.  
<https://reliefweb.int/sites/reliefweb.int/files/resources/MoLSA-Somalia-FINAL-min.pdf>
- 73 Monitoring and Evaluation Monitor, and Director of Legal and Labor Relations Department, Somali MOLSA. Skype interview with USDOL officials. May 7, 2020. Source on file.
- 74 Al-Ahmadi, Afrah & Zampaglione, Giuseppe. From Protracted Humanitarian Relief to State-led Social Safety Net System: Somalia Baxnaano Program. World Bank Group. January 2022.  
<https://openknowledge.worldbank.org/bitstream/handle/10986/36864/From-Protracted-Humanitarian-Relief-to-State-led-Social-Safety-Net-System-Somalia-Baxnaano-Program.pdf?sequence=1&isAllowed=y>
- 75 Baxnaano. Shock Responsive Safety Net for Human Capital Project. 2022.  
<https://baxnaano.so/status/>
- 76 Federal Government of Somalia. National Development Plan 2017–2019. December 2016.  
<http://mop.gov.so/wp-content/uploads/2018/04/NDP-2017-2019-1.pdf>

## MINIMAL ADVANCEMENT – EFFORTS MADE BUT CONTINUED PRACTICE THAT DELAYED ADVANCEMENT

- 77 Somali Ministry of Planning, Investment, and Economic Development. Somalia National Development Plan: 2020-2024. September 26, 2019.  
<http://mop.gov.so/wp-content/uploads/2019/12/NDP-9-2020-2024.pdf>
- 78 Government of Somalia. UN Strategic Framework Somalia 2017–2020. September 2017.  
[http://www.undp.org/content/dam/undp/library/corporate/ExecutiveBoard/2018/First-regular-session/DPDCPSOM3\\_UN Strategic Framework \(2017-2020\).pdf](http://www.undp.org/content/dam/undp/library/corporate/ExecutiveBoard/2018/First-regular-session/DPDCPSOM3_UN%20Strategic%20Framework%20(2017-2020).pdf)
- 79 UN Reporting. April 2020. Source on file.
- 80 The Horn Observer. Somali President Unveils Social Safety Net Program to Reduce Poverty and Improve Human Capital. April 19, 2020.  
<https://hornobserver.com/articles/301/Somali-President-Unveils-Social-Safety-Net-Program-to-Reduce-Poverty-and-Improve-Human-Capital>
- 81 Federal Government of Somalia, Ministry of Women and Human Rights Development. National Action Plan for Ending Sexual Violence in Conflict. 2013. Source on file.
- 82 UN Special Representative of the Secretary-General for Children and Armed Conflict. ACT TO PROTECT children affected by conflict. January 27, 2020.  
<https://childrenandarmedconflict.un.org/act-to-protect-children-affected-by-armed-conflict/>
- 83 Xinhua. Somalia starts building rehab center for former Al-Shabaab fighters. June 14, 2016.  
<https://web.archive.org/web/20210124101229/http://english.sina.com/news/2016-06-14/doc-ifsxfak3848574.shtml>
- 84 World Food Program. WFP Somalia Country Brief: March 2020.  
<https://docs.wfp.org/api/documents/WFP-0000114992/download/?ga=2.108152458.946914560.1589212428-1735238816.1589212428>
- 85 World Food Program. WFP Somalia Country Brief: January 2022.  
<https://docs.wfp.org/api/documents/WFP-0000137092/download/?ga=2.115271438.80481896.1646939161-1409081472.1646939161>
- 86 United Nations in Somalia. YES Joint Programme Expanding to Support Youth in Puntland and Somaliland. September 11, 2017.  
<https://web.archive.org/web/20170914143418/https://www.uninsomalia.org/pros-cal-success-story-1/2017/9/11/latest-achievements-of-the-youth-employment-somalia-joint-programme>
- 87 Bureau of International Labor Affairs, U.S. Department of Labor. Global Accelerator Lab 8.7 Project – Intensifying Action Against Forced Labor and Child Labor Through Innovation. 2022.  
<https://www.dol.gov/agencies/ilab/global-accelerator-lab-87-project-intensifying-action-against-forced-labor-and-child>
- 88 USAID. Alternative Basic Education for Pastoralists (ABE). 2017.  
<https://www.usaid.gov/somalia/fact-sheets/somalia-alternative-basic-education-pastoralists-abe>



In 2021, South Africa made moderate advancement in efforts to eliminate the worst forms of child labor. South Africa added an additional 484 labor inspectors, bringing its labor inspectorate staffing into alignment with International Labor Organization technical advice. In addition, Statistics South Africa published the results of its Survey of Activities of Young People, a household-level survey on children's economic activities, including child labor. Finally, South Africa began criminal prosecution of seven Chinese nationals who stand accused of forced child labor, human trafficking, and other related crimes. However, children in South Africa are subjected to the worst forms of child labor, including in commercial sexual exploitation, sometimes as a result of human trafficking, forced begging, and use in illicit activities. Social programs are not sufficient to address the scope of child labor, and free basic education is not guaranteed by law.



### 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, sometimes as a result of human trafficking, forced begging, and use in illicit activities. (1-3) The 2019 Survey of Activities of Young People found that 5 percent of children are engaged in child labor with the percentage of black South African children engaged in child labor higher than that of other racial groups, and a higher percentage of non-urban children are engaged in child labor in comparison to urban children. (4) Table 1 provides key indicators on children's work and education in South Africa.

**Table 1. Statistics on Children's Work and Education**

Children	Age	Percent
Working (% and population)	5 to 14	15.0 (1,559,791)
Attending School (%)	5 to 14	97.4
Combining Work and School (%)	7 to 14	17.7
Primary Completion Rate (%)		92.0

Source for primary completion rate: Data from 2019, published by UNESCO Institute for Statistics, 2022. (5)

Source for all other data: International Labor Organization's analysis of statistics from Survey of Activities of Young People (SAYP), 2019. (6)

Based on a review of available information, Table 2 provides an overview of children's work by sector and activity.

**Table 2. Overview of Children's Work by Sector and Activity**

Sector/Industry	Activity
Agriculture	Farming, including the production of corn (7-9)
Industry	Factory work, including processing cotton to make blankets (10,11)
Services	Food service (1,8)
	Domestic work (8,9)
	Street work, including vending and begging (8,9,12)
Categorical Worst Forms of Child Labor‡	Commercial sexual exploitation, sometimes as a result of human trafficking (3,8,9,13-19)
	Use in illicit activities, including in gang-related activity (20-22)
	Use in the production of pornography (13,19,23-26)
	Forced labor in domestic work, agriculture, street vending, cell phone repair shops, and begging (1-3,9)

‡ Child labor understood as the worst forms of child labor per se under Article 3(a)–(c) of ILO C. 182.

# South Africa

## MODERATE ADVANCEMENT

South Africa is a destination for child trafficking from both Southern Africa and Africa as a whole. (1,3,18) Young children within South Africa, mostly girls between the ages of 10 and 14 from poor rural areas, are subjected to commercial sexual exploitation in major cities including Cape Town and Johannesburg. Traffickers often recruit domestic and foreign victims with promises of jobs and economic opportunity in urban areas. (18) Research suggests that during the COVID-19 pandemic, traffickers turned to online methods, including social media, to recruit children. (1) Government officials have indicated that child trafficking, primarily for commercial sexual exploitation, rose significantly during the pandemic. (27) South Africa is also considered a major destination for child sex tourism, though the impact of the pandemic likely reduced demand. (1,18) Children, especially boys and children with disabilities, are also subjected to forced begging. (8,9,12)

South African children are also subjected to the worst forms of child labor through recruitment and use in criminal activities. Gangs use child recruits, known as "springbokkies," to watch for police, transport guns, deliver illicit drugs, and at times, commit acts of violence, including murder. (20-22) This phenomenon is particularly prevalent around Cape Town in the Western Cape. Children under the age of 10 do not have criminal responsibility under South Africa law, so gangs recruit children to reduce the risk of criminal prosecution for their activities. (22) In recent years, there has been a significant rise of murders committed by children, some as young as age 8, affiliated with gangs. (22) Research indicates that trend continued to accelerate over the course of the pandemic. The school closures and economic impact of the pandemic increased children's vulnerability to recruitment by gangs, which provide food and money in exchange for cooperation in illicit activities. (22)







The South African constitution guarantees a right to basic education and makes education compulsory until the age of 15, and the Government of South Africa indicates that 98 percent of children ages 7 to 17 were enrolled in school. Free education, however, is not guaranteed. (4,9,28) South Africa's Department of Basic Education divides public schools into five categories based on poverty distribution, with the poorest schools receiving the most funding and the wealthiest schools receiving the least. Schools from the lowest three quintiles are designated as "no-fee" schools, and over 60 percent of South African children attend a "no-fee" school. (29,30) At schools that are not designated as "no fee" schools, parents may vote to pass a resolution authorizing the collection of school fees. (30) Despite the fact that parents may apply for fee exemption or subsidies, research indicates that sometimes children leave school due to financial constraints. Even when children do qualify for exemptions, parents must pay for school uniforms and other supplies. (8,9) During the pandemic, moreover, non-payment of fees at fee-based schools increased, making children more vulnerable to leaving education. (31) Other barriers to education include poor school infrastructure, inadequate sanitation and toilets, lack of transportation, overcrowded classrooms, and lack of accommodations for students with disabilities. (32,33)

In the very recent past, children have been denied education due to lack of documentation. Under the Department of Basic Education's former admissions policy, a student application had to be accompanied by the child's birth certificate, and in the absence of documentation, the student had to be conditionally admitted to the school until a copy of the birth certificate could be obtained from the Department of Home Affairs. (8,34,35) Difficulties obtaining proper documentation posed a serious barrier to education, and as of 2017, research suggested that roughly 40 percent of undocumented and foreign children were unable to access education. (35,36) In 2016, the Department of Basic Education in the Eastern Cape announced that school- and nutrition-scheme funding would only be based on the number of students with identity documentation, and shortly thereafter, it directed schools to unenroll students who were unable to produce documentation. (35,37) In 2019, the High Court judge ruled these measures unconstitutional in the Eastern Cape, along with several laws and regulations requiring documentation for school enrollment on the grounds that it violated the constitutional right to an education. The court ordered the schools in question to admit undocumented students on the basis of sworn affidavits from their guardians. (35,37) Shortly thereafter, in early 2020, the national Department of Basic Education issued its own circular in compliance with the judicial ruling to allow access to education regardless of immigration status or documentation. (35,37)

### 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) (38)
Minimum Age for Hazardous Work	Yes	18	Regulations on Hazardous Work by Children in South Africa (39)
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 (39,40)
Prohibition of Forced Labor	Yes		Article 48 of the BCEA; Article 13 of the Constitution; Article 141 of the Children's Amendment Act; Sections 4 and 5 of the Prevention and Combating of Trafficking in Persons Act of 2013 (28,40-42)
Prohibition of Child Trafficking	Yes		Article 141 of the Children's Amendment Act (41)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Article 141 of the Children's Amendment Act; Chapter 3 of Criminal Law Amendment Act 32 (41,43)
Prohibition of Using Children in Illicit Activities	Yes		Article 141 of the Children's Amendment Act (41)
Minimum Age for Voluntary State Military Recruitment	Yes	18	Article 52 of the Defense Act (44)
Prohibition of Compulsory Recruitment of Children by (State) Military	N/A*		Article 52 of the Defense Act (44)
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 (30)
Free Public Education	No		Chapter 2, Article 5 and Chapter 4, Article 39 of the South African Schools Act (30)

\* No conscription (44)

The South African Constitution guarantees a right to education, but free basic education is not guaranteed by law. Article 39 of the South African Schools Act allows certain schools to be designated as "no-fee" schools, but all other public schools may 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. (28,30,45)

# South Africa

## MODERATE ADVANCEMENT

### III. ENFORCEMENT OF LAWS ON CHILD LABOR

The government has established institutional mechanisms for the enforcement of laws and regulations on child labor (Table 5). However, gaps exist within the operations of 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 (SADOEL)	Enforces child labor laws by conducting inspections of worksites and operates labor centers throughout the country where complaints may be lodged. (2,46) 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. (2,47,48) Chairs the Implementation Committee on the Child Labor Program of Action. (49)
South African Police Service (SAPS)	Enforces the legislative mandate under the Children's Act to investigate cases involving the worst forms of child labor. (2,50,51) 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. (52)
South African Department of Justice and Constitutional Development (DOJ)	Responsible for enforcing criminal laws against the worst forms of child labor. (2) Through its Children's Courts, which are housed within every Magistrate's court, adjudicates non-criminal child protection cases involving child abuse, abandonment, and neglect. (53)
National Prosecution Authority (NPA)	Prosecutes criminal cases, including cases of human trafficking and other worst forms of child labor. (2,54)

#### **Labor Law Enforcement**

In 2021, labor law enforcement agencies in South Africa took actions to address child labor (Table 6). However, gaps exist within the operations of the South Africa Department of Employment and Labor (SADOEL) that may hinder adequate labor law enforcement, including inadequate allocation of financial resources.

**Table 6. Labor Law Enforcement Efforts Related to Child Labor**

Overview of Labor Law Enforcement	2020	2021
Labor Inspectorate Funding	\$45 million (55)	\$47 million (2)
Number of Labor Inspectors	1,369 (55)	1,853 (2)
Mechanism to Assess Civil Penalties	No (40)	No (40)
Initial Training for New Labor Inspectors	Yes (8)	Yes (2)
Training on New Laws Related to Child Labor	N/A (8)	N/A (2)
Refresher Courses Provided	Yes (8)	Yes (2)
Number of Labor Inspections Conducted	227,990 (55)	296,904 (2)
Number Conducted at Worksite	Unknown (8)	Unknown (2)
Number of Child Labor Violations Found	Unknown (8)	Unknown (2)
Number of Child Labor Violations for Which Penalties Were Imposed	Unknown (8)	N/A
Number of Child Labor Penalties Imposed that Were Collected	Unknown (8)	N/A
Routine Inspections Conducted	Yes (8)	Yes (2)
Routine Inspections Targeted	Yes (8)	Yes (2)
Unannounced Inspections Permitted	Yes (40)	Yes (40)
Unannounced Inspections Conducted	Yes (8)	Yes (2)
Complaint Mechanism Exists	Yes (8)	Yes (2)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (8)	Yes (2)

As the law in South Africa treats child labor as a criminal offense, labor inspectors may refer child labor cases for criminal prosecution. (2,40)

In 2021, the South Africa Department of Employment and Labor trained 68 inspectors, social workers, and other civil servants from the Northern Cape, Eastern Cape, and Gauteng provinces on employment laws, forced labor, human trafficking, and child exploitation. (19) South Africa added an additional 484 labor inspectors, bringing its labor inspectorate staffing into alignment with ILO technical advice. (2) 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. (8) Labor inspectors had difficulty accessing farms due to fear of entering private property and concerns for their personal safety when conducting inspections. (8,52)

### **Criminal Law Enforcement**

In 2021, criminal law enforcement agencies in South Africa took actions to address 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	2020	2021
Initial Training for New Criminal Investigators	Yes (8)	Yes (2)
Training on New Laws Related to the Worst Forms of Child Labor	N/A (8)	N/A (2)
Refresher Courses Provided	Yes (8)	Yes (2)
Number of Investigations	15 (55)	Unknown (2)
Number of Violations Found	5 (55)	Unknown (2)
Number of Prosecutions Initiated	3 (55)	Unknown (2)
Number of Convictions	2 (55)	Unknown (2)
Imposed Penalties for Violations Related to the Worst Forms of Child Labor	Unknown (8)	Yes (19)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (8)	Yes (2)

During the reporting period, the trial began for seven Chinese nationals who stand accused of human trafficking, child labor, and several other immigration and labor-related crimes. The 7 defendants were arrested for allegedly running an illegal factory where they forced 91 Malawian nationals, including 37 children, to work processing the inner cotton of blankets using recycled clothing. (11) In December 2021, the trial was postponed to March 2022 due to the illness of a court interpreter. (56) In addition, South Africa prosecuted and sentenced a Nigerian man for the production of child pornography and other crimes. Another Nigerian national was sentenced to three life sentences for charges including human trafficking and commercial sexual exploitation of a minor. (19) Two South African men, one of whom was a local police superintendent, were sentenced to life imprisonment on charges of human trafficking and rape. The former police superintendent paid the other defendant to recruit young girls between the ages of 8 and 15 for the purposes of sexual exploitation. (19)

Research indicates that the South African Police Service (SAPS) lacked sufficient resources to investigate all suspected cases of child trafficking and forced child labor. In recent years, there has been a steady decline in the number of SAPS officers. (3,19,57) Despite assistance from the NGO community with the operation of call centers as part of their complaint mechanism, SAPS reportedly experienced difficulty properly following up on reported cases and identifying victims of human trafficking during law enforcement activities. (1,3,8) In addition, victim identification and referral procedures were not uniformly implemented. Research indicates that in some provinces, the Department of Social Development only coordinated victim services upon receiving confirmation from SAPS that the individual had been subjected to human trafficking, and as a result, when SAPS did not pursue investigation of a case, trafficking survivors faced obstacles to serviced provision. (19) The government did not provide information on the number of criminal investigations, violations found, prosecutions, and convictions 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 lack of efficacy in accomplishing mandates.



# South Africa

## MODERATE ADVANCEMENT

**Table 8. Key Mechanisms to Coordinate Government Efforts on Child Labor**

Coordinating Body	Role & Description
Implementation Committee on the Child Labor Program of Action	Supports the implementation of the Child Labor Program of Action, Phase 4, 2017–2021. Led by the Department of Employment and Labor; and includes representatives from government agencies, organized labor, commercial agriculture, and the ILO. (49) The committee did not meet in the 2021 reporting year. (2)
National Intersectoral Committee of Trafficking in Persons	Coordinates the government's anti-human trafficking efforts. Led by the National Anti-Trafficking Coordinator, who is appointed by the Minister of Justice and Constitutional Development. Includes representatives from 14 government departments, including DOJ, the Department of Home Affairs, SADOEL, SAPS, and NPA. (58) Responsible for proposing improvements to anti-trafficking legislation and the national policy framework; supporting the implementation of anti-trafficking activities, including research, public awareness campaigns, and trainings in participating Departments; providing support to Provincial Task Teams (PTTs); and coordinating communication and reporting within national and provincial government structures. (58) During the reporting period, the committee met regularly and engaged with domestic and international actors on anti-trafficking efforts and reporting. (19)
National Rapid Response Team	Provides rapid coordination between national government departments when cases of human trafficking are reported or pending in the criminal justice system. Chaired by DOJ, and includes additional anti-trafficking personnel from National Prosecuting Authority, the Department of Social Development, the South African Police Service, the Department of Home Affairs, the Department of Health, the Department of International Relations and Cooperation, and South African Department of Employment and Labor. (58) Convenes interdepartmental meetings when human trafficking cases are reported, coordinates identification, support, and protection of victims and prosecution of traffickers, and manages case flow. (58) The National Rapid Response Team was active during the reporting year. (19)
Provincial Task Teams on Trafficking in Persons (PTT)	Exist in each of South Africa's nine provinces. Responsible for coordinating meetings with stakeholders, developing regional anti-trafficking plans, and establishing regional Rapid Response Teams. (58) During the reporting year, PTTs held various awareness-raising activities, including webinars on trafficking in persons. In addition, the PTT in the Mpumalanga province collaborated with officials in Mozambique to share information and discuss key trends concerning trafficking in persons across the South Africa-Mozambique border. (19)

Research indicates that the South African Police Service, the Department of Home Affairs, and the South African Department of Employment and Labor often did not fully participate or send representatives to meetings of the National Intersectoral Committee on Trafficking in Persons or the Provincial Task Teams. (19)

## 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)	Served as the primary policy instrument to prevent and eliminate child labor in South Africa. (52) Promoted government activities by outlining the mandate of each agency to combat child labor. (49) Provided a reciprocal referral mechanism through which SAPS informs SADOEL of suspected child labor cases. (46) Identified 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. (49,52) The National Child Labor Program did not include a timeframe to meet identifiable benchmarks or to assess the progress and adequacy of implementation efforts. (49) During the reporting period, the South African government continued with activities outlined in Phase IV, including poverty mitigation strategies and the publication of survey data on child labor and children's economic activities. (2,4)
Prevention and Combating of Trafficking in Persons National Policy Framework	Created to support the implementation of the 2013 Prevention and Combating of Trafficking in Persons Act. Sets a framework for interdepartmental coordination on trafficking issues. (58) 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 survivors 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. (58) Set to be updated in 2022 and every 5 years thereafter. (58,59) During the reporting period, the government carried out data collection efforts, awareness campaigns, prosecutions, and survivor assistance activities as part of this policy. (19)

The government has not included child labor elimination and prevention strategies in the South African Education Action Plan or the National Development Plan. (60,61)

### VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2021, 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 inadequacy of programs to address the full scope of the problem.

**Table 10. Key Social Programs to Address Child Labor**

Program	Description
Child Support Grant (CSG)†	Led by the Department of Social Development and the South African Social Security Agency, provides monthly unconditional direct cash transfers to help low-income parents and guardians meet the basic needs of their children. (8,35,52) In 2021, the government increased the CSG by 2.2 percent, and it provided an additional \$35 grant to unemployed South Africans, including those receiving the CSG. (2)
Foster Care Grants (FCG)†	Administered by the South African Social Security Administration. Provides monthly payments of approximately \$65 (R1050) to caretakers of foster children. (62) In 2021, the government increased the FCG by 2.2 percent, and provided an additional \$35 grant to unemployed South Africans, including those receiving the FSG. (2)
National School Nutrition Program†	Provides 1 or 2 meals, consisting of a protein, starch, and fruit or vegetable, every school day to about 9.5 million school children. As of 2020, 77 percent of public-school students received meals from this school feeding scheme. (35) Despite a July 2020 court decision ordering the National School Nutrition Program to continue food distributions during school closures during the pandemic, NGOs reported that some students still did not receive meals during 2021 school closures. In a July 2021 settlement, the High Court of South Africa ordered the Department of Basic Education and provincial education departments to formulate and implement revised plans to ensure that all qualifying learners receive a daily meal under the National School Nutrition Program. (63,64)
Social Relief of Distress†	Run by Department of Social Development and the South African Social Security Agency, provides temporary food parcels, food vouchers, or cash to people in dire material need. The program continued in 2021. (35,65)

† Program is funded by the Government of South Africa

Although South Africa has programs that target child poverty, the scope and reach of social programs are insufficient to address the child labor problem. (4,8) Sources also indicate that around 1.8 million eligible children are excluded from the Child Support Grant, due primarily to issues with birth registration and identification. (8,46,66)

### 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 – 2021
	Establish by law free basic public education.	2018 – 2021
Enforcement	Publish information on the numbers of labor inspections conducted at worksites and the number of child labor violations found.	2018 – 2021
	Ensure that sufficient resources are provided to the labor inspectorate to conduct inspections, including adequate protection and security when conducting labor inspections on private property.	2018 – 2021
	Ensure that criminal law enforcement officials are trained to properly identify victims of the worst forms of child labor and human trafficking.	2017 – 2021
	Ensure that the South African Police Service has sufficient resources to investigate all suspected cases of child trafficking and forced child labor.	2021
	Ensure that victim identification and referral mechanisms function effectively to provide services to survivors of child trafficking.	2021
	Publish criminal law enforcement data on the number of investigations, violations found, prosecutions, and convictions concerning the worst forms of child labor.	2021
Coordination	Ensure that all coordination bodies are active, include meaningful participation from relevant agencies, carry out their intended mandates.	2017 – 2021

# South Africa

## MODERATE ADVANCEMENT

**Table 11. Suggested Government Actions to Eliminate Child Labor (Cont.)**

Area	Suggested Action	Year(s) Suggested
Government Policies	Integrate child labor elimination and prevention strategies into the South African Education Action Plan and the National Development Plan.	2013 – 2021
	Include a timeframe and benchmarks in child labor policies to properly monitor and assess the progress of efforts to eliminate child labor.	2017 – 2021
Social Programs	Remove barriers to education by eliminating indirect costs, improving school infrastructure and sanitation, and ensuring accessibility for students with disabilities.	2009 – 2021
	Institute programs to address the worst forms of child labor, including in agriculture, domestic work, and commercial sexual exploitation.	2010 – 2021
	Ensure that parents and guardians of children who qualify for the Child Support Grant are able to access the program's application material.	2020 – 2021

## REFERENCES

- U.S. Embassy- Pretoria. Reporting. March 21, 2021.
- U.S. Consulate- Johannesburg. Reporting. February 4, 2022.
- U.S. Department of State. Trafficking in Persons Report- 2021: South Africa. Washington, D.C. July 1, 2021. <https://www.state.gov/reports/2021-trafficking-in-persons-report/south-africa/>
- Statistics South Africa. Survey of Activities of Young People, 2021. Government of South Africa. March 31, 2021. <http://www.statssa.gov.za/publications/P0212/P02122019.pdf>
- UNESCO Institute for Statistics. Gross intake ratio to the last grade of primary education, both sexes (%). Accessed March 3, 2022. For more information, please see "Children's Work and Education Statistics: Sources and Definitions" in the Reference Materials section of this report. <http://data.uis.unesco.org/>
- ILO. Analysis of Child Economic Activity and School Attendance Statistics from National Household or Child Labor Surveys. Original data from Survey of Activities of Young People (SAYP), 2019. Analysis Received March 2022. Please see "Children's Work and Education Statistics: Sources and Definitions" in the Reference Materials section of this report.
- Republic of South Africa, Department of Labour. Free State Labour Inspectors going beyond the call of duty in protecting vulnerable workers and eradicating child labour in the Vesselsbron and Allanridge farms. September 2, 2017. <https://www.gov.za/speeches/free-state-labour-inspectors-going-beyond-call-duty-protecting-vulnerable-workers-and>
- U.S. Consulate- Johannesburg. Reporting. January 27, 2021.
- ILO Committee of Experts. Direct Request concerning Worst Forms of Child Labour Convention, 1999 (No. 182)- South Africa (ratification: 2000). 2021. [https://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:13100:0::NO:PI3100\\_COMMENT\\_ID:4050140](https://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:13100:0::NO:PI3100_COMMENT_ID:4050140)
- U.S. Consulate- Johannesburg. Reporting. January 15, 2020.
- Government of South Africa, Department of Employment and Labour. Media Statement: Employment and Labour on Chinese nationals accused of human trafficking and child labour. April 29, 2021. <https://www.gov.za/speeches/employment-and-labour-chinese-nationals-accused-human-trafficking-and-child-labour-29-apr>
- Soobramoney, Viasen. Durban child-begging syndicate rakes in R2m per month. IOL. December 10, 2020. <https://www.iol.co.za/news/south-africa/kwazulu-natal/durban-child-begging-syndicate-rakes-in-r2m-per-month-d91aad08-6610-47d5-94d0-c2d473560788>
- Ramothwala, Peter. Teen used to hook girls into sex slavery. Sowetan, May 23, 2017. <https://www.sowetanlive.co.za/news/2017-05-23-teen-used-to-hook-girls-into-sex-slavery/>
- Radio 702. I don't feel like I'm still my mother's little girl – human trafficking survivor. March 14, 2017. <http://www.702.co.za/articles/248251/i-don-t-feel-like-i-m-still-my-mothers-little-girl-human-trafficking-survivor>
- TIMESLIVE. Brothers to appear in court on human trafficking and rape charges. November 1, 2017. <https://www.timeslive.co.za/news/south-africa/2017-11-01-brothers-to-appear-in-court-on-human-trafficking-and-rape-charges/>
- Fengu, Msindisi. Human trafficking: A terror run for her life. News24, July 23, 2017. <https://www.news24.com/SouthAfrica/News/human-trafficking-a-terror-run-for-her-life-20170723-2>
- Sunday Tribune. Lesotho boys trafficked to Cape. March 5, 2017. <https://www.iol.co.za/news/south-africa/lesotho-boys-trafficked-to-cape-town-says-ngo-8051082>
- ECPAT International. The landscape of sexual exploitation of Children in South Africa. Bangkok, Thailand. 2019. <https://ecpat.org/wp-content/uploads/2021/05/Landscape-of-Sexual-Exploitation-of-Children-in-South-Africa-ECPAT-research-October-2019.pdf>
- U.S. Embassy- Pretoria. Reporting. March 23, 2022.
- Oliver, Guy. Demobilising South Africa's 'Child Soldier' Gangs. The New Humanitarian, January 23, 2020. <https://www.thenewhumanitarian.org/news-feature/2020/01/23/South-Africa-gangs-child-soldiers-apartheid>
- Sofianos, Catherine. Under the Power of the Gun. The Mail and Guardian. January 10, 2021. <https://mg.co.za/news/2021-01-10-under-the-power-of-the-gun/>
- Global Initiative Against Transnational Organized Crime. Op-Ed: Gangs in Kenya and South Africa target children for recruitment during lockdown. September 14, 2020. <https://www.dailymaverick.co.za/article/2020-09-14-gangs-in-kenya-and-south-africa-target-children-for-recruitment-during-lockdown/>
- The Citizen. Pastor arrested for child pornography in Cape Town. September 9, 2017. <https://web.archive.org/web/20200207041856/https://citizen.co.za/news/south-africa/1646653/pastor-arrested-for-child-pornography-in-cape-town/>
- eNCA. Woman arrested for alleged role in human trafficking, child pornography. October 22, 2017. <https://www.enca.com/south-africa/woman-arrested-for-alleged-role-in-human-trafficking-child-pornography>
- News24. Child porn: Man sentenced to 8 years for 'abusing his position of trust.' September 1, 2020. <https://www.news24.com/news24/southafrica/news/child-porn-man-sentenced-to-8-years-for-abusing-his-position-of-trust-20200901>

- 26 Serra, Genevieve. Oudtshoorn man sentenced to seven years behind bars for 200 images of child porn." IOL. August 20, 2021.  
<https://www.iol.co.za/weekend-argus/news/oudtshoorn-man-sentenced-to-seven-years-behind-bars-for-200-images-of-child-porn-10935063-8cf2-4554-85c6-50f4f3686e76#:~:text=FILE-,Oudtshoorn man sentenced to seven years behind,200 images of child porn&text=Cape Town - An Oudtshoorn man,images found in his possession>
- 27 Masweneng, Kgaugelo. Human trafficking incidents have spiked during pandemic: John Jeffery. Sunday Times. September 10, 2021.  
<https://www.timeslive.co.za/news/south-africa/2021-09-10-human-trafficking-incidents-have-spiked-during-pandemic-john-jeffery/>
- 28 Government of South Africa. Constitution. Enacted: 1996.  
[https://www.constituteproject.org/constitution/South\\_Africa\\_2012.pdf?lang=en](https://www.constituteproject.org/constitution/South_Africa_2012.pdf?lang=en)
- 29 Republic of South Africa Department of Education. Amended National Norms and Standards for School Funding. No. 75. February 2, 2018.  
<https://www.naptosagp.org.za/index.php/docman/general-documents/817-amended-norms-and-standards-for-schools-funding-feb-2018/file>
- 30 Government of South Africa. South African Schools Act, No. 84 of 1996. Enacted: November 15, 1996.  
[https://www.gov.za/sites/default/files/gcis\\_document/201409/act84of1996.pdf](https://www.gov.za/sites/default/files/gcis_document/201409/act84of1996.pdf)
- 31 BusinessTech. A growing number of schools in South Africa have a real problem—unpaid fees. January 30, 2021.  
<https://businesstech.co.za/news/finance/463926/a-growing-number-of-schools-in-south-africa-have-a-real-problem-unpaid-fees/#:~:text=INSTALL-,A growing number of schools in South,a real problem – unpaid fees&text=Government>
- 32 Amnesty International. Broken and Unequal: The State of Education in South Africa. London, United Kingdom. February 11, 2020.  
<https://www.amnesty.org/en/documents/afri53/1705/2020/en/>
- 33 Human Rights Watch. South Africa: Children with Disabilities Shortchanged. May 24, 2019.  
<https://www.hrw.org/news/2019/05/24/south-africa-children-disabilities-shortchanged>
- 34 Mabuza, Ernest. Rights commission wants in on undocumented children court case. The Sunday Times. July 2, 2019.  
<https://www.timeslive.co.za/news/south-africa/2019-07-02-rights-commission-wants-in-on-undocumented-children-court-case/>
- 35 May, Julian, et al. South Africa Child Gauge 2020: Food and Nutrition Security. Child Institute: University of Cape Town.  
[http://www.ci.uct.ac.za/sites/default/files/image\\_tool/images/367/Child\\_Gauge/South\\_African\\_Child\\_Gauge\\_2020/ChildGauge\\_2020\\_lowres\\_18\\_02.pdf](http://www.ci.uct.ac.za/sites/default/files/image_tool/images/367/Child_Gauge/South_African_Child_Gauge_2020/ChildGauge_2020_lowres_18_02.pdf)
- 36 Ncube, Mxolisi. Why South Africa's Undocumented Teens Are Dropping Out of School. The New Humanitarian. March 7, 2018.  
<https://deeply.thenewhumanitarian.org/refugees/articles/2018/03/07/why-south-africas-undocumented-teens-are-dropping-out-of-school>
- 37 Eastern Cape High Court, Grahamstown. Centre for Child Law and Others v Minister of Basic Education and Others (2840/2017) [2019] ZAECHC 126; [2020] 1 All SA 711 (ECG); 2020 (3) SA 141 (ECG) (12 December 2019) December 12, 2019.  
<http://www.saflii.org/za/cases/ZAECHC/2019/126.html>
- 38 Government of South Africa. Basic Conditions of Employment Act, No. 75 of 1997. Enacted: December 5, 1997.  
[https://www.gov.za/sites/default/files/gcis\\_document/201409/a75-97.pdf](https://www.gov.za/sites/default/files/gcis_document/201409/a75-97.pdf)
- 39 Department of Labour, Republic of South Africa. Regulations on Hazardous Work by Children. Pretoria: Accessed August 7, 2018.  
[http://ilo.org/dyn/natlex/natlex4.detail?p\\_lang=en&p\\_isn=89779&p\\_country=ZAF&p\\_count=1061](http://ilo.org/dyn/natlex/natlex4.detail?p_lang=en&p_isn=89779&p_country=ZAF&p_count=1061)
- 40 Government of South Africa. Basic Conditions of Employment Act (75 of 1997): Regulations on Hazardous Work by Children in South Africa, No. 32862. Enacted: January 15, 2010.  
<http://www.polity.org.za/article/basic-conditions-of-employment-act-751997-regulations-on-hazardous-work-by-children-in-south-africa-gazette-no-32862-regulation-7-2010-01-28>
- 41 Government of South Africa. The Children's Amendment Act of 2007. Enacted: March 2008. Source on file.
- 42 Government of South Africa. Prevention and Combating of Trafficking in Persons Act, 2013. July 29, 2013.  
[https://www.gov.za/sites/default/files/gcis\\_document/201409/36715gon544.pdf](https://www.gov.za/sites/default/files/gcis_document/201409/36715gon544.pdf)
- 43 Government of South Africa. CRIMINAL LAW (SEXUAL OFFENCES AND RELATED MATTERS) AMENDMENT ACT 2007  
[https://www.saps.gov.za/resource\\_centre/acts/downloads/sexual\\_offences/sexual\\_offences\\_act32\\_2007\\_eng.pdf](https://www.saps.gov.za/resource_centre/acts/downloads/sexual_offences/sexual_offences_act32_2007_eng.pdf)
- 44 Government of South Africa. Defense Act 42 of 2002, No. 42. Enacted: February 2003.  
[https://www.un.org/depts/los/LEGISLATIONANDTREATIES/PDFFILES/ZAF\\_defence\\_act\\_2002.pdf](https://www.un.org/depts/los/LEGISLATIONANDTREATIES/PDFFILES/ZAF_defence_act_2002.pdf)
- 45 Republic of South Africa Department of Basic Education. Amended National Norms and Standards for School Funding. Pretoria, South Africa. August 31, 2006.  
<https://www.gov.za/documents/south-african-schools-act-national-norms-and-standards-school-funding-amendment>
- 46 U.S. Consulate- Johannesburg. Reporting. January 30, 2019.
- 47 Government of South Africa. Department of Labour - About Us. Last accessed online June 23, 2021.  
<http://www.labour.gov.za/About-Us/Pages/vision-and-mission.aspx>
- 48 Government of South Africa, Department of Labour. Enforcement Manual for Labour Inspectors. May 17, 2011.  
<https://www.yumpu.com/en/document/view/48892065/enforcement-manual-for-inspectors-department-of-labour>
- 49 Government of South Africa, Department of Labour. Child Labour: Programme of Action for South Africa: Phase 4: 2017–2021. Pretoria, Accessed June 17, 2018. Source on file.
- 50 Government of South Africa. South African Police Service Strategic Plan 2020–2025.  
[https://www.saps.gov.za/about/stratframework/strategic\\_plan/2020\\_2021/saps\\_strategic\\_plan\\_2020to2025.pdf](https://www.saps.gov.za/about/stratframework/strategic_plan/2020_2021/saps_strategic_plan_2020to2025.pdf)
- 51 Government of South Africa, South African Police Service. Annual Report 2017/2018. August 31, 2018.  
[https://www.saps.gov.za/about/stratframework/annual\\_report/2017\\_2018/saps\\_annual\\_report\\_2017\\_2018.pdf](https://www.saps.gov.za/about/stratframework/annual_report/2017_2018/saps_annual_report_2017_2018.pdf)
- 52 U.S. Consulate- Johannesburg. Reporting. January 16, 2018.
- 53 Government of South Africa. Children's Court Webpage Description. Last accessed online March 12, 2018.  
<https://www.justice.gov.za/vg/children.html>
- 54 Government of South Africa. National Prosecuting Authority Mandate. Last accessed online December 29, 2021.  
<https://www.npa.gov.za/npa-mandate>
- 55 U.S. Consulate- Johannesburg. E-mail communication with USDOL official. June 14, 2021.
- 56 Government of South Africa, Department of Employment and Labour. Employment and Labour on the court appearance of the seven Chinese nationals for alleged human trafficking and child labour. December 8, 2021.  
<https://www.gov.za/speeches/employment-and-labour-court-appearance-seven-chinese-nationals-alleged-human-trafficking>
- 57 U.S. Consulate- Johannesburg official. E-mail communication with USDOL official. May 11, 2022.
- 58 Government of South Africa, Department of Justice and Constitutional Development. Prevention and Combating of Trafficking in Persons National Policy Framework. Pretoria, April 10, 2019.  
<https://www.justice.gov.za/docs/other-docs/2019-TIP-NPF-10April2019.pdf>
- 59 U.S. Embassy- Pretoria. Reporting. February 14, 2020.
- 60 Government of South Africa. National Development Plan 2030. Pretoria, August 15, 2012.  
<https://www.gov.za/issues/national-development-plan-2030>

# South Africa

## MODERATE ADVANCEMENT

- 61 Government of South Africa, Department of Basic Education. Action Plan to 2024: Toward the Realisation of Schooling 2030. Pretoria. August 26, 2020.  
<https://www.education.gov.za/Portals/0/Documents/Publications/Sector plan 2019 15 Sep 2020.pdf?ver=2020-09-16-130709-860>
- 62 Government of South Africa. Foster Child Grant. Accessed December 30, 2021.  
<https://www.gov.za/services/child-care-social-benefits/foster-child-grant>
- 63 Section 27. July 2021 court order – revised plans for NSNP. July 21, 2021.  
<https://section27.org.za/2021/07/july-2021-revised-plans-for-nsnp/>
- 64 Pikoli, Zukiswa. Learning on Empty: A year later and pupils are still going hungry, despite court order to reinstate National School Nutrition Programme. The Daily Maverick. July 6, 2021.  
<https://www.dailymaverick.co.za/article/2021-07-06-a-year-later-and-pupils-are-still-going-hungry-despite-court-order-to-reinstate-national-school-nutrition-programme/>
- 65 Government of South Africa. Website-Social Relief of Distress. Accessed February 16, 2022.  
<https://www.gov.za/services/social-benefits/social-relief-distress>
- 66 Children's Institute, University of Cape Town. The Children's Institute Annual Report 2019. Cape Town, South Africa. 2019.  
[http://www.ci.uct.ac.za/sites/default/files/Children's Institute\\_Annual Report 2019.pdf](http://www.ci.uct.ac.za/sites/default/files/Children's%20Institute_Annual%20Report%202019.pdf)



## NO ADVANCEMENT – EFFORTS MADE BUT COMPLICIT IN FORCED CHILD LABOR

In 2021, 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 complicity in the use of forced child labor. Military forces continued to recruit children, sometimes forcibly, to fight opposition groups. Otherwise, the government made efforts by supporting the Justice for Children initiative, which refers victims of child labor to special courts that have judges who are trained on how to adjudicate cases involving minors. The South Sudan People's Defense Force also launched a mobile general martial court in Jonglei and Upper Nile to commence trials for 60 suspected perpetrators of crimes against civilians, including children. Furthermore, the Ministry of General Education and Instructions, in collaboration with the United Nations Children's Fund and the United States Agency for International Development, distributed 15,498 solar powered radio sets to 70,718 vulnerable school children that facilitated lesson access during the first quarter of the year while schools remained closed due to the COVID-19 pandemic. 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. (I-6) Table 1 provides key indicators on children's work and education in South Sudan.

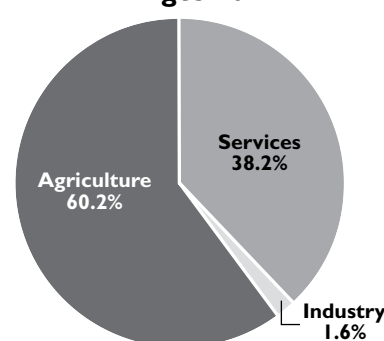
**Table 1. Statistics on Children's Work and Education**

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, 2022. (7)

Source for all other data: International Labor Organization's analysis of statistics from Fifth Housing and Population Census, 2008. (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	Farming activities (2,9)
	Cattle herding† (9)
	Gathering firewood (9)
Industry	Construction,† including building and transporting materials (10)
	Rock breaking† (9)

# South Sudan

## NO ADVANCEMENT – EFFORTS MADE BUT COMPLICIT IN FORCED CHILD LABOR

**Table 2. Overview of Children's Work by Sector and Activity (Cont.)**

Sector/Industry	Activity
Industry	Making bricks (9,11)
	Gold mining, <sup>†</sup> including carrying soil and panning (9,12,13)
Services	Domestic work (9)
	Street work, including vending, polishing shoes, delivery cart pulling, preparing tea, selling black market gasoline, and ticket taking for group transport companies (9,13)
	Working in hotels, restaurants and tea houses (2)
	Collecting scrap metal and empty bottles (10)
	Working in slaughterhouses, including transporting livestock and meat (10)
Categorical Worst Forms of Child Labor <sup>‡</sup>	Forced labor in brickmaking, cattle herding, gold mining, domestic servitude, and market vending (9,14)
	Commercial sexual exploitation, sometimes as a result of human trafficking (9,14,15)
	Forced recruitment of children by state and non-state armed groups for use in armed conflict (6,9,15)

<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.

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. (16,17) In 2020, signatories to the R-ARCSS agreed to extend a UN Action Plan to end and prevent all grave violations against children, including the recruitment and use of children in armed conflict, through August 2022. During the reporting period, this agreement has generally held, reducing the recruitment of children by armed groups and allowing representatives on the National Disarmament, Demobilization, and Reintegration Commission, which is the lead body for identifying child soldiers and children associated with armed forces and armed groups to secure their release and facilitate their reintegration into civilian life. (9,18) 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 2021. (4,6,19,20)

Since the onset of civil war in December 2013, government and opposition forces have recruited more than 19,000 children. (16,21) Many former child combatants have since been released or are no longer classified as children. (16,22) Although the number of grave violations continued to decline in the first half of 2021, reports indicate a significant increase toward the last half of the reporting period due to the escalation in conflicts between various armed groups in Tambura (Western Equatoria) and Yei (Central Equatoria). (3-5,23,24) During the reporting period, 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. (9,19,23,24) The UN Country Task Force on Monitoring and Reporting (CTFMR) verified the recruitment and use of 129 children between the ages of 12 and 17. Perpetrators also included a range of opposition groups, including forces loyal to General James Nando, forces loyal to General Moses Lokujo, the South Sudan National Police Service, the South Sudan Opposition Alliance, and the National Salvation Front. (23,24) In some instances, local commissioners are known to carry out recruitment drives on behalf of the state's National Security Services and the SSPDF. (14,19,25)

In Warrap, elements of South Sudan's National Security Services and SSPDF leverage 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 abduct children from their homes, schools, and communities. (16,19,22,26) Children affiliated with non-state armed groups perform active combat roles, perpetrate violence against civilians, and recruit other children. They also collect firewood, oversee checkpoints, and carry out other support roles, including as cooks, porters, spies, and bodyguards to senior officers. (14,27)

Children are subjected to rape and sexual slavery by armed elements; some are forced to serve as "wives" of commanders and members of armed groups. (9,28) This sexual exploitation has political and commercial elements because it is used as in-kind payment for fighters. (2) Reports indicate that persistent flooding, for the third consecutive year, and intercommunal conflict led to continued increase in child marriages and child labor

## NO ADVANCEMENT – EFFORTS MADE BUT COMPLICIT IN FORCED CHILD LABOR

during the reporting period. Poor families exchanged their young daughters for a bride price or as restitution following intercommunal conflict. (9) Reports further indicate that girls forced into marriages as compensation for interethnic killings may subsequently be subjected to sexual slavery or domestic servitude by their husbands and in-laws. (14)

An even greater number of children fight as part of local community defense forces. (21) Of the 10,000 children engaged in tending cattle throughout the country, many are sometimes used in armed cattle raids by other tribes. (9) 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. (2) Younger children tend to smaller livestock, and teenagers serve as auxiliaries for armed pastoralists or self-defense groups. (21,22) Among certain tribes, cattle raiding marks a rite of passage to adulthood. (21,22) Non-state groups often use children released from armed groups for cattle raiding or intercommunal violence once the children arrive back in their villages. (9)

As of December 2021, South Sudan hosted approximately 2 million IDPs, with 2.3 million South Sudanese refugees living in neighboring countries. These groups, including orphaned children, are at an increased risk of human trafficking and other forms of labor exploitation. (13,15) UNICEF has registered more than 26,000 unaccompanied minors since the onset of the conflict. These children are particularly vulnerable to abduction for forced labor or commercial sex. (25,26,29,30) South Sudan has never conducted a comprehensive child labor survey, so information about sectors in which child labor occurs is unavailable. (16)

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. (15) Children employed in hotels, restaurants, and construction are forced to work for little or no pay, and some are subjected to sex trafficking. (15) Girls in rural areas, meanwhile, who gather firewood or collect water are also 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. (9) An estimated 7,600 children are employed in mining, shops, and other work in the informal economy in Kapoeta. (2) 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. (2)

Ongoing fighting hindered the government's ability to deliver aid, provide education, and address the worst forms of child labor. (9,16,27) 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. The government does not enforce school attendance, and the majority of children have left school before age 13. (13,25,27,28) 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. (9) Reports indicate that since March 2020, when schools closed due to the pandemic, most schools in the country have yet to re-open. (9) Furthermore, many children are not able to attend school, because their parents cannot afford to pay unauthorized fees that schools and government officials demand. (9) Although these fees are unlawful, the government lacks the capacity to address the issue, and often perpetrates it. This practice disproportionately impacts girls, because families with multiple children, who cannot afford to pay additional fees to cover all children, prioritize educating sons. Underage marriage also prevents girls from attending school. (9)

South Sudan's education sector is chronically underfunded. Public school teachers are paid sporadically, leading to low morale and frequent absenteeism. (2,16) Teacher salaries remain unpaid, contributing to high teacher attrition. (9,13) In addition, ongoing military operations in conflict-affected areas have forced teachers to flee. Armed groups, including government forces, continue to occupy schools in contested areas, although school occupations have decreased significantly in recent years. (2,16) In 2021, armed groups occupied 14 schools and 1 hospital. SSPDF forces occupied schools in Yei, Central Equatoria and Nimule, Eastern Equatoria. (9)

# South Sudan




## NO ADVANCEMENT – EFFORTS MADE BUT COMPLICIT IN FORCED CHILD LABOR

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. (25,27,31) In addition, children in pastoralist communities generally lack access to schools, materials, or teachers. (21)

## 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	

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 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	14	Section 12 of the Labor Act; Article 25(3) of the Child Act (32,33)
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 (32,33)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Article 25(2) of the Child Act (32)
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 (33–35)
Prohibition of Child Trafficking	Yes		Article 13(2) of the Labor Act; Articles 22(3)(b), 119 and 120 of the Child Act; Articles 276 and 278–282 of the Penal Code (32–34)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Article 13(2)(b) of the Labor Act; Articles 22(3)(c), 22(3)(d), 22(4), and 25(2)(m) of the Child Act; Article 276 of the Penal Code (32–34)
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 (32–34)
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 (32,36)
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 (32,36)
Prohibition of Military Recruitment by Non-state Armed Groups	Yes		Articles 31(1), 31(2), and 32 of the Child Act (32)
Compulsory Education Age	No	13	Article 9.1(b) of the General Education Act; Article 14(1) of the Child Act (32,37)
Free Public Education	Yes		Article 6(a) of the General Education Act; Article 13(4)(b) of the Labor Code; Article 14(1) of the Child Act; Article 29.2 of the Constitution (32,33,35,37)

## NO ADVANCEMENT – EFFORTS MADE BUT COMPLICIT IN FORCED CHILD LABOR

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) is responsible for issuing 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 and 17 may perform hazardous work, and a complete list of hazardous work. (1,33) Drafting regulations will require cooperation between MOL and the Ministry of Justice. (16)

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. (6,32,33)

### III. ENFORCEMENT OF LAWS ON CHILD LABOR

The government has established institutional mechanisms for the enforcement of laws and regulations on child labor (Table 5). However, the absence of worksite inspections conducted at the national level in South Sudan may impede the enforcement of child labor laws.

**Table 5. Agencies Responsible for Child Labor Law Enforcement**

Organization/Agency	Role
Ministry of Labor, Public Service and Human Resource Development (MOL)	Enforces child labor laws, identifies child labor violations, and conducts workplace inspections. (9,16,32,33)
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. (16)
Ministry of Interior's South Sudan National Police Services	Enforce criminal laws related to the worst forms of child labor. (9)
Ministry of Justice (MOJ)	Oversees all courts and prosecutes violations, including those related to child labor. (9)

In 2021, the Ministry of Justice assisted with a UNICEF-funded initiative in South Sudan named Justice for Children. This initiative refers victims of child labor to special courts in which judges are trained on how to adjudicate cases involving minors. (9)

### Labor Law Enforcement

In 2021, the absence of worksite inspections conducted at the national level in South Sudan may have impeded the enforcement of child labor laws (Table 6).

**Table 6. Labor Law Enforcement Efforts Related to Child Labor**

Overview of Labor Law Enforcement	2020	2021
Labor Inspectorate Funding	\$68,138 (2)	Unknown
Number of Labor Inspectors	14 (2)	12 (9)
Mechanism to Assess Civil Penalties	No (33)	No (33)
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)	No (9)
Number of Labor Inspections Conducted	39 (2)	0 (9)
Number Conducted at Worksite	39 (2)	0 (9)
Number of Child Labor Violations Found	0 (2)	0 (9)
Number of Child Labor Violations for Which Penalties Were Imposed	N/A (2)	Unknown (9)
Number of Child Labor Penalties Imposed that Were Collected	N/A (2)	Unknown (9)
Routine Inspections Conducted	Yes (2)	No (9)
Routine Inspections Targeted	No (2)	No (9)
Unannounced Inspections Permitted	Yes (33)	Yes (33)
Unannounced Inspections Conducted	Yes (2)	No (9)
Complaint Mechanism Exists	Yes (2)	Yes (9)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (2)	Yes (9)



# South Sudan

## NO ADVANCEMENT – EFFORTS MADE BUT COMPLICIT IN FORCED CHILD LABOR

During the reporting period, the Ministry of Finance and Planning did not provide any regular funding to the MOL for activities. The Ministry 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. (9) The MOL divides the revenue from work permit fees between the five directorates within the Ministry to pay for basic necessities such as utilities and some salaries, as well as additional payments for employees. However, since the MOL stopped conducting labor inspections at the beginning of the pandemic in 2020, it lost the labor-law violation revenue stream and was unable to resume inspections in 2021 due to lack of funding. (9)

In addition, the MOL lacked sufficient resources, including vehicles, to investigate labor complaints, including allegations of child labor. (1,38) There is 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. (1,16)

In 2021, labor inspectors were trained on the application of existing labor laws. (9) While labor inspectors in South Sudan cannot assess penalties, they are authorized to issue citations; however, regulations do not specify monetary penalties for infractions. Labor inspectors can also refer cases to the police and any violations to the Labor Act, including child labor violations, can carry criminal penalties, including imprisonment of up to 5 years. (9,33) Furthermore, although statistics on the number of people in South Sudan's labor force are unavailable, 12 labor inspectors is likely insufficient to address the scope of the country's child labor problem. (6,39)

### **Criminal Law Enforcement**

In 2021, criminal law enforcement agencies in South Sudan took actions to address child labor (Table 7). However, gaps exist within the operations of criminal law enforcement agencies 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	2020	2021
Initial Training for New Criminal Investigators	No (2)	No (9)
Training on New Laws Related to the Worst Forms of Child Labor	N/A (2)	N/A (9)
Refresher Courses Provided	No (2)	No (9)
Number of Investigations	Unknown (2)	1 (9)
Number of Violations Found	82 (2)	129 (9,24)
Number of Prosecutions Initiated	0 (2)	0 (9)
Number of Convictions	0 (2)	0 (9)
Imposed Penalties for Violations Related to the Worst Forms of Child Labor	No (2)	No (9)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (2)	Yes (9)

During the reporting period, the government initiated an investigation of a potential human trafficking case involving youths from Kapoeta, Eastern Equatoria State being trafficked to Uganda. (6)

The first Gender-Based Violence and Juvenile Court was inaugurated in 2020. This specialized court provides dedicated and expedited trials of gender-based violence and juvenile cases, including labor and commercial sexual exploitation. (15) However, the existing five Justice for Children courts in South Sudan have not been staffed due to underfunding. (9)

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 2021. (40) Furthermore, 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.

In 2021, reports indicate that the CTFMR and South Sudan Disarmament, Demobilization, and Reintegration Commission (NDDRC) and partners helped secure the release of seven children from armed groups. (9) The

## NO ADVANCEMENT – EFFORTS MADE BUT COMPLICIT IN FORCED CHILD LABOR

SSPDF and SPLA-IO forces released 44 children between February 2020 and February 2021. 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. (14,41,42)

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. (14,43) Reports indicate that prosecutors and law enforcement officials are not familiar with legal statutes regarding the worst forms of child labor. (1,14) As a result, police continue to arrest and imprison children engaged in commercial sexual exploitation rather than treating them as victims. (14)

### IV. COORDINATION OF GOVERNMENT EFFORTS ON CHILD LABOR

The government has established mechanisms to coordinate its efforts to address child labor (Table 8). However, gaps exist that hinder the effective coordination of efforts to address child labor, including a lack of 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 process of ratifying the Palermo Protocol and policy development on anti-trafficking and smuggling of migrants. Members include the Ministry of Justice (co-chair), Ministry of Interior (co-chair), the National Security Service – Internal Security Bureau, MOL, and the Ministry of Child, Gender, and Social Welfare. (44) The government did not allocate a budget for the task force or for other anti-trafficking activities in the 2021–2022 budget. (9)
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. (45) 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). (16) Responsible for the negotiation of the release, screening, and registration of child soldiers; reunification with family when possible; and educational placement or vocational training. (41) In the context of child soldiers, the NDDRC, 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 them with vocational training, and otherwise assist in their reintegration into civilian life. 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, which was signed on February 7, 2020, by all parties to R-ARCSS. (2,9) In 2021, NDDRC oversaw demobilization ceremonies resulting in the release and reintegration of seven children and implemented the Comprehensive Action Plan by establishing Child Protection State Technical Committees in all states. (9) Although the government allocated funds to NDDRC in the 2021–2022 budget, NDDRC never received these funds because the government failed to pass the budget before the end of December 2021. (9)
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 SSPDF. (16,44,46) Under this framework, UNICEF has 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. (47) CTFMR's Joint Verification Committee consists of SSPDF, SPLA-IO, SSOA, the Taban Deng-allied SSPDF, NDDRC, UNMISS, and UNICEF. (48) During the reporting period, the committee conducted 2 capacity-building trainings on the implementation of the Comprehensive Action Plan for 60 senior military officers and all division commanders from all parties to R-ARCSS. (4) Furthermore, 13 knowledge and skills-based trainings were provided to 526 members of security forces, including SSPDF, the South Sudan National Police Service, the National Security Service, and SPLA-IO. (23)
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. (49) 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. (16,50) CTSAMVM provided general support for the disarmament and demobilization process during the reporting period. (13)
Ministry of Gender, Child, and Social Welfare (MGCSW)	Coordinates activities on children's rights and acts as the focal ministry for child protection. (16) MOL refers victims of the most egregious child labor violations to MGCSW for rehabilitation and support services. (2) However, as no violations were uncovered, no victims were referred during the reporting period. (9)

# South Sudan

## NO ADVANCEMENT – EFFORTS MADE BUT COMPLICIT IN FORCED CHILD LABOR

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. (9) 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. (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 insufficient funding.

**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. (17,51) 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. (17) Although the release of some children occurred in 2021, signatories continued to recruit or re-recruit children during the reporting period. (9)
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. However, South Sudan's education sector is largely donor-subsidized, and the government did not allocate sufficient funding for the full 5-year period of the General Education Strategic Plan. (1,52) The Ministry of Education committed to funding capitation grants for primary schools but has not followed through on its commitment. (13) In 2021, UNICEF, in collaboration with the Ministry of General Education and Instructions (MoGEI), distributed 15,498 solar powered radio sets to 70,718 vulnerable school children. (9,53) The sets facilitated lesson access provided through local radio stations during the first quarter of the year while schools remained closed due to the pandemic. In addition, the USAID-supported Education Cannot Wait and Global Partnership for Education distributed school supplies, including kits for early childhood development, recreation, and for students, as well as bars of soaps and buckets to 1,825 schools during the reporting period. (53)
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 came into force under the February 2020 transitional government. (2,18) Parties to the commitment include SSPDF and Riek Machar's SPLA-IO, both of which were listed for child recruitment and use in armed conflict, as well as SSOA. (18) This document contains a list of concrete steps meant to "halt and prevent the violations against children in situations of armed conflict." (2,18) In line with the plan, SSPDF launched a mobile general martial court in Jonglei and Upper Nile states to commence trials for 60 suspected perpetrators of crimes against civilians, including children. Moreover, the Plan's first implementation report was submitted by the National Technical Committee to the High Level Interministerial committee. (5) R-ARCSS signatories agreed to extend the plan through August 2022. (9)

### VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2021, 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 inadequacy to address the problem in all sectors.

## NO ADVANCEMENT – EFFORTS MADE BUT COMPLICIT IN FORCED CHILD LABOR

**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. (54-56) The Partnership for Recovery and Resilience was inaugurated in Yambio in 2018, and programs in Torit, Wau, and Aweil were launched in 2019. (57) Held a virtual conference in 2021 entitled “Communities responding to COVID-19 in complex shock environments.” (58)
UNICEF and Donor-Funded Programs	During the reporting period, UNICEF provided training in Juba, Bor, and Weil on the 2017 Labor Act and the 2008 Child Act for police, MOJ officials, and judges assigned to the juvenile courts. This was the first training ever for some of the officials who had handled these issues for years. (9) UNICEF also helped Government of South Sudan officials develop further training guidelines. (9) Between January and November 2021, UNICEF and partners reached 66,349 children with psychosocial support activities in child-friendly spaces, schools, and communities. (59) In Unity State, UNICEF supported the reopening of 24 schools in Panyijiar, Leer, Guit, Mayendit, and Rubkhona that had been closed due to flooding. UNICEF also distributed essential learning materials to 6,234 children, including provision of 7 emergency tents to allow children to resume learning. (59)
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 addressing the use of children in armed conflict through behavior change. (12) Research was unable to determine whether activities were undertaken to implement the Dallaire Initiative during the reporting period.
Alternative Education System	Aims to improve literacy and provide out-of-school populations an alternative to formal education. (52) Includes the Accelerated Learning Program, which implements the MoGEI program primarily targeting children ages 13 to 17 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. (52) Research was unable to determine whether activities were undertaken to implement the Alternative Education System during the reporting period.
Measurement, Awareness Raising, and Policy Engagement (MAP 16) Project on Child Labor and Forced Labor (2016–2022)	Funded by USDOL and implemented by 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 addressing child labor, forced labor, and human trafficking. (60) The project likewise supports regional and sub-regional initiatives to eradicate child labor and forced labor in Africa. (60,61) Completed work on a three-country study of forced child labor in conflict zones, including South Sudan, which was published in 2021. (61) Additional information is available on the USDOL website.

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. (1,25,55,62)

## VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE CHILD LABOR

Based on the reporting above, suggested actions are identified that would advance the elimination of child labor in South Sudan (Table 11).

**Table 11. Suggested Government Actions to Eliminate Child Labor**

Area	Suggested Action	Year(s) Suggested
Legal Framework	Ratify the Palermo Protocol on Trafficking in Persons.	2013 – 2021
	Raise the compulsory education age to the minimum age for work.	2013 – 2021
	Ensure that the Ministry of Labor drafts and issues regulations to implement key elements related to child labor, including the number of hours and conditions for light work.	2020 – 2021
Enforcement	Ensure that the labor inspectorate is sufficiently funded to be able to investigate labor complaints, including allegations of child labor, and to resume labor inspections, including inspections targeting sectors where child labor is known to occur.	2021
	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 – 2021
	Publish data related to labor law enforcement, including the amount of funding provided for the labor inspectorate, whether refresher courses were provided to labor inspectors, the number of child labor violations for which penalties were imposed and collected, and whether routine or targeted inspections were conducted.	2012 – 2021

# South Sudan

## NO ADVANCEMENT – EFFORTS MADE BUT COMPLICIT IN FORCED CHILD LABOR

**Table 11. Suggested Government Actions to Eliminate Child Labor (Cont.)**

Area	Suggested Action	Year(s) Suggested
Enforcement	End state recruitment and use of children in armed conflict, including forced recruitment of children by state and non-state armed groups.	2020 – 2021
	Ensure that initial training and refresher courses are provided to criminal investigators and that penalties for violations related to the worst forms of child labor are imposed.	2015 – 2021
	Investigate, prosecute, and impose penalties on perpetrators, including government officials, who recruit or use children in armed conflict.	2013 – 2021
	Establish a mechanism to assess penalties.	2020 – 2021
	Ensure that labor regulations specify monetary penalties for all labor infractions, and that specified penalties are high enough to serve as a deterrent.	2019 – 2021
	Establish referral mechanisms for victims of the worst forms of child labor, including forced labor and commercial sexual exploitation.	2014 – 2021
	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 – 2021
	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 – 2021
Coordination	Establish coordinating mechanisms to address all worst forms of child labor, and ensure that mandates are clearly defined.	2013 – 2021
	Ensure that the Technical Task Force on Anti-Human Trafficking and the South Sudan Disarmament, Demobilization, and Reintegration Commission are funded.	2020 – 2021
	Ensure the South Sudan Disarmament, Demobilization, and Reintegration Commission receives its allocated funds by passing the budget on time.	2021
	Ensure that the Ceasefire and Transitional Security Arrangements Monitoring and Verification Mechanism is active during the reporting period.	2021
Government Policies	Ensure that the General Education Strategic Plan is adequately funded.	2012 – 2021
	Ensure that signatories of the Revitalized Agreement on the Resolution of the Conflict in the Republic of South Sudan do not continue to recruit or re-recruit children as per the Resolution.	2021
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 – 2021
	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 – 2021
	Improve access to education by addressing the lack of school infrastructure, including for pastoralist children.	2012 – 2021
	Ensure that activities are undertaken to implement the Dallaire Initiative and the Alternative Education System.	2021
	Increase the scope of social programs to reach more children at risk of child labor, including in commercial sexual exploitation and child soldiering.	2012 – 2021
	Continue to 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 – 2021

### REFERENCES

- 1 U.S. Embassy- Juba. Reporting. January 14, 2019.
- 2 U.S. Embassy- Juba. Reporting. January 14, 2021.
- 3 UN. Reporting. January-March 2021. Source on file.
- 4 UN. Reporting. July-September 2021. Source on file.
- 5 UN. Reporting. April-June 2021. Source on file.
- 6 U.S. Embassy- Juba. Reporting. January 28, 2022.
- 7 UNESCO Institute for Statistics. Gross intake ratio to the last grade of primary education, both sexes (%). Accessed March 3, 2022. For more information, please see the "Children's Work and Education Statistics: Sources and Definitions" in the Reference Materials section of this report. <http://data.uis.unesco.org/>
- 8 ILO. Analysis of Child Economic Activity and School Attendance Statistics from National Household or Child Labor Surveys. Original data from Fifth Housing and Population Census, 2008. Analysis received March 2022. Please see "Children's Work and Education Statistics: Sources and Definitions" in the Reference Materials section of this report.
- 9 U.S. Embassy- Juba. Reporting. January 13, 2022.
- 10 U.S. Embassy- Juba official. E-mail communication to USDOL official. February 20, 2019.
- 11 Gliński, Stefanie. In South Sudan, civil war drives more children onto the streets, into work. February 13, 2018. <http://news.trust.org/item/20180213100021-ctxmr/>



## NO ADVANCEMENT – EFFORTS MADE BUT COMPLICIT IN FORCED CHILD LABOR

- 12 Mednick, Sam. In South Sudan, some children work in mines to survive. Associated Press, September 12, 2018. <https://apnews.com/1bf0475f053344859b9217ae3a979d51/In-South-Sudan,-some-children-work-in-mines-to-survive>
- 13 U.S. Embassy- Juba. E-mail from Post. June 15, 2022.
- 14 U.S. Department of State. Trafficking in Persons Report- 2021: South Sudan. Washington, D.C., July 2021. <https://www.state.gov/reports/2021-trafficking-in-persons-report/south-sudan/>
- 15 U.S. Embassy- Juba. Reporting. February 11, 2021.
- 16 U.S. Embassy- Juba. Reporting. January 10, 2020.
- 17 Intergovernmental Authority on Development. Revitalised Agreement on the Resolution of the Conflict in the Republic of South Sudan (R-ARCSS). Addis Ababa, September 12, 2018. <http://web.archive.org/web/20220309224156/https://igad.int/programs/115-south-sudan-office/1950-signed-revitalized-agreement-on-the-resolution-of-the-conflict-in-south-sudan>
- 18 United Nations Office of the Special Representative of the Secretary-General for Children and Armed Conflict. South Sudan: Comprehensive Action Plan to End & Prevent All Grave Violations Against Children Signed by Government. February 7, 2020. <https://childrenandarmedconflict.un.org/2020/02/south-sudan-comprehensive-action-plan-to-end-prevent-all-grave-violations-against-children-signed-by-government/>
- 19 UN Human Rights Council. Report of the Commission on Human Rights in South Sudan (A/HRC/43/56). February 20, 2020. [https://www.ohchr.org/Documents/HRBodies/HRCouncil/CoHRSouthSudan/A\\_HRC\\_43\\_56.docx](https://www.ohchr.org/Documents/HRBodies/HRCouncil/CoHRSouthSudan/A_HRC_43_56.docx)
- 20 UN Security Council. Letter dated 28 April 2020 from the Panel of Experts on South Sudan addressed to the President of the Security Council (S/2020/342). April 28, 2020. [https://www.securitycouncilreport.org/atf/cf/{65BFCF9B-6D27-4E9C-8CD3-CF6E4FF96FF9}/S\\_2020\\_342.pdf](https://www.securitycouncilreport.org/atf/cf/{65BFCF9B-6D27-4E9C-8CD3-CF6E4FF96FF9}/S_2020_342.pdf)
- 21 Manyok, Phillip. Cattle Rustling and Its Effects among Three Communities (Dinka, Mursi and Nuer) in Jonglei State, South Sudan. Doctoral dissertation. Nova Southeastern University. Retrieved from NSUWorks, College of Arts, Humanities and Social Sciences –Department of Conflict Resolution Studies. 2017. [https://nsuworks.nova.edu/cgi/viewcontent.cgi?article=1056&context=shss\\_dcar\\_etd](https://nsuworks.nova.edu/cgi/viewcontent.cgi?article=1056&context=shss_dcar_etd)
- 22 The Global Protection Cluster. Protection Advocacy Note to HCT: Cattle Related Violence. May 2019. [https://www.globalprotectioncluster.org/wp-content/uploads/Cattle-raiding-Protection-cluster\\_May-2019.pdf](https://www.globalprotectioncluster.org/wp-content/uploads/Cattle-raiding-Protection-cluster_May-2019.pdf)
- 23 UN. Reporting. October-December 2021. Source on file.
- 24 UN. Secretary-General Annual Report on Children and Armed Conflict. June 23, 2022. <https://documents-dds-ny.un.org/doc/UNDOC/GEN/N22/344/71/PDF/N2234471.pdf?OpenElement>
- 25 UN General Assembly. Report of the Commission on Human Rights in South Sudan. February 18, 2019: A/HRC/40/69. <https://reliefweb.int/report/south-sudan/report-commission-human-rights-south-sudan-ahrc4069>
- 26 United Nations Office for the Coordination of Humanitarian Affairs. Humanitarian Needs Overview: South Sudan. January 26, 2021. [https://www.humanitarianresponse.info/sites/www.humanitarianresponse.info/files/documents/files/south\\_sudan\\_2021\\_humanitarian\\_needs\\_overview.pdf](https://www.humanitarianresponse.info/sites/www.humanitarianresponse.info/files/documents/files/south_sudan_2021_humanitarian_needs_overview.pdf)
- 27 UNESCO. Global Initiative on Out-of-School Children: South Sudan Country Study. May 2018. <https://unesdoc.unesco.org/ark:/48223/pf0000265399>
- 28 The Roméo Dallaire Child Soldiers Initiative. South Sudan Country Report: Children & Security. April 3, 2018. <https://www.ecoi.net/en/document/2026865.html>
- 29 UN Security Council. Children and armed conflict in South Sudan Report of the Secretary General. S/2018/865. September 25, 2018. <https://reliefweb.int/sites/reliefweb.int/files/resources/N1829924.pdf>
- 30 U.S. Department of State. Trafficking in Persons Report- 2019: South Sudan. Washington, D.C., June 19, 2019. <https://ss.usembassy.gov/trafficking-in-persons-report-2019-south-sudan/>
- 31 Buchanan, Elysia. Born to be Married: Addressing child, early and forced marriage in Nyal South Sudan. Juba, South Sudan: Oxfam, February 2019. [https://cng-cdn.oxfam.org/heca.oxfam.org/s3fs-public/file\\_attachments/Born-to-be-Married-Child-Marriage-in-South-Sudan.pdf](https://cng-cdn.oxfam.org/heca.oxfam.org/s3fs-public/file_attachments/Born-to-be-Married-Child-Marriage-in-South-Sudan.pdf)
- 32 Government of the Republic of South Sudan. The Child Act 2008/Act No. 10. Enacted: February 10, 2009. [http://www.ilo.org/dyn/natlex/natlex4.detail?p\\_lang=&p\\_isn=83470&p\\_country=SSD&p\\_count=20](http://www.ilo.org/dyn/natlex/natlex4.detail?p_lang=&p_isn=83470&p_country=SSD&p_count=20)
- 33 Government of the Republic of South Sudan. Labour Act, 2017/Act No. 64. Enacted: October 24, 2017. Source on file.
- 34 Government of the Republic of South Sudan. The Penal Code Act. Enacted: February 10, 2009. Source on file.
- 35 Government of the Republic of South Sudan. The Transitional Constitution of the Republic of South Sudan, 2011. Enacted: 2011. <http://web.archive.org/web/20180211232836/http://www.gurtong.net/ECM/Editorial/tabid/124/ctl/ArticleView/mid/519/articleId/5133/The-Transitional-Constitution-Of-The-Republic-Of-South-Sudan-2011.aspx>
- 36 Government of the Republic of South Sudan. The Sudan People's Liberation Army Act, 2009. Enacted: 2009. <http://www.ilo.org/dyn/natlex/docs/MONOGRAPH/98164/116700/FI105592601/SSD98164.pdf>
- 37 Government of the Republic of South Sudan. General Education Act, 2012/Act No. 30. Enacted: 2012. Source on file.
- 38 U.S. Department of State. Country Reports on Human Rights Practices- 2020: South Sudan. Washington, D.C., March 30, 2021. <https://www.state.gov/reports/2020-country-reports-on-human-rights-practices/south-sudan/>
- 39 ILO. Strategies and practice for labour inspection. November 2006. Please see "Labor Law Enforcement: Sources and Definitions" in the Reference Materials section of this report. <http://www.ilo.org/public/english/standards/relm/gb/docs/gb297/pdf/esp-3.pdf>
- 40 UNICEF Country Office Annual Report 2021: South Sudan. 2021. <https://www.unicef.org/media/116406/file/South-Sudan-2021-COAR.pdf>
- 41 U.S. Embassy- Juba. Reporting. February 22, 2019.
- 42 UN MISS. South Sudan to Implement Zero Tolerance for Children in Army. October 1, 2013. <https://unmiss.unmissions.org/south-sudan-implement-zero-tolerance-children-army>
- 43 GAN Integrity: Risk and Compliance Portal. South Sudan Corruption Report. August 2020. <https://www.ganintegrity.com/portal/country-profiles/south-sudan/>
- 44 U.S. Embassy- Juba. Reporting. February 10, 2020.
- 45 Lamb, Guy and Theo Stainer. The Conundrum of DDR Coordination: The Case of South Sudan. February 8, 2018. <https://www.stabilityjournal.org/articles/10.5334/sta.628>
- 46 UN Reporting. October-December, 2019. Source on file.
- 47 U.S. Embassy- Juba. Reporting. December 9, 2019.
- 48 UN Security Council. Children and armed conflict: Report of the Secretary-General. June 9, 2020. [https://www.un.org/sg/sites/www.un.org.sg/files/atoms/files/15-June-2020\\_Secretary-General\\_Report\\_on\\_CAAC\\_Eng.pdf](https://www.un.org/sg/sites/www.un.org.sg/files/atoms/files/15-June-2020_Secretary-General_Report_on_CAAC_Eng.pdf)
- 49 CTSAMVM South Sudan. Ceasefire and Transitional Security Arrangements Monitoring Mechanism in South Sudan (CTSAMVM): Compositions and Functions. 2020. <https://ctsamvm.org/composition-functions/>

# South Sudan

## NO ADVANCEMENT – EFFORTS MADE BUT COMPLICIT IN FORCED CHILD LABOR

- 50 Ceasefire & Transitional Security Arrangements Monitoring Mechanism (CTSAMM). Child Soldiers Report 2018/02. January 15, 2018. <https://web.archive.org/web/20180913120753/http://ctsamm.org/wp-content/uploads/2018/01/CTSAMM-REPORT-201802-CHILD-SOLDIERS.pdf>
- 51 Intergovernmental Authority on Development. Agreement on Cessation of Hostilities, Protection of Civilians and Humanitarian Access. December 21, 2017. [http://web.archive.org/web/20220302153926/https://igad.int/attachments/article/1731/1712\\_21\\_Signed\\_CoH\\_Agreement.pdf](http://web.archive.org/web/20220302153926/https://igad.int/attachments/article/1731/1712_21_Signed_CoH_Agreement.pdf)
- 52 GOSS, Ministry of General Education and Instruction. The General Education Strategic Plan, 2017–2022. May 2017. <https://www.globalpartnership.org/content/general-education-strategic-plan-2017-2022-south-sudan>
- 53 UNICEF. South Sudan Humanitarian Situation Report No. 158. January to June 2021. [https://www.unicef.org/southsudan/media/8241/file/UNICEF South Sudan Humanitarian Situation Report No.158 - I January to 30 June 2021.pdf.pdf](https://www.unicef.org/southsudan/media/8241/file/UNICEF_South_Sudan_Humanitarian_Situation_Report_No.158_-_1_January_to_30_June_2021.pdf.pdf)
- 54 UN Mission in South Sudan (UNMISS). Violations and Abuses Against Civilians in Gbudue and Tambura States (Western Equatoria) April–August 2018. October 18, 2018. <https://www.ohchr.org/Documents/Countries/SS/ReportWesternEquatoria17Oct2018.pdf>
- 55 UNICEF. More children released from South Sudanese armed groups. August 7, 2018. <https://www.unicef.org/press-releases/more-children-released-south-sudanese-armed-groups-unicef>
- 56 Logo, Janet Maya. Partnership for Recovery and Resilience launched in Yambio. October 12, 2018. <https://ss.one.un.org/partnership-for-recovery-and-resilience-launched-in-yambio.html>
- 57 Partnership for Recovery and Resilience in South Sudan. Annual Learning Forum 2019. December 2019. <https://www.southsudanpfr.org/news/annual-learning-forum-2019>
- 58 The Partnership for Recovery and Resilience. 2021. <http://alf.southsudanpfr.org/>
- 59 UNICEF South Sudan Country Office. Humanitarian Situation Report No. 163. November 2021. <https://www.unicef.org/media/113976/file/South-Sudan-Humanitarian-SitRep-November-2021.pdf>
- 60 ILO. Measurement, Awareness-Raising, and Policy Engagement (MAP 16) Project on Child Labor and Forced Labor Project Description. 2016. <https://www.dol.gov/agencies/ilab/projects/MAP16>
- 61 ILO. MAP 16 Technical Progress Report. October 2018. Source on file.
- 62 Child Soldiers International. Annual Report 2017–18. September 2018. <https://reliefweb.int/report/world/child-soldiers-international-annual-report-2017-18>

In 2021, Sri Lanka made moderate advancement in efforts to eliminate the worst forms of child labor. The government amended the hazardous occupations list by expanding it to include domestic labor, and amended the Minimum Wages Ordinance, the Shop and Office Employees' Act, and the Employment of Women, Young Persons and Children Act to raise the minimum age of employment from 14 to 16 years. The government also prioritized the fisheries and plantation sectors for awareness activities, conducting various trainings and other awareness-raising programs regarding eliminating child labor. In addition, it prepared a National Strategic Action Plan to Monitor and Combat Human Trafficking (2021–2025) and released a Standard Operating Procedure on the Identification, Protection, and Referral of Child Victims of Trafficking in English, Sinhala, and Tamil in partnership with an NGO. However, children in Sri Lanka are subjected to the worst forms of child labor, including in commercial sexual exploitation, sometimes as a result of human trafficking, and forced domestic work. Although the government made meaningful efforts in all relevant areas during the reporting period, it did not impose criminal penalties for violations related to the worst forms of child labor or publish data on its efforts to address child labor crimes. Research indicates 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. Furthermore, the labor inspectorate lacked sufficient staffing or funding to carry out inspections, especially inspections of factories in the northern and eastern provinces.



## I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Sri Lanka are subjected to the worst forms of child labor, including in commercial sexual exploitation, sometimes as a result of human trafficking, and forced domestic work. (I-5) Table I provides key indicators on children's work and education in Sri Lanka.

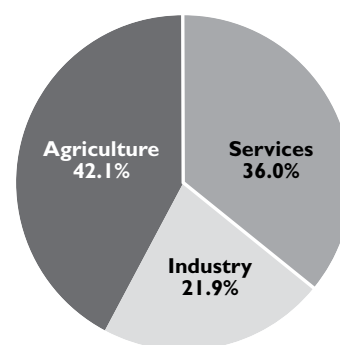
**Table I. Statistics on Children's Work and Education**

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 (%)		99.3

Source for primary completion rate: Data from 2019, published by UNESCO Institute for Statistics, 2022. (6)

Source for all other data: International Labor Organization's analysis of statistics from Child Activity Survey (CAS), 2016. (7)

**Figure I. Working Children by Sector, Ages 5-14**



Based on a review of available information, Table 2 provides an overview of children's work by sector and activity.

**Table 2. Overview of Children's Work by Sector and Activity**

Sector/Industry	Activity
Agriculture	Farming, including raising livestock (2,4,8-10)
	Fishing, including deep-sea fishing,† processing fish, and selling fish (1,2,4,9-12)
Industry	Manufacturing, including textiles and garments, and food processing (2,4,9,10,13)
	Mining† and construction† (1,2,4,9,10,13,14)
Services	Domestic work (1,2,4,5,9,10)

**Table 2. Overview of Children's Work by Sector and Activity (Cont.)**

Sector/Industry	Activity
Services	Vending, in stores and on the streets, transportation, and begging (1,2,4,9-11)
	Work in hotels, restaurants, and offices (9,14)
Categorical Worst Forms of Child Labor‡	Commercial sexual exploitation, sometimes as a result of human trafficking (1,3-5,8,15-18)
	Forced domestic work (5,8)
	Use in illicit activities, including drug trafficking (5,8,19,20)

† 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 to 11 working less than 15 hours per week and children ages 12 to 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. (9) 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. (1,4) 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. (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. (1,8)




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 2017, 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 to 17. (15) 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. (1,24) During the reporting period, Save the Children released a report on the sexual exploitation of children in the tourism sector in Sri Lanka, which highlighted the increased use of mobile apps with GPS being used to indicate availability of minors for commercial sexual exploitation. The government worked with Save the Children and the International Organization for Migration on research for the report. (4,25) In 2021, local NGOs and media reports of commercial sexual exploitation of children decreased, likely because of the suppression of the tourism industry during the COVID-19 pandemic. (4,5) The government also investigated sexual exploitation of children at a state-run orphanage. (5)

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'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	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; Section 2 of the Shop and Office Employees (Regulation of Employment and Remuneration) (Amendment) Act; Sections 2-7 of the Factories (Amendment) Act; Sections 2-4 of the Minimum Wages (Indian Labor) (Amendment) Act. (26-30)
Minimum Age for Hazardous Work	Yes	18	Section 20A of the Employment of Women, Young Persons, and Children Act (26)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Hazardous Occupations Regulations No. 01; Section 20A of the Employment of Women, Young Persons, and Children Act (26,31)
Prohibition of Forced Labor	Yes		Sections 358A, 360C, 360A(2), and 360A(4) of the Penal Code (32)
Prohibition of Child Trafficking	Yes		Sections 360C, 360A(2), and 360A(4) of the Penal Code (32)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Sections 286A, 360B, 360A(2), and 360A(4) of the Penal Code (32)
Prohibition of Using Children in Illicit Activities	Yes		Sections 288, 288A, 288B, and 360C of the Penal Code (32)
Minimum Age for Voluntary State Military Recruitment	Yes	18	Sections 20A and 31 of the Employment of Women, Young Persons, and Children Act (26)
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 (26,32)
Compulsory Education Age	Yes	16	Section 43 of the Education Ordinance; Compulsory Attendance of Children at Schools Regulation No. 1 of 2015 (33,34)
Free Public Education	Yes		Section 47 of the Education Ordinance (33)

\* Country has no conscription. (35)

In January 2021, the government amended the Shop and Office Employees' Act, the Factories Ordinance, Employment of Women, Young Persons and Children Act, and the Minimum Wages Ordinance to increase the minimum age of employment from 14 to 16 years. (4) In November 2021, the government expanded the list of hazardous forms of occupations under the Employment of Women, Young Persons and Children Act from 51 categories to 71 categories, including domestic work. (4,31,36)



## MODERATE ADVANCEMENT

### III. ENFORCEMENT OF LAWS ON CHILD LABOR

The government has established institutional mechanisms for the enforcement of laws and regulations on child labor (Table 5). However, gaps exist within the operations of 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 in the Ministry of Labor	Enforces labor law in relation to the employment of children and young persons, including overseeing labor inspectorate. Receives public complaints of child labor lodged in national and district-level offices. (1,2,37) Receives complaints from other state organizations, including from the National Child Protection Authority (NCPA). Conducts special investigations in relation to child labor and hazardous labor, and takes legal action as necessary. (1,2) In 2021, received 138 complaints on child labor and hazardous child labor. The children were directed for assistance to the relevant care organizations, including the Department of Probations and Child Care Services and the respective Divisional Secretariats. (4)
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. (8) 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)
National Child Protection Authority (NCPA) Special Police Investigation Unit	Investigates complaints involving children, including child labor. (8,38,39) 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 survivors. (1) In 2021, received a total of 171 complaints of child labor violations. Also continued to promote the "1929" child protection app along with a book entitled "The Identification, Prevention and Management of Child Abuse" and a child protection song to raise awareness about the "1929" Sri Lanka Child Protection Help Line. (4)
Department of Probation and Child Care Services	Coordinates services for child survivors of forced labor, human trafficking, and commercial sexual exploitation who have been referred by the police and the court. (8) During the reporting period, launched two new programs designed to support children who leave school (Mal Uyanata) and to provide scholarships and housing assistance for children and families (Athwela). (2,40)

Several ministries, departments, and agencies have legal authority for the enforcement of criminal laws against child labor. The National Child Protection Authority, 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 2021, labor law enforcement agencies in Sri Lanka took actions to address child labor (Table 6). However, gaps exist within the operations of enforcement agencies that may hinder adequate labor law enforcement, including insufficient financial resource allocation.

**Table 6. Labor Law Enforcement Efforts Related to Child Labor**

Overview of Labor Law Enforcement	2020	2021
Labor Inspectorate Funding	\$2,194,101 (2)	\$1,933,333 (4)
Number of Labor Inspectors	495 (40)	570 (4)
Mechanism to Assess Civil Penalties	Yes (27)	Yes (27)
Initial Training for New Labor Inspectors	Unknown (2)	Yes (4)
Training on New Laws Related to Child Labor	N/A (2)	Yes (40)
Refresher Courses Provided	Yes (2)	Yes (4)
Number of Labor Inspections Conducted	44,439 (2)	38,280 (41)
Number Conducted at Worksite	41,374 (2)	37,588 (41)
Number of Child Labor Violations Found	6 (2)	4 (4)
Number of Child Labor Violations for Which Penalties Were Imposed	6 (2)	1 (4)
Number of Child Labor Penalties Imposed that Were Collected	6 (2)	3 (4)
Routine Inspections Conducted	Yes (2)	Yes (4)
Routine Inspections Targeted	Yes (2)	Yes (4)

**Table 6. Labor Law Enforcement Efforts Related to Child Labor (Cont.)**

Overview of Labor Law Enforcement	2020	2021
Unannounced Inspections Permitted	Yes (27)	Yes (27)
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)

The labor inspectorate is not authorized to assess penalties. Penalties for child labor law violations are available under the Employment of Women, Young Persons and Children's Act, instead of under the authority of the labor inspectorate. (4,26) Penalties include a maximum fine of up to US \$50 and up to 12 months' imprisonment. The magistrate's court levies any fines, imprisonment, or compensation for the child victim. (4) The fine is collected by the registrar's office of the court and compensation is normally given to the guardian of the child victim or deposited in a bank account under the victim's name. (4)

In 2021, the labor inspectorate conducted a special investigation of all hazardous fisheries with multi-day fishing vessels in response to a discovery of hazardous labor within the industry. The investigation did not find that children were regularly working the fisheries industry. (4) During the reporting period the Department of Labor also removed four children from child labor and hazardous child labor situations. (4) 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. (1,40) In addition, the ILO reported that the labor department was not funded adequately. Finally, although the hazardous occupations list was expanded to include domestic work, labor inspectors only had the authority to inspect private residences for violations against child domestic workers if a complaint was received. (4,5)

### **Criminal Law Enforcement**

In 2021, criminal law enforcement agencies in Sri Lanka took actions to address child labor (Table 7). However, gaps exist within the operations of enforcement agencies that may hinder adequate criminal law enforcement, including a lack of resources to carry out investigations.

**Table 7. Criminal Law Enforcement Efforts Related to Child Labor**

Overview of Criminal Law Enforcement	2020	2021
Initial Training for New Criminal Investigators	Yes (42)	Yes (4)
Training on New Laws Related to the Worst Forms of Child Labor	N/A (2)	N/A (4)
Refresher Courses Provided	Yes (2)	Yes (4)
Number of Investigations	Unknown (2)	Unknown (4)
Number of Violations Found	Unknown (2)	Unknown (4)
Number of Prosecutions Initiated	Unknown (2)	Unknown (4)
Number of Convictions	Unknown (2)	Unknown (4)
Imposed Penalties for Violations Related to the Worst Forms of Child Labor	Yes (2)	Yes (4)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (2)	Yes (4)

During the reporting period, the government arrested 41 people in a high-profile child sex trafficking case, including one Deputy Chairman of a local divisional council, 2 police officers, and a Navy officer; the investigation is ongoing. (4,36,43) It also investigated allegations of sexual exploitation of children at orphanages, leading to the arrest of the head of an orphanage, one of its staff members, and the probation commissioner with oversight of the orphanage. While the government stated that the investigation found no evidence of sex trafficking in the orphanages, allegations persist. (5) In 2021, the government also implemented a special case identification system for child abuse and human trafficking cases that prioritizes such cases when scheduling hearing dates. (4,5,36)

There were isolated reports that a lack of awareness and misunderstanding of trafficking led some local authorities to arrest or detain sex trafficking victims for alleged unlawful acts committed as a direct result of trafficking without proper screening; however, the government did not penalize human trafficking survivors for unlawful acts traffickers compelled them to commit when survivors were properly identified. (5,23,40)

# Sri Lanka

## MODERATE ADVANCEMENT

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. (1,2,4,44) 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. (1,2,4,42,45,46)

## IV. COORDINATION OF GOVERNMENT EFFORTS ON CHILD LABOR

The government has established mechanisms to coordinate its efforts to address child labor (Table 8).

**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 prevent and 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 2021, convened three times and discussed a way forward to finalize a road map on Child Labor Elimination. (4) All members agreed to conduct activities with respect to the "International Year for the Elimination of Child Labor 2021." Also conducted 107 trainings for the fisheries sector and 27 programs for the plantation sector. (4)
NCPA	Coordinates and monitors activities related to the protection of children, including activities to address 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 2021, worked with Save the Children to release a Standard Operating Procedure on the Identification, Protection, and Referral of Child Victims of Trafficking in English, Sinhala, and Tamil. (4,25,47) Also led a multisector project bringing together 10 institutions including child affairs, education, health, tourism, labor, media, justice, disaster management, defense, and social empowerment. Conducted several consultations under the framework Seven Strategies for Ending Violence Against Children, identified gaps in each sector, and formulated an action plan that is now pending treasury validation before being presented to the Cabinet for approval. (40)
National Anti-Trafficking Task Force (NAHTTF)	Coordinates interagency efforts to address all human trafficking issues, including commercial sexual exploitation and forced labor. 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. (48) In 2021, the coordination of NAHTTF was transferred from the Ministry of Foreign Affairs to the Ministry of Defense and existing activities continued to be implemented. (4,48)
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. (8) During the reporting period, the committees continued to meet. (4)

## V. GOVERNMENT POLICIES ON CHILD LABOR

The government has established policies that are consistent with relevant international standards on child labor (Table 9).

**Table 9. Key Policies Related to Child Labor**

Policy	Description
National Policy on Elimination of Child Labor in Sri Lanka	Aims to mainstream child labor issues into national development policies, improve enforcement, and support collaboration with key stakeholders. (49) During the reporting period, the minimum age of employment and the list of hazardous occupations were revised under this policy. (4)
National Child Protection Policy	Established by NCPA as a measure to reduce child sex tourism in Sri Lanka. (1,2) In 2021, established a 5-year action plan to implement the policy, and led a multisector consultation that brought together 10 stakeholders in the child affairs, education, health, tourism, labor, media, justice, disaster management, defense, and social empowerment sectors to identify gaps in each sector and formulate a response. (40)
National Strategic Action Plan to Monitor and Combat Human Trafficking	Seeks to address human trafficking by raising stakeholder awareness, improving survivor protection services, increasing the prosecution of human trafficking cases, and conducting research and data collection. Also seeks to improve coordination among National Anti-Human Trafficking Task Force members. (50) During the reporting period, the new draft of the plan was prepared and circulated among the membership for verification. (4)

**Table 9. Key Policies Related to Child Labor (Cont.)**

Policy	Description
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. (51) During the reporting period, provided technical and financial assistance to the Department of Labor for activities around World Day against Child Labor, led a technical discussion between ILO experts and the Department of Census and Statistics, undertook public activities and awareness programs to mark the International Year for the Elimination of Child Labor, and extended the program to 2024 due to the impact of the pandemic on children's school attendance and the risk of increased child labor. (52)
National Alternative Care Policy	Launched by the Department of Probation and Child Care Services. Includes a section addressing child victims of sexual exploitation or harmful child labor. (2) In 2021, conducted a census of Sri Lanka's child development centers, which is intended to inform a 5-year action plan to implement the policy. (40)

‡ The government had other policies that may have addressed child labor issues or had an impact on child labor. (2,8,53)

## VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2021, 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 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 2022, upon receipt of the final guidelines from the National Steering Committee on Elimination of Child Labor. (4)
'1929' Childline Sri Lanka‡	NCPA-funded and operated 24-hour toll-free emergency telephone service for vulnerable and abused children. Connects children in need of help to direct assistance and rehabilitation services. (2,56) In 2021, continued to direct child labor complaints received during pandemic lockdown periods to the Department of Labor for response. (4)
Shelter for Victims of Human Trafficking	Ministry of Women and Child Affairs shelter that provides children and female victims of human trafficking and domestic violence with safe shelter and access to medical, psychological, and legal assistance. (24,57) A magistrate's order is required for victims to receive services at the shelter. (41) During the reporting period, the government provided \$62,000 in assistance to operate the shelter. (36)
Measurement, Awareness-Raising, and Policy Engagement (MAPI6) 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 address child labor and forced labor. The project began in March 2020 and is expected to run until June 2022. Additional information is available on the USDOL website. (2,58,59)

† 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. (1,4,60)

In 2021, the Sri Lanka Coast Guard conducted public awareness programs regarding child labor in the fishing industry. (4) A cash transfer program initiated to support families who have lost their income due to the pandemic continued to be implemented. (2,4) In addition, the Department of Labor launched a film competition and an awareness program that included a YouTube channel to raise awareness of the labor law and five short videos on the hazardous forms of child labor. (4,5,52,61,62) The Department of Probation and Childcare, in partnership with UNICEF and NGOs, initiated a new project that aims to establish a database of children at risk of child labor. (60)

During the reporting period, schools in rural areas with lower rates of COVID-19 transmission resumed in-person education while schools in other areas continued to be conducted remotely. State media and telecommunication providers reduced Internet charges to facilitate remote learning. (4) In addition, the Department of Probation and Child Care Services introduced a new program called *Mal Uyanata* to assist children who left school and children who are vulnerable to dropping out of school. However, the School Child

## MODERATE ADVANCEMENT

Protection Program, a program designed to empower children to protect themselves from human trafficking and child labor, was not implemented during the reporting period due to school closures related to the pandemic and a teacher strike. (1,40)

## VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE CHILD LABOR

Based on the reporting above, suggested actions are identified that would advance the elimination of child labor in Sri Lanka (Table 11).

**Table 11. Suggested Government Actions to Eliminate Child Labor**

Area	Suggested Action	Year(s) Suggested
Enforcement	Collect and publish disaggregated information on investigations, prosecutions, convictions, and sentences of cases involving forced child labor, child trafficking, child commercial sexual exploitation, and the use of children in illicit activities.	2020 – 2021
	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 – 2021
	Provide adequate staffing in the northern and eastern provinces for the labor inspectorate to carry out inspections.	2019 – 2021
	Ensure that the Department of Labor has adequate funding.	2021
	Ensure labor inspectors have the authority to inspect private residences for violations against child workers regardless of whether a complaint is received.	2021
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 – 2021
	Eliminate barriers to education, including difficulties with transportation to schools and an inadequate number of teachers.	2012 – 2021
	Institute programs to address the risks of child labor in tea estates and in coastal, agricultural, mining, and firewood-producing areas.	2019 – 2021
	Ensure that activities are undertaken to implement social programs to address child labor.	2020 – 2021

## REFERENCES

- U.S. Embassy- Colombo. Reporting. February 27, 2020.
- U.S. Embassy- Colombo. Reporting. February 9, 2021.
- UNODC. Global Report on Trafficking in Persons. 2020. [https://www.unodc.org/documents/data-and-analysis/tip/2021/ GLOTiP\\_2020\\_15jan\\_web.pdf](https://www.unodc.org/documents/data-and-analysis/tip/2021/ GLOTiP_2020_15jan_web.pdf)
- U.S. Embassy- Colombo. Reporting. January 26, 2022.
- U.S. Department of State. Trafficking in Persons Report- 2021: Sri Lanka. Washington, D.C., June 2021. <https://www.state.gov/reports/2021-trafficking-in-persons-report/sri-lanka/>
- UNESCO Institute for Statistics. Gross intake ratio to the last grade of primary education, both sexes (%). Accessed March 3, 2022. For more information, please see "Children's Work and Education Statistics: Sources and Definitions" in the Reference Materials section of this report. <http://data.uis.unesco.org/>
- ILO. Analysis of Child Economic Activity and School Attendance Statistics from National Household or Child Labor Surveys. Original data from Child Activity Survey (CAS), 2016. Analysis received March 2022. Please see "Children's Work and Education Statistics: Sources and Definitions" in the Reference Materials section of this report.
- U.S. Embassy- Colombo. Reporting. January 28, 2019.
- ILO and Department of Census and Statistics of Sri Lanka. Report on the Child Activity Survey 2016 – Sri Lanka. February 21, 2017. [https://www.ilo.org/ipcc/Informationresources/WCMS\\_IPEC\\_PUB\\_30055/lang--en/index.htm](https://www.ilo.org/ipcc/Informationresources/WCMS_IPEC_PUB_30055/lang--en/index.htm)
- ILO. Child Labor in Sri Lanka – At a Glance. 2018. Source on file.
- Vinodani, H.H.W., and S.W. Amarasinghe. Exploitation of Child Labour in the Informal Sector of Sri Lanka's Rural Economy: A Sociological Study in the Devinuwara Divisional Secretariat Area. Proceedings of the 2nd International Conference on Humanities & Social Sciences. University of Ruhuna, 2017. [https://www.researchgate.net/profile/Pannilage\\_Upali/publication/317661438\\_Avenues\\_Peace\\_Reconciliation\\_and\\_Development/links/5947987faca27242cda1cbe9/Avenues-Peace-Reconciliation-and-Development.pdf#page=184](https://www.researchgate.net/profile/Pannilage_Upali/publication/317661438_Avenues_Peace_Reconciliation_and_Development/links/5947987faca27242cda1cbe9/Avenues-Peace-Reconciliation-and-Development.pdf#page=184)
- U.S. Embassy- Colombo official. E-mail communication to USDOL official. January 26, 2018.
- U.S. Embassy- Colombo. Reporting. January 12, 2018.
- Weerakoon, Ramesh, and M.D.J. Wijesinghe. The Health Consequences of Child Labour in Sri Lanka. International Journal of Scientific and Technology Research Volume 6, No. 9. September 2017. <http://www.ijstr.org/final-print/sep2017/The-Health-Consequences-Of-Child-Labour-In-Sri-Lanka.pdf>
- Social Policy Analysis and Research Center. The Commercial Sexual Exploitation of Children in Sri Lanka: A Rapid Assessment. University of Colombo. August 2017. Source on file.
- ECPAT International. Universal Periodic Review of Sri Lanka. March 28, 2017. Source on file.
- U.S. Embassy- Colombo. Reporting. February 24, 2020.
- ILO CEACR. Observation 138. 2020. [https://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100\\_COMMENT\\_ID,P13100\\_COUNTRY\\_ID:4019413,103172:NO](https://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID,P13100_COUNTRY_ID:4019413,103172:NO)
- Sri Lanka President claims drug traffickers are behind the Easter Sunday bomb attacks. Colombo: ColomboPage. July 1, 2019. [http://www.colombopage.com/archive\\_19A/Jul01\\_1561970690CH.php](http://www.colombopage.com/archive_19A/Jul01_1561970690CH.php)



- 20 Irshad, Qadijah. Sri Lanka president signs four death warrants to end decades long moratorium. Colombo: The Telegraph. June 26, 2019. <https://www.telegraph.co.uk/news/2019/06/26/sri-lanka-president-signs-four-death-warrants-end-decades-long/>
- 21 Yiannopoulos, Philip. Spilling the Tea in Sri Lanka. Foreign Policy, July 8, 2019. <https://foreignpolicy.com/2019/07/08/spilling-the-tea-in-sri-lanka/>
- 22 Save the Children. Child Rights Risk Assessment: Tea Industry Supply Chain in Sri Lanka. August 31, 2020. <https://resourcecentre.savethechildren.net/library/child-rights-risk-assessment-tea-industry-supply-chain-sri-lanka>
- 23 U.S. Department of State official. E-mail communication to USDOL official. July 8, 2020.
- 24 U.S. Embassy- Colombo. Reporting. March 8, 2021.
- 25 Pieris, D.M. Pamela. Child Sex Trafficking in the Tourism Sector in Sri Lanka. Save the Children and IOM. 2020. [https://srilanka.savethechildren.net/sites/srilanka.savethechildren.net/files/library/Child Sex Trafficking in the Tourism Sector in Sri Lanka\\_12thProof\\_.pdf](https://srilanka.savethechildren.net/sites/srilanka.savethechildren.net/files/library/Child%20Sex%20Trafficking%20in%20the%20Tourism%20Sector%20in%20Sri%20Lanka_12thProof_.pdf)
- 26 Government of Sri Lanka. Employment of Women, Young Persons and Children Act. Enacted: 2006. [https://www.ilo.org/dyn/travail/docs/1658/EMPLOYMENT OF WOMEN I. pdf](https://www.ilo.org/dyn/travail/docs/1658/EMPLOYMENT_OF_WOMEN_I.pdf)
- 27 Government of Sri Lanka. Employment of Women, Young Persons and Children (Amendment) Act, No. 2 of 2021. Enacted January 18, 2021. [http://www.labourdept.gov.lk/images/PDF\\_upload/NewAmendments/02-2021\\_e.pdf](http://www.labourdept.gov.lk/images/PDF_upload/NewAmendments/02-2021_e.pdf)
- 28 Government of Sri Lanka. Shop and Office Employees (Regulation of Employment and Remuneration) (Amendment) Act, No. 1 of 2021. Enacted: January 18, 2021. [http://www.labourdept.gov.lk/images/PDF\\_upload/NewAmendments/01-2021\\_e.pdf](http://www.labourdept.gov.lk/images/PDF_upload/NewAmendments/01-2021_e.pdf)
- 29 Government of Sri Lanka. Factories Ordinance (Amendment) Act, No. 4 of 2021. Enacted: January 18, 2021. [http://www.labourdept.gov.lk/images/PDF\\_upload/NewAmendments/04-2021\\_e.pdf](http://www.labourdept.gov.lk/images/PDF_upload/NewAmendments/04-2021_e.pdf)
- 30 Government of Sri Lanka. Minimum Wages (Indian Labour) (Amendment) Act No. 3 of 2021. Enacted: January 18, 2021. [http://www.labourdept.gov.lk/images/PDF\\_upload/NewAmendments/03-2021\\_e.pdf](http://www.labourdept.gov.lk/images/PDF_upload/NewAmendments/03-2021_e.pdf)
- 31 Government of Sri Lanka. Hazardous Occupations Regulations, No. 1 of 2021. Enacted: November 15, 2021. [http://www.labourdept.gov.lk/images/PDF\\_upload/NewAmendments/2254-35\\_e.pdf](http://www.labourdept.gov.lk/images/PDF_upload/NewAmendments/2254-35_e.pdf)
- 32 Government of Sri Lanka. Penal Code. Enacted: January 1, 1885. Amended 2006. <http://www.refworld.org/docid/4c03e2af2.html>
- 33 Government of Sri Lanka. Education Ordinance. Enacted: 1939. [http://www.commonlii.org/lk/legis/consol\\_act/e381147.pdf](http://www.commonlii.org/lk/legis/consol_act/e381147.pdf)
- 34 Government of Sri Lanka. Compulsory Attendance of Children at Schools Regulation No. 1 of 2015. Enacted: 2016. Source on file.
- 35 CIA. The World Factbook: Sri Lanka. Accessed March 18, 2022. <https://www.cia.gov/the-world-factbook/countries/sri-lanka/>
- 36 U.S. Embassy- Colombo. Reporting. February 7, 2022.
- 37 International Labour Organization (ILO). Sri Lanka Labour: Inspection Structure and Organization. No date. [https://www.ilo.org/global/topics/safety-and-health-at-work/country-profiles/asia/sri-lanka/WCMS\\_209369/lang-en/index.htm](https://www.ilo.org/global/topics/safety-and-health-at-work/country-profiles/asia/sri-lanka/WCMS_209369/lang-en/index.htm)
- 38 Government of Sri Lanka. National Child Protection Authority Act, No. 50 of 1998. Enacted: 1998. <http://www.ilo.org/dyn/natlex/docs/WEBTEXT/52618/65161/E98LKA01.htm>
- 39 Government of Sri Lanka. National Child Protection Authority: Functions of the National Child Protection Authority. 2020. Accessed March 9, 2021. [http://www.childprotection.gov.lk/?page\\_id=60](http://www.childprotection.gov.lk/?page_id=60)
- 40 U.S. Embassy- Colombo official. E-mail communication to USDOL official. March 11, 2022.
- 41 U.S. Embassy- Colombo official. E-mail communication to USDOL official. June 2, 2022.
- 42 U.S. Embassy- Colombo. Reporting. June 16, 2021.
- 43 Ranasinghe, Imesh. Sri Lanka police arrest 41 including one of their own with links to online sex-trafficking ring. Economy Next. July 13, 2021. <https://economynext.com/sri-lanka-police-arrest-41-including-one-of-their-own-with-links-to-online-sex-trafficking-ring-83991/>
- 44 U.S. Embassy- Colombo official. E-mail communication to USDOL official. February 14, 2019.
- 45 Government of Sri Lanka. Grave Crime Abstract for the Year 2018 for the Whole Island From 01.01.2018 to 31.12.2018. 2018. Source on file.
- 46 Government of Sri Lanka. Grave Crime Abstract for the Year 2019 for the Whole Island From 01.01.2019 to 31.12.2019. 2019. Source on file.
- 47 Save the Children. Guidance note on the Identification, Protection and Referral of Child Victims of Trafficking 2021. Source on file.
- 48 Government of Sri Lanka. National Strategic Plan to Monitor and Combat Human Trafficking (2021–2025). Source on file.
- 49 Ministry of Labour, Trade Union Relations and Sabaragamuwa Development. The National Policy on Elimination of Child Labour in Sri Lanka. September 2017. [https://www.ilo.org/ipec/Informationresources/WCMS\\_717435/lang-en/index.htm](https://www.ilo.org/ipec/Informationresources/WCMS_717435/lang-en/index.htm)
- 50 Government of Sri Lanka. National Strategic Plan to Monitor and Combat Human Trafficking (2021–2025). 2020. Source on file.
- 51 ILO. Decent Work Country Programme- Sri Lanka 2018–2022. Project Document, May 2018. [https://www.ilo.org/wcmsp5/groups/public/-asia/-ro-bangkok/-ilo-colombo/documents/genericdocument/wcms\\_632743.pdf](https://www.ilo.org/wcmsp5/groups/public/-asia/-ro-bangkok/-ilo-colombo/documents/genericdocument/wcms_632743.pdf)
- 52 Government of Sri Lanka. Awareness Programmes related to Elimination of Child Labour and Hazardous Child Labour. 2021. Source on file.
- 53 Government of Sri Lanka. National Action Plan for the Protection and Promotion of Human Rights (2017–2021). <https://asiapacificgender.org/resources/458>
- 54 ColomboPage News. COPE recommends to expedite implementation of the National Policy on Child Protection. February 15, 2021. [http://www.colombopage.com/archive\\_21A/Feb15\\_1613371908CH.php](http://www.colombopage.com/archive_21A/Feb15_1613371908CH.php)
- 55 Fonseka, Piyumi. Child sexual abuse crisis in Sri Lanka. Daily Mirror Sri Lanka. August 21, 2020. <http://www.dailymirror.lk/print/recommended-news/Child-sexual-abuse-crisis-in-Sri-Lanka/277-194218>
- 56 National Child Protection Authority. 1929 Childline Sri Lanka. Accessed January 13, 2017. [http://www.childprotection.gov.lk/?page\\_id=291](http://www.childprotection.gov.lk/?page_id=291)
- 57 U.S. Embassy- Colombo. Reporting. February 16, 2016.
- 58 USDOL official. E-mail communication to USDOL official. February 25, 2020. Source on file.
- 59 USDOL. Measurement, Awareness-Raising, and Policy Engagement (MAP 16) Project on Child Labor and Forced Labor. Accessed April 1, 2021. <https://www.dol.gov/agencies/ilab/measurement-awareness-raising-and-policy-engagement-map-16-project-child-labor-and>
- 60 U.S. Department of State official. E-mail communication to USDOL official. May 14, 2022.
- 61 Government of Sri Lanka. Activities Conducted with Sri Lanka Girl Guides Association (SLGGA). March 8, 2021. Source on file.
- 62 Department of Labour - Government of Sri Lanka. “Chalana Roo” Short Video Competition. 2021. [https://www.youtube.com/playlist?list=PLt\\_qVDS5qGaQhatcDIQxycxd9Bolpv-vI](https://www.youtube.com/playlist?list=PLt_qVDS5qGaQhatcDIQxycxd9Bolpv-vI)

In 2021, Suriname made moderate advancement in efforts to eliminate the worst forms of child labor. The government drafted an annual plan to implement its National Action Plan to Combat Child Labor, which includes 21 action points, including the appointment of a Special Child Labor Rapporteur and capacity strengthening for the labor inspectorate. The Trafficking in Persons Working Group also drafted a victim-centered strategic plan and operations manual, which includes consideration for child survivors of human trafficking. Moreover, the government conducted an evaluation of Suriname's implementation of the United Nation's International Convention on the Rights of Children. 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. 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. (1) Children also perform dangerous tasks in mining. (1-3) 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, 2022. (4)

Source for all other data: International Labor Organization's analysis of statistics from 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	Harvesting crops, applying pesticides,† carrying heavy loads† (6,7)
	Fishing, hunting, and forestry (8)
Industry	Mining, particularly gold mining (1,6,7)
	Construction,† including carrying heavy loads† (6-8)
	Wood processing, including carrying heavy loads† (2,9)
Services	Street work, including vending (7,8)
	Domestic work (8)
	Carrying luggage for airport passengers, including carrying heavy loads† (7)

## MODERATE ADVANCEMENT

**Table 2. Overview of Children’s Work by Sector and Activity (Cont.)**

Sector/Industry	Activity
Categorical Worst Forms of Child Labor‡	Commercial sexual exploitation, sometimes as a result of human trafficking (1,6,7)

† Determined by national law or regulation as hazardous and, as such, relevant to Article 3(d) of ILO C. 182.

‡ Child labor understood as the worst forms of child labor *per se* under Article 3(a)–(c) of ILO C. 182.

Children are subjected to commercial sexual exploitation, sometimes as a result of human trafficking, including in informal mining camps in Suriname’s remote interior. (2,3,10,11) 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. (2,9-11) Children have also been reported to be working in small-scale construction and wood processing companies outside Paramaribo. (2,9) Migrant populations, especially those residing in the country illegally, are particularly vulnerable to both sex and labor trafficking, due to challenges associated with their precarious legal status. (12) Moreover, economic downturn has led to businesses closures and job losses, making children more vulnerable to trafficking as children are increasingly seeking work in order to support their families. (12)




Although Suriname’s net attendance percentage for primary school is high, it drops significantly for secondary school. Research indicates that there are disparities in education completion rates based on geographic and socioeconomic status, and that secondary school completion rates in the interior are as low as 15 percent. (13) Children from low-income households, particularly in the interior, face difficulties accessing education due to long distances to schools, transportation costs, and school fees. (1,7,14) Research also indicates that some LGBTQI+ students are bullied in schools. (15) In addition, children are sometimes forced to engage in commercial sexual exploitation in order to pay for educational expenses or to support their families. (16) Although children who are not citizens of Suriname can access free public education if they provide a birth certificate and vaccination records, there is limited reporting of instances in which children were denied access to education due to incomplete paperwork or their citizenship and residency status. These cases were reported among the Guyanese population in Suriname’s western border district, Nickerie, and the Brazilian population in Paramaribo. (7,17,18) Research suggests that families residing illegally in the country have also kept their children out of school to avoid being reported to authorities. (7)

The COVID-19 pandemic made access to education more complicated for low-income families, and costs of distance learning proved too expensive in the interior and for low-income families, particularly single-income households with multiple children. Schools in the interior did not engage in distance learning and did not develop adequate plans to ensure students caught up on materials and classes missed due to the pandemic. (7) These schools also faced additional closures due to teacher shortages. (7)

## 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 prohibition of forced labor.

**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 Young Persons Labor Act (19)
Minimum Age for Hazardous Work	Yes	18	Articles 1 (k and l) and 11 of the Children and Youth Persons Labor Act; Article 1 of the Decree on Hazardous Labor for Youth (19,20)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Articles 2 and 3 of the Decree on Hazardous Labor for Youth; Article 11 of the Children and Youth Persons Labor Act (19,20)
Prohibition of Forced Labor	Yes		Articles 334, 338, and 339 of the Penal Code; Article 15 of the Constitution; Article 1 of Law on Labor for Children and Young Persons (19,21,22)
Prohibition of Child Trafficking	Yes		Articles 307 and 334 of the Penal Code (22)
Prohibition of Commercial Sexual Exploitation of Children	No		Articles 291, 293, 297, 298, 303a, and 306 of the Penal Code (22)
Prohibition of Using Children in Illicit Activities	No		
Minimum Age for Voluntary State Military Recruitment	Yes	18	Article 9 of the Conscription Act (23)
Prohibition of Compulsory Recruitment of Children by (State) Military	N/A*		
Prohibition of Military Recruitment by Non-state Armed Groups	No		
Compulsory Education Age	No	12	Article 39 of the Constitution; Article 20 of the Law on Basic Education (21,24)
Free Public Education	Yes		Articles 38 and 39 of the Constitution (21)

\* Country has no conscription (25)

The Constitution guarantees free public education for all citizens, and the September 2014 amendment to the Citizenship and Residency Law reaffirmed citizenship to children born in Suriname of foreign-born parents who would otherwise be stateless are nationals of Suriname. (21,26) Article 20 of the Law on Basic Education requires children to attend school until they are at least age 12. (24) This leaves children ages 12 to 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. For instance, while 96 percent of working children at the age of 14 are in school, at the age of 15 school attendance drops to 64 percent, and at age 16, it falls to 28 percent. (13)

# Suriname

## MODERATE ADVANCEMENT

In December 2021, the Government of Suriname announced that an independent human rights consultant would evaluate Suriname's implementation of the UN's International Convention on the Rights of Children, which is an important step toward identifying a path forward in the implementation of the Convention. (7)

Suriname does not sufficiently prohibit commercial sexual exploitation of children because the use of a child under 16 for prostitution is not criminally prohibited. In addition, while the Penal Code establishes penalties for the production and trafficking of drugs, it does not appear to specifically prohibit the use, procuring, and offering of a child in the production and 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.

**Table 5. Agencies Responsible for Child Labor Law Enforcement**

Organization/Agency	Role
Ministry of Labor, Employment Opportunity and Youth Affairs (MOL)	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 (TIP) Unit of the Suriname Police Force. (9)
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 TIP Unit, which investigates reports and allegations of human trafficking and forced sexual exploitation nationwide, including cases involving children. (2,9,27)
Prosecutor's Office	Investigates and prosecutes human trafficking cases, and enforces criminal laws related to the worst forms of child labor. (9)
Bureau for the Rights of the Child of the Ministry of Social Affairs	Manages Suriname's reciprocal referral mechanism, which identifies services to children involved in child labor. (7) In 2021, raised awareness of issues related to children's rights through its Facebook page and managed the website of the Integrated Child Protection Network. Also continued piloting the referral system, which was developed in collaboration with UNICEF in 2019. (7)

### Labor Law Enforcement

In 2021, labor law enforcement agencies in Suriname took actions to address child labor (Table 6). However, gaps exist within the operations of the Ministry of Labor, Employment Opportunity and Youth Affairs (MOL) that may hinder adequate labor law enforcement, including lack of targeted inspections in risk-prone sectors.

**Table 6. Labor Law Enforcement Efforts Related to Child Labor**

Overview of Labor Law Enforcement	2020	2021
Labor Inspectorate Funding	Unknown	Unknown (7)
Number of Labor Inspectors	50 (7)	50 (7)
Mechanism to Assess Civil Penalties	Yes (28)	Yes (28)
Initial Training for New Labor Inspectors	Yes (2)	Yes (7)
Training on New Laws Related to Child Labor	N/A (2)	N/A (7)
Refresher Courses Provided	Yes (2)	No (7)
Number of Labor Inspections Conducted	400 (2)	2,423 (7)
Number Conducted at Worksite	400 (2)	2,423 (7)
Number of Child Labor Violations Found	0 (2)	0 (7)
Number of Child Labor Violations for Which Penalties Were Imposed	0 (2)	0 (7)
Number of Child Labor Penalties Imposed that Were Collected	2 (2)	0 (7)
Routine Inspections Conducted	Yes (2)	Yes (7)
Routine Inspections Targeted	Yes (2)	Yes (7)
Unannounced Inspections Permitted	Yes (29)	Yes (29)
Unannounced Inspections Conducted	Yes (2)	Yes (7)
Complaint Mechanism Exists	Yes (2)	Yes (7)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (2)	Yes (7)



The Labor Inspectorate was placed at the head of a COVID-19 Cluster Team, a multi-organizational team with representatives from the Ministries of Labor, Health, Justice and Police, Regional Development and Sport, and Defense. Each representative was charged with inspecting a different aspect of pandemic protocols. (7) This effort provided the Labor Inspectorate with the opportunity to expand general inspections for labor law violations, and the high number of inspections for 2021 was largely accomplished through these COVID-19 Cluster Team inspections. (7)

Of the labor inspectors hired in 2020, 6 inspectors completed their basic training and were promoted to junior inspectors in 2021, while 11 inspectors are still in the process of completing basic training. Of the 50 labor inspectors, 25 have received special social inspection training, which includes additional focus on child labor issues. (7) The MOL 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. (11) However, all labor inspectors are trained and authorized to enforce child labor laws. (2,9,10) The Decree on Labor Inspection passed in 2017 gave the Labor Inspectorate more tools to adequately perform its functions and updated the legislation for a more developed labor market and new sectors. (7)

Although the MOL 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. (2,7,10) High-risk sectors include the agricultural sector in the coastal area, and manufacturing companies and small construction enterprises on the outskirts of Paramaribo. Research indicates that child labor inspections are mostly conducted when cases are reported. (7) No inspections were reported in the artisanal gold mining sector in the interior of the country. (7) During the reporting period, inspections in and around Johan Adolf Pengel International Airport discovered young people from nearby villages who were between the ages of 10 and 15 on the airport grounds offering to carry luggage for passengers. This issue was discussed during the meeting of the Council of Ministers, but research did not discover what, if any, measures were taken. (7)

### Criminal Law Enforcement

In 2021, criminal law enforcement agencies in Suriname took actions to address 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 initial training for new criminal investigators.

**Table 7. Criminal Law Enforcement Efforts Related to Child Labor**

Overview of Criminal Law Enforcement	2020	2021
Initial Training for New Criminal Investigators	No (2)	No (7)
Training on New Laws Related to the Worst Forms of Child Labor	N/A (2)	N/A (7)
Refresher Courses Provided	Yes (2)	Yes (7)
Number of Investigations	0 (2)	2 (7)
Number of Violations Found	0 (2)	2 (7)
Number of Prosecutions Initiated	0 (2)	11 (7)
Number of Convictions	0 (2)	0 (7)
Imposed Penalties for Violations Related to the Worst Forms of Child Labor	No (2)	No (7)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (2)	Yes (7)

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 a pilot phase. (2) Reports from the referral mechanism are first filed with the police, who then pass on the complaint to the Labor Inspectorate or the Youth Affairs Police. During the reporting period, the Ministry of Social Affairs announced a full review of the referral mechanism with the assistance of UNICEF, as the mechanism is not sufficient to provide long-term solutions to child labor issues that are reported to it. (7)

# Suriname

## MODERATE ADVANCEMENT

In 2021, there were two investigations involving commercial sexual exploitation of minor girls. The first case resulted in the arrest of 11 suspects, including 3 police officers, on various charges including human trafficking and sexual abuse of a minor. (7) The second case did not result in any charges and was referred to the Youth Affairs Police. The TIP Unit reported in 2021 that it removed three minor girls from situations of exploitation, two of whom were victims of sex trafficking, and referred them to counseling and other services. (7) One of the three girls was returned to her parents. (7)

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. (11,30,31) Resource constraints were made worse by the pandemic. (2) 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 (TIP) Unit of the Suriname Police Force. (7)

The TIP Unit has 11 staff members who investigate human trafficking and human smuggling cases for the country. Initial investigations of trafficking are usually conducted by police who do not receive human trafficking training as part of their basic training. (7) Moreover, research finds that the government did not effectively identify trafficking in persons victims among children, migrants in the interior, and in brothels operating within private homes. (3) During the reporting period, the TIP Unit was appointed a new head and a strategic plan was drafted for the unit. This included descriptions of the functions and roles of staff in the unit and an analysis that identified barriers to optimal functioning of the department. (12) Lack of funding and resources were identified as the greatest problems facing the unit. The strategic plan further identified the training needs of the unit. (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
National Commission on Combating Child Labor	Serves as the leading body in drafting child labor policies. (10) Coordinates and monitors efforts to address 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. (9) Mandate was renewed in August 2021 and is valid through December 2023. (7) Adopted a new National Action Plan to Combat Child Labor during the reporting period that includes the appointment of a Special Child Labor Rapporteur and capacity strengthening of the Labor Inspectorate. (7)
Trafficking in Persons Working Group	Coordinates the government's anti-human trafficking efforts. Provides care to survivors of human trafficking through government-supported NGOs. (30) Comprises nine government agencies, including organizations that target the worst forms of child labor. (11) In 2021, updated its annual national action plan. As part of the working group, the TIP Unit of the Suriname Police Force also drafted its own strategic plan, which serves primarily as an operations manual for the unit and features a victim-centered approach, including toward child victims of human trafficking. (7)
Integrated Child Protection Network	Prevents child abuse, neglect, and exploitation, including child labor. Led by the Ministry of Social Affairs, 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 2021, approved the establishment of a Sub-Council designed to simplify the process of approving policies related to child protection. The Sub-Council includes representatives from the Ministry of Social Affairs, Justice, and Police and the MOL. (7)

## 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 Child Labor (2019–2024)	Aims to address 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. (9) During the reporting period, drafted an annual plan for 2021–2022, which identifies 21 activities that the National Commission on Combating Child Labor intends to work on through the end of 2022. (7)
National Action Plan for the Prevention and Response to Trafficking in Persons (2021–2022)†	Aims to address and prevent human trafficking, including through prevention, detection and investigation, criminal prosecution, and victim support and rehabilitation. (7,32) During the reporting period, the Annual National Action Plan was updated. Activities included in the plan have a combined budget of \$114,000. (7)

† Policy was approved during the reporting period.

## VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2021, 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 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 on Combating Child Labor for implementation, monitoring, and evaluation of the National Action Plan. (33) During the reporting period, the program published and reported on findings related to creating an enabling business environment and improving productivity. (34)
My Line ( <i>Mi Lijn</i> )†	Government-run, 24-hour hotline that provides confidential advice to children in need, including victims of the worst forms of child labor, victims of domestic violence, and persons in need of mental support. Research indicates a significant increase in calls to the hotline during the reporting period. (7)
Anti-Trafficking Hotline†	Government-sponsored hotline that allows citizens to provide information to the police about human trafficking cases. (9) Reported to be active in 2021, though no calls related to human trafficking were reported. (7)
Second Basic Education Improvement Program (2015–2040)	Inter-American Development Bank-funded \$20 million, 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. (7,35) Phase Two of the program, which mostly focused on writing and producing new school curriculums, concluded in 2021. (7)
Regional Initiative Latin America and the Caribbean Free of Child Labor	ILO and Cooperation Agency of Brazil program to improve youth transition from school to work in Caribbean countries, including Suriname. (36) During the reporting period, the Initiative participated in a virtual event with other Caribbean countries to raise awareness about child labor on social media platforms. (37)

† 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. (11) In particular, Suriname lacks programs to assist child victims of human trafficking and commercial sexual exploitation. (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 Suriname (Table 11).

# Suriname

## MODERATE ADVANCEMENT

**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 – 2021
	Ensure that the law criminally prohibits the recruitment of children under age 18 into non-state armed groups.	2016 – 2021
	Ensure that laws criminally prohibit the use of a child under 16 for prostitution.	2021
	Increase the compulsory education age to at least age 16, the minimum age for work.	2009 – 2021
	Ratify the UN CRC Optional Protocol on Armed Conflict.	2020 – 2021
Enforcement	Publish information on Labor Inspectorate funding.	2012 – 2021
	Ensure that the labor inspectorate and the Trafficking in Persons Unit of the Suriname Police Force are sufficiently funded and adequately staffed to cover labor inspections in both the formal and informal sectors of the labor force, including in risk-prone sectors, such as in fisheries, mining, and agricultural areas in which child labor is likely to occur, particularly in the interior of the country.	2014 – 2021
	Provide training on the worst forms of child labor, including on identification of trafficking in persons, to new criminal investigators and to the Trafficking in Persons Unit of the Suriname Police Force.	2021
	Ensure that labor inspectors adequately carry out their mandate and address child labor when identified in all sectors, including at Johan Adolf Pengel International Airport.	2021
	Ensure the child labor referral system can adequately provide long-term solutions to child labor issues that are reported to it.	2021
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 – 2021
	Strengthen social services to assist child victims of commercial sexual exploitation and human trafficking.	2014 – 2021
	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 – 2021
	Ensure that all children, including children of foreign-born parents, have access to free public education regardless of citizenship and residency status, and that school registration is not used to report families without proper residential status.	2021
	Address issues of bullying in schools, including for LGBTQI+ students.	2021

## REFERENCES

- ILO Committee of Experts. Direct Request concerning Worst Forms of Child Labour Convention, 1999 (No. 182)- Suriname (ratification: 2006). Published: 2021. [https://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:13100:0::NO:13100:P13100\\_COMMENT\\_ID:4041696:NO](https://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:13100:0::NO:13100:P13100_COMMENT_ID:4041696:NO)
- U.S. Embassy- Paramaribo. Reporting. January 25, 2021.
- U.S. Department of State. Trafficking in Persons Report- 2021: Suriname. Washington, D.C., June 2021. <https://www.state.gov/reports/2021-trafficking-in-persons-report/suriname/>
- UNESCO Institute for Statistics. Gross intake ratio to the last grade of primary education, both sexes (%). Accessed March 2022. For more information, please see "Children's Work and Education Statistics: Sources and Definitions" in the Reference Materials section of this report. <http://data.uis.unesco.org/>
- ILO. Analysis of Child Economic Activity and School Attendance Statistics from National Household or Child Labor Surveys. Original data from Multiple Indicator Cluster Survey 6 (MICS 6), 2018. Analysis received March 2022. Please see "Children's Work and Education Statistics: Sources and Definitions" in the Reference Materials section of this report.
- U.S. Department of State. Trafficking in Persons Report- 2020: Suriname. Washington, D.C., June 16, 2020. <https://www.state.gov/reports/2020-trafficking-in-persons-report/suriname/>
- U.S. Embassy- Paramaribo. Reporting. January 14, 2022.
- ILO. Suriname Child Labour Survey 2017. ILO, Research Institute for Social Sciences. November 2018. Source on file.
- U.S. Embassy- Paramaribo. Reporting. January 15, 2020.
- U.S. Embassy- Paramaribo. Reporting. January 18, 2019.
- U.S. Embassy- Paramaribo. Reporting. January 10, 2018.
- U.S. Embassy- Paramaribo. Reporting. February 4, 2022.
- UNICEF. Suriname Education Fact Sheets: 2019. <https://www.unicef.org/guianasuriname/reports/mics-eagle>
- Kambel, Ellen-Rose. Rurality and Education in Suriname: Education and Inclusion of Remote Populations in Suriname. UNESCO. 2020. <https://unesdoc.unesco.org/ark:/48223/pf0000374773>
- Manohar, Maya. Violence Against Children: Sub-Study National Response Policies and Legislation. UNICEF. 2017. <https://www.unicef.org/guianasuriname/media/671/file/Violence-against-children-in-Suriname-ExcSummary.pdf>
- U.S. Department of State 2021 Country Reports on Human Rights Practices: Suriname. Washington, D.C., April 12, 2022. <https://www.state.gov/reports/2021-country-reports-on-human-rights-practices/suriname/>
- U.S. Embassy- Paramaribo official. E-mail communication to USDOL official. March 22, 2022.
- U.S. Embassy- Paramaribo official. E-mail communication to USDOL official. June 4, 2021.
- Government of Suriname. Children and Young Persons Labor Act. Enacted: July 23, 2018. Source on file.
- Government of Suriname. Decree on Hazardous Labor for Youth. Enacted: 2010. Source on file.
- Government of Suriname. 1987 Constitution with Reforms of 1992. Enacted: 1992. Source on file.

- 22 Government of Suriname. Penal Code. Enacted: October 14, 1910, and Amended: March 30, 2015.  
[https://www.dna.sr/media/138146/S.B.\\_2015\\_no.\\_44\\_wet\\_van\\_30\\_mrt\\_15\\_wijz.\\_wetboek\\_van\\_strafrecht.pdf](https://www.dna.sr/media/138146/S.B._2015_no._44_wet_van_30_mrt_15_wijz._wetboek_van_strafrecht.pdf)
- 23 Government of Suriname. Conscription Act. Enacted: 1970. Source on file.
- 24 Government of Suriname. Basic Education Law. Enacted: September 22, 1960. Source on file.
- 25 CIA. World Factbook - Suriname March 8, 2022.  
<https://www.cia.gov/the-world-factbook/countries/suriname/#military-and-security>
- 26 Government of Suriname. Nationality and Residence (Amendment) Law, 2014. July 2014.  
[https://www.ilo.org/dyn/natlex/natlex4.detail?p\\_lang=en&p\\_isn=96934&p\\_count=5&p\\_classification=01](https://www.ilo.org/dyn/natlex/natlex4.detail?p_lang=en&p_isn=96934&p_count=5&p_classification=01)
- 27 U.S. Embassy- Paramaribo. Reporting. February 13, 2020.
- 28 Government of Suriname. Labour Act. Enacted: 1963.  
[http://www.ilo.org/dyn/natlex/docs/ELECTRONIC/83483/114796/F-959075778/SUR83483\\_Dut\\_2001.pdf](http://www.ilo.org/dyn/natlex/docs/ELECTRONIC/83483/114796/F-959075778/SUR83483_Dut_2001.pdf)
- 29 Government of Suriname. Labour Inspection Decree. Enacted: 1983. Source on file.
- 30 U.S. Embassy- Paramaribo. Reporting. January 12, 2017.
- 31 U.S. Embassy- Paramaribo official. E-mail communication to USDOL official. April 17, 2017.
- 32 Government of Suriname. National Plan of Action for the Prevention and Response of Trafficking in Persons. Interdepartmental Working Group Trafficking in Persons. January 2019. Source on file.
- 33 ILO. Suriname Decent Work Country Programme 2019–2021. November 5, 2019.  
[https://www.ilo.org/caribbean/information-resources/publications/WCMS\\_727269/lang--en/index.htm](https://www.ilo.org/caribbean/information-resources/publications/WCMS_727269/lang--en/index.htm)
- 34 U.S. Embassy- Paramaribo official. E-mail communication to USDOL official. March 16, 2022. Source on file.
- 35 Inter-American Development Bank. SU-L1038: Second Basic Education Improvement Program (2nd BEIP) Phase II. Accessed March 22, 2022.  
<https://web.archive.org/web/20201031020858/https://www.iadb.org/en/project/SU-L1038>
- 36 ILO. ILO and Brazil seal new project to support the Regional Initiative Latin America and the Caribbean free of Child Labour. February 1, 2021.  
[https://www.ilo.org/global/docs/WCMS\\_768765/lang--en/index.htm](https://www.ilo.org/global/docs/WCMS_768765/lang--en/index.htm)
- 37 Regional Initiative Latin America and the Caribbean Free of Child Labor. Adolescents and youth in Latin America and the Caribbean say No to child labor. June 17, 2021.  
<https://www.iniciativa2025alc.org/en/noticias/adolescentes-y-jovenes-de-america-latina-y-el-caribe-dicen-no-al-trabajo-infantil>
- 38 ILO Committee of Experts. Direct Request concerning Worst Forms of Child Labour Convention, 1999 (No. 182)- Suriname (ratification: 2006). Published: 2017.  
[http://www.ilo.org/dyn/normlex/en/?p=1000:13100:0::NO:13100:P13100\\_COMMENT\\_ID:3289947:YES](http://www.ilo.org/dyn/normlex/en/?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:3289947:YES)



In 2021, the United Republic of Tanzania made moderate advancement in efforts to eliminate the worst forms of child labor. The government issued a circular directing that girls be able to return to school following the completion of their pregnancy, reversing its previous support of permanently expelling girls who had become pregnant. The government also committed additional resources to address other barriers to educational access, including provision of additional classrooms and latrines, as well as desks. In addition, the government facilitated awareness campaigns related to human trafficking and trained 17 local committees focusing on child labor and other issues related to violence against women and children. However, children in Tanzania are subjected to the worst forms of child labor, including in forced labor in mining, quarrying, and domestic work. 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 the use of children in illicit activities and domestic work 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 forced labor in mining, quarrying, and domestic work. (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.

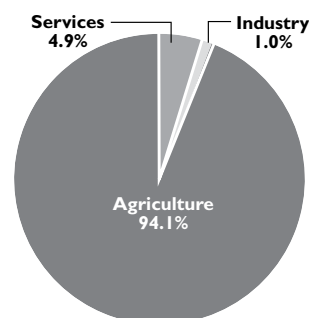
**Table 1. Statistics on Children's Work and Education**

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 (%)		68.7

Source for primary completion rate: Data from 2020, published by UNESCO Institute for Statistics, 2022. (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 (1,4,7,8)
	Chasing away birds on rice farms (4)
	Seaweed farming (8,9)
	Production of sugarcane (4,8)
	Livestock herding, including tending cattle (4,10,11)
	Fishing† and fish descaling, including for Nile perch (1-3,9,12)
Industry	Quarrying† stone and crushing and breaking rocks to produce gravel (1,4,13)
	Mining,† including gold and tanzanite, and using mercury (1,2,4,5,14-18)

**Table 2. Overview of Children’s Work by Sector and Activity (Cont.)**

Sector/Industry	Activity
Services	Domestic work, including child care, cooking, and washing† (1,2,14,18,19)
	Garbage collecting† (20)
	Street work, including vending,† selling charcoal, shoe shining, small business, and scavenging† (10,18,21-23)
	Work in bars† (10)
Categorical Worst Forms of Child Labor‡	Commercial sexual exploitation, sometimes as a result of human trafficking (3,7,23)
	Forced begging (3,10,24)
	Use in illicit activities, including the selling of drugs (25)
	Forced labor in agriculture, including cattle herding and tobacco cultivation, domestic service, mining, fishing, commercial trading, quarrying, shining shoes, pushing carts, and working in factories and bars (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.

Human traffickers exploit domestic and foreign children in sex trafficking and forced labor in Tanzania, and traffickers exploit children from Tanzania abroad. Traffickers exploit individuals from underserved communities—particularly impoverished children, orphans, and children with disabilities from rural areas—in forced labor in domestic work, mining, agriculture, and begging, as well as commercial sexual exploitation in urban areas, such as Arusha, Dar es Salaam, Dodoma, Mbeya, and Mwanza. (3) 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. (3,26) Exploitation of girls in commercial sexual exploitation or forced labor in domestic service frequently occurs in tourist hubs along the Kenyan border and may occur in Zanzibar. (2,19,27,28) Although child trafficking primarily occurs internally within Tanzania, traffickers also exploit migrant children, particularly from Burundi and Rwanda, in domestic servitude and commercial sexual exploitation. (2,3,29) According to reports, refugee children living in Tanzania are increasingly vulnerable to exploitation, including commercial sexual exploitation, sometimes as result of human trafficking, and forced labor in farming in western Tanzania. (3,30,31)

Children in Tanzania engage in a number of hazardous work activities, including mining, quarrying, and working on tobacco plantations. (4) Children working in mining are exposed to hazards, such as mercury poisoning and being trapped when tunnels collapse, especially in smaller unlicensed operations. (16,17,32,33) 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 were exposed to being hit by rock fragments. (13) The Mainland 2019 Statistics Act restricts the sharing of government-collected data and information with people and organizations, including information related to child protection and child labor. (2,34)







Schools, particularly in rural areas, lack adequate teachers, classrooms and desks, food, and sanitation facilities. (11,25) Families are often required to financially contribute to offset these deficits and pay for costs of uniforms, books, and other school materials, creating economic barriers to education for some children. (2,11,35) 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. (2,11)

In November 2021, the government issued a circular outlining the unconditioned readmission to school of girls who previously left education on account of a pregnancy. The circular marks a departure from senior government officials' past endorsement of a practice by which schools expelled girls who had become pregnant and denied them the opportunity to return to school following their pregnancy. (36-38) This practice, which had been backed by senior-level government officials, had led to girls being subject to forced pregnancy tests and expulsion for morality if they were pregnant, making them vulnerable to the worst forms of child labor. (11,36) Under the government's new position, girls can return to education following the completion of their pregnancy. (37) Girls, however, can still be removed from school during the duration of their pregnancy, which reduces the likelihood that they will return to education. (39)

## II. LEGAL FRAMEWORK FOR CHILD LABOR

Tanzania has ratified all key international conventions concerning child labor (Table 3).

**Table 3. Ratification of International Conventions on Child Labor**

Convention	Ratification
 ILO C. 138, Minimum Age	✓
 ILO C. 182, Worst Forms of Child Labor	✓
 UN CRC	✓
 UN CRC Optional Protocol on Armed Conflict	✓
 UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	✓
 Palermo Protocol on Trafficking in Persons	✓

The government has established laws and regulations related to child labor (Table 4). However, gaps exist in Tanzania's legal framework to adequately protect children from the worst forms of child labor, including a lack of minimum age protections for children in domestic work.

**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 (40,41)
	Zanzibar	No	15	Article 6 of the Zanzibar Employment Act; Articles 2 and 98 of the Zanzibar Children's Act (42,43)
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 (40,41)
	Zanzibar	Yes	18	Articles 8 and 9 of the Zanzibar Employment Act; Article 100 of the Zanzibar Children's Act (42,43)
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 (32,40,41)
	Zanzibar	Yes		Article 100 of the Zanzibar Children's Act (43)
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 (40,41,44,45)
	Zanzibar	Yes		Article 7 of the Zanzibar Employment Act; Article 102 of the Zanzibar Children's Act (42,43)
Prohibition of Child Trafficking	Mainland	Yes		Article 4 of the Anti-Trafficking in Persons Act (45)
	Zanzibar	Yes		Articles 6 and 7 of the Zanzibar Employment Act; Article 106 of the Zanzibar Children's Act (42,43)
Prohibition of Commercial Sexual Exploitation of Children	Mainland	Yes		Article 138.2.b of the Sexual Offenses Special Provisions Act; Article 4 of the Anti-Trafficking in Persons Act (45,46)
	Zanzibar	Yes		Article 155 of the Penal Decree Act of Zanzibar; Article 110 of the Zanzibar Children's Act (43,47)
Prohibition of Using Children in Illicit Activities	Mainland	No		
	Zanzibar	Yes		Article 7.2.c of the Zanzibar Employment Act (42)
Minimum Age for Voluntary State Military Recruitment		Yes	18	Article 29 of the National Defense Act (48)
Prohibition of Compulsory Recruitment of Children by (State) Military		N/A*		

## MODERATE ADVANCEMENT

**Table 4. Laws and Regulations on Child Labor (Cont.)**

Standard	Related Entity	Meets International Standards	Age	Legislation
Prohibition of Military Recruitment by Non-state Armed Groups		No		
Compulsory Education Age	Mainland	No	13	Article 35 of the National Education Act (49)
	Zanzibar	No	13	Section 19 of the Zanzibar Education Act (50,51)
Free Public Education	Mainland	No		
	Zanzibar	Yes		Section 59 of the Zanzibar Education Act (50,51)

\*Country has no conscription (48)

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. (10,44) 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. (40,42,43) 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. (32,40,41,52) In addition, Mainland Tanzania does not stipulate penalties for using children for illicit activities, including in the production and trafficking of drugs.

Although Zanzibar has a policy establishing compulsory education through age 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. (50,51) 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. (49)

### III. ENFORCEMENT OF LAWS ON CHILD LABOR

The government has established institutional mechanisms for the enforcement of laws and regulations on child labor (Table 5). However, gaps exist within the operations of 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, 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. (25) 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. (25)
Ministry of 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. (25) Promotes community development, gender equality, and children's rights by formulating policies, strategies, and guidelines in collaboration with stakeholders. (25,53)
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. (53) Includes the Anti-Trafficking Secretariat, which coordinates the government's response to human trafficking. (24)
Zanzibar Labor Commission	Zanzibar	Ensures compliance with child protection and child labor laws, including inspections, through its Child Protection Unit. (53) 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 2021, 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. (2)

**Table 5. Agencies Responsible for Child Labor Law Enforcement (Cont.)**

Organization/Agency	Related Entity	Role
Ministry of Health	Zanzibar	Enforces anti-trafficking laws, including cases of child trafficking. (25)
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. (10,53,54)

**Labor Law Enforcement**

In 2021, labor law enforcement agencies in Tanzania took actions to address child labor (Table 6). However, gaps exist within the authority and operations of the labor ministries that may hinder adequate labor law enforcement, including insufficient financial resources.

**Table 6. Labor Law Enforcement Efforts Related to Child Labor**

Overview of Labor Law Enforcement	Related Entity	2020	2021
Labor Inspectorate Funding	Mainland	Unknown (2)	Unknown (2)
	Zanzibar	\$20,171 (2)	\$10,353 (25)
Number of Labor Inspectors	Mainland	Unknown (2)	Unknown (25)
	Zanzibar	27 (2)	25 (25)
Mechanism to Assess Civil Penalties	Mainland	No (2,40,55)	No (2,40,55)
	Zanzibar	No (42)	No (42)
Initial Training for New Labor Inspectors	Mainland	Unknown (2)	Unknown (25)
	Zanzibar	No (2)	No (25)
Training on New Laws Related to Child Labor	Mainland	N/A (2)	Unknown (25)
	Zanzibar	N/A (2)	No (25)
Refresher Courses Provided	Mainland	Yes (56)	Unknown (25)
	Zanzibar	No (2)	No (25)
Number of Labor Inspections Conducted	Mainland	Unknown (2)	Unknown (25)
	Zanzibar	339 (2)	447 (25)
Number Conducted at Worksites	Mainland	Unknown (2)	Unknown (25)
	Zanzibar	339 (2)	447 (57)
Number of Child Labor Violations Found	Mainland	Unknown (2)	Unknown (25)
	Zanzibar	0 (2)	0 (25)
Number of Child Labor Violations for Which Penalties Were Imposed	Mainland	Unknown (2)	Unknown (25)
	Zanzibar	N/A (2)	0 (25)
Number of Child Labor Penalties Imposed that Were Collected	Mainland	Unknown (2)	Unknown (25)
	Zanzibar	N/A (2)	0 (25)
Routine Inspections Conducted	Mainland	Yes (2)	Unknown (25)
	Zanzibar	Yes (2)	Yes (25)
Routine Inspections Targeted	Mainland	Yes (2)	Unknown (25)
	Zanzibar	Yes (2)	Yes (25)
Unannounced Inspections Permitted	Mainland	Yes (55)	Yes (55)
	Zanzibar	Yes (42)	Yes (42)
Unannounced Inspections Conducted	Mainland	Yes (2)	Unknown (25)
	Zanzibar	Yes (2)	Yes (25)
Complaint Mechanism Exists	Mainland and Zanzibar	Yes (2)	Yes (58)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Mainland	Yes (2)	Yes (2)
	Zanzibar	Yes (2)	Yes (2)



# Tanzania

## MODERATE ADVANCEMENT

As the law in Zanzibar treats child labor as a criminal offense, labor inspectorates may initiate prosecutions for violations related to child labor. (42) Mainland inspectors may issue compliance orders, notifying employers of labor violations; however, these orders do not stipulate a specific financial or other penalty. (55) The Mainland government did not provide information on labor enforcement efforts for inclusion in this report. (10)

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 reported that there are only 73 labor inspectors in the Mainland, although the Mainland government has not provided information on the size of its labor inspectorate. (59,60) Although 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 726 labor inspectors because its workforce consists of over 29 million workers. (25,59,61,62)

Figures on Mainland labor inspectorate funding remain unavailable, but NGOs have noted that labor enforcement efforts would benefit from additional funding and increased numbers of inspections. (53) Although the government has a complaint mechanism for individuals to report potential cases of child labor, research indicates this mechanism is not consistently used because of insufficient tools and resources and budgetary constraints. (58) The Zanzibar labor inspectorate, meanwhile, lacks sufficient personnel, office facilities, transportation and fuel, and other resources to adequately enforce child labor laws. (2)

### Criminal Law Enforcement

In 2021, criminal law enforcement agencies in Tanzania took actions to address 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 published information on criminal law enforcement efforts.

**Table 7. Criminal Law Enforcement Efforts Related to Child Labor**

Overview of Criminal Law Enforcement	Related Entity	2020	2021
Initial Training for New Criminal Investigators	Mainland	Unknown (2)	Unknown (25)
	Zanzibar	No (2)	Unknown (25)
Training on New Laws Related to the Worst Forms of Child Labor	Mainland	N/A (2)	Unknown (25)
	Zanzibar	N/A (2)	Unknown (25)
Refresher Courses Provided	Mainland	Unknown (2)	Unknown (25)
	Zanzibar	Yes (56)	Unknown (25)
Number of Investigations	Mainland	Unknown (2)	Unknown (25)
	Zanzibar	0 (2)	Unknown (25)
Number of Violations Found	Mainland	Unknown (2)	Unknown (25)
	Zanzibar	0 (2)	1 (25)
Number of Prosecutions Initiated	Mainland	Unknown (2)	Unknown (25)
	Zanzibar	N/A (2)	0 (25)
Number of Convictions	Mainland	Unknown (2)	Unknown (25)
	Zanzibar	0 (2)	0 (25)
Imposed Penalties for Violations Related to the Worst Forms of Child Labor	Mainland	Unknown (2)	Unknown (25)
	Zanzibar	Unknown (2)	Unknown (25)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Mainland	Yes (2)	Yes (2)
	Zanzibar	Yes (2)	Yes (2)

The Mainland government did not provide complete information on its criminal law enforcement efforts for inclusion in this report. The Anti-Trafficking Secretariat, however, reported that in 2021, it had rescued and assisted 56 children from human trafficking for forced labor, including in domestic service; the children were ages 14 to 18. (63) Officials also undertook 113 investigations and 18 prosecutions related to human trafficking; however, the government did not provide information on ages of victims to determine whether these pertained

to worst forms of child labor. (24) An NGO operates a child abuse hotline and in 2021 reported 30 complaints of child labor to government authorities, resulting in referrals to health and social services providers, parental interventions, and, in some cases, referrals to criminal investigative authorities. (64)

In 2021, immigration officials repatriated 543 migrant children to their countries of origin in Burundi (402), the Democratic Republic of the Congo (2), Rwanda (86), Uganda (51), Zambia (1), and Ethiopia (1) as part of a national crackdown on immigration. Many of these children were reportedly in child labor in domestic service, farming, and herding cattle and livestock. (65) The children received care before being returned to their countries of origin. (66)

#### 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 inefficacy of coordinating bodies with respect to their mandates.

**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 Strategy on the Elimination of Child Labor. Evaluates curriculum and programs, identifies gaps, and suggests strategies to resolve barriers to accessing education. (67) Research was unable to determine whether the National Education Task Force on Child Labor was active during the reporting period. (24)
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. (53) Chaired by Zanzibar's Ministry of Empowerment, Adults, Youth, Women and Children. (59) Research was unable to determine whether the Zanzibar Child Labor Steering Committee was active during the reporting period. (25)
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 in Tanzania (NPA-VAWC) through the merger of the National Inter-Sectoral Coordination Committee and the Multi-Sector Task Force on Violence Against Children. (54,68) Operates the NPA-VAWC National Protection Technical Committee and Thematic Working Groups at the national level. (53,54) Research was unable to determine whether the National Protection Steering Committee was active during the reporting period.
National Anti-Trafficking Committee and Anti-Trafficking Secretariat	Mainland and Zanzibar	Promotes, defines, and coordinates policy to prevent human trafficking through engagement with local NGOs. (45,68) Chaired by the National Anti-Trafficking Secretariat within the Ministry of Home Affairs, includes representatives from the ministries of Health, Community Development, Gender, Women and Special Groups, Constitutional and Legal Affairs, and the Commission for Human Rights and Good Governance. The Anti-Trafficking Secretariat organized 8 awareness campaigns during the reporting period, reaching 282 religious leaders, law enforcement officials, social welfare officers, teachers, journalists, and community leaders. (24) The Anti-Trafficking Committee met once during the reporting period. Financial and resource constraints, however, hindered the committee from meeting quarterly according to its mandates. (24)

#### V. GOVERNMENT POLICIES ON CHILD LABOR

The government has established policies related to child labor (Table 9). However, policy gaps exist that hinder efforts to address child labor, including a lack of implementation of existing policies.

**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) Although the government finalized the National Strategy on Elimination of Child Labor in 2019, it has not been formally launched, and research cannot determine whether the government has taken any actions to implement it. (25) The government reported that it is planning to review the strategy ahead of its expiration; however, to date, there are no specific activities the government has taken to update it. (25)
National Anti-Trafficking in Persons Plan of Action (2021–2024)*	Mainland and Zanzibar	Articulates shared objectives, resources, and activities for the government's response to human trafficking through survivor treatment, increasing knowledge and skill of enforcement officers, and community awareness. Includes integration of human trafficking concepts into secondary education activities, data collection, and mainstreaming human trafficking issues into the children's desk at police stations. (70) The government approved the National Anti-Trafficking in Persons Plan of Action in late 2021, and publicly launched the action plan in March 2022. (24)
NPA-VAWC (2017–2022)	Mainland and Zanzibar	Prevents and responds to all forms of violence against women and children through comprehensive multi-sectoral collaboration at all levels and combining eight national action plans. (54) Details responsible agencies to address multiple challenges, including education and poverty reduction. (53) On June 15, 2021, the government facilitated a stakeholder discussion on the achievements, challenges, and learnings in implementing the NPA-VAWC with respect to child labor. The government also supported the training of 17 community and district NAP-VAW/child labor committees on data collection and reporting. (66)

\* Mechanism to coordinate efforts to address child labor was created during the reporting period.

‡ The government had other policies that may have addressed child labor issues or had an impact on child labor. (51,53,71)

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. (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 its stated intention to phase out the exam by 2021, there is no evidence that the government has made efforts or preparations to do so. (68,73,74)

Since 2006, the Zanzibar government has administered education under the Zanzibar Education Policy, which establishes compulsory education through Form 4 (approximately age 15). (51,75) However, research indicates that implementation of this policy has been slow due to limited resources and teachers within schools. (76) The Zanzibar Education Policy, moreover, does not include child labor elimination and prevention strategies. (51) Research indicates that a large proportion of students in Zanzibar leave the formal education system below the minimum age for work, leaving them at increased risk for child labor. (77)

## VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2021, 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 inadequate scope of programs to address child labor 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. (24) In 2021, the Tanzania Social Action Fund expanded, registering an additional 420,000 households to benefit from cash transfer support. In total, the program targets 1.4 million low-income households that are vulnerable to coping mechanisms, including child labor. (24)
Rural Enterprise Support to Eliminate Child Labor*	Project implemented by the ECLT foundation as a follow-up to the Promoting Sustainable Practices to Eradicate Child Labor in Tobacco program that ended in 2020. Aims to support farmers and reduce child labor in Chunya, Kaliua, Sikonge, and Urambo districts. (2,25,53) In 2021, the program trained 17 community and district child labor committees on data collection and reporting and supported the development of 17 community child labor action plans in the 3 regions of Tabora, Mbeya, and Songwe. (25)

**Table 10. Key Social Programs to Address Child Labor (Cont.)**

Program	Description
Eradicating the Worst Forms of Labor in the Eight Mining Wards of the Geita District	French Development Agency-funded program, implemented by Plan International, to eliminate child labor and other forms of violence against children, especially girls, in the small-scale mining and fishing sectors. The project covers 15 wards and 63 villages in 3 Geita districts: Geita, Nyang'hwale, and Chato. (25) In 2021, the program supported the establishment of 81 child protection committees in 15 wards and 63 villages. The committees aim to raise awareness on child protection, child labor prevention, and response. (25) The program also supported 957 children with school materials and return to school, and supported an additional 908 youth with skill-building opportunities through Youth Saving and Lending Associations. (25) The project was extended to its third phase, which will run through February 2023. (66)

\* Program was launched during the reporting period.

† Program is funded by the Government of Tanzania.

‡ The government had other social programs that may have included the goal of eliminating or preventing child labor. (53)

During the reporting period, the government committed to allocating additional resources to address barriers to education, particularly the shortage of school desks. The government received a \$576 million COVID-19 Rapid Credit Facility loan from the IMF, including \$100 million for Zanzibar, with some of the funds directed to construct 15,000 classrooms in secondary schools and 3,000 in primary schools, as well as latrines in Mainland Tanzania; in addition, the government directed schools to cease sending children home from school because they lack appropriate uniforms or school supplies. (25)

An evaluation of Tanzania's Conditional Cash Transfer Program found that it had achieved little reduction of child labor, because 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. (79)

The scope of government-funded social programs is inadequate in that it does not cover other forms of agriculture beyond tobacco, nor does it include construction, domestic service, fishing, and informal sectors in which children engage in child labor.

## VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE CHILD LABOR

Based on the reporting above, suggested actions are identified that would advance the elimination of child labor in Tanzania (Table 11).

**Table 11. Suggested Government Actions to Eliminate Child Labor**

Area	Related Entity	Suggested Action	Year(s) Suggested
Legal Framework	Mainland and Zanzibar	Ensure that minimum age protections apply to all children, including those engaged in domestic work.	2013 – 2021
	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 – 2021
	Mainland	Criminalize the use of children in illicit activities, particularly in producing and trafficking drugs.	2012 – 2021
	Mainland and Zanzibar	Criminalize the recruitment of children under age 18 by non-state armed groups.	2016 – 2021
	Mainland and Zanzibar	Establish by law a compulsory age for education that is the same or higher than the minimum age for work.	2017 – 2021
	Mainland	Establish by law free basic public education.	2016 – 2021
Enforcement	Mainland	Establish a mechanism to assess civil penalties for child labor violations.	2017 – 2021
	Zanzibar	Institutionalize training for labor inspectors, including training new labor inspectors at the beginning of their employment and refresher courses.	2019 – 2021
	Mainland	Publish information on labor law enforcement efforts.	2011 – 2021
	Mainland and Zanzibar	Ensure the appointment of a dedicated labor officer for each region and publish this information.	2013 – 2021

## MODERATE ADVANCEMENT

**Table 11. Suggested Government Actions to Eliminate Child Labor (Cont.)**

Area	Related Entity	Suggested Action	Year(s) Suggested
Enforcement	Mainland and Zanzibar	Increase the number of labor inspectors to meet the ILO's technical advice.	2013 – 2021
	Mainland and Zanzibar	Provide sufficient funding to ensure adequate enforcement of labor laws.	2013 – 2021
	Mainland and Zanzibar	Ensure that the child labor complaint mechanism has sufficient resources to carry out operations.	2021
	Zanzibar	Institutionalize training for criminal law enforcement investigators, including by training new investigators.	2019 – 2021
	Mainland	Publish information on criminal law enforcement efforts related to the worst forms of child labor.	2012 – 2021
	Zanzibar	Publish information on criminal law enforcement efforts related to the worst forms of child labor, including trainings, number of investigations, and imposed penalties for violations related to the worst forms of child labor.	2021
Coordination	Mainland and Zanzibar	Ensure that coordinating committees are active and able to carry out their intended mandates.	2018 – 2021
	Mainland and Zanzibar	Ensure that the National Anti-Trafficking Committee and other coordinating bodies have sufficient resources to accomplish their mandates.	2021
Government Policies	Mainland and Zanzibar	Ensure that activities are undertaken to implement the National Strategy on Elimination of Child Labor and publish results from activities implemented during the reporting period.	2020 – 2021
	Mainland	Eliminate provisions in the Primary School Leaving Examination that are barriers to education, such as the no re-take policy.	2016 – 2021
	Zanzibar	Incorporate child labor prevention and elimination strategies and ensure the full implementation of the Zanzibar Education Policy to limit dropouts.	2018 – 2021
Social Programs	Mainland	Ensure educational access for girls removed from school during pregnancy.	2021
	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 on families, including school uniforms, books, and other learning materials.	2010 – 2021
	Mainland	End legal restrictions that limit the sharing of information related to child labor.	2020 – 2021
	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 – 2021
	Mainland and Zanzibar	Integrate programs that include the agricultural, construction, domestic service, fishing, and informal sectors to address children engaged in child labor.	2017 – 2021

## REFERENCES

- ILO and Government of Tanzania. Tanzania Mainland National Child Labor Survey 2014. February 2016. [http://www.ilo.org/ipcc/Informationresources/WCMS\\_IPEC\\_PUB\\_28475/lang--en/index.htm](http://www.ilo.org/ipcc/Informationresources/WCMS_IPEC_PUB_28475/lang--en/index.htm)
- U.S. Embassy- Dar es Salaam. Reporting. January 19, 2021.
- U.S. Department of State. Trafficking in Persons Report- 2021: Tanzania. Washington, D.C., July 1, 2021. <https://www.state.gov/reports/2021-trafficking-in-persons-report/tanzania/>
- Legal and Human Rights Centre. Human Rights and Business Report 2020/2021, July 2021. Source on file.
- UNESCO Institute for Statistics. Gross intake ratio to the last grade of primary education, both sexes (%). Accessed March 3, 2022. For more information, please see "Children's Work and Education Statistics: Sources and Definitions" in the Reference Materials section of this report. <http://data.uis.unesco.org/>
- ILO. Analysis of Child Economic Activity and School Attendance Statistics from National Household or Child Labor Surveys. Original data from National Child Labour Survey (NCLS), 2014. Analysis received March 2021. Please see "Children's Work and Education Statistics: sources and Definitions" in the Reference Materials section of this report.
- U.S. Embassy- Dar es Salaam. Reporting. February 11, 2019.
- U.S. Embassy- Dar es Salaam official. E-mail communication to USDOL official. March 16, 2020.
- Arnold, Happiness. Child labour in coastal and marine activities in Zanzibar, Tanzania. University of Dar es salaam, College of Natural and Applied Sciences. 2018. Source on file.
- U.S. Embassy- Dar es Salaam. Reporting. February 10, 2020.
- UNICEF Global Initiative on Out-of-School Children-Tanzania Country Report. March 2018. <https://www.unicef.org/tanzania/media/596/file/Tanzania-2018-Global-Initiative-Out-of-School-Children-Country-Report.pdf>
- Mwaipopo, Rosemarie N. Tanzania: Labour, Fraught with Danger. Samudra Report no. 77 (2017). [https://aquadocs.org/bitstream/handle/1834/36441/SAM\\_77\\_10\\_Fraught%20with%20Danger.pdf?sequence=1&isAllowed=y](https://aquadocs.org/bitstream/handle/1834/36441/SAM_77_10_Fraught%20with%20Danger.pdf?sequence=1&isAllowed=y)
- Suleiman, Abdi. Zaidi ya Watoto 1,500 Wanabanja Kokoto Mwambe. February 21, 2019. Source on file.
- U.S. Department of State. Trafficking in Persons Report- 2020: Tanzania. Washington, D.C., 2020. <https://www.state.gov/reports/2020-trafficking-in-persons-report/tanzania/>



- 15 Kippenberg, Juliane. Tackling Child Labor in the Minerals Supply Chain. Human Rights Watch, May 3, 2017.  
<https://www.hrw.org/news/2017/05/03/tackling-child-labor-minerals-supply-chain>
- 16 Mahr, Krista. Tanzania struggles to end child labor from the lure of gold. Reuters, April 3, 2017.  
<https://www.reuters.com/article/us-tanzania-mining-children-feature/tanzania-struggles-to-end-child-labor-from-the-lure-of-gold-idUSKBN176007>
- 17 Spence, Tony. Child Mining in Tanzania: A Forgotten Story. Global South Magazine, March 17, 2017.  
<http://www.gsdmagazine.org/child-mining-tanzania-forgotten-story/>
- 18 Magobe, Telesphor. Plight of Tanzanian Children Working in Mines. August 8, 2021.  
<https://allafrica.com/stories/202108090459.html>
- 19 Grant, Rebecca. No school, no salary: the children tricked into domestic servitude in Zanzibar. The Guardian, November 9, 2017.  
<https://www.theguardian.com/global-development/2017/nov/09/children-domestic-servitude-zanzibar-trafficking>
- 20 U.S. Embassy- Dar es Salaam official. E-mail communication to USDOL official. June 24, 2020.
- 21 Mollel, Happy. Intensify War Against Child Labour, Residents Ask Govt. AllAfrica. November 30, 2021.  
<https://allafrica.com/stories/202111300169.html>
- 22 U.S. Embassy- Dar es Salaam official. E-mail communication to USDOL official. February 7, 2020.
- 23 Mujaya, Nyakwesi, et al. How COVID-19 is playing with street children in Tanzania, Devdiscourse. June 11, 2020.  
<https://www.devdiscourse.com/article/national/1088396-how-covid-19-is-playing-with-street-children-in-tanzania>
- 24 U.S. Embassy- Dar es Salaam. Reporting. February 7, 2022.
- 25 U.S. Embassy- Dar es Salaam. Reporting. February 18, 2022.
- 26 Madyane, Adela. Domestic trafficking: Thriving industry that ruins children's future. IPP Media. August 17, 2021.  
<https://www.ippmedia.com/en/features/domestic-trafficking-thriving-industry-ruins-childrens-future>
- 27 U.S. Embassy- Dar es Salaam. Reporting. April 21, 2022.
- 28 Le Journal del Afrique. Sex tourism in Africa, between taboos and instrumentalisation. September 27, 2021.  
<https://lejournaldelafrique.com/en/sex-tourism-in-africa-between-taboos-and-instrumentalization/>
- 29 U.S. Embassy- Dar es Salaam official. E-mail communication to USDOL official. June 20, 2018.
- 30 U.S. Embassy- Dar es Salaam. Reporting. January 20, 2020.
- 31 U.S. Embassy- Dar es Salaam official. E-mail communication to USDOL official. January 6, 2020.
- 32 Government of Tanzania. Employment and Labor Relations Act General Regulations. Enacted: 2017. Source on file.
- 33 Merket, Hans. Tanzania: Study reveals high prevalence of child labour and health and safety hazards in small-scale mines. January 28, 2019.  
<https://www.business-humanrights.org/en/tanzania-study-reveals-high-prevalence-of-child-labour-and-health-safety-hazards-in-small-scale-mines>
- 34 Government of Tanzania. The Statistics Act, Revised Edition. Enacted 2019.  
<https://www.nbs.go.tz/index.php/en/about-us/policies-and-legislations/acts/522-the-statistics-act-cap-351-r-e-2019>
- 35 Ngalomba, Simon. Poverty and Child Trafficking in Tanzania: Implications on Access to Education. SSRN. April 30, 2020.  
[https://papers.ssrn.com/sol3/cf\\_dev/AbsByAuth.cfm?per\\_id=2574869](https://papers.ssrn.com/sol3/cf_dev/AbsByAuth.cfm?per_id=2574869)
- 36 Awami, Sammy. Activists worked to end pregnant schoolgirl ban. They succeeded Al Jazeera November 27, 2021.  
<https://www.aljazeera.com/news/2021/11/27/activists-hail-tanzania-move-to-lift-ban-on-pregnant-schoolgirls>
- 37 GOT. Education Circular No. 01 of 2021 on the Re-Entry of Student Dropouts in Primary and Secondary Education. November 24, 2021. Source on file.
- 38 Dausen, Nuzulack. Tanzania to allow students to restart education after giving birth. Reuters. November 24, 2021.  
<https://www.reuters.com/world/africa/tanzania-now-allow-students-resume-education-after-giving-birth-2021-11-24/>
- 39 McCool, Alice. Tanzania to lift ban on teenage mothers returning to school The Guardian. November 26, 2021.  
<https://www.theguardian.com/global-development/2021/nov/26/tanzania-to-lift-ban-on-teenage-mothers-returning-to-school>
- 40 Government of Tanzania. Employment and Labour Relations Act. Enacted: 2004. Source on file.
- 41 Government of Tanzania. The Law of the Child Act. Enacted: 2009.  
[http://www.ilo.org/wcmsp5/groups/public/---ed\\_protect/---protrav/---ilo\\_aids/documents/legaldocument/wcms\\_151287.pdf](http://www.ilo.org/wcmsp5/groups/public/---ed_protect/---protrav/---ilo_aids/documents/legaldocument/wcms_151287.pdf)
- 42 Revolutionary Government of Zanzibar. Employment Act, No. 11. Enacted: 2005.  
<http://www.ilo.org/dyn/natlex/docs/WEBTEXT/49108/65102/E98TZA01.htm#p2>
- 43 Revolutionary Government of Zanzibar. Children's Act. Enacted: 2011. Source on file.
- 44 Government of Tanzania. The Constitution of the United Republic of Tanzania. Enacted: 1977. Source on file.
- 45 Government of Tanzania. The Anti-Trafficking in Persons Act. Enacted: 2008. Source on file.
- 46 Government of Tanzania. Sexual Offences Special Provisions Act. Enacted: 1998.  
<http://www.ilo.org/dyn/natlex/docs/ELECTRONIC/67094/63635/F532037758/TZA67094.pdf>
- 47 Revolutionary Government of Zanzibar. Penal Decree Act No. 6 of 2004. Enacted: 2004. Source on file.
- 48 Government of Tanzania. National Defence Act. Enacted: 1966. Source on file.
- 49 Government of Tanzania. National Education Act. Enacted: December 4, 1978.  
<http://www.unesco.org/education/edurights/media/docs/873ae01bc28cf449895950c7cac2a419d3ede5fd.pdf>
- 50 Government of Zanzibar. The Education Act. 1982. Source on file.
- 51 Government of Zanzibar. Zanzibar Education Development Plan II (2017/18–2021/22). 2017.  
[https://www.globalpartnership.org/sites/default/files/zedp\\_ii\\_zanzibar.pdf](https://www.globalpartnership.org/sites/default/files/zedp_ii_zanzibar.pdf)
- 52 Government of Tanzania. List of Hazards. 2013. Source on file.
- 53 U.S. Embassy- Dar es Salaam. Reporting. January 17, 2017.
- 54 Government of Tanzania. National Plan of Action to End Violence Against Women and Children in Tanzania (2017/18–2021/22). December 2016.  
<https://www.unicef.org/tanzania/reports/national-plan-action-end-violence-against-women-and-children-tanzania-2017-2021>
- 55 Government of Tanzania. Labour Institutions Act (No. 7 of 2004). Enacted 2004.  
<https://www.ilo.org/dyn/natlex/docs/SERIAL/68356/66545/F1726067877/tza68356.pdf>
- 56 U.S. Embassy- Dar es Salaam official. E-mail communication to USDOL official. May 11, 2021.
- 57 U.S. Embassy- Dar es Salaam official. E-mail communication to USDOL official. March 29, 2022.
- 58 U.S. Embassy- Dar es Salaam official. E-mail communication to USDOL official. March 29, 2022.
- 59 U.S. Embassy- Dar es Salaam official. E-mail communication to USDOL official. June 16, 2017.
- 60 ILO. Strengthening Capacity of Tanzania to Implement Labour Standards and to Address Violations of Acceptable Conditions of Work: Briefing for USG (USTR & USDOL) on Tanzania. 2021. Source on File.
- 61 UN. World Economic Situation and Prospects 2021. Statistical Annex. New York. 2021.  
[https://www.un.org/development/desa/dpad/wp-content/uploads/sites/45/WESP2021\\_ANNEX.pdf](https://www.un.org/development/desa/dpad/wp-content/uploads/sites/45/WESP2021_ANNEX.pdf)

## MODERATE ADVANCEMENT

- 62 ILO modelled estimates and projections (ILOEST) Population and labour force. February 7, 2022. Labor force data is modelled on a combination of demographic and economic explanatory variables by the ILO. Please see “Labor Law Enforcement: Sources and Definitions” in the Reference Materials section of this report.  
<https://ilostat.ilo.org/data/>
- 63 Government of Tanzania. The Anti-trafficking in Persons Secretariat: A Brief Report on Counter Trafficking in Persons Activities (April to September 2021). 2021. Source on file.
- 64 M-Sema. Brief Summary of Child Trafficking and Child Labor Cases Received at 116 National Child Helpline in 2021. Circ. 2021. Source on file.
- 65 U.S. Embassy- Dar es Salaam. Reporting. April 5, 2022.
- 66 U.S. Department of State. Electronic communications with USDOL official. May 11–25, 2022.
- 67 Government of Tanzania. NETF Action Plan. National Education Task Force on Child Labor. 2015. Source on file.
- 68 U.S. Embassy- Dar es Salaam official. E-mail communication to USDOL official. May 2, 2017.
- 69 Government of Tanzania. National Strategy on Elimination of Child Labour, 2018–2022. December 2017. Source on file.
- 70 Government of Tanzania. National Anti-Trafficking in Persons Plan of Action, 2021–2024. 2021. Source on file.
- 71 The World Bank. Secondary Education Development Program II. 2016.  
<http://documents.worldbank.org/curated/en/182201483110970136/pdf/ISR-Disclosable-PI14866-12-30-2016-1483110951754.pdf>
- 72 Mashala, Yusuph Lameck. The Impact of the Implementation of Free Education Policy on Secondary Education in Tanzania. *International Journal of Academic Multidisciplinary Research*. January 2019.  
<http://ijeais.org/wp-content/uploads/2019/01/IJAMR190102.pdf>
- 73 Human Rights Watch. I Had a Dream to Finish School: Barriers to Secondary Education in Tanzania. 2017.  
[https://www.hrw.org/sites/default/files/accessible\\_document/tanzania0217\\_-\\_accessible.pdf](https://www.hrw.org/sites/default/files/accessible_document/tanzania0217_-_accessible.pdf)
- 74 U.S. Embassy- Dar es Salaam official. E-mail communication to USDOL official. March 23, 2018.
- 75 Government of Zanzibar. Ministry of Education and Vocational Training 2018. 2018. Source on file.
- 76 Suleiman, Amran Said, Yen Yat, and Issah Iddrisu. Education Policy Implementation: A Mechanism for Enhancing Primary Education Development in Zanzibar. *Open Journal of Social Sciences* 5, No. 3, March 2017.  
<https://www.scirp.org/journal/PaperInformation.aspx?PaperID=74820>
- 77 U.S. Embassy- Dar es Salaam official. E-mail communication to USDOL official. July 12, 2019.
- 78 U.S. Embassy- Dar es Salaam. Reporting. January 29, 2018.
- 79 de Hoop, Jacobus, et al. Impact of the United Republic of Tanzania’s Productive Social Safety Net on Child Labour and Education. UNICEF. 2020.  
<https://www.unicef-irc.org/publications/1112-impact-of-the-united-republic-of-tanzanias-p-productive-social-safety-net-on-child.html>

In 2021, Thailand made moderate advancement in efforts to eliminate the worst forms of child labor. During the reporting period, the Government of Thailand approved the third National Policy and Plan to Eliminate the Worst Forms of Child Labor Phase III (2021–2022), which included the Ministry of Labor signing a memorandum of understanding with 13 business associations to prevent child and forced labor in the shrimp, fishing, sugarcane, and garment industries. The government also published statistics on the number of investigations conducted, violations found, and convictions secured for crimes related to the worst forms of child labor. Moreover, the Ministry of Education implemented a program in cooperation with the Ministry of Labor, the Office of the Ombudsman, and other related government agencies to provide education on labor rights, assist with vocational training, and share job vacancies to 1,127 student trainees. 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. Thailand 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. Lastly, child labor law enforcement remains a challenge due to an insufficient number of inspectors and resources to physically inspect remote workplaces.



## 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 (%)		95.1

Source for primary completion rate: Data from 2020, published by UNESCO Institute for Statistics, 2022. (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† (4,19–22)
	Fishing, including work performed in fisheries and on sea vessels† (4,20,23–25)
	Planting and harvesting sugarcane (19,26,27)
	Production of rubber (22,28)

# Thailand

## MODERATE ADVANCEMENT

**Table 2. Overview of Children’s Work by Sector and Activity (Cont.)**

Sector/Industry	Activity
Industry	Manufacturing, including garment production (4,25)
	Working in poultry factories, and working on pig farms (16,29)
	Construction, including transporting cement and bricks (4,16,19,22,30,31)
Services	Domestic work (28,32)
	Work in restaurants, motorcycle repair shops, and gas stations (4,16,19,22,25,33,34)
	Street work, including begging and vending (4,16,22,24,25,32,35)
	<i>Muay Thai</i> fighting (2-4,6-12,14,16,25,36,37)
Categorical Worst Forms of Child Labor‡	Commercial sexual exploitation, including use in the production of pornography, sometimes as a result of human trafficking (1,4,5,22,24,25,32,33,38,39)
	Forced labor in vending, begging, and domestic work (4,5,16,25,32)
	Forced labor in the production of garments, agriculture, and in shrimp and seafood processing (4,22,40)
	Forced labor in fishing, including fisheries (4,23,25,32,41)
	Use in the production and trafficking of drugs, including narcotics, amphetamines, kratom, and marijuana (4,22,25,28,40)

† 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 coerced to produce pornography and perform sexual acts. (4,5,24,25,32,33,38,42) Clients of child sex trafficking victims attempt to avoid law enforcement by arranging appointments in private residences, randomly changing venues, and paying children directly. The Thai government reported that some recruiters and traffickers are active or former child sex trafficking victims themselves. (25)

Incidents of child labor in the shrimp and seafood processing industry have decreased in recent years, but children, particularly migrants from the Greater Mekong Sub-region, continue to engage in hazardous work in this industry. (4,21,32,41,43) 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. (16,25,28) 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, and are not always enrolled in school. (4,25,30,31,44)




Children also participate in *Muay Thai* competitions, an area of work in which there is evidence of serious head injuries. 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. (2,4,6,12,14,36) The Government of Thailand began drafting its Boxing Act Amendment in 2018, but the draft amendment to add a minimum age requirement for *Muay Thai* is still being considered by the Sport Committee at the House of Representatives. No changes had been enacted to the Thai Boxing Act as of December 2021. (4,16,25,37,45-47)

Thai law provides for 12 years of free education for all children in Thailand. (22,25,48) However, language barriers prevent some children, particularly migrants and ethnic minorities, from accessing basic education as school instruction and school applications are only available in Thai. (4,25,45,49) 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 that non-Thai students need to possess to enroll in school, which may be a barrier to education access. (25) 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. (16,50,51)

## 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	Section 5 and Chapter 4, Section 44 of the Labor Protection Act; Section 148/1 of the Labor Protection Act (No. 5) (52,53)
Minimum Age for Hazardous Work	Yes	18	Chapter 4, Sections 49 and 50 of the Labor Protection Act; Section 148/2 of the Labor Protection Act (No. 5); Section 4 and Chapter 2, Article 26(6) of the Child Protection Act; Chapter 4, Section 20 of the Home Workers Protection Act (52-55)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Chapter 4, Sections 49 and 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 (52,56,57)
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 (58-60)
Prohibition of Child Trafficking	Yes		Sections 282 and 283 of the Penal Code; Section 6 of the Anti-Trafficking in Persons Act (No. 3) (58,59)
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 (54,58,61,62)
Prohibition of Using Children in Illicit Activities	Yes		Section 26(5) of the Child Protection Act; Section 93 of the Narcotics Act; Section 84 of the Penal Code; Section 22 of the Beggar Control Act (54,63-65)
Minimum Age for Voluntary State Military Recruitment	Yes	18	Section 25 of the Military Service Act (66)
Prohibition of Compulsory Recruitment of Children by (State) Military	Yes		Section 25 of the Military Service Act (66)
Prohibition of Military Recruitment by Non-state Armed Groups	No		
Compulsory Education Age	Yes	16	Section 17 of the National Education Act (48)
Free Public Education	Yes		Section 10 of the National Education Act; Section 54 of the Thai Constitution (48,67)



# Thailand

## MODERATE ADVANCEMENT

During the reporting period, the Government of Thailand began prosecuting cases under Section 6/1 of the Anti-Trafficking in Persons Act and began developing implementation guidelines, including a Standard Operating Procedure for referral and case management between agencies to include law enforcement, labor inspectors, and Port-In-Port-Out (PIPO) inspectors, in order to address gaps in investigating forced labor crimes. (68,69) The Anti-Human Trafficking Committee also approved a draft amendment to the Penal Code that would make online sexting and online grooming of children criminal offences, in line with Constitutional Standards and the UN CRC. The draft amendment will be sent to the Cabinet for approval. (68) Furthermore, the National Committee on Prevention of Official Complicity in Human Trafficking approved an amendment to the Office of the Prime Minister's Regulations on Management Measures in Preventing Official Complicity in Human Trafficking and sent it to the Cabinet for consideration. This amendment would allow law enforcement to take action against officials facilitating migrant smuggling, which may eventually lead to the individual being trafficked. (68) In addition, the Department of Labor Protection and Welfare (DLPW) began the process of amending the Home Worker Protection Act B.E. 2553 (2010) to raise the minimum age for home workers to age 15. (22)

However, the minimum age for work in Thailand 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, and the law does not require 15-year-olds to complete compulsory schooling before seeking work, some children may be encouraged to leave school before the completion of compulsory education. (48,52,53)

Moreover, although Thailand has identified fishing on sea vessels as a form of hazardous labor, the government is in the process of amending the Ministerial Regulation on Protection of Fishery Work 2014 to allow owners of fishing boats to employ relatives as young as age 16 as interns. (25,70) Research indicates that there is inadequate oversight of fishing vessels to ensure that youth workers are relatives of adult crew. (25)

### 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).

**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. (28) Operates Hotline 1509 and staffs 86 DLPW offices in every province to answer questions about working conditions and receive complaints from the public about child labor. (4,45,71) During the reporting period, DLPW's Call Center received 257 calls and 223 complaints related to the violation of child labor laws. Most of these calls related to employment of children under the minimum age for work. (22,25) In 2021, DLPW's labor inspectors filed charges against 7 enterprises for employing children under the minimum age for work in violation of Thailand's child labor law. There were 20 suspects and 10 child labor victims in these cases, which took place in construction sites, fisheries, restaurants and markets. (25)
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. (71) 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. (45,72,73) 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. (45,72,73) The Department of Special Investigation's (DSI) Bureau of Human Trafficking Crime is tasked with enforcing and investigating human trafficking cases. (4,44) During the reporting period, the RTP investigated 57 cases in which children were used, provided, or offered for prostitution and identified pornographic performances and materials involving 78 child victims. (22,25) The RTP also investigated 39 cases of child labor involving 57 children and removed 36 child victims from situations of exploitation and placed them in Ministry of Social Development and Human Security (MSDHS)-run long-term shelters or NGO-run shelters. (25) DSI conducted a rescue operation of 18 Burmese migrant workers, which included 2 victims under the age of 18, who were being held against their will in a confectionary factory. (25) Moreover, DSI reported four prosecutions for human trafficking and child exploitation with one child labor victim. Between January 1 and September 30, 2021, OAG reported 72 victims associated with 43 ongoing cases related to sexual exploitation or prostitution. (25)

**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 online commercial sexual exploitation of children, including the distribution and production of child pornography through the media. (4,5,22,24,25,74) Comprises police officers, DSI agents, social workers, and selected NGO representatives. (4,22,25,29,44,72,73) During the reporting period, TICAC partnered with NGOs such as HUG Project, Spring Project, and Freedom International Foundation to enhance the capacity of officials to provide child-centered and trauma-informed care and organized online campaigns and workshops to raise awareness of online sexual exploitation. (68,69) TICAC also investigated 79 cases of trafficking, sexual exploitation, child pornography and other abuses involving a total of 49 child victims. (68)
Ministry of Social Development and Human Security (MSDHS)	Organizes trainings and enforces child protection and human trafficking laws through close collaboration with the RTP, DSI, DLPW, and the Ministry of Foreign Affairs. Oversees Hotline 1300, which receives human trafficking and child labor complaints. Operates 77 temporary shelters located in every province and 9 long-term shelters for human trafficking survivors, including a shelter dedicated solely to boys. (4,5,22,25,32,54,75)

In 2021, the Office of the Attorney General's (OAG) newly established working group developed a Standard Operating Procedure for public prosecutors aimed at enhancing child-friendly justice and supporting a trauma-informed approach when helping child survivors through interviews and preparation for testimony. (68)

The Government of Thailand monitors the shrimp and fishing industries for child labor through 30 PIPO Centers and 21 Forward Inspection Points (FIP) along the coasts. These operations enforce laws related to fishing, forced labor, child labor, and human trafficking. (4,21,23,29,43,44) However, research finds that PIPO inspections are inadequate and inspectors did not identify any cases of trafficking in persons on fishing vessels during the reporting period. (68)

### **Labor Law Enforcement**

In 2021, labor law enforcement agencies in Thailand took actions to address child labor (Table 6). However, gaps exist within the operations of enforcement agencies that may hinder adequate labor law enforcement, including insufficient human resource allocation.

**Table 6. Labor Law Enforcement Efforts Related to Child Labor**

Overview of Labor Law Enforcement	2020	2021
Labor Inspectorate Funding	\$1,135,774 (16)	\$1,006,683 (25)
Number of Labor Inspectors	1,889 (16)	1,889 (22)
Mechanism to Assess Civil Penalties	Yes (52)	Yes (52)
Initial Training for New Labor Inspectors	Yes (16)	Yes (22)
Training on New Laws Related to Child Labor	Yes (16)	Yes (22)
Refresher Courses Provided	Yes (16)	Yes (22)
Number of Labor Inspections Conducted	39,729 (76)	22,890 (22)
Number Conducted at Worksite	39,723 (16)	22,890 (22)
Number of Child Labor Violations Found	10 (16)	31 (22)
Number of Child Labor Violations for Which Penalties Were Imposed	10 (16)	13 (22)
Number of Child Labor Penalties Imposed that Were Collected	10 (16)	Unknown (22)
Routine Inspections Conducted	Yes (16)	Yes (22)
Routine Inspections Targeted	Yes (16)	Yes (22)
Unannounced Inspections Permitted	Yes (52)	Yes (52)
Unannounced Inspections Conducted	Yes (16)	Yes (22)
Complaint Mechanism Exists	Yes (16)	Yes (22)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (16)	Yes (22)

During the reporting period, there were 31 violations related to child labor laws involving 70 offenders. Of these cases, 7 cases included hiring children younger than the legal working age. (22)

In 2021, the DLPW organized a special team responsible for child labor inspections. (25) The inspectorate prioritized employment and working conditions with the aim of eliminating the worst forms of child labor;

# Thailand

## MODERATE ADVANCEMENT

however, the number of labor inspectors is insufficient for the size of Thailand's workforce, which includes approximately 38.1 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 2,540 labor inspectors. (77) In addition, there are anecdotal reports of child labor inspections in informal sectors being insufficient due to labor inspectors' inability to access remote work places and safety concerns for inspectors. (16,25) Pandemic-related restrictions on movements also inhibited inspections in the formal and informal sectors. (16)

During the reporting period, the Ministry of Labor (MOL), Ministry of Interior, Ministry of Social Development and Human Security (MSDHS), and Royal Thai Police sent 115 officers and 433 labor inspectors and other relevant officers to participate in 3 workshops run by the U.S. Department of Labor-funded ATLAS Project. The workshops focused on building capacity for human trafficking and forced labor investigations. (25) DLPW also organized a training on laws related to forced labor and labor trafficking that was attended by 93 law enforcement officials and a training on enhanced law enforcement skills and screening for victims of labor trafficking that was attended by 100 labor inspectors. (25)

The Thai Maritime Enforcement Command Center 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. (4,5,16,22,29,71,78) During 2021, 135 integrated inspections of fishing vessels at sea were conducted, involving 716 fishing vessels and 8,532 workers. (22) However, NGOs report that inspections and efforts to enforce the Work in Fishing Convention No. 188 and the Protocol of 2014 to the Forced Labor Convention (P29) to identify victims on fishing vessels are inadequate. (24,25)

### Criminal Law Enforcement

In 2021, criminal law enforcement agencies in Thailand took actions to address 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 training for criminal investigators.

**Table 7. Criminal Law Enforcement Efforts Related to Child Labor**

Overview of Criminal Law Enforcement	2020	2021
Initial Training for New Criminal Investigators	Yes (16)	Yes (22)
Training on New Laws Related to the Worst Forms of Child Labor	Yes (16)	Yes (22)
Refresher Courses Provided	Yes (16)	Yes (22)
Number of Investigations	Unknown (16)	39 (22)
Number of Violations Found	Unknown (16)	Unknown (76)
Number of Prosecutions Initiated	26 (16)	30 (22)
Number of Convictions	Unknown (16)	Unknown (22)
Imposed Penalties for Violations Related to the Worst Forms of Child Labor	Yes (16)	Yes (22)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (16)	Yes (22,25)

In 2021, the Thai Department of Juvenile Observation and Protection (DJOP) reported 2,872 cases of children involved in the production and trade of narcotics. Child victims involved in criminal activities were taken to DJOP facilities, where they received rehabilitation services and other social services during the judicial process. (25) The Government of Thailand also reported the rescue of 57 child victims of commercial sexual exploitation and 5 child victims of human trafficking. (22)

During the reporting period, 1,257 police investigators and administrators were trained on policies, laws, and techniques to conduct criminal investigations and prosecutions related to the worst forms of child labor and human trafficking crimes through training conducted by the government and donors. (25) The OAG also organized 5 trainings on trafficking in persons prosecution for 279 newly assigned public prosecutors in provincial offices to enhance expertise on child trafficking and online sexual exploitation of children, using a victim-centered and trauma-informed care approach. (68) However, research indicates that human trafficking

may be underreported due to inconsistencies in the identification process and enforcement training gaps, including understanding the gravity of human trafficking crimes and victim identification training amongst police, prosecutors, and judges. (24,47,79) This includes 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 should be able to defend themselves against perpetrators. (5,29)

#### 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. (22,25) Oversees two subcommittees responsible for monitoring the National Policy and Plan to Eliminate the Worst Forms of Child Labor. (40) Held one meeting during the reporting period. At this meeting, the Committee discussed the results of the government of Thailand's efforts to eliminate the worst forms of child labor and upcoming national policies and plans related to child labor, including World Day Against Child Labor and the "Prevention and Correction of Child and Forced Labor" MOU. (22,25) Participants also discussed a draft report on the government's efforts to address child labor in 2021 and a draft amendment to the occupations considered to be hazardous for children. (22,25)
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. (22,54) Led by MSDHS with participation from DLPW and the Ministries of Education and Public Health. (44) During the reporting period, the committee held three meetings. Activities included approving the Local Performance Assessment on Child and Youth Development budget for 2022, and requesting that the Ministry of Interior (MOI) develop a capacity-building plan for the Department of Local Administration officers responsible for protecting and caring for children. (76)
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. (4,22,40) 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 survivors. (29) The Thai Maritime Enforcement Command Center 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. (22) The Department of Fisheries operates 30 Port-In-Port-Out (PIPO) Centers and 21 Forward Inspection Points (FIP), which are located in every coastal province. (22,29,71,78) Carries out inspections in the fishing industry. (22,78,80) 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, the Marine Department, DLPW, Department of Employment, and interpreters. (22,29,45) During the reporting period, PIPO Centers investigated 14,265 fishing vessels. (22)
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) Provides assistance and welfare protection to survivors of human trafficking. (22) 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. (5,25,40) During the reporting period, held a training for officials from 76 provinces on screening for and assisting survivors of human trafficking and forced labor, and a training for officials working in protective shelters on innovative therapy methods to prevent psychological trauma in survivors of human trafficking. (25)

#### V. GOVERNMENT POLICIES ON CHILD LABOR

The government has established policies related to child labor (Table 9). However, policy gaps exist that hinder efforts to address child labor, including a lack of efficacy in accomplishing mandates.

# Thailand

## MODERATE ADVANCEMENT

**Table 9. Key Policies Related to Child Labor**

Policy	Description
National Policy and Plan to Eliminate the Worst Forms of Child Labor Phase III (2021–2022)†	Seeks to eliminate the worst forms of child labor in Thailand in accordance with international labor standards. Focused on (1) preventing the worst forms of child labor, (2) rescuing, protecting, and rehabilitating children from the worst forms of child labor, (3) integrating systems and mechanisms for the elimination of the worst forms of child labor, and (4) communicating with the public. (22) During the reporting period, commemorated World Day Against Child Labor (June 12) by publishing resources about child labor and hosting online events with 219 participants from the public and private sectors, civil society, and students. In addition, in March 2021, the MOL and 13 business associations in the shrimp, fish, sugarcane, and garment industries signed an MOU titled "Prevention and Correction of Child and Forced Labor" to prevent child labor and forced labor by applying Good Labor Practices to these industries. (22) MOL plans to hold trainings for member associations on labor practices and laws, and to conduct audits to ensure compliance with the MOU. (22)
Cyber Tipline Remote Access Policy	Seeks to eliminate 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. (22,80–83) In 2021, the network of cooperation was expanded to cover two more areas in Chiang Rai, led by ECPAT, and in Bangkok, led by Spring Program under the Education Foundation for Life and Society. (76)
National Strategic Plan (2018–2037)	Seeks 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. (4,22,84) Research could not determine what activities were held within 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. (22)

## VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2021, 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 inadequacy of programs to address the problem in all sectors.

**Table 10. Key Social Programs to Address Child Labor**

Program	Description
Government Welfare Protection Centers for Victims of Trafficking†	MSDHS-operated human trafficking shelters, including 77 short-term and 9 long-term shelters that offer medical care, psychosocial services, education, and life skills education. (25) While reported to be active during 2021, research could not determine what activities were held during the reporting period. (76)
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. (4,22,25,45) During the reporting period, the Centers disseminated a document on "Measures for Educational Institutions to Prevent and Control the Spread of COVID-19"; however, no in-person activities were held. (76)
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. (22,32,75,85) Between January–October 2021, 5 CACs provided services to 60 child victims in 45 investigations. (22)
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 to build host governments' capacity to address child labor, forced labor, and human trafficking by strengthening their laws and regulations, enforcement, and coordination. During the reporting period, the project hosted 8 workshops attended by a total of 362 government officials from MOL, MOI, MSDHS, Ministry of Justice, and RTP on child labor, forced labor, and human trafficking investigations. (22,76) Additional information is available on the USDOL website. (4,16,24,86)
UN Programs	Accelerating Progress towards an Integrated and Modernized Social Protection System for All in Thailand: (2020–2022), \$ 2,661,815 funded by the Joint SDG Fund, 2-year project implemented by ILO, United Nations Children's Fund (UNICEF), IOM, and United Nations Entity for Gender Equality and the Empowerment of Women (UN WOMEN) to improve social protection coverage, including by increasing the number of children covered under the Child Support Grant to 2 million children. (22,87)

† 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. (22,45,71,85,88)



During the reporting period, the MSDHS established the Child Protection Funds and Occupational Funds to support low-income and homeless families. The Ministry of Education also implemented a program in cooperation with MOL, Office of the Ombudsman, and other related government agencies to provide education on labor rights, assist with vocational training, and share job vacancies to 1,127 trainees who were identified as low-income, above the age for compulsory education, and were no longer continuing their studies. (22,25)

However, 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. In addition, while access to education for migrant children has increased, some Migrant Learning Centers lack accreditation. (4,44,89)

## 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 – 2021
	Ensure that the law criminally prohibits the recruitment of children under age 18 by non-state armed groups.	2016 – 2021
	Raise the minimum age for work to match the age up to which education is compulsory.	2018 – 2021
	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 Muay Thai, in which there is evidence that children are exposed to physical dangers.	2018 – 2021
Enforcement	Increase the number of labor inspectors to meet the ILO's technical advice.	2015 – 2021
	Collect and publish comprehensive data on the number of violations found, convictions, and penalties that are collected for all crimes related to child labor, including the worst forms of child labor.	2015 – 2021
	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 – 2021
	Ensure law enforcement officials report all human trafficking incidences.	2019 – 2021
	Ensure labor inspectors are provided training and resources necessary to conduct inspections at remote informal sector workplaces, including in agriculture and domestic work.	2019 – 2021
	Ensure Port-In-Port-Out centers are able to carry out their mandate, including by improving training and inspection capacity, and that the Work in Fishing Convention No. 188 and the Protocol of 2014 to the Forced Labor Convention (P29) are enforced so that victims of trafficking in persons on fishing vessels can be effectively identified.	2021
Coordination	Publish activities undertaken by coordination bodies, including the National and Provincial Committees on Child Protection.	2021
Government Policies	Publish activities undertaken to implement key policies related to child labor, including the National Strategic Plan (2018–2037).	2021
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 – 2021
	Publish activities undertaken to implement key programs related to child labor, including the Government Welfare Protection Centers for Victims of Trafficking.	2021
	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 – 2021
	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 – 2021

# Thailand

## MODERATE ADVANCEMENT

### REFERENCES

- 1 Chandran, Rina. In Thai tourist spots, a hidden world of male sex slavery. Reuters, June 13, 2018. <https://www.reuters.com/article/us-thailand-trafficking-sexcrimes/in-thai-tourist-spots-a-hidden-world-of-male-sex-slavery-idUSKBN1J91GU>
- 2 Solomon, Ben C. 'Destroying our children for sport': Thailand may limit underage boxing. The New York Times, December 23, 2018. <https://www.nytimes.com/2018/12/23/world/asia/thailand-children-muay-thai.html>
- 3 Chetchotiros, Nattaya. One Head Punch Too Many. Bangkok Post, November 18, 2018. <https://www.bangkokpost.com/news/special-reports/1577682/one-head-punch-too-many>
- 4 U.S. Embassy- Bangkok. Reporting, January 16, 2020.
- 5 U.S. Embassy- Bangkok. Reporting, February 24, 2020.
- 6 Olarn, Kocha, et al. Death of 13-year-old fuels debate over Muay Thai kickboxing competitions. CNN, November 15, 2018. <https://www.cnn.com/2018/11/14/health/muay-thai-13-year-old-thai-boxer-dies/index.html>
- 7 Wongcha-um, Panu and Panarat Thepgumpanat. Death of Thai boy inflames debate on Muay Thai's young dreamers. Reuters, November 13, 2018. <https://www.reuters.com/article/us-thailand-boxing-children/death-of-thai-boy-inflames-debate-on-muay-thais-young-dreamers-idUSKCN1N1IAJ>
- 8 The Nation. Govt officials seek to lay criminal charges following boy's Muay Thai death. The Nation, November 20, 2018. <https://www.nationthailand.com/in-focus/30358973>
- 9 Bengali, Shashank. Young Thai boxer looks like a lollipop, stings like a bee. The Los Angeles Times, July 30, 2019. <https://www.latimes.com/world-nation/story/2019-07-30/thailand-muay-thai-child-boxer>
- 10 Cornish, Dean. After the death of a child Muay Thai fighter, Thailand struggles to change. SBS, May 21, 2019. <https://www.sbs.com.au/news/dateline/after-the-death-of-a-child-muay-thai-fighter-thailand-struggles-to-change>
- 11 Panyasupakun, Kornrawee. International organisations join fight against child boxing. The Nation, December 5, 2018. <https://www.nationthailand.com/news/30359905>
- 12 Power, Julie and Kate Geraghty. Inside Muay Thai: Where culture and children's well-being collide. The Sydney Morning Herald, November 24, 2018. <https://www.smh.com.au/sport/boxing/inside-muay-thai-where-culture-and-children-s-well-being-collide-20181123-p50htq.html>
- 13 Wongsamuth, Nanchanok. Online child sex abuse in Thailand nears record high with coronavirus. Thomson Reuters Foundation, June 18, 2020. <https://news.trust.org/item/20200618161543-qb4ra>
- 14 The Economist. Despite a tragedy, children continue to compete in Thai boxing bouts. The Economist, January 30, 2020. <https://www.economist.com/asia/2020/01/30/despise-a-tragedy-children-continue-to-compete-in-thai-boxing-bouts?fbclid=IwAR28vQDuDEgBUIHrq4tL...>
- 15 U.S. Embassy- Bangkok official. E-mail communication to USDOL official. November 15, 2020.
- 16 U.S. Embassy- Bangkok. Reporting, March 2, 2021.
- 17 UNESCO Institute for Statistics. Gross intake ratio to the last grade of primary education, both sexes (%). Accessed: March 3, 2022. For more information, please see "Children's Work and Education Statistics: Sources and Definitions" in the Reference Materials section of this report.
- 18 ILO. Analysis of Child Economic Activity and School Attendance Statistics from National Household or Child Labor Surveys. Original data from Multiple Indicator Cluster Survey 3 (MICS 3), 2005–2006. Analysis received March 2022. Please see "Children's Work and Education Statistics: Sources and Definitions" in the Reference Materials section of this report.
- 19 ILO CEACR. Individual Observation concerning Minimum Age Convention, 1973 (No. 138) Thailand (ratification: 2004). Published: 2021. [https://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:13100:0::NO::PI3100\\_COMMENT\\_ID:4021483](https://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:13100:0::NO::PI3100_COMMENT_ID:4021483)
- 20 Fernquest, Jon. Education of migrant children: Fighting child labour in Thailand. Bangkok Post, June 14, 2017. <https://www.bangkokpost.com/learning/advanced/1268253/education-of-migrant-children-fighting-child-labour-in-thailand>
- 21 ILO. Ship to Shore Rights: Baseline research findings on fishers and seafood workers in Thailand. 2018. [http://www.ilo.org/wcmsp5/groups/public/---asia/---ro-bangkok/---sro-bangkok/documents/publication/wcms\\_619727.pdf](http://www.ilo.org/wcmsp5/groups/public/---asia/---ro-bangkok/---sro-bangkok/documents/publication/wcms_619727.pdf)
- 22 Government of Thailand. Thailand's Progress on the Elimination of the Worst Forms of Child Labor: 2021. Bangkok. February 18, 2022. Source on file.
- 23 Human Rights Watch. Hidden Chains: Rights Abuses and Forced Labor in Thailand's Fishing Industry. Human Rights Watch, January 23, 2018. <https://www.hrw.org/report/2018/01/23/hidden-chains/rights-abuses-and-forced-labor-thailands-fishing-industry>
- 24 U.S. Embassy- Bangkok. Reporting, February 26, 2021.
- 25 U.S. Embassy- Bangkok. Reporting, February 23, 2022.
- 26 Arche Advisors. Forced Labor, Child Labor and Land Use in Thailand's Sugar Industry. March 2017. <https://www.coca-colacompany.com/content/dam/journey/us/en/policies/pdf/human-workplace-rights/addressing-global-issues/thailand-forced-labor-child-labor-land-use-report.pdf>
- 27 ILO. Child labour in the primary production of sugarcane. May 18, 2017. <http://www.ilo.org/ipeinfo/product/download.do?type=document&id=29635>
- 28 U.S. Embassy- Bangkok. Reporting, January 25, 2018.
- 29 U.S. Embassy- Bangkok official. E-mail communication to USDOL official. July 8, 2020.
- 30 UNICEF Building futures in Thailand: Support to children living in construction site camps. 2018. <https://www.unicef.org/thailand/media/586/file>
- 31 Chandran, Rina. Migrant construction workers' children in Thailand exposed to violence: U.N. Reuters, March 29, 2018. <https://www.reuters.com/article/us-thailand-labour-children/migrant-construction-workers-children-in-thailand-exposed-to-violence-u-n-idUSKBN1H5170>
- 32 U.S. Department of State. Trafficking in Persons Report- 2021: Thailand. Washington, D.C., July 1, 2021.
- 33 Wongsamuth, Nanchanok. Look, don't touch: Thai bars raided for trafficking child 'entertainers'. Thomson Reuters Foundation, September 25, 2019. <https://news.trust.org/item/20190924233530-bqz4c>
- 34 Wongsamuth, Nanchanok. Record number of trafficking victims in Thailand raises concerns over care. Thomson Reuters Foundation, January 6, 2020. <https://www.reuters.com/article/us-thailand-trafficking-victims-trfn-idUSKBN1Z51N3>
- 35 United Nations Office on Drugs and Crime. Trafficking in persons from Cambodia, Lao PDR and Myanmar to Thailand. August 2017. [https://www.unodc.org/documents/southeastasiaandpacific/Publications/2017/Trafficking\\_in\\_persons\\_to\\_Thailand\\_report.pdf](https://www.unodc.org/documents/southeastasiaandpacific/Publications/2017/Trafficking_in_persons_to_Thailand_report.pdf)
- 36 Krausz, Tibor. The biggest fight Thailand's female Muay Thai boxers face is the one against sexism. South China Morning Post, August 1, 2020. <https://www.scmp.com/lifestyle/health-wellness/article/3095199/biggest-fight-thailands-female-muay-thai-boxers-face-one>
- 37 Thepphajorn, Khanittha. Revamped muay thai rules go back to Cabinet. The Nation, October 19, 2018. <https://www.nationthailand.com/news/30356766>
- 38 South China Morning Post. Teenage girls as dessert: Thai sex scandal exposes grim tradition among local officials. June 25, 2017. <http://www.scmp.com/news/asia/southeast-asia/article/2099873/teenage-girls-dessert-thai-sex-scandal-exposes-grim>
- 39 ILO CEACR. Individual Observation concerning Worst Forms of Child Labor Convention, 1999 (No. 182) Thailand (ratification: 2001). Published: 2021. [https://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO::PI3100\\_COMMENT\\_ID:4021493:YES](https://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO::PI3100_COMMENT_ID:4021493:YES)

- 40 Government of Thailand. Thailand's Progress on the Elimination of the Worst Forms of Child Labor: 2016. Bangkok, February 10, 2017. Source on file.
- 41 ILO. Ship to shore rights: Endline research findings on fishers and seafood workers in Thailand. March 10, 2020.  
[https://www.ilo.org/asia/publications/WCMS\\_738042/lang--en/index.htm](https://www.ilo.org/asia/publications/WCMS_738042/lang--en/index.htm)
- 42 Petrova, Daniela. A Vacation With a Purpose: Fighting Trafficking in Thailand. New York Times, May 11, 2017.  
<https://nyti.ms/2q4J3sK>
- 43 Oxfam International. Supermarket responsibilities for supply chain workers' rights. June 2018.  
[https://www.oxfamamerica.org/static/media/files/Supermarket\\_Responsibilities\\_for\\_Supply\\_Chains\\_Rights\\_report.pdf](https://www.oxfamamerica.org/static/media/files/Supermarket_Responsibilities_for_Supply_Chains_Rights_report.pdf)
- 44 U.S. Embassy- Bangkok official. E-mail communication to a USDOL official. July 12, 2019.
- 45 U.S. Embassy- Bangkok. Reporting. January 29, 2019.
- 46 Thomas, Dexter, and Karen Ye. Children Are Still Fighting Muay Thai – Even After the Death of a Young Boy. Vice News. June 23, 2019.  
<https://www.vice.com/en/article/j5wnky/children-are-still-fighting-muay-thai-even-after-the-death-of-a-young-boy>
- 47 U.S. Embassy- Bangkok official. E-mail communication to USDOL official. June 16, 2021.
- 48 Government of Thailand. National Education Act. Enacted: 1999. Source on file.
- 49 U.S. Embassy- Bangkok official. E-mail communication to USDOL official. March 27, 2018.
- 50 Olivier, Sophie, and Orasa Thurasukarn. Lesbian, Gay, Bisexual, Transgender, Intersex and Queer (LGBTIQ+) Youth in Thailand. Save the Children, June 6, 2018.  
<https://resourcecentre.savethechildren.net/library/lesbian-gay-bisexual-transgender-intersex-and-queer-lgbtq-youth-thailand-exploratory>
- 51 PLoS One Social violence among Thai gender role conforming and non-conforming secondary school students: Types, prevalence and correlates. August 14, 2020.  
<https://www.ncbi.nlm.nih.gov/pmc/articles/PMC7428170/>
- 52 Government of Thailand. Labour Protection Act. Enacted: 1998.  
<http://www.ilo.org/dyn/natlex/docs/WEBTEXT/49727/65119/E98THA01.htm>
- 53 Government of Thailand. Amendment to the Labour Protection Act (No. 5), B.E. 2560. Adopted: January 23, 2017.  
[http://www.ilo.org/dyn/natlex/natlex4.detail?p\\_lang=en&p\\_isn=103608&p\\_count=2&p\\_classification=01](http://www.ilo.org/dyn/natlex/natlex4.detail?p_lang=en&p_isn=103608&p_count=2&p_classification=01)
- 54 Government of Thailand. Child Protection Act. Enacted: 2003.  
<http://www.refworld.org/docid/46b2f91f2.html>
- 55 Government of Thailand. Home Workers Protection Act (2010). Accessed July 12, 2019.  
[https://www.ilo.org/dyn/natlex/docs/ELECTRONIC/93545/109400/F-1826987314/THA93545\\_Eng.pdf](https://www.ilo.org/dyn/natlex/docs/ELECTRONIC/93545/109400/F-1826987314/THA93545_Eng.pdf)
- 56 Government of Thailand. Ministerial Regulation concerning Labour Protection in Sea Fishery Work B.E. 2557. Enacted: 2014. Source on file.
- 57 Government of Thailand. Ministerial Regulation Identifying Tasks that may be Hazardous to the Health and Safety of Pregnant Women or Children Under the Age of Fifteen Years. Enacted: May 2, 2017.  
<http://ratchakitcha.soc.go.th/DATA/PDF/2560/A/054/4.PDF>
- 58 Government of Thailand. Penal Code. Enacted: November 13, 1956.  
[http://thailaws.com/law/t\\_laws/tlaw50001.pdf](http://thailaws.com/law/t_laws/tlaw50001.pdf)
- 59 Government of Thailand. Anti-Trafficking in Persons Act. Enacted: January 30, 2008.  
[http://www.ilo.org/dyn/natlex/natlex4.detail?p\\_lang=en&p\\_isn=100444&p\\_country=THA&p\\_count=420&p\\_classification=03&p\\_classcount=11](http://www.ilo.org/dyn/natlex/natlex4.detail?p_lang=en&p_isn=100444&p_country=THA&p_count=420&p_classification=03&p_classcount=11)
- 60 Government of Thailand. Royal decree Amendment of the Anti-Trafficking in Persons Act (2008). 2020.  
[http://www.ratchakitcha.soc.go.th/DATA/PDF/2562/A/045/T\\_0001.PDF](http://www.ratchakitcha.soc.go.th/DATA/PDF/2562/A/045/T_0001.PDF)
- 61 Government of Thailand. Prevention and Suppression of Human Trafficking (No. 2) Amendment Act, 2015 [B.E. 2558]. Adopted: January 26, 2017.  
[http://ilo.org/dyn/natlex/docs/ELECTRONIC/103609/125956/F868002637/THA103608\\_Tha.pdf](http://ilo.org/dyn/natlex/docs/ELECTRONIC/103609/125956/F868002637/THA103608_Tha.pdf)
- 62 Government of Thailand. Prevention and Suppression of Prostitution Act. Enacted: October 14, 1996. Source on file.
- 63 Government of Thailand. Narcotics Act. Enacted: April 22, 1979.  
[http://www.asean.org/storage/images/archive/Narcotics\\_Act\\_B.E.2552\(1979\)-Thailand.doc](http://www.asean.org/storage/images/archive/Narcotics_Act_B.E.2552(1979)-Thailand.doc)
- 64 Government of Thailand. Amendment to the Penal Code No. 25, Amending the Penal Code. Enacted: April 8, 2016. Source on file.
- 65 Government of Thailand. Control of Begging Act. Enacted: April 26, 2016.  
[http://law.m-society.go.th/law2016/law/download\\_by\\_name/819?filename=594cc68606399.pdf](http://law.m-society.go.th/law2016/law/download_by_name/819?filename=594cc68606399.pdf)
- 66 Government of Thailand. Military Services Act. Enacted: 1954. Source on file.
- 67 Government of Thailand. Constitution. 2017.  
[https://www.ilo.org/dyn/natlex/docs/ELECTRONIC/103607/132859/F-1348511433/THA103607\\_2019.pdf](https://www.ilo.org/dyn/natlex/docs/ELECTRONIC/103607/132859/F-1348511433/THA103607_2019.pdf)
- 68 U.S. Embassy- Bangkok. Reporting. February 11, 2022.
- 69 Government of Thailand. Royal Thai Government's Country Report on Anti-Human Trafficking Efforts - 2021. 2022. Source on file.
- 70 Wongsamuth, Nanchanok. New law to protect Thai fishermen seen boosting child labour. Thomson Reuters Foundation, September 17, 2020.  
<https://news.trust.org/item/20200917105224-5z42v>
- 71 U.S. Embassy- Bangkok official. E-mail communication to USDOL official. February 3, 2020.
- 72 Government of Thailand. Royal Thai Government's progress report on anti-human trafficking efforts (1 January–31 March 2019). Bangkok, 2019.  
<http://www.thaianti-humantraffickingaction.org/Home/wp-content/uploads/2019/04/Thailands-Progress-Report-2019-January-March.pdf>
- 73 Government of Thailand. Report on Anti-Human Trafficking Efforts (1 January–31 December 2018). 2018. Source on file.
- 74 Government of Thailand. Report on Anti-Human Trafficking Efforts (1 January–31 December 2020). December 2020.  
<http://www.thaianti-humantraffickingaction.org/Home/wp-content/uploads/2021/02/Thailand-country-report-on-anti-trafficking-efforts-2020-FINAL-1-Feb-2020.pdf>
- 75 U.S. Embassy- Bangkok. Reporting. March 8, 2019.
- 76 U.S. Embassy- Bangkok official. E-mail communication to USDOL official. June 23, 2022.
- 77 ILO Labor Force Statistics (LFS) – Population and labour force. Accessed (January 25, 2022). Labor force data is government-reported data collected by the ILO. Please see "Labor Law Enforcement: Sources and Definitions" in the Reference Materials section of this report.  
<https://ilostat.ilo.org/data/>
- 78 Government of Thailand. Thailand National Marine Protection Act. 2020.  
[http://www.ratchakitcha.soc.go.th/DATA/PDF/2562/A/030/T\\_0001.PDF](http://www.ratchakitcha.soc.go.th/DATA/PDF/2562/A/030/T_0001.PDF)
- 79 Wongsamuth, Nanchanok. Thailand to improve police training to tackle human trafficking nationwide. Thompson Reuters Foundation, July 30, 2020.  
<https://www.reuters.com/article/us-thailand-trafficking-police-trfn/thailand-to-improve-police-training-to-tackle-human-trafficking-nationwide-idUSKCN24V00P>
- 80 Government of Thailand. Press Release: Thailand and the U.S. Strengthen Partnership to End Child Sexual Exploitation. March 27, 2017.  
<https://www.mfa.go.th/en/content/5d5bd0c015e39c3060021075?cate=5d5bcb4e15e39c306000683e>
- 81 Jitcharoenkul, Prangthong, and Kornchanok Raksaseri. US, Thai networks join to find missing, exploited children. Bangkok Post, March 30, 2017.  
<https://www.bangkokpost.com/archive/us-thai-networks-join-to-find-missing-exploited-children/1223564>
- 82 Raksaseri, Kornchanok. Agency protecting kids on net gains foothold. Bangkok Post, November 6, 2017.  
<https://www.bangkokpost.com/tech/local-news/1355151/agency-protecting-kids-on-net-gains-foothold>

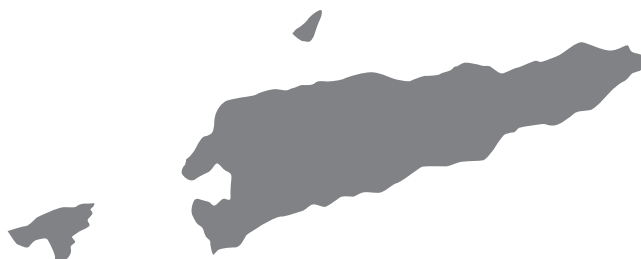
# Thailand

## MODERATE ADVANCEMENT

- 83 Raksaseri, Kornchanok. Trapped in the Web. Bangkok Post, July 23, 2017. <https://www.pressreader.com/thailand/bangkok-post/20170723/281522226148952>
- 84 Government of Thailand. National Strategy 2018–2037. Accessed January 27, 2020. <http://nscr.nesdb.go.th/wp-content/uploads/2019/10/National-Strategy-Eng-Final-25-OCT-2019.pdf>
- 85 U.S. Embassy- Bangkok. Reporting. February 26, 2018.
- 86 Winrock International. Attaining Lasting Change (ATLAS) (2019–2022). Accessed January 27, 2020. <https://www.dol.gov/agencies/ilab/attaining-lasting-change-atlas>
- 87 Joint SDG Fund Accelerating Progress Towards an Integrated and Modernized Social Protection System for all in Thailand n.d. <https://www.jointsdgfund.org/programme/accelerating-progress-towards-integrated-and-modernized-social-protection-system-all>
- 88 Chantanusornsiri, Wichit. Millions more welfare cards delivered. Bangkok Post, June 25, 2019. <https://www.bangkokpost.com/thailand/general/1701516/millions-more-welfare-cards-delivered>
- 89 U.S. Embassy- Bangkok. Reporting. March 8, 2017.

## MINIMAL ADVANCEMENT – EFFORTS MADE BUT CONTINUED PRACTICE THAT DELAYED ADVANCEMENT

In 2021, Timor-Leste made minimal advancement in efforts to eliminate the worst forms of child labor. The government established the Commission to Combat Trafficking in Persons and convicted two perpetrators of child sex trafficking, its second and third convictions under the 2017 Law on Preventing and Combating Trafficking in Persons. However, despite recent efforts to address child labor, Timor-Leste is receiving an assessment of minimal advancement because it continued to implement a practice that delays advancement to eliminate child labor. While no law or policy prohibits pregnant girls from attending school, reports continued of orders from school principals that 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 forced labor in street vending and commercial sexual exploitation, sometimes as a result of human trafficking. Children also perform dangerous tasks in agriculture. In addition, while Timor-Leste law provides for criminal penalties for the worst forms of child labor, there is a lack of authorization for labor inspection agencies to inspect or enforce labor standards in the informal agriculture and commercial sectors.



### I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Timor-Leste are subjected to the worst forms of child labor, including in forced labor in street vending and commercial sexual exploitation, sometimes as a result of human trafficking. (1,2) Children also perform dangerous tasks in agriculture. (1-3) Table 1 provides key indicators on children's work and education in Timor-Leste.

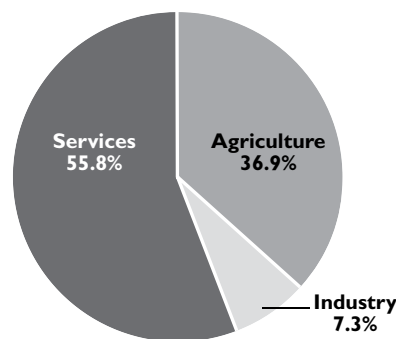
**Table 1. Statistics on Children's Work and Education**

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, 2022. (4)

Source for all other data: International Labor Organization's analysis of statistics from Labour Force-Child Labour Survey (LFS-CLS), 2016. (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	Farming, including cultivating and processing coffee† and growing vegetables and other crops (1,3,6,7) Fishing,† including work on boats and repairing nets (1,2,8-10)
Industry	Construction,† including brickmaking (1) Operating weaving and knitting machines (6,11)
Services	Domestic work† (1,3,7,10) Street work, including vending, begging, and scavenging (1,3,12) Shop keeping and selling goods in markets (6,10)
Categorical Worst Forms of Child Labor‡	Commercial sexual exploitation, sometimes as a result of human trafficking (7,10,13,14) Domestic and agricultural work, each sometimes as a result of human trafficking (2,7,9,14) Forced labor in street vending (3,15)

† 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.



# 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 domestic work, commercial sexual exploitation, or forced labor. (7,9,16,17) Some rural families send children to live with relatives in Dili for school and work; however, there are reports that some of those children are forced to work, including as street vendors, to earn their keep. (17) The new Commission to Combat Trafficking in Persons is responsible for collecting government data on human trafficking. (18) Other children are trafficked transnationally, including to Indonesia. (16) Although data are limited, it is reported that children are sometimes directed to work on family farms against their wishes to supplement family incomes or to pay off family debts. (7,9,10,17,19)

Data from the most recent child labor survey in 2016 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. (3,15)




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. (9,10,19-21) 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. (20)

Timor-Leste's education law requires 9 years of compulsory education; however, in practice, children must pay additional school fees to attend school. (22) Commonly required fees include school uniforms and supplies, which can hinder access to education, particularly for children from poor and rural areas. (3,19,23) 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 and infrastructure challenges. (3,19)

## 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 Labor Code (24)
Minimum Age for Hazardous Work	No	17	Article 67 of the Labor Code (24)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		List of Hazardous and Prohibited Activities to Children Under the Age of 18 (25)
Prohibition of Forced Labor	Yes		Articles 155, 162, 163, and 166 of the Penal Code; Articles 8 and 67 of the Labor Code (24,26)
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 Labor Code; Article 18 of the Law on Preventing and Combating Human Trafficking (24,26-28)
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 Labor Code (24,26,29)
Prohibition of Using Children in Illicit Activities	No		Article 155 of the Penal Code; Article 67 of the Labor Code (24,26)
Minimum Age for Voluntary State Military Recruitment	Yes	18	Article 17 of the Law on Military Service (30)
Prohibition of Compulsory Recruitment of Children by (State) Military	Yes		Article 14 of the Law on Military Service (30)
Prohibition of Military Recruitment by Non-state Armed Groups	Yes		Article 125 of the Penal Code (26)
Compulsory Education Age	Yes	16	Article 11 of the Education System Framework Law (22)
Free Public Education	Yes		Section 59 of the Constitution of the Democratic Republic of Timor-Leste; Article 11 of the Education System Framework Law (22,31)

A draft Child Protection Act was completed and submitted to Parliament during the reporting period, but it has not yet been passed. (3) A List of Hazardous Work has also been prepared, but it has not yet been approved by the Coordinating Ministry for Economic Affairs and will still need to be approved by the Council of Ministers. As a Decree Law, however, it will not require parliamentary approval. (3)

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. The Labor Code also only protects minors younger than age 17 in its prohibition on the use of child labor in hazardous work. (19,23,24,26,32,33) The 2017 Law on Preventing and Combating Trafficking in Persons raised the age of a minor from under age 17 to age 18 in 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, and slavery. (29)

Additionally, 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 in which the minimum age identified is below age 18. (23,24,26,33) 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. (10,33) 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. (23,25,34) 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. (24)

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. (22,31)

# Timor-Leste

## MINIMAL ADVANCEMENT – EFFORTS MADE BUT CONTINUED PRACTICE THAT DELAYED ADVANCEMENT

The government has yet to complete drafting implementing regulations and guidance on the 2017 Law on Preventing and Combating Human Trafficking. (7,16)

### III. ENFORCEMENT OF LAWS ON CHILD LABOR

The government has established institutional mechanisms for the enforcement of laws and regulations on child labor (Table 5). However, gaps exist within the operations of enforcement agencies that may hinder adequate enforcement of their child labor laws.

**Table 5. Agencies Responsible for Child Labor Law Enforcement**

Organization/Agency	Role
Administration of the Labor Inspectorate General (IGT)	Falls under the Coordinating Ministry of Economic Affairs and conducts labor inspections (MCAE). Provides civil oversight of laws related to child labor; investigates incidents of forced labor; and refers potential criminal violations of labor laws to the Timor-Leste National Police (PNTL). (35)
National Police of Timor-Leste (PNTL)	Enforces criminal laws against forced labor, commercial sexual exploitation, child abuse, and human trafficking. Includes the Vulnerable Persons Unit, the immigration police, and the border police. (8,10)

The Ministry of Social Solidarity and Inclusion (MSSI) provides child victims with appropriate support services based on its own information and in response to referrals from agencies that are responsible for conducting child labor investigations, including the Administration of the Labor Inspectorate General (IGT) and the National Police of Timor-Leste (PNTL). (35) The MSSI 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. (16,17)

#### Labor Law Enforcement

In 2021, labor law enforcement agencies in Timor-Leste took actions to address child labor (Table 6). However, gaps exist within the operations of the IGT 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	2020	2021
Labor Inspectorate Funding	\$246,000 (10)	\$478,000 (3)
Number of Labor Inspectors	26 (10)	26 (3)
Mechanism to Assess Civil Penalties	Yes (24)	Yes (24)
Initial Training for New Labor Inspectors	N/A (10)	N/A (3)
Training on New Laws Related to Child Labor	N/A (10)	N/A (3)
Refresher Courses Provided	No (10)	Yes (3)
Number of Labor Inspections Conducted	1,200 (10)	1,612 (3)
Number Conducted at Worksite	Unknown (10)	1,612 (3)
Number of Child Labor Violations Found	0 (10)	0 (3)
Number of Child Labor Violations for Which Penalties Were Imposed	N/A (10)	N/A (3)
Number of Child Labor Penalties Imposed that Were Collected	0 (10)	0 (3)
Routine Inspections Conducted	Unknown (10)	Yes (3)
Routine Inspections Targeted	Yes (10)	Yes (3)
Unannounced Inspections Permitted	Yes (36)	Yes (36)
Unannounced Inspections Conducted	Yes (10)	Yes (3)
Complaint Mechanism Exists	Yes (10)	Yes (3)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (10)	Yes (3)

Although Timor-Leste does meet the ILO's technical advice of a ratio approaching 1 labor inspector for every 40,000 workers in less developed economies, the IGT reported that the number of labor inspectors is insufficient to conduct the required labor inspections. (8,9,19)

## MINIMAL ADVANCEMENT – EFFORTS MADE BUT CONTINUED PRACTICE THAT DELAYED ADVANCEMENT

Research found that there are insufficient child labor enforcement protections for children working on family farms or in domestic work because IGT 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. (10,19) The IGT also had limited capacity to conduct inspections in Timor-Leste's rural areas, where child labor in the agricultural sector is prevalent. This limitation was due to a lack of available transportation, including funds to pay for fuel for government vehicles. (10,19)

Four inspectors and two administrative personnel received training on child labor during the reporting period. (3) Inspectors have dedicated office spaces and access to other non-monetary necessities to carry out inspections; however, government officials assessed that this amount was insufficient to fully discharge its mandate. They noted that of this amount, only \$20,000 was dedicated for child labor issues. (3) In 2021, the IGT assessed this number as inadequate and stated that 6 of Timor-Leste's 13 districts have no resident inspectors. The IGT estimated that 5 inspectors in each district (for a total of 65) are needed to carry out its mandate. (3)

### **Criminal Law Enforcement**

In 2021, criminal law enforcement agencies in Timor-Leste took actions to address child labor (Table 7). However, gaps exist within the operations of the 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	2020	2021
Initial Training for New Criminal Investigators	N/A (10)	No (3)
Training on New Laws Related to the Worst Forms of Child Labor	N/A (10)	No (3)
Refresher Courses Provided	Yes (10)	No (3)
Number of Investigations	0 (10)	Unknown (3)
Number of Violations Found	0 (10)	Unknown (3)
Number of Prosecutions Initiated	0 (10)	1 (18)
Number of Convictions	0 (10)	2 (18)
Imposed Penalties for Violations Related to the Worst Forms of Child Labor	N/A (10)	Yes (18)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (10)	Yes (3)

The Vulnerable Persons Unit (VPU) of the PNTL is charged with the enforcement of criminal laws related to the worst forms of child labor. (9,20) During the reporting period, the VPU did not receive any funding to carry out investigations. (3,10)

The curriculum for new and existing members of the judiciary includes trainings on human trafficking that criminal prosecutors can use to develop new human trafficking investigations and prosecutions. These trainings include methods for handling evidence, as well as questions that prosecutors can ask of witnesses and victims to more clearly delineate whether a case is trafficking-related, thus increasing chances of conviction. (37) However, the government has not finalized or disseminated comprehensive, government-wide standard operating procedures for victim identification. (7) The VPU has no records of child labor, forced child labor, child trafficking, child commercial exploitation or use of children in illicit activities in 2021. (3)

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. (16) In addition, potential human trafficking cases can be misclassified due to a lack of evidence confirming trafficking, as well as unfamiliarity with trafficking in persons cases though it is improving. (16,38) During the reporting year, the government convicted two perpetrators for child sex trafficking in the second case convicted under the 2017 Law on Preventing and Combating Trafficking in Persons. The government also opened a case involving five perpetrators, including a village police officer, in a child sex trafficking case of a Timorese victim. (39)

# Timor-Leste

## MINIMAL ADVANCEMENT – EFFORTS MADE BUT CONTINUED PRACTICE THAT DELAYED ADVANCEMENT

The VPU reported that no new child labor complaints were reported to it in 2021, leading to no investigations made or violations found. (18) The government did not provide information on its criminal law enforcement efforts for inclusion in this report, including information on training for criminal investigators, number of investigations, and number of violations found.

### 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 information on steps agencies have taken to address child labor during the reporting year.

**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. (3) 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. (20,33) 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. (20,33) Chaired by the Secretariat of State for Professional Training and Employment Police (SEPFOPE). (3,40) Other members include the PNTL; Timorese Labor Union Confederation; youth empowerment NGO Forum Tau Matan; Ministry of Tourism, Commerce, and Industry; Ministry of Social Solidarity and Inclusion (MSSI); Ministry of Education, Youth, and Sports; Ministry of Justice; and MCAE. (3) Met regularly in 2021. (3)
Commission to Combat Trafficking in Persons*	Replaced the Inter-Agency Anti-Trafficking Working Group. (3) Ensures inter-ministerial coordination among government and civil society stakeholders to effectively implement the government's laws and policies to combat human trafficking. Promotes cooperation with foreign entities in the fight against human trafficking and monitors implementation of the conventions that Timor-Leste has ratified or will ratify in this matter. (3) Established in June 2021 and held its first meeting in November. (3,17) Developed a 1-year action plan that focuses on strengthening the government's prosecution, protection, and prevention efforts relating to human trafficking cases, including those involving children, and is responsible for coordinating its implementation. (17)
MSSI—National Commission for Children's Rights	Overseen by MSSI. Responsible for conducting awareness-raising campaigns related to child labor. (9,10) The National Commission for Children's Rights was active in 2021 in advocating for the Child Protection law currently under review in the National Parliament. The Commission celebrated International Children's Day and was active in coordinating the work of government ministries to implement the National Action Plan for Children in Timor-Leste. (18)
Provedor for Human Rights and Justice	Assumes responsibility for sharing information related to child labor with CNTI, SEPFOPE, and PNTL. (9) Coordinates with SEPFOPE, PNTL, the National Commission for Children's Rights, MSSI, the Ministry of Justice, and the Ministry of State and Administration. (20) Remained active during the reporting year, including sharing information on child labor to other agencies. (3)

\* 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 implementation.

**Table 9. Key Policies Related to Child Labor**

Policy	Description
Timor-Leste National Action Plan Against 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 the ILO and the Government of Brazil. (3,10) During the reporting year, the action plan was finalized but has not yet been approved by the Council of Ministers. (3)
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. (41) Research was unable to determine whether activities were undertaken to implement Timor-Leste's key policies related to child labor during the reporting period.



## MINIMAL ADVANCEMENT – EFFORTS MADE BUT CONTINUED PRACTICE THAT DELAYED ADVANCEMENT

Although the National Action Plan Against 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 had yet to approve it as of January 2022. (3,10,33,42,43)

## VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2021, 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
Mother's Purse ( <i>Bolsa da Mãe</i> )†	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. (44) In September 2021, the government approved a subsidy for a new generation of this program, with the intention to expand the program across the country within 5 years. (45)
Preparation for the New Generation ( <i>Preparasun ba Jerasaun Foun</i> )*†	Provides a monthly cash subsidy of \$20 to families with children from 100 days of pregnancy to age 6. Program is still in pilot stage. (3)
<i>Casa Vida</i> †	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. (46) Provides specialized assistance for girls up to age 18 who have escaped situations of sexual violence. (20) Receives referrals from civil society organizations as well as the PNTL Vulnerable Persons Unit. (47) Remained active during the reporting period. (48)
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. (49) Additional information is available on the USDOL website.

\* Program was launched during the reporting period.

† 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. (50-52)

The government developed a 1-year action plan on addressing human trafficking for 2022, the first phase of a 5-year plan that will run from 2022–2026 once finalized. (17)

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. The Commission to Combat Trafficking in Persons' work plan includes raising awareness of human trafficking among the populations most at risk, including students, minors, and large families. (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 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 illicit activities, hazardous work, and commercial sexual exploitation.	2013 – 2021
	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 – 2021
	Raise the minimum age for hazardous work to age 18 to meet international standards.	2020 – 2021

# Timor-Leste

## 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 List of Hazardous Occupations and Activities Prohibited for Children is harmonized with the Labor Code and Penal Code.	2017 – 2021
	Ensure that the law's light work provisions specify the activities in which light work may be undertaken.	2016 – 2021
	Finalize the implementation regulations and guidance on the 2017 Law on Preventing and Combating Human Trafficking.	2020 – 2021
	Raise the minimum age for work to the age up to which education is compulsory.	2018 – 2021
Enforcement	Ensure that the IGT is staffed with the appropriate number of labor inspectors to conduct the targeted number of labor inspections.	2018 – 2021
	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 – 2021
	Ensure that the Administration of the Labor Inspectorate General has the legal authority to conduct inspections in the informal sector, including on family farms and domestic work.	2017 – 2021
	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 – 2021
	Ensure that the Vulnerable Persons Unit receives funding to carry out investigations.	2020 – 2021
	Finalize and disseminate standard operating procedures related to human trafficking victim identification.	2020 – 2021
	Ensure that criminal and civil cases are tried in a timely manner and that cases of human trafficking are properly classified.	2019 – 2021
	Collect, disaggregate, and publish criminal law enforcement data related to human trafficking.	2020 – 2021
Coordination	Ensure that all coordinating bodies are able to carry out their intended mandates.	2020 – 2021
Government Policies	Publish activities undertaken to implement key policies to address child labor during the reporting period.	2017 – 2021
	Adopt the National Action Plan for the Elimination of Child Labor.	2016 – 2021
	Finalize and adopt the National Action Plan on Combating Human Trafficking.	2020 – 2021
Social Programs	Create a centralized database to capture human trafficking data that is accessible to all relevant government stakeholders.	2019 – 2021
	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 – 2021
	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 – 2021
	Publish activities undertaken to implement Mother's Purse (Bolsa da Mãe) and Casa Vida social programs during the reporting period.	2018 – 2021
	Institute programs to address child labor and the worst forms of child labor, including in agriculture and commercial sexual exploitation.	2017 – 2021

## REFERENCES

- UNICEF. Situation Analysis of Children in Timor-Leste. 2014. [http://www.statistics.gov.tl/wp-content/uploads/2014/09/Situation\\_analysis\\_of\\_children\\_in\\_Timor-Leste.pdf](http://www.statistics.gov.tl/wp-content/uploads/2014/09/Situation_analysis_of_children_in_Timor-Leste.pdf)
- U.S. Embassy- Dili. Reporting. January 19, 2018.
- U.S. Embassy- Dili. Reporting. January 14, 2022.
- UNESCO Institute for Statistics. Gross intake ratio to the last grade of primary education, both sexes (%). Accessed: March 3, 2022. For more information, please see "Children's Work and Education Statistics: Sources and Definitions" in the Reference Materials section of this report. <http://data.uis.unesco.org/>
- ILO. Analysis of Child Economic Activity and School Attendance Statistics from National Household or Child Labor Surveys. Original data from Labour Force-Child Labour Survey (LFS-CLS), 2016. Analysis received March 2022. Please see "Children's Work and Education Statistics: Sources and Definitions" in the Reference Materials section of this report.
- Government of Timor-Leste. Timor-Leste Labour Force Survey 2013. 2015. Source on file.
- U.S. Department of State. Trafficking in Persons Report- 2021: Timor-Leste. Washington, D.C., June 20, 2021. <https://www.state.gov/reports/2021-trafficking-in-persons-report/timor-leste/>
- U.S. Embassy- Dili. Reporting. February 8, 2019.
- U.S. Embassy- Dili. Reporting. January 22, 2020.
- U.S. Embassy- Dili. Reporting. February 2, 2021.
- UNICEF Australia. See how children in Timor-Leste are seizing the chance to learn. November 17, 2016. <https://www.unicef.org.au/blog/unicef-in-action/november-2016/see-how-children-in-timor-leste-are-seizing-the-chance-to-learn>
- Neubauer, Ian Lloyd. Toxic cost of rubbish scavenging in East Timor. November 19, 2017. <https://www.aljazeera.com/news/2017/11/toxic-cost-rubbish-scavenging-east-timor-171119195511456.html>
- The Asia Foundation. The State of Conflict and Violence in Asia. October 11, 2017. <https://asiafoundation.org/publication/state-conflict-violence-asia/>
- UNICEF. Situation Analysis of Children in Timor-Leste. December 28, 2021. Source on file.
- ILO-IPEC National Child Labour Survey 2016 - Analytical Report - Timor-Leste. 2019. Source on file.
- U.S. Embassy- Dili. Reporting. March 11, 2021.
- U.S. Embassy- Dili. Reporting. February 4, 2022.
- U.S. Embassy- Dili official. E-mail communication to USDOL official. June 16, 2022

## MINIMAL ADVANCEMENT – EFFORTS MADE BUT CONTINUED PRACTICE THAT DELAYED ADVANCEMENT

- 19 U.S. Department of State. Country Reports on Human Rights Practices-2020:Timor-Leste.Washington, D.C., March 2021  
<https://www.state.gov/wp-content/uploads/2021/03/TIMOR-LESTE-2020-HUMAN-RIGHTS-REPORT.pdf>
- 20 U.S. Embassy- Dili official. E-mail communication to USDOL official. April 22, 2020.
- 21 U.S. Embassy- Dili official. E-mail communication to USDOL official. June 18, 2020.
- 22 Government of Timor-Leste. Education System Framework Law, No. 14. Enacted: October 29, 2008.  
[http://www.ilo.org/dyn/natlex/natlex\\_browse.details?p\\_lang=en&\\_isn=89748](http://www.ilo.org/dyn/natlex/natlex_browse.details?p_lang=en&_isn=89748)
- 23 ILO CEACR Direct request concerning Worst Forms of Child Labour Convention, 1999 (No. 182), Timor-Leste (ratification: 2009). Published: 2019.  
[https://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO::PI3100\\_COMMENT\\_ID,PI3100\\_LANG\\_CODE:3963532,en:NO](https://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO::PI3100_COMMENT_ID,PI3100_LANG_CODE:3963532,en:NO)
- 24 Government of Timor-Leste. Labour Code, Law 4/2012. Enacted: 2012. Source on file.
- 25 Government of Timor-Leste. List of Hazardous and Prohibited Activities to Children Under the Age of 18. Source on file.
- 26 Government of Timor-Leste. Penal Code of Timor-Leste, Law No. 19/2009. Enacted: June 7, 2009. Source on file.
- 27 Government of Timor-Leste. Immigration and Asylum Act. Enacted: 2003. Source on file.
- 28 Government of Timor-Leste. Law on Preventing and Combatting Trafficking in Persons. Enacted: January 23, 2017. Source on file.
- 29 Government of Timor-Leste. Law No. 3/2017 on Prevention and Fight against Trafficking in Persons and Fourth Amendment to the Penal Code. Enacted: January 25, 2017. Source on file.
- 30 Government of Timor-Leste. Regulation of the Military Service Law. Enacted: April 8, 2009. Source on file.
- 31 Government of Timor-Leste. Constitution of the Democratic Republic of Timor-Leste. Enacted: November 28, 1975.  
[http://timor-leste.gov.tl/wp-content/uploads/2010/03/Constitution\\_RDTL\\_ENG.pdf](http://timor-leste.gov.tl/wp-content/uploads/2010/03/Constitution_RDTL_ENG.pdf)
- 32 ILO Committee of Experts. Individual Direct Request concerning Worst Forms of Child Labour Convention, 1999 (No. 182) Timor-Leste (Ratification: 2009) Published: 2018. Accessed: March 29, 2018.  
[http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:PI3100\\_COMMENT\\_ID:3339704](http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:PI3100_COMMENT_ID:3339704)
- 33 ILO CEACR. Direct request concerning Worst Forms of Child Labor Convention, 1999 (no. 182), Timor-Leste (Ratification: 2009). Published: 2021.  
[https://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:13100:0::NO::PI3100\\_COMMENT\\_ID:4004139](https://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:13100:0::NO::PI3100_COMMENT_ID:4004139)
- 34 U.S. Embassy- Dili official. E-mail communication to USDOL official. April 11, 2018.
- 35 U.S. Embassy- Dili official. E-mail communication to USDOL official. May 24, 2022.
- 36 Government of Timor-Leste. Decree Law. No. 19/2010, Statute of the General Labor Inspectorate. December 1, 2010.  
<http://ilo.org/dyn/natlex/docs/ELECTRONIC/89766/103187/F-1968336191/TMP89766.pdf>
- 37 U.S. Embassy- Dili official. E-mail communication to USDOL official. April 20, 2020.
- 38 U.S. Department of State. Trafficking in Persons Report- 2019:Timor-Leste. Washington, D.C., June 2019.  
<https://www.state.gov/reports/2019-trafficking-in-persons-report-2/timor-leste/>
- 39 U.S. Embassy- Dili. Reporting. April 6, 2022.
- 40 U.S. Embassy- Dili. Reporting. January 8, 2017.
- 41 Government of Timor-Leste. Timor-Leste Strategic Development Plan 2011-2030. 2011. Source on file.
- 42 Government of Timor-Leste. Let's Commit to the Betterment of our Children! Draft National Action Plan to Eliminate the Worst Forms of Child Labour in Timor-Leste, Phase I 2017-2021. August 16, 2016. Source on file.
- 43 ILO-IPEC. National workshop and drafting process to develop the National Action Plan (NAP) on Child Labour and Forced Labour in Timor-Leste 2016.  
[http://www.ilo.org/jakarta/whatwedo/eventsandmeetings/WCMS\\_514115/lang-en/index.htm](http://www.ilo.org/jakarta/whatwedo/eventsandmeetings/WCMS_514115/lang-en/index.htm)
- 44 U.S. Embassy- Dili. E-mail communication to USDOL official. February 6, 2017.
- 45 Tatoli. TL Government approves subsidy for New Generation of Bolsa da Mãe. September 2, 2021.  
<http://www.tatoli.tl/en/2021/09/02/tl-government-approves-subsidy-for-new-general-of-bolsa-da-mae/>
- 46 U.S. Embassy- Dili. Reporting. March 5, 2019.
- 47 U.S. Embassy- Dili official. E-mail communication to USDOL official. April 7, 2019.
- 48 Casa Vida. Timor-Leste celebrate the International Day of Human Rights. December 10, 2021.  
<https://casavida.org/casa-vida-timor-leste-celebrate-international-day-human-rights/>
- 49 ILO-IPEC. MAP16 Concept Note. August 2019. Source on file.
- 50 ILO-IPEC. Global Action Program on Child Labor Issues. Technical Progress Report. October 2016. Source on file.
- 51 UNICEF. Strengthening Justice and Welfare Systems for Children in Timor-Leste: End-of-project Review, Summary version. May 2016.  
<http://www.iccnwtnispcanarc.org/upload/pdf/5789414528StrengtheningJusticeandWelfareSystemsforChildreninTimor-Leste.pdf>
- 52 ILO-IPEC. Estudo Sobre a Aplicação das Convenções N.º 138 e N.º 182 da OIT e suas Recomendações na Legislação Nacional dos Países da CPLP Programa Internacional para a Eliminação do Trabalho Infantil (IPEC). 2012. Source on file.

In 2021, Togo made moderate advancement in efforts to eliminate the worst forms of child labor. The government created a new National Commission Against Trafficking in Persons and passed a new Labor Code that strengthened enforcement mechanisms. In addition, the government waived school fees for the 2021–2022 school year for all secondary school students due to the ongoing impact of the COVID-19 pandemic. 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 perform dangerous tasks in domestic work. The government has not devoted sufficient resources to address child labor, and in 2021, the budget for the labor inspectorate declined by nearly 40 percent. In addition, the government does not publish data related to its criminal enforcement efforts with regard to laws on the worst forms of child labor.



## 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 perform dangerous tasks in domestic work. (1-3) 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, 2022. (4)

Source for all other data: International Labor Organization's analysis of statistics from Demographic and Health Survey (DHS), 2013–2014. (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	Working in agriculture, including spraying pesticides and handling fertilizers (1,2,6) Herding animals (2,7)
Industry	Working in gravel quarries and sand mines, including excavating, crushing rocks, sifting gravel, using machinery, and carrying heavy loads† (2,7,9) Construction (8) Production of charcoal (2)
Services	Domestic work† (1,2,10) Begging and working as vendors and porters in the markets, sometimes carrying heavy loads† (2,5,8,9) Work as motorcycle repairmen (8,11,12) Garbage scavenging (8,11) Working at restaurants, sometimes at night (2)
Categorical Worst Forms of Child Labor‡	Forced begging (9,11) Commercial sexual exploitation, sometimes as a result of human trafficking (2,3,13) Forced labor in agriculture, including in the production of coffee, cocoa, and cotton; in mining; in mechanic shops; in domestic work; in quarries; and in markets (3,10,14)

† Determined by national law or regulation as hazardous and, as such, relevant to Article 3(d) of ILO C. 182.

‡ Child labor understood as the worst forms of child labor per se under Article 3(a)–(c) of ILO C. 182.

## MODERATE ADVANCEMENT




Togo is a source, transit, and destination country for child trafficking. Children from Benin and Ghana are trafficked to Togo for forced labor, including commercial sexual exploitation, while Togolese children are often trafficked to neighboring West African countries, where they are subjected to commercial sexual exploitation and forced labor in agriculture and domestic work. (3,15,16) Children are also trafficked within Togo, primarily for domestic work, work in agriculture and markets, and commercial sexual exploitation. (6,16,17) The rural areas in central and northern Togo are major source regions for child trafficking. Traffickers illicitly and deceptively recruit children by promising impoverished parents lucrative employment for their children. (3,16) In addition, in a practice known as *confiage*, parents sometimes send their children to live with a friend or relative in a larger town or city. These children are often not sent to school and are subjected to labor exploitation and sexual abuse. (2,10,14) Research suggests that the economic impact of the COVID-19 pandemic may have led to an increase in children subjected to labor and sexual exploitation. (16)

While free public primary education is guaranteed under Togolese law, due to funding shortages, some primary schools charge supplemental fees to pay volunteer teachers not employed directly by the government. (18) Free education is not yet guaranteed at the secondary level. As a result, there is a significant decline in school enrollment between primary and secondary school, leaving children vulnerable to child labor. (19,20) In 2021, in response to the impact of the pandemic, the government announced that school fees would not be collected for public secondary schools for the 2021–2022 academic year. (2,21) Even when school fees are not charged, associated costs—including uniforms, books, and school supplies—make education prohibitively expensive for many families. (6,18,22,23) Research found that insufficient numbers of schools; poor school infrastructure, including inadequate sanitation and lack of access to toilets and water; physical and sexual violence; and long travel distances to school pose additional barriers for some children, especially in rural areas. (2,18,19,22,24)

## 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 has established laws and regulations related to child labor (Table 4). However, gaps exist in Togo's legal framework to adequately protect children from the worst forms of child labor, including the lack of guaranteed free basic education.

**Table 4. Laws and Regulations on Child Labor**

Standard	Meets International Standards	Age	Legislation
Minimum Age for Work	Yes	15	Article 192 and 193 of the Labor Code; Article 262 of the Children's Code; Article 881.1a of the Penal Code (25-27)
Minimum Age for Hazardous Work	Yes	18	Article 192 and 193 of the Labor Code; Arrêté 1556 Determining Dangerous Work Forbidden for Children (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		Articles 263 and 264 of the Children's Code; Articles 319.9 and 882 of the Penal Code; Articles 192 and 193 of the Labor Code; Articles 1–11 of Arrêté 1556 Determining Dangerous Work Forbidden for Children (25,27-29)
Prohibition of Forced Labor	Yes		Articles 7 and 192 of the Labor Code; Articles 264 and 411 of the Children's Code; Articles 150.3 and 151 of the Penal Code (25-27)
Prohibition of Child Trafficking	Yes		Article 192 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 (25-27,30)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Article 192 of the Labor Code; Articles 264, 276.f, and 387–390 of the Children's Code; Article 224 of the Penal Code (25,27,29)
Prohibition of Using Children in Illicit Activities	Yes		Article 192 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 (25,27,29)
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 (25,31)
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 (25,26)
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 (25,26)
Compulsory Education Age	Yes	15	Article 35 of the Constitution; Article 255 of the Children's Code (25,32)
Free Public Education	No		Article 35 of the Constitution; Law No. 97-16 For the Creation of a Support Fund for Education; Décret 2009-129/PR for the Abolition of School Fees in Pre-Primary and Primary Schools (32-34)

\* Country has no conscription (31)

In 2021, Togo adopted a new labor code that strengthened enforcement and penalty mechanisms. (27) While Togo's Arrêté 1556 prohibits several types of hazardous work for children under age 18, it 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. (28,35,36) In addition, the law provides for free schooling only through primary school, while basic education is a total of 9 years and includes 3 years of lower secondary school. The failure to provide for complete free basic education may increase the risk of children's involvement in the worst forms of child labor. (32-34)

### 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 Civil Service, Labor, and Social Dialogue (MFPTDS)	Conducts labor inspections and enforces all labor laws, including child labor laws. (2) Runs a Committee for Social Reintegration of Children. (6) Through its Unit to Combat Child Labor, withdraws children from child labor situations, raises awareness, and collects data. (37)
Ministry of Justice and Government Relations	Enforces criminal laws related to the worst forms of child labor and prosecutes violators. (2,6,37)

## MODERATE ADVANCEMENT

**Table 5. Agencies Responsible for Child Labor Law Enforcement (Cont.)**

Organization/Agency	Role
Ministry of Social Action, Promotion of Women, and Literacy (MASPFA), Director General for the Protection of Children	Raises awareness on child labor issues, enforces laws against the worst forms of child labor; provides technical assistance, and leads government efforts to address child trafficking. (2,12,16) Supports a network of 42 foster families in 4 regional capitals. (38) Operates the Allô 1011 hotline for reporting child abuse, including child trafficking. (3,38,39) Accepts reports to Allô 1011 via SMS text message, through a mobile application, or through a real-time interactive website. In 2021, received 31,333 calls to the Allô 1011 hotline, of which 2,036 were substantive and 38 were related to child trafficking or exploitation. (2,16) In 2021, undertook training on child trafficking and protection that included 214 participants and launched sensitization campaigns that reached approximately 8,000 people via radio broadcast. (2)
Ministry of Security's General Directorate of Judicial Police	Investigates crimes involving child victims, including child trafficking. Operates as part of the National Police in all five regions of Togo. (2,6,40)

**Labor Law Enforcement**

In 2021, labor law enforcement agencies in Togo took actions to address child labor (Table 6). However, gaps exist within the operations of the Ministry of Civil Service, Labor, and Social Dialogue (MFPTDS) that may hinder adequate labor law enforcement, including insufficient financial resource allocation.

**Table 6. Labor Law Enforcement Efforts Related to Child Labor**

Overview of Labor Law Enforcement	2020	2021
Labor Inspectorate Funding	\$73,162 (6)	\$39,061 (2)
Number of Labor Inspectors	128 (6)	123 (2)
Mechanism to Assess Civil Penalties	Yes (29)	Yes (27)
Initial Training for New Labor Inspectors	Yes (6)	No (2)
Training on New Laws Related to Child Labor	N/A (6)	N/A (2)
Refresher Courses Provided	Yes (6)	N/A (2)
Number of Labor Inspections Conducted	819 (41)	Unknown (2)
Number Conducted at Worksite	250 (41)	Unknown (2)
Number of Child Labor Violations Found	22 (35)	Unknown (2)
Number of Child Labor Violations for Which Penalties Were Imposed	8 (35)	Unknown (2)
Number of Child Labor Penalties Imposed that Were Collected	0 (35)	Unknown (2)
Routine Inspections Conducted	Yes (6)	Yes (2)
Routine Inspections Targeted	Yes (35)	Unknown (2)
Unannounced Inspections Permitted	Yes (29)	Yes (27)
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)

The MFPTDS lacks sufficient resources for fuel and transportation, which may hinder its ability to conduct inspections. (2,41) From 2020 to 2021, the labor inspectorate's total budget declined by nearly 40 percent. (2) Routine inspections were conducted in the formal sector; however, the majority of child labor occurs in the informal sector, in which inspectors are legally allowed to inspect, but rarely do. (8,29) Although they are legally permitted to do so, inspectors did not inspect private farms or homes, in which children work in agriculture and domestic work. (2,27) The government did not provide information on the numbers of labor inspections conducted, inspections conducted at worksites, child labor violations found, penalties imposed, penalties collected, or the targeting of routine inspections for inclusion in this report.

**Criminal Law Enforcement**

In 2021, criminal law enforcement agencies in Togo took actions to address child labor (Table 7). However, gaps exist within the operations of enforcement agencies, including deficient structures for investigation and prosecution planning.

**Table 7. Criminal Law Enforcement Efforts Related to Child Labor**

Overview of Criminal Law Enforcement	2020	2021
Initial Training for New Criminal Investigators	Yes (6)	Yes (2)
Training on New Laws Related to the Worst Forms of Child Labor	N/A (6)	Unknown (2)
Refresher Courses Provided	N/A (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)	Unknown (2)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (6)	Yes (2)

The government did not provide information on its criminal law enforcement efforts, including 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. (2)

Assize Courts in Lomé and Kara handle all human trafficking cases, but research indicates that the courts are overburdened and slow, which deters victims from participating. While there is a referral mechanism between criminal law enforcement and social services, shortcomings exist in the coordination between police, social workers, and the justice system during the prosecution process. (16) An NGO reported that trafficking survivors are often reluctant to testify or assist with prosecution because their family members were complicit in the trafficking case. (16) Cases involving child trafficking may be settled outside of court due to difficulties gathering evidence. In addition, Ministry of Justice officials 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. (6,9,38)

#### 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 insufficient allocation of financial resources.

**Table 8. Key Mechanisms to Coordinate Government Efforts on Child Labor**

Coordinating Body	Role & Description
National Steering Committee to Combat Child Labor	Serves as the coordinating government body for child labor issues. Includes representatives from 17 ministries and NGOs. (2) Was active during the reporting period promoting the 2020–2024 National Action Plan for the Elimination of the Worst Forms of Child Labor (PANLTE). (2)
National Commission Against Trafficking in Persons*	Responsible for drafting and implementing a national plan of action against trafficking in persons. Created in 2021 as a coordinating body to address and prevent trafficking in persons. (2,16)
National Committee for the Reception and Social Reintegration of Child Victims of Trafficking (CNARSEVT)	Manages anti-child trafficking efforts, acts as the government's central hub of information for human trafficking in Togo, and drafts an annual report providing data on human trafficking, which is sent to the Economic Community of West African States. (3,16) Housed under the Ministry of Labor and includes representatives from the Ministries of Justice, Health, Security, and Foreign Affairs. (2,13) Conducted awareness-raising campaigns for Arrêté 1556, which revised the list of prohibited hazardous work for children, and for the 2020–2024 National Action Plan for the Elimination of the Worst Forms of Child Labor (PANLTE). (16,41)
Federated Bodies	Includes 84 community-based child protection entities. Holds community dialogues to raise broad child abuse issues—including child trafficking—and to identify and implement programming such as awareness raising, counseling, and reporting. (3,35) Research was unable to determine the activities of these entities during the reporting period.

\* Mechanism to coordinate efforts to address child labor was created during the reporting period.

Research suggests that despite receiving funds from the ILO, UNICEF, and Expertise France, the National Committee for the Reception and Social Reintegration of Child Victims of Trafficking faced operational challenges due to lack of financial 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 lack of implementation.

**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 multisectoral approach, aims to take into account the formal and informal economies in the effort to eliminate the worst forms of child labor. (6,7,35) From March to July in 2021, was promoted by the government in national campaign to raise awareness for PANLTE. (2,35)
Trilateral Agreement to Combat Child Trafficking	Trilateral agreement between the Governments of Togo, Benin, and Burkina Faso to address child trafficking. Lays out specific responsibilities for origin, transit, and destination countries and aims for enhanced border controls and regional coordination (8,16,43) Due to the impact of the pandemic, the government was not able to fully implement the agreement during the reporting period. (16)
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. (8,44) In December 2021, the government issued an update to the National Development Plan due to the impact of the pandemic. (2)

While the Education Sector Plan (2020–2030) 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. It also proposes the gradual expansion of free lower secondary education for all students, and free upper secondary education for girls. (18,35)

### VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2021, 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 inadequacy of programs to address the full scope of the problem.

**Table 10. Key Social Programs to Address Child Labor**

Program	Description
Reference Center for Guidance and Care of Children in Difficult Situations	MASPFA-run shelter in Lomé that receives child trafficking and child labor survivors referred through Allô 1011. Provides shelter as well as legal, medical, psychological, and social services. (16) The shelter was active during the reporting year. (16)
Novissi Cash Transfer Scheme	Run by Ministry of Digital Economy and Digital Transformation in cooperation with U.S.-based non-profit Give Directly. Makes direct cash transfers of roughly \$20/month through mobile phones to Togo's poorest citizens in order to mitigate the worst effects of the pandemic. (45,46) Uses mobile phone data to identify the most vulnerable rural residents to receive cash transfers. (45,46) In February of 2021, expanded into the Savanes region, where over 244,000 additional people received transfers. Since 2020, has provided over 800,000 Togolese nationwide with direct cash transfers. (45,46)
McGovern-Dole Food for Education Program, 2020–2024	Provides free school lunch to an estimated 66,000 participants. Funded by the U.S. Department of Agriculture and implemented by Catholic Relief Services. (2,6) The program continued in 2021. (2)
Program of Cooperation UNICEF/Togo, 2019–2023	Aims to enhance child survival, education and development, child protection, and social inclusion in Togo. Includes efforts to reduce child vulnerability to exploitation, including by enhancing access to education, especially for girls. (47) During the reporting period, over 30,000 children in 158 schools received school supply kits, and 5,106 children who had been subjected to violence received legal, educational, and social services. (48)
World Bank-Funded Programs	Aim to address child labor by improving social safety nets for vulnerable families and by increasing access to education. The Safety Nets and Basic Services Project, a \$29 million project implemented by MASPFA and the Ministry of Grassroots Development (ANADEB), aims to provide social safety nets to poor communities. (2,49–52) During the reporting period, the program continued to be implemented, and it extended to 2023. (2) Employment Opportunities for Vulnerable Youth Project (2017–2021), a \$15 million program implemented by ANADEB, provided access to income-generating opportunities for targeted poor and vulnerable youth in Togo. (2) The program was completed in 2021. (2) The Improving Quality and Equity of Basic Education Project (2020–2026) aims to improve teaching and learning quality, to improve equitable access to basic education in select regions, particularly among girls, and to strengthen sector management. (20)

‡ The government had other social programs that may have included the goal of eliminating or preventing child labor. (16,38,53)

Social programs focus on alleviating poverty and promoting education rather than targeting specific sectors of child labor, such as domestic work, commercial sexual exploitation, and agriculture. The government relies heavily on NGOs and international organizations for the implementation of social programs. (2) A shortage of funds may hinder program implementation. (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 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 – 2021
	Establish by law free basic education, including lower secondary education.	2021
Enforcement	Ensure that labor inspectors have the time and financial resources to carry out their primary duties of inspection and monitoring of labor laws.	2009 – 2021
	Conduct labor inspections in the informal sector as well as private homes and farms, in which children work in agriculture and domestic work.	2021
	Publish data on labor law enforcement efforts, including the numbers of labor inspections conducted, inspections conducted at worksites, child labor violations found, penalties imposed, penalties collected, or the targeting of routine inspections.	2021
	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 – 2021
	Ensure that criminal law enforcement officials receive training, including training for new officials, refresher courses, and training on new laws.	2009 – 2021
	Ensure that criminal investigators have sufficient financial and physical resources to adequately enforce criminal laws against child labor.	2017 – 2021
	Enforce legal penalties for criminal violations, such as child trafficking.	2014 – 2021
	Ensure that court system processes for addressing child trafficking are timely so as not to deter victims from reporting.	2020 – 2021
	Ensure effective coordination between the criminal justice system and social services to allow survivors to receive adequate support during judicial proceedings.	2021
	Ensure federated bodies are active and report on their activities.	2021
Coordination	Ensure that the National Committee for the Reception and Social Reintegration of Child Victims of Trafficking receives adequate funding.	2021
	Fully implement any agreement signed to protect child trafficking.	2020 – 2021
Government Policies	Integrate child labor elimination and prevention strategies into the Education Sector Plan.	2013 – 2021
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; and improving school infrastructure and transportation, especially in rural areas.	2010 – 2021
	Ensure that social protection programs to address child labor receive adequate funding and are sufficient to address the scope of the problem in all relevant sectors.	2009 – 2021
	Ensure that social programs specifically target child labor in commercial sexual exploitation, domestic work, and agriculture in addition to alleviating poverty and promoting education.	2019 – 2021

## REFERENCES

- ILO Committee of Experts. Individual Observation concerning Minimum Age Convention, 1973 (No. 138) Togo (ratification: 1984). Published: 2017. [http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100\\_COMMENT\\_ID:3289901](http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:3289901)
- U.S. Embassy- Lomé. Reporting. January 14, 2022.
- U.S. Department of State. Trafficking in Persons Report- 2021: Togo. Washington, D.C., July 1, 2021. <https://www.state.gov/reports/2021-trafficking-in-persons-report/togo/>
- UNESCO Institute for Statistics. Gross intake ratio to the last grade of primary education, both sexes (%). Accessed March 3, 2022. For more information, please see "Children's Work and Education Statistics: Sources and Definitions" in the Reference Materials section of this report. <http://data.uis.unesco.org/>
- ILO. Analysis of Child Economic Activity and School Attendance Statistics from National Household or Child Labor Surveys. Original data from Demographic and Health Survey (DHS), 2013–2014. Analysis received March 2022. Please see "Children's Work and Education Statistics: Sources and Definitions" in the Reference Materials section of this report.
- U.S. Embassy- Lomé. Reporting. January 19, 2021.



## MODERATE ADVANCEMENT

- 7 Government of Togo. PLAN D'ACTION NATIONAL DE LUTTE CONTRE LES PIRES FORMES DE TRAVAIL DES ENFANTS AU TOGO. February 2020. Source on file.
- 8 U.S. Embassy- Lomé. Reporting. January 15, 2020.
- 9 MOJ official. Interview with USDOL official. June 27, 2018.
- 10 UN Office of the High Commissioner for Human Rights. End of mission statement by Ms. Urmila Bhoola, Special Rapporteur on contemporary forms of slavery, including its causes and consequences on her country visit to Togo (27-31 May 2019). May 31, 2019. <https://www.ohchr.org/en/NewsEvents/Pages/DisplayNews.aspx?NewsID=24658&LangID=E>
- 11 CDN and CNARSEVT officials. Interview with USDOL official. June 25, 2018.
- 12 Ministry of Social Action, Promotion of Women, and Literacy official. Interview with USDOL official. June 26, 2018.
- 13 U.S. Embassy- Lomé. Reporting. March 1, 2021.
- 14 Amen, Élodie. Le travail des enfants, un phénomène qui perdure au Togo. DW, June 12, 2018. <https://www.dw.com/fr/le-travail-des-enfants-un-phénomène-qui-perdure-au-togo/a-44187480>
- 15 Togo Actualité. Traite des enfants: Plus de 2000 victimes chaque année au Togo!. November 23, 2019. <https://www.togoactualite.com/traite-des-enfants-plus-de-2000-victimes-chaque-annee-au-togo/>
- 16 U.S. Embassy- Lomé. Reporting. February 9, 2022.
- 17 ILO Committee of Experts. Individual Observation concerning Worst Forms of Child Labour Convention, 1999 (No. 182) Togo (ratification: 2000). Published: 2017. [http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100\\_COMMENT\\_ID:3289894](http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:3289894)
- 18 Government of Togo. Plan sectoriel de l'éducation de la République du Togo 2020–2030. 2020. <https://planipolis.iiep.unesco.org/en/2020/plan-sectoriel-de-l'éducation-de-la-république-du-togo-2020-2030-7058>
- 19 ILO Committee of Experts. Direct Request concerning Worst Forms of Child Labour Convention, 1999 (No. 182) Togo (ratification: 2000). Published: 2021. [https://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100\\_COMMENT\\_ID:4023009:NO](https://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:4023009:NO)
- 20 World Bank. Project Information Document: Togo - Quality and Equity Enhancement of Education Project (P172674). March 11, 2020. <https://ewdata.rightsindevelopment.org/files/documents/74/VB-P172674.pdf>
- 21 Government of Togo. Année scolaire 2021–2022: gratuité des frais d'inscription et de scolarité pour les collèges et lycées publics du Togo. August 23, 2021. <https://education.gouv.tg/annee-scolaire-2021-2022-gratuite-des-frais-d'inscription-et-de-scolarite-pour-les-colleges-et-lycees-publics-du-togo/>
- 22 ILO Committee of Experts. Individual Direct Request concerning Worst Forms of Child Labour Convention, 1999 (No. 182) Togo (ratification: 2000). Published: 2017. [http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100\\_COMMENT\\_ID:3289898](http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:3289898)
- 23 U.S. Department of State. Country Reports on Human Rights Practices- 2020: Togo. Washington D.C., March 30, 2021. <https://www.state.gov/reports/2020-country-reports-on-human-rights-practices/togo/>
- 24 Ministry of Education official. Interview with USDOL official. June 29, 2018.
- 25 Government of Togo. Loi No. 2007-017 portant code de l'enfant. Enacted: July 6, 2007. <https://www.mindbank.info/item/5073>
- 26 Government of Togo. Loi No. 2015-010 portant nouveau code pénal. Enacted: November 24, 2015. [https://www.ilo.org/dyn/natlex/natlex4.detail?p\\_lang=fr&p\\_isn=104616&p\\_count=2&p\\_classification=01](https://www.ilo.org/dyn/natlex/natlex4.detail?p_lang=fr&p_isn=104616&p_count=2&p_classification=01)
- 27 Government of Togo. Loi n° 2021-012 Portant Code du Travail. Enacted: June 8, 2021. Source on file.
- 28 Government of Togo. Arrêté No. 1556 déterminant des travaux dangereux interdit aux enfants. Enacted: May 22, 2020. Source on file.
- 29 Government of Togo. Loi No. 2006-010 Portant Code du Travail. Enacted: December 5, 2006. <https://www.ilo.org/dyn/natlex/docs/ELECTRONIC/75548/78675/F152868207/code.travail.pdf>
- 30 Government of Togo. Loi No. 2005-009 relative au trafic d'enfants au Togo. Enacted: August 3, 2005. <http://www.ilo.org/dyn/natlex/docs/SERIAL/72058/72983/F1981134441/trafic.enfants.pdf>
- 31 Government of Togo. Loi No. 2007-010 portant statut général des personnels militaires des forces armées togolaises. Enacted: February 2007. <http://www.ilo.org/dyn/natlex/docs/SERIAL/77509/82181/F1787162033/TGO-77509.pdf>
- 32 Government of Togo. La Constitution de la IVème République. Enacted: October 14, 1992. <http://www.refworld.org/docid/48ef43c72.html>
- 33 Government of Togo. Loi n° 16 du 24 décembre 1997 portant création d'un Fonds de Soutien à l'Education. Enacted: November 24, 1997. <https://www.ilo.org/dyn/natlex/docs/ELECTRONIC/50362/120031/F285927288/TGO-50362.pdf>
- 34 Government of Togo. Décret 2008-129/PR du 02 Octobre 2008 portant suppression des frais scolaires dans les établissements préscolaires et primaires publics du Togo. Enacted: October 2, 2008. Source on file.
- 35 U.S. Embassy- Lomé official. E-mail communication to USDOL official. June 3, 2021.
- 36 ILO CEACR. Minimum Age Convention, 1973 (No. 138) Togo (ratification: 1984). Published: 2021. [https://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100\\_COMMENT\\_ID:4057551](https://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:4057551)
- 37 U.S. Embassy- Lomé. Reporting. March 19, 2019.
- 38 U.S. Embassy- Lomé. Reporting. September 26, 2018.
- 39 iciLomé. Togo « Allô 1011 »: la ligne verte gratuite disponible pour dénoncer cas d'abus sur un enfant. March 17, 2018. <http://news.icilome.com/?idnews=847291>
- 40 Ministry of Security and Civil Protection official. Interview with USDOL official. June 28, 2018.
- 41 U.S. Embassy- Lomé official. E-mail communication to USDOL official. January 23, 2022.
- 42 Ministère de l'Action Sociale de la Promotion de la Femme et de l'Alphabétisation. Politique Nationale de l'Action Sociale. January 2014. Source on file.
- 43 U.S. Embassy- Lomé. Reporting. February 14, 2020.
- 44 Government of Togo. Tout Savoir sur le PND du Togo 2018–2022. 2019. <http://togoembassy london.com/wp-content/uploads/2019/02/Tout-savoir-sur-le-PND-du-Togo-2018-2022-Francais.pdf>
- 45 Novissi. Government of Togo. Accessed December 17, 2021. <https://novissi.gouv.tg/en/home-new-en/>
- 46 Alcorn, Ted. One of the World's Poorest Countries Found a Better Way to Do Stimulus. Bloomberg, November 8, 2021. <https://www.bloomberg.com/news/features/2021-11-08/how-togo-made-all-digital-government-stimulus-system-in-two-weeks>
- 47 United Nations, Economic and Social Council. UNICEF Country Program Document, Togo. July 31, 2018. <https://digitalibrary.un.org/record/1638016?ln=en>
- 48 UNICEF Country Office Annual Report, Togo. 2021. <https://www.unicef.org/reports/country-regional-divisional-annual-reports-2021/Togo>
- 49 World Bank. Implementation Status & Results Report: Education and Institutional Strengthening Project 2 (P146294). June 9, 2016. <http://documents.worldbank.org/curated/en/779031468302081206/pdf/ISR-Disclosable-P146294-06-09-2016-1465455941435.pdf>

- 50 World Bank. Proposed Restructuring and Additional Credit in the Amount of SDR 7.9 Million (US\$12.1 Million Equivalent) to the Republic of Togo for the Community Development and Safety Nets Project. February 11, 2014.  
<http://documents.worldbank.org/curated/en/587671468312909243/pdf/PAD7500PI27200010Box382145B00OUO090.pdf>
- 51 World Bank. Project Appraisal Document: Proposed Grant in the Amount of 21.4 Million (US\$29 Million Equivalent) to the Republic of Togo for a Safety Nets and Basic Services Project. February 28, 2017.  
<http://documents.worldbank.org/curated/en/291621488823421945/pdf/Project-Appraisal-Document-PAD-PI57038-03022017.pdf>
- 52 World Bank. TOGO - Education and Institutional Strengthening Project 2 Implementation Status & Results Report. December 31, 2018.  
<http://documents.worldbank.org/curated/en/706871546267620904/pdf/Disclosable-Version-of-the-ISR-TOGO-Education-and-Institutional-Strengthening-Project-2-PI46294-Sequence-No-07.pdf>
- 53 ILO. Togo: Analyse du système de protection sociale à travers le processus SPPOT: Vers un socle national de protection sociale. Geneva, 2018.  
<https://www.social-protection.org/gimi/RessourcePDF.action?id=55261>

Although research found no evidence that child labor exists in Tokelau, in 2021, 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 1 provides one key indicator on children's education in Tokelau.

**Table 1. Statistics on Children's Work and Education**

Children	Age	Percent
Primary Completion Rate (%)		109.5

Source for primary completion rate: Data from 2020, published by UNESCO Institute for Statistics, 2022. (6)

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. As a result, 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 Defense Act (4)
Prohibition of Compulsory Recruitment of Children by (State) Military	N/A*†		

## NO ADVANCEMENT

**Table 2. Laws and Regulations on Child Labor (Cont.)**

Standard	Meets International Standards	Age	Legislation
Prohibition of Military Recruitment by Non-state Armed Groups	No		
Compulsory Education Age	Yes	16	Article 63(1) of the Tokelau Crimes, Procedures, and Evidence Rules Act (5,6)
Free Public Education	Yes		Part 1, Section 3 of the Government of New Zealand's Education Act (7)

\* Country has no conscription (8)

† Country has 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. (2)
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. (2)

#### **Labor Law Enforcement**

As there is no evidence of a problem, there appears to be no need for labor law enforcement actions to address child labor, 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. (10) Research was unable to determine whether activities were undertaken to implement the 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 – 2021
	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 – 2021
	Establish laws that criminally prohibit forced labor, including slavery.	2013 – 2021
	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 – 2021
	Ensure that laws criminally prohibit the use, procuring, and offering a child for prostitution, the production of pornography, and pornographic performances.	2017 – 2021
	Ensure that laws criminally prohibit the use of children for illicit activities, including for the production and trafficking of drugs.	2017 – 2021
	Ensure that the law criminally prohibits the recruitment of children under age 18 by non-state armed groups.	2016 – 2021
Government Policies	Ensure that activities are undertaken to implement the United Nations Pacific Strategy and that data on these activities are published during the reporting period.	2019 – 2021
Social Programs	Establish a reliable transportation program to ensure that children are able to attend school.	2018 – 2021

## REFERENCES

- Government of Tokelau, Department of Education. Department of Education Schools on Tokelau. (n.d.). <https://www.tokelau.org.nz/Tokelau+Government/Government+Departments/Department+of+Education.html>
- U.S. Embassy- Wellington. Reporting. January 14, 2022.
- Government of Tokelau. Tokelau Government. Accessed June 23, 2017. <http://www.tokelau.org.nz/Tokelau+Government.html>
- Government of New Zealand. Defence Act of 1990, No. 28 of 1990. Enacted: April 1, 1990. <http://www.legislation.govt.nz/act/public/1990/0028/latest/DLM204973.html>
- Government of Tokelau. Tokelau Crimes, Procedures, and Evidence Rules 2003. Enacted: 2003. [http://www.paclii.org/tk/legis/num\\_act/cpaer2003302/](http://www.paclii.org/tk/legis/num_act/cpaer2003302/)
- UNESCO. EFA Global Monitoring Report: Youth and Skills—Putting Education to Work: Table 4: Access to Primary Education. October 16, 2012. <http://www.ibe.unesco.org/en/services/online-materials/world-data-on-education/seventh-edition-2010-11.html>
- Government of New Zealand. Education Act. Enacted: September 29, 1989. <http://www.legislation.govt.nz/act/public/1989/0080/latest/DLM175959.html>
- U.S. Consulate Auckland official. E-mail communication to USDOL official. April 7, 2017.
- CIA. The World Factbook. Accessed January 19, 2018. Please see "Labor Law Enforcement: Sources and Definitions" in the Reference Materials section of this report. <https://www.cia.gov/the-world-factbook/countries/tokelau/>
- UN. United Nations Pacific Strategy 2018–2022: A Multi-Country Sustainable Development Framework in the Pacific Region. 2017. [https://www.unicef.org/about/execboard/files/Final\\_UNPS\\_2018-2022\\_Pacific.pdf](https://www.unicef.org/about/execboard/files/Final_UNPS_2018-2022_Pacific.pdf)



## MINIMAL ADVANCEMENT – EFFORTS MADE BUT CONTINUED PRACTICE THAT DELAYED ADVANCEMENT

In 2021, Tonga made minimal advancement in efforts to eliminate the worst forms of child labor. The Government of Tonga and the Government of New Zealand launched a new joint education project outlining a 15-year policy framework for Tonga's education system. However, despite new initiatives to address child labor, Tonga is assessed as having made only minimal advancement because it continued to implement a practice that delays advancement to eliminate 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 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. 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 did not provide information on its labor or criminal law enforcement efforts for inclusion in this report.



## 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. (1,2) Children also engage in child labor in farming and fishing. (3) Table 1 provides key indicators on children's work and education in Tonga. Data on some of these indicators are not available from the sources used in this report.

**Table 1. Statistics on Children's Work and Education**

Children	Age	Percent
Working (% and population)	5 to 14	46.8 (Unavailable)
Attending School (%)	5 to 14	94.6
Combining Work and School (%)	7 to 14	47.8
Primary Completion Rate (%)		108.4

Source for primary completion rate: Data from 2020, published by UNESCO Institute for Statistics, 2022. (4)

Source for all other data: International Labor Organization's analysis of statistics from Multiple Indicator Cluster Survey 6 (MICS 6), 2019. (5)

Based on a review of available information, Table 2 provides an overview of children's work by sector and activity.

**Table 2. Overview of Children's Work by Sector and Activity**

Sector/Industry	Activity
Agriculture	Subsistence farming, fishing (3)
Categorical Worst Forms of Child Labor‡	Forced domestic work (1-3)
	Commercial sexual exploitation, sometimes as a result of human trafficking (1-3)
	Use in illicit activities, including the trafficking of drugs (6-8)

‡ Child labor understood as the worst forms of child labor *per se* under Article 3(a)–(c) of ILO C. 182.

According to the Multiple Indicator Cluster Survey published by the Government of Tonga in collaboration with UNICEF in 2020, 26.1 percent of children ages 5 to 17 were involved in child labor, with 29 percent of these children engaged in child labor in rural areas while 14 percent were in urban areas. (9,10) In addition, 28 percent of children were exposed to hazardous working conditions, which included working with dangerous tools, operating heavy machinery, carrying heavy loads, and exposure to extreme cold, heat, or humidity, among others. However, the survey did not provide information on the sectors in which children were engaged in child labor. (8-10)

# Tonga

## MINIMAL ADVANCEMENT – EFFORTS MADE BUT CONTINUED PRACTICE THAT DELAYED ADVANCEMENT




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. (6,7) There have been media reports of children as young as age 13 being arrested for possession of drugs for the purposes of distribution. (8)

Many school buildings remain inaccessible to students with physical disabilities, resulting in the attendance rates of children with disabilities to be lower than children without disabilities at all educational levels. (8)

## 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 and 70 of the Counter Terrorism and Transnational Organized Crime Act (11)
Prohibition of Child Trafficking	Yes		Section 69 of the Counter Terrorism and Transnational Organized Crime Act (11)
Prohibition of Commercial Sexual Exploitation of Children	No		Sections 115A, 125, and 126 of the Criminal Offenses Act (12,13)
Prohibition of Using Children in Illicit Activities	No		
Minimum Age for Voluntary State Military Recruitment	Yes	16	Section 25 of the Defense Services Act (14)
Prohibition of Compulsory Recruitment of Children by (State) Military	Yes*		Section 25 of the Defense Services Act (14)
Prohibition of Military Recruitment by Non-state Armed Groups	No		
Compulsory Education Age	Yes	18	Section 98 of the Education Act 2013 (15)
Free Public Education	No		Section 95 of the Education Act 2013 (15)

\* Country has no conscription (14)

**MINIMAL ADVANCEMENT – EFFORTS MADE BUT CONTINUED PRACTICE THAT DELAYED ADVANCEMENT**

In September 2020, the Tongan Parliament passed the revised Employment Relations Bill, which establishes the minimum age for non-hazardous work at age 15 and would prohibit the categorical worst forms of child labor. (8) The bill also contains provisions establishing legal authority of the labor inspectorate to conduct labor inspections. (16-18) However, it is unclear whether the new law took effect during the reporting period, as it is required for an Act that has passed Parliament to be presented to the Tongan King for assent and published in the Gazette before it becomes law. (8,19)

The Parliament has not determined the types of hazardous work prohibited for children. (20,21) 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. (11)

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. (13) 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. (14) 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. (15)

**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 (MTED)	Enforces labor laws, including those related to child labor and the worst forms of child labor. Drafted the Employment Relations Bill with the assistance of ILO. (8)
Tonga Police, Transnational Crime Unit, and Domestic Violence Unit	Enforce criminal laws related to the worst forms of child labor. Respond to forced child labor and human trafficking violations and allegations of commercial sexual exploitation. (8) In collaboration with NGOs, handle and coordinate cases related to women and children. (8)
Ministry of Internal Affairs, Immigration Department	Collaborates with Tonga Police and MTED on the enforcement of criminal laws in cases in which foreign nationals are involved in the worst forms of child labor. (8)

There is no labor inspectorate and no legal authority to conduct labor inspections in Tonga. (8)

**Labor Law Enforcement**

In 2021, the absence of labor inspectors at the national level in Tonga may have impeded the enforcement of child labor laws (Table 6).

**Table 6. Labor Law Enforcement Efforts Related to Child Labor**

Overview of Labor Law Enforcement	2020	2021
Labor Inspectorate Funding	\$0 (20)	\$0 (8)
Number of Labor Inspectors	0 (20)	0 (8)
Mechanism to Assess Civil Penalties	N/A	N/A
Initial Training for New Labor Inspectors	N/A (20)	N/A (8)
Training on New Laws Related to Child Labor	N/A (20)	N/A (8)
Refresher Courses Provided	N/A (20)	N/A (8)
Number of Labor Inspections Conducted	0 (20)	0 (8)
Number Conducted at Worksite	0 (20)	0 (8)
Number of Child Labor Violations Found	0 (20)	0 (8)
Number of Child Labor Violations for Which Penalties Were Imposed	0 (20)	0 (8)
Number of Child Labor Penalties Imposed that Were Collected	0 (20)	0 (8)

**Table 6. Labor Law Enforcement Efforts Related to Child Labor (Cont.)**

Overview of Labor Law Enforcement	2020	2021
Routine Inspections Conducted	N/A (20)	N/A (8)
Routine Inspections Targeted	N/A (20)	N/A (8)
Unannounced Inspections Permitted	N/A (20)	N/A (8)
Unannounced Inspections Conducted	N/A (20)	N/A (8)
Complaint Mechanism Exists	Yes (20)	Yes (8)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	No (20)	No (8)

While there is no labor inspectorate, the government did not provide information on other labor law enforcement efforts for inclusion in this report. 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. (8) Business license inspectors employed by the Ministry of Trade and Economic Development are instructed to watch for child labor occurrences during field inspections. However, child labor inspections are complaint-driven, with police called in for suspected cases of child labor. (8) In addition, the government has yet to establish an adequate referral mechanism among the labor authorities, the police, and social welfare services. (8)

### **Criminal Law Enforcement**

Research did not find information on whether criminal law enforcement agencies in Tonga took actions to address child labor (Table 7).

**Table 7. Criminal Law Enforcement Efforts Related to Child Labor**

Overview of Criminal Law Enforcement	2020	2021
Initial Training for New Criminal Investigators	Unknown (20)	Unknown (8)
Training on New Laws Related to the Worst Forms of Child Labor	N/A (20)	N/A (8)
Refresher Courses Provided	Unknown (20)	Unknown (8)
Number of Investigations	0 (20)	0 (8)
Number of Violations Found	0 (20)	0 (8)
Number of Prosecutions Initiated	0 (20)	0 (8)
Number of Convictions	Unknown (20)	0 (8)
Imposed Penalties for Violations Related to the Worst Forms of Child Labor	Unknown (20)	Unknown (8)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (20)	Yes (8)

The government did not provide information on its criminal law enforcement efforts for inclusion in this report. The Tonga Police address crimes related to the worst forms of child labor and respond to requests if children are found to be engaged in child labor. (8) In addition, the Tonga Police coordinate with NGOs to handle labor abuse cases relating to women and children. 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. (8)

## **IV. COORDINATION OF GOVERNMENT EFFORTS ON CHILD LABOR**

Research found no evidence that the government has established mechanisms to coordinate its efforts to address child labor.

## **V. GOVERNMENT POLICIES ON CHILD LABOR**

The government has established policies related to child labor (Table 8). However, policy gaps exist that hinder efforts to address child labor, including mainstreaming child labor issues into relevant policies.

## MINIMAL ADVANCEMENT – EFFORTS MADE BUT CONTINUED PRACTICE THAT DELAYED ADVANCEMENT

**Table 8. Key Policies Related to Child Labor**

Policy	Description
United Nations Pacific Strategy (2018–2022)	Addresses, develops, and implements strategic economic development priorities in the South Pacific, including eliminating child labor and its worst forms. A multinational strategic framework program consisting of 14 South Pacific nations. (22) Activities during the reporting period were conducted under the UNICEF Pacific Multi-Country Child Protection Program (2018–2022). (8,23)

During the reporting period, the Government of Tonga launched a joint project with the Government of New Zealand outlining a 15-year policy framework for Tonga's education system. This joint project effectively updated the previous education policy framework, which has been updated for 2021–2026. (24) In addition, 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. However, although the Government of Tonga has adopted an education policy framework and the Tonga Strategic Development Plan Nine, strategies to prevent and eliminate child labor have not been integrated into those plans. (8)

**VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR**

In 2021, the government participated in a program that may contribute to eliminating or preventing child labor (Table 9). However, gaps exist in this social program, including the inadequacy 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)	Prioritizes children's rights, including the elimination of child labor and its worst forms. Multi-country program in 14 Pacific Island countries aligned with the UN Pacific Strategy 2018–2022. (23) During the reporting period, the government participated in UNICEF-supported child protection programming aimed at providing greater protection for vulnerable children. (8)

‡ The government had other social programs that may have included the goal of eliminating or preventing child labor. (8,25)

Although the Government of Tonga has implemented the UNICEF Pacific Multi-Country Child Protection Program (2018–2022), which 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. (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 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 – 2021
	Accede to the UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography.	2017 – 2021
	Accede to the Palermo Protocol.	2017 – 2021
	Implement 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 – 2021
	Create and publish a list of hazardous occupations and activities that are prohibited for children.	2009 – 2021
	Ensure that the law criminally prohibits forced labor, including debt bondage and slavery.	2015 – 2021
Legal Framework	Ensure that laws prohibit all forms of commercial sexual exploitation for both girls and boys under age 18.	2009 – 2021
	Ensure that the law prohibits the use of children in illicit activities, including in the production and trafficking of drugs.	2014 – 2021
	Ensure that the law criminally prohibits the recruitment of children under age 18 by non-state armed groups.	2016 – 2021
	Establish by law free basic public education.	2016 – 2021



**Table 10. Suggested Government Actions to Eliminate Child Labor (Cont.)**

Area	Suggested Action	Year(s) Suggested
Enforcement	Hire and train labor inspectors to conduct workplace inspections and enforce child labor laws.	2016 – 2021
	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 – 2021
	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 – 2021
	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 – 2021
	Publish information on criminal law enforcement activities, efforts, and relevant data.	2014 – 2021
Coordination	Establish a coordinating mechanism to address the worst forms of child labor.	2009 – 2021
Government Policies	Integrate child labor elimination and prevention strategies into relevant policies.	2017 – 2021
Social Programs	Collect and publish data on the extent and nature of child labor, including its worst forms, to inform policies and programs.	2017 – 2021
	Update all school buildings to ensure accessibility for students with disabilities.	2018 – 2021
	Implement social programs to address all worst forms of child labor, including in commercial sexual exploitation, agriculture, and fishing.	2010 – 2021

### REFERENCES

- U.S. Embassy- Suva. Reporting. March 16, 2021.
- U.S. Department of State. Trafficking in Persons Report: 2021- Tonga. Washington, D.C., July 1, 2021. <https://www.state.gov/reports/2021-trafficking-in-persons-report/tonga/>
- U.S. Embassy- Suva. Reporting. January 20, 2020.
- UNESCO Institute for Statistics. Gross intake ratio to the last grade of primary education, both sexes (%). Accessed March 3, 2022. For more information, please see "Children's Work and Education Statistics: Sources and Definitions" in the Reference Materials section of this report. <http://data.uis.unesco.org/>
- ILO. Analysis of Child Economic Activity and School Attendance Statistics from National Household or Child Labor Surveys. Original data from Multiple Indicator Cluster Survey 6 (MICS 6), 2019. Analysis received March 2022. Please see "Children's Work and Education Statistics: Sources and Definitions" in the Reference Materials section of this report.
- I News Now. I NEWS exclusive: A look inside one of Tonga's five major drug syndicates, as P ravages the kingdom. December 10, 2018. <https://www.tvnz.co.nz/one-news/world/1-news-exclusive-look-inside-one-tonga-s-five-major-drug-syndicates-p-ravages-kingdom>
- I News Now. I NEWS special report: Tonga's children targeted by meth dealers looking to gain 'a client for life.' December 9, 2018. <https://www.tvnz.co.nz/one-news/world/1-news-special-report-tongas-children-targeted-meth-dealers-looking-gain-client-life>
- U.S. Embassy- Suva. Reporting. January 14, 2022.
- Tonga Statistics Department. Tonga Multiple Indicator Cluster Survey 2019, Survey Findings Report. Nuku'alofa, Tonga: 2020. Accessed: 2021. [https://mics-surveys-prod.s3.amazonaws.com/MICS6/East Asia and the Pacific/Tonga/2019/Survey Findings/Tonga 2019 MICS Survey Findings Report \[2021 1203\]\\_English.pdf](https://mics-surveys-prod.s3.amazonaws.com/MICS6/East Asia and the Pacific/Tonga/2019/Survey Findings/Tonga 2019 MICS Survey Findings Report [2021 1203]_English.pdf)
- Tonga Statistics Department. Tonga Multiple Indicator Cluster Survey 2019, Snapshot of Key Findings. Nuku'alofa, Tonga: 2020. Accessed 2021. [https://mics-surveys-prod.s3.amazonaws.com/MICS6/East Asia and the Pacific/Tonga/2019/Snapshots/Tonga MICS 2019 Snapshot\\_English.pdf](https://mics-surveys-prod.s3.amazonaws.com/MICS6/East Asia and the Pacific/Tonga/2019/Snapshots/Tonga MICS 2019 Snapshot_English.pdf)
- Government of Tonga. Counter Terrorism and Transnational Organised Crime Act 2013. Enacted: 2013. <http://www.ilo.org/dyn/natlex/docs/ELECTRONIC/98656/117471/F-1641177339/TON98656.pdf>
- Government of Tonga. Criminal Offences (Amendment) Act 2003. Enacted: 2003. Source on file.
- Government of Tonga. Criminal Offences Act 1988 (Cap. 18). Enacted: 1988. Source on file.
- Government of Tonga. Tonga Defence Services Act 1992. Act 17 of 1992. Enacted 1992. Source on file.
- Government of Tonga. Education Act 2013. Act 25 of 2013. Enacted February 26, 2014. Source on file.
- U.S. Embassy- Suva official. E-mail communication to USDOL official. June 30, 2020.
- U.S. Embassy- Suva official. E-mail communication to USDOL official. June 24, 2019.
- Government of Tonga. Employment Relations Bill 2020. <https://ago.gov.to/cms/images/LEGISLATION/BILLS/2020/2020-0003/EmploymentRelationsBill2020.pdf>
- Global Payroll Association. "[Tonga] Chamber says timing wrong for Employment Relations Act 2020." September 11, 2020. Accessed 2022. <https://globalpayrollassociation.com/blogs/emea/tonga-chamber-says-timing-wrong-for-employment-relations-act-2020>
- U.S. Embassy- Suva. Reporting. March 3, 2021.
- Government of Tonga. Employment Relations Bill [draft]. 2013. Source on file.
- UN. United Nations Pacific Strategy 2018–2022: A Multi-Country Sustainable Development Framework in the Pacific Region. 2017. [https://unsdg.un.org/sites/default/files/2019-12/UNDP\\_WS\\_FINAL\\_UNPS\\_2018-2022.pdf](https://unsdg.un.org/sites/default/files/2019-12/UNDP_WS_FINAL_UNPS_2018-2022.pdf)
- UN. Strategy Note for the 2018–2022 Pacific Multi-Country Programme of Cooperation. New York: October 10, 2017. Source on file.
- Radio New Zealand. Tonga education project launched. February 12, 2021. <https://www.rnz.co.nz/international/pacific-news/436263/tonga-education-project-launched>
- The World Bank. Strengthening Schools in Tonga for a Brighter and More Resilient Future. July 22, 2021. <https://www.worldbank.org/en/news/feature/2021/07/22/strengthening-schools-in-tonga-for-a-brighter-and-more-resilient-future>

In 2021, Tunisia made moderate advancement in efforts to eliminate the worst forms of child labor. In July 2021, the Tunisian parliament passed the Domestic Workers Bill, prohibiting the employment of children in domestic work. In April 2021, the Second Chance program, which reintegrates school dropouts ages 12 to 18 back into the educational system or provides them with vocational training, opened a new location. Additionally, in November 2021, a new emergency shelter for children in Tunis was created, along with five other shelters across the country dedicated to the needs of children. However, children in Tunisia are subjected to the worst forms of child labor, including in forced labor in domestic work and begging. Children also perform dangerous tasks in scavenging through garbage and in street work. Government officials have noted that the budget for staffing and logistics, such as fuel and transportation, is inadequate to carry out inspections, especially in remote areas of the country. In addition, the government was unable to provide complete data on its enforcement efforts for inclusion in this report, due to records management challenges and delays in the digitization of court records.



## 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. Children also perform dangerous tasks in scavenging for garbage and in street work. (I-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 (%)		106.5

Source for primary completion rate: Data from 2020, published by UNESCO Institute for Statistics, 2022. (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 (1,3,8-12)
	Fishing, activities unknown (3)
	Animal husbandry, activities unknown (3)
	Forestry, activities unknown (3)
Industry	Construction, activities unknown (3,4,11,12)
	Manufacturing and industrial work (3,12)
Services	Domestic work† (1,3,4,9,12,13)
	Street work, including scavenging garbage† (1,3,10,12-15)
Categorical Worst Forms of Child Labor‡	Commercial sexual exploitation, sometimes as a result of human trafficking (4,8,14,16-21)
	Use in illicit activities, including stealing, smuggling, and drug trafficking (4,8,11-16,19,20)
	Forced labor in domestic work and begging (3-5,8,10,12,14,22,23)

† 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.

# Tunisia

## MODERATE ADVANCEMENT

Claims of exploitation of children—including sexual exploitation—have substantially increased since the onset of the COVID-19 pandemic. (12) In 2021, reporting indicates there was an uptick in the number of children being forced by criminal organizations to beg. (12)

Refugees and migrants who lack legal documentation, including child migrants, from sub-Saharan African 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)




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 survey indicate that, of children ages 5 to 17 who work, 48.8 percent are 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) Young girls from Tunisia’s northwest and other interior regions are particularly vulnerable to human trafficking. (5,14,21,23)

Students face barriers to education, especially in rural areas, due to inadequate transportation and household poverty. (1,4,8,10,12,25) Middle and high school completion rates in poor and rural communities remain significantly lower than in wealthy and urban areas. (26)

## 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 (27)
Minimum Age for Hazardous Work	Yes	18	Article 58 of the Labor Code (27)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Ministry of Social Affairs Order of April 1, 2020 (28)
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 (29,30)
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 (30)

**Table 4. Laws and Regulations on Child Labor (Cont.)**

Standard	Meets International Standards	Age	Legislation
Prohibition of Commercial Sexual Exploitation of Children	Yes		Articles 226 ter, 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 (29-31)
Prohibition of Using Children in Illicit Activities	Yes		Articles 5 and 11 of Law No. 92.52 on Narcotics (32)
Minimum Age for Voluntary State Military Recruitment	Yes	18	Article 2 of the National Service Law (33)
Prohibition of Compulsory Recruitment of Children by (State) Military	Yes		Article 2 of the National Service Law (33)
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 (30,31)
Compulsory Education Age	Yes	16	Section I of the Law on Education (34)
Free Public Education	Yes		Articles 38 and 46 of the Constitution; Law on Education (34,35)

In July 2021, the Tunisian parliament passed the Domestic Workers Bill, prohibiting the employment of children in domestic work. (12) The law allows inspectors to enter residences where children are believed to be working as domestic servants. (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 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. (8,27) 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 relating to child labor through the General Administration for Social Development. (20)
Ministry of Women, Family and the Elderly (MWFE)	Gathers evidence and conducts investigations on child welfare cases; conducts needs assessments and implements intervention plans. Provides services to child victims of commercial sexual exploitation. (1) Trains child protection delegates to address 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. (10,31)
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. 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. (8,36,37)
Ministry of Justice (MOJ)	Coordinates anti-human trafficking efforts and the criminal enforcement of child labor laws. (17)

#### **Labor Law Enforcement**

In 2021, labor law enforcement agencies in Tunisia took actions to address child labor (Table 6). (12) However, gaps exist within the authority of the Ministry of Social Affairs (MSA) that may hinder adequate labor law enforcement, such as financial penalties too low to serve as an adequate deterrent. (1,13)

# Tunisia

## MODERATE ADVANCEMENT

**Table 6. Labor Law Enforcement Efforts Related to Child Labor**

Overview of Labor Law Enforcement	2020	2021
Labor Inspectorate Funding	\$4,410,204 (38)	\$6,139,671 (38)
Number of Labor Inspectors	329 (1)	328 (38)
Mechanism to Assess Civil Penalties	Yes (27)	Yes (27)
Initial Training for New Labor Inspectors	N/A (38)	N/A (38)
Training on New Laws Related to Child Labor	Unknown (1)	No (38)
Refresher Courses Provided	Unknown (1)	Yes (38)
Number of Labor Inspections Conducted	100 (38)	143 (38)
Number Conducted at Worksite	100 (38)	143 (38)
Number of Child Labor Violations Found	76 (38)	63 (38)
Number of Child Labor Violations for Which Penalties Were Imposed	33 (38)	4 (38)
Number of Child Labor Penalties Imposed that Were Collected	Unknown (1)	Unknown (12)
Routine Inspections Conducted	Yes (39)	Yes (12)
Routine Inspections Targeted	Yes (39)	Yes (12)
Unannounced Inspections Permitted	Yes (27)	Yes (27)
Unannounced Inspections Conducted	Unknown (1)	Yes (38)
Complaint Mechanism Exists	Yes (1)	Yes (12)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (1)	Yes (12)

Government officials have noted that the budget for staffing and logistics, such as fuel and transportation, is 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 employs approximately 54 percent of the country's total workforce. (4,8,10,11,40)

Civil fines for violating child labor laws are weak, ranging from approximately \$7 to \$21 per infraction (20 to 60 TND) and are doubled for repeat offenders, though the total amount levied cannot exceed \$1,667 (5,000 TND). Civil fines remain insufficient to deter potential violators. (1)

### **Criminal Law Enforcement**

In 2021, criminal law enforcement agencies in Tunisia took actions to address child labor (Table 7). However, gaps exist within the operations of the criminal enforcement agencies that may hinder adequate criminal law enforcement, including deficient structures for prosecution planning.

**Table 7. Criminal Law Enforcement Efforts Related to Child Labor**

Overview of Criminal Law Enforcement	2020	2021
Initial Training for New Criminal Investigators	Unknown (1)	Unknown (12)
Training on New Laws Related to the Worst Forms of Child Labor	Unknown (1)	Unknown (12)
Refresher Courses Provided	Yes (39)	Unknown (12)
Number of Investigations	94 (39)	147 (38)
Number of Violations Found	82 (39)	Unknown (12)
Number of Prosecutions Initiated	17 (39)	3 (38)
Number of Convictions	Unknown (1)	Unknown (12)
Imposed Penalties for Violations Related to the Worst Forms of Child Labor	Unknown (1)	Unknown (12)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (1)	Yes (12)

Judges are frequently reluctant to convict on human trafficking 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-human trafficking law and how to handle human trafficking cases. (1,13) Although the Ministry of Interior 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 involvement in the worst forms of child labor. (1, 13)

The Ministry of Justice (MOJ) does not maintain comprehensive data as most records are not digitized. (1) The government was unable to provide comprehensive information on its criminal law enforcement efforts for inclusion in this report. (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	Coordinates efforts to address child labor as part of the Child Labor National Action Plan (PAN-TN). Led by MSA, includes membership of 11 other ministries and 3 unions, with support from the ILO. (12) In September 2021, held a meeting entitled Joint Commitment to Unaccompanied Migrant Children, which was attended by the representatives from the National Authority to Combat Trafficking in Persons, the MOJ, the Ministry of Foreign Affairs, the Ministry of Defense, the MOI, and the MSA, in addition to participants from international and national organizations dedicated to child protection. (12) The Committee also held roundtable sessions to raise awareness among children about child labor. These awareness-raising sessions benefited 560 children and encompassed various thematic areas, such as career planning, economic empowerment, and vocational training, as well as principles of the Tunisian labor code. (12) In addition, it continued to expand upon a previous pilot project, which coordinated efforts to eradicate child labor in the governorates of Sfax and Jendouba, by executing a guide of procedures for collaboration on child labor situations. (12) In 2021, the government launched a National Referral Mechanism (NRM), which helps identify and refer victims to care services to ensure their protection; this program is maintained by the National Authority to Combat Trafficking in Persons. The Council of Europe, as well as Switzerland, Norway, and civil society organizations helped develop the NRM. (12)
National Authority to Combat Trafficking in Persons ( <i>Instance Nationale de Lutte Contre la Traite des Personnes</i> )	Led by MOJ, coordinates anti-human trafficking efforts and raises awareness of human trafficking issues. Membership Includes 12 ministries, 2 members of civil society, a media representative, and a member of the National Commission of Human Rights. (17,37,41-43) In 2021, drafted a National Training Strategy that included stakeholders from across the Tunisian government, along with civil society actors involved in addressing human trafficking. (12) In October 2021, in partnership with the Council of Europe, published a guide for professionals to aid in supporting and reintegrating survivors of human trafficking. It also organized a virtual seminar to disseminate this guide and assist those working in the field of human trafficking to reintegrate survivors through social welfare programs in a process that is clear and streamlined. (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.

**Table 9. Key Policies Related to Child Labor**

Policy	Description
Child Labor National Action Plan (PAN-TN)	Raises awareness, builds the capacity of stakeholders, encourages action from NGOs and the public, improves policies, and promotes the implementation of existing laws and policies. (44,45) Active in 2021. (12)
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) Active in 2021. (12)

#### VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2021, 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 inadequacy of programs to address the full scope of the problem.

# Tunisia

## MODERATE ADVANCEMENT

**Table 10. Key Social Programs to Address Child Labor**

Program	Description
USDOL-Funded Project (PROTECTE)	A \$4 million project implemented by ILO that aims to strengthen Tunisia's ability to implement the PAN-TN, a multi-stakeholder effort involving government, business, and civil society at the central and rural levels. Additional information is available on the USDOL website.
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: building the capacity of relevant institutions and agencies to identify and assist victims of human trafficking based on their individual needs; strengthening cross-sector cooperation and the sharing of information through the implementation of a national referral mechanism; and conducting 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†	Serve up to 6,000 children engaged in child labor or vulnerable to child labor through the maintenance of 79 youth centers. (46)
Shelters and Services for Victims of Human Trafficking†	Serve survivors of human trafficking, predominantly children, through the operation of shelters by the Government of Tunisia. Provide lodging, food, clothing, psychological services, legal aid through a network of pro bono lawyers, and free medical care in collaboration with MOH. Place adults and unaccompanied children in dedicated centers to receive schooling. (16,47) In November 2021, a new emergency shelter for children in Tunis was created, along with five other shelters across the country dedicated to the needs of children. (12)
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. (46) Includes a project operated by the Ministry of Vocational Training and Employment to incorporate students who have dropped out into vocational training programs. (20)
Second Chance Program	Pilot program funded by MOE, in cooperation with UNICEF, the Government of the United Kingdom, and several government ministries, to reintegrate school dropouts ages 12 to 18 back into the educational system or provide them with vocational training. (1,46) In April 2021, Second Chance opened a new location. This is part of the first phase of the social program designed to meet the needs of over 1,000 dropout students in Tunisia. (12)

† 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. (37)

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. 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. (13,21)

## 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 – 2021
	Collect and publish information related to the enforcement of child labor laws, including the training of labor inspectors, the number and types of labor inspections conducted, the penalties imposed, and penalties collected.	2013 – 2021
	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 – 2021
	Increase penalties for those who employ children in violation of child labor law protections to deter potential violations and reduce recidivism.	2016 – 2021
	Ensure that law enforcement and the judiciary are fully informed as to the existence and application of anti-human trafficking penalties and impose when appropriate.	2020 – 2021

Table 11. Suggested Government Actions to Eliminate Child Labor (Cont.)

Area	Suggested Action	Year(s) Suggested
Social Programs	Publish the microdata of the 2017 National Child Labor Survey so that the information can inform programming and policies.	2017 – 2021
	Address barriers to education, especially for children in rural areas, such as unreliable transportation, and physical violence in schools.	2015 – 2021
	Expand existing programs to fully address the scope of the child labor problem, including in agriculture, fishing, commerce, manufacturing, domestic work, and construction.	2015 – 2021
	Establish long-term support and relocation options for survivors of child labor and trafficking in persons.	2020 – 2021

## REFERENCES

- U.S. Embassy- Tunis. Reporting. February 26, 2021.
- Khouini, Taieb. Traite des enfants en Tunisie, le phénomène en chiffres. Les Africains en sont les premières victimes? August 30, 2017. Source on file.
- ILO and Government of Tunisia. Enquête nationale sur le travail des enfants en Tunisie de 2017. 2018. Source on file.
- U.S. Embassy- Tunis. Reporting. January 28, 2019.
- U.S. Embassy- Tunis. Reporting. February 26, 2019.
- UNESCO Institute for Statistics. Gross intake ratio to the last grade of primary education, both sexes (%). Accessed March 3, 2022. For more information, please see "Children's Work and Education Statistics: Sources and Definitions" in the Reference Materials section of this report. <http://data.uis.unesco.org/>
- ILO. Analysis of Child Economic Activity and School Attendance Statistics from National Household or Child Labor Surveys. Original data from Multiple Indicator Cluster Survey 4 (MICS 4), 2011–2012. Analysis received March 2022. For more information, please see "Children's Work and Education Statistics: Sources and Definitions" in the Reference Materials section of this report.
- U.S. Embassy- Tunis. Reporting. January 17, 2017.
- Agence France-Presse. La Tunisie veut lutter contre le travail des enfants. April 17, 2017. Source on file.
- U.S. Embassy- Tunis. Reporting. August 4, 2017.
- U.S. Embassy- Tunis. Reporting. January 12, 2018.
- U.S. Embassy- Tunis. Reporting. February 15, 2022.
- U.S. Department of State. Trafficking in Persons Report- 2020: Tunisia. Washington, D.C., June 14, 2020. <https://www.state.gov/reports/2020-trafficking-in-persons-report/tunisia/>
- Government of Tunisia. Réponses de l'Instance nationale de lutte contre la traite des personnes aux questions pour le rapport du Département d'État américain sur la traite des personnes 2019. February 2019. Source on file.
- Awad, Jihed. In poor area of Tunis, hopes for better times ahead. August 3, 2021. <https://www.reuters.com/world/africa/poor-area-tunis-hopes-better-times-ahead-2021-08-03/>
- U.S. Department of State. Trafficking in Persons Report- 2018: Tunisia. Washington, D.C., June 14, 2018. <https://www.state.gov/reports/2018-trafficking-in-persons-report/tunisia/>
- U.S. Embassy- Tunis. Reporting. February 27, 2017.
- La presse de Tunisie. La Tunisie annonce sa stratégie. December 14, 2018. Source on file.
- U.S. Embassy- Tunis. Reporting. February 14, 2020.
- U.S. Embassy- Tunis official. E-mail communication to USDOL official. April 20, 2020.
- U.S. Embassy- Tunis. Reporting. February 22, 2021.
- Agency Tunis Afrique Press. Campaign to raise awareness of fight against human trafficking in Tunisia launched. June 7, 2017. Source on file.
- U.S. Embassy- Tunis. Reporting. February 21, 2018.
- Camilli, Annalisa and Paynter, Eleanor. Tunisia: North Africa's overlooked migration hub. The New Humanitarian. January 22, 2020. <https://www.thenewhumanitarian.org/news-feature/2020/1/22/Libya-Tunisia-migration>
- Marzouk, Z. Harsh Realities: Meeting Tunisia's Child Street Sellers. July 13, 2015. Source on file.
- UNICEF. Enquête par Grappes à Indicateurs Multiples sur la situation de la mère et de l'enfant en Tunisie. June 25, 2019. <https://www.unicef.org/tunisia/recits/enquete-par-grappes-a-indicateurs-multiples-sur-la-situation-de-la-mere-et-de-lenfant-en>
- Government of Tunisia. Code du travail, Loi n° 66–27. Enacted: 1966. [http://www.ilo.org/dyn/travail/docs/778/Labour\\_Code\\_Tunisia.pdf](http://www.ilo.org/dyn/travail/docs/778/Labour_Code_Tunisia.pdf)
- Government of Tunisia. Arrêté du ministre des affaires sociales du 1er avril 2020, fixant les types de travaux dans lesquels l'emploi des enfants est interdit. April 1, 2020. Source on file.
- Government of Tunisia. Code Pénal. Enacted: July 9, 1913. Source on file.
- Government of Tunisia. Loi organique n° 2016–61 du 3 août 2016, relative à la prévention et à la lutte contre la traite des personnes. Enacted: 2016. Source on file.
- Government of Tunisia. Loi n° 95–92 du 9 Novembre 1995, Relative à la Publication du Code de la Protection de L'enfant. Enacted: November 9, 1995. <http://www.ilo.org/dyn/natlex/docs/WEBTEXT/42904/64989/F95TUN01.htm>
- Government of Tunisia. Loi n° 92–52 du 18 mai 1992 relative aux stupéfiants. Enacted: May 18, 1992. on file. [source](#)
- Government of Tunisia. Loi n° 2004–I du 14 janvier 2004, relative au Service national. Enacted: January 14, 2004. Source on file.
- Government of Tunisia. Loi d'orientation n° 2002–80 du 23 juillet 2002, relative à l'éducation et à l'enseignement scolaire. Enacted: July 23, 2002. <http://www.ilo.org/dyn/natlex/docs/SERIAL/61806/55086/FI183773494/TUN-61806.pdf>
- Government of Tunisia. Constitution. Enacted: 2014. [https://www.constituteproject.org/constitution/Tunisia\\_2014.pdf](https://www.constituteproject.org/constitution/Tunisia_2014.pdf)
- Government of Tunisia. Official Elements on Child Labor. Submitted in response to USDOL Federal Register Notice (September 6, 2016) "Request for Information on Efforts by Certain Countries to Eliminate the Worst Forms of Child Labor." March 14, 2017. Source on file.
- U.S. Embassy- Tunis official. E-mail communication to USDOL official. February 22, 2017.
- U.S. Embassy- Tunis. Official communication to USDOL official. July 11, 2022.
- U.S. Embassy- Tunis official. E-mail communication to USDOL official. June 2, 2021.
- U.S. Department of State. Country Reports on Human Rights Practices- 2018: Tunisia. Washington, D.C., March 14, 2019. <https://www.state.gov/wp-content/uploads/2019/03/TUNISIA-2018.pdf>
- U.S. Embassy- Tunis. Reporting. February 10, 2017.
- Agency Tunis Afrique Press. National Authority against Trafficking in Human Beings officially set up. February 8, 2017. Source on file.
- U.S. Embassy- Tunis official. E-mail communication to USDOL official. February 8, 2019.

## MODERATE ADVANCEMENT

- 44 UN Committee on the Rights of the Child. Combined fourth to sixth periodic reports submitted by Tunisia under article 44 of the Convention, due in 2017. May 29, 2019: CRC/C/TUN/4-6  
<http://docstore.ohchr.org/SelfServices/FilesHandler.ashx?enc=6QkGI d/PPRiCAqhKb7yhshjFaTGrFeunIH/73cXHINAm0u5cwn9vhaS9oiSH/QnlZmXdpNTIWJJY0u07btRqN9UQd/WJfhy/wKAC+YJkABOZ7YYUnOg8ndxiahnwroo>
- 45 Government of Tunisia. Le Plan d'Action National pour l'Elimination du travail des enfants en Tunisie. Source on file.
- 46 U.S. Embassy- Tunis official. E-mail communication to USDOL official. February 12, 2018.
- 47 U.S. Department of State. Country Reports on Human Rights Practices- 2017: Tunisia. Washington, D.C., June 14, 2018.  
<https://www.state.gov/reports/2017-country-reports-on-human-rights-practices/tunisia/>
- 48 UNICEF Tunisia Draft Country Programme Document 2021. February 2021: E/ICEF/2021/P/L.11  
<https://www.unicef.org/executiveboard/documents/tunisia-draft-country-programme-document-2021>

In 2021, Tuvalu made minimal advancement in efforts to eliminate the worst forms of child labor. The Government of Tuvalu published the results from the Tuvalu Multiple Indicator Cluster Survey 2019–2020, which provides the country's most recent and comprehensive data on 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	8.5 (Unavailable)
Attending School (%)	5 to 14	79.4
Combining Work and School (%)	7 to 14	8.9
Primary Completion Rate (%)		89.4

Source for primary completion rate: Data from 2020, published by UNESCO Institute for Statistics, 2022. (3)

Source for all other data: International Labor Organization's analysis of statistics from Multiple Indicator Cluster Survey 6, 2019–20. (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 published the results from the Tuvalu Multiple Indicator Cluster Survey 6 (MICS 6) 2019–2020, which provides the most recent and comprehensive data on child labor in Tuvalu. The survey estimated that 4 percent of children ages 5–17 in Tuvalu are engaged in child labor, with 16.2 percent of these children engaging in hazardous work. (6–8) The main types of hazardous conditions that children engaged in include carrying heavy loads, exposure to extreme cold or heat, and working with dangerous tools or operating heavy machinery, among others. However, the MICS 6 did not specify the sectors in which children in Tuvalu were engaged in child labor. (6–8)





## II. LEGAL FRAMEWORK FOR CHILD LABOR

Tuvalu has ratified some key international conventions concerning child labor (Table 3).



## MINIMAL ADVANCEMENT

**Table 3. Ratification of International Conventions on Child Labor**

Convention	Ratification
 ILO C. 138, Minimum Age	
 ILO C. 182, Worst Forms of Child Labor	✓
 UN CRC	✓
UN CRC Optional Protocol on Armed Conflict	
UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	
 Palermo Protocol on Trafficking in Persons	

The government has established laws and regulations related to child labor (Table 4). However, gaps exist in 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 (9)
Minimum Age for Hazardous Work	Yes	18	Article 44 of the Labor and Employment Relations Act (9)
Identification of Hazardous Occupations or Activities Prohibited for Children	No		
Prohibition of Forced Labor	No		Article 3 of the Counter Terrorism and Transnational Organized Crime Act; Articles 46–49 of the Labor and Employment Relations Act; Articles 244 and 249 of the Penal Code; Article 18 of the Constitution of Tuvalu (9-12)
Prohibition of Child Trafficking	No		Article 68 of the Counter Terrorism and Transnational Organized Crime Act; Articles 136 and 244 of the Penal Code (10,12)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Article 46 of the Labor and Employment Relations Act; Articles 136 and 140–143 of the Penal Code (9,10)
Prohibition of Using Children in Illicit Activities	Yes		Article 46 of the Labor and Employment Relations Act; Articles 141–142 of the Penal Code (9,10)
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 (9)
Compulsory Education Age	Yes	15	Education Order (13)
Free Public Education	No		Free Education Policy (6,14)

† Country has no standing military (14)

During the reporting year, the Government of Tuvalu held virtual consultations on the ratification of the minimum age convention with the ILO. In addition, the government is finalizing the Child Care and Welfare Bill following Cabinet review. (6) The Bill makes comprehensive provisions for child rights, protection, and welfare in accordance with the principles and provisions of the UN CRC. (6) The Government of Tuvalu has not specified, by national law or regulation, the types of hazardous work prohibited for children; previous provisions only applied to males under age 18 in the industrial, mining, and fishing sectors. (1,9,15) Laws prohibiting forced labor are not sufficient as they do not criminalize slavery and practices similar to slavery or debt bondage and forced or compulsory labor. (9-12) Tuvalu's laws prohibiting child trafficking are insufficient as they do not criminalize

domestic trafficking. (10,12) In addition, although it does not appear that there are any laws that provide free basic education, there is a policy that sufficiently provides for free basic education. (6,14)

### 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).

**Table 5. Agencies Responsible for Child Labor Law Enforcement**

Organization/Agency	Role
Department of Labor and the Ministry of Public Works, Infrastructure, Environment, Labor, Meteorology and Disaster	Enforces labor laws, including those related to child labor. (6)
Tuvalu Police Force	Investigates and enforces criminal laws related to the worst forms of child labor. (6)

#### **Labor Law Enforcement**

Research did not find information on whether labor law enforcement agencies in Tuvalu took actions to address child labor (Table 6).

**Table 6. Labor Law Enforcement Efforts Related to Child Labor**

Overview of Labor Law Enforcement	2020	2021
Labor Inspectorate Funding	Unknown (5)	Unknown (6)
Number of Labor Inspectors	4 (5)	4 (6)
Mechanism to Assess Civil Penalties	No (9)	No (9)
Initial Training for New Labor Inspectors	No (5)	No (6)
Training on New Laws Related to Child Labor	N/A	N/A (6)
Refresher Courses Provided	No (5)	No (6)
Number of Labor Inspections Conducted	Unknown (5)	Unknown (6)
Number Conducted at Worksite	Unknown (5)	Unknown (6)
Number of Child Labor Violations Found	Unknown (5)	Unknown (6)
Number of Child Labor Violations for Which Penalties Were Imposed	Unknown (5)	Unknown (6)
Number of Child Labor Penalties Imposed that Were Collected	Unknown (5)	Unknown (6)
Routine Inspections Conducted	Unknown (5)	Unknown (6)
Routine Inspections Targeted	No (5)	No (6)
Unannounced Inspections Permitted	Yes (9)	Yes (9)
Unannounced Inspections Conducted	Unknown (5)	Unknown (6)
Complaint Mechanism Exists	Yes (5)	Yes (6)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (5)	Yes (6)

The labor inspector cannot assess civil penalties, but may refer matters to the Office of Attorney General for criminal prosecution and the assessment of penalties upon conviction. (9) The government did not provide information on its allocation of funding to the labor inspectorate or labor law enforcement efforts for inclusion in this report. (6)

#### **Criminal Law Enforcement**

Research did not find information on whether criminal law enforcement agencies in Tuvalu took actions to address child labor (Table 7).

## MINIMAL ADVANCEMENT

**Table 7. Criminal Law Enforcement Efforts Related to Child Labor**

Overview of Criminal Law Enforcement	2020	2021
Initial Training for New Criminal Investigators	Unknown (5)	Unknown (6)
Training on New Laws Related to the Worst Forms of Child Labor	Unknown (5)	N/A (6)
Refresher Courses Provided	Unknown (5)	Unknown (6)
Number of Investigations	Unknown (5)	Unknown (6)
Number of Violations Found	Unknown (5)	Unknown (6)
Number of Prosecutions Initiated	Unknown (5)	Unknown (6)
Number of Convictions	0 (5)	0 (6)
Imposed Penalties for Violations Related to the Worst Forms of Child Labor	Unknown (5)	Unknown (6)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (5)	Yes (6)

The government did not provide information on its criminal law enforcement efforts for inclusion in this report. (6)

## IV. COORDINATION OF GOVERNMENT EFFORTS ON CHILD LABOR

The government has established mechanisms to coordinate its efforts to address child labor (Table 8).

**Table 8. Key Mechanisms to Coordinate Government Efforts on Child Labor**

Coordinating Body	Role & Description
National Advisory Committee on the Convention on the Rights of the Child (NACCRC)	Coordinates child protection issues and implements the Convention on the Rights of the Child to prevent and eliminate child labor. Led by the Ministry of Education, Youth and Sports (MEYS) and includes representatives from the Tuvalu Police and Ministries of Labor and Social Welfare. (6) Maintains a Child Protection Desk to support and coordinate the implementation of child protection efforts, and ensures the coherence of child protection intervention efforts. (6) NACCRC was not active in 2021. (16)

## 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)	Addresses, develops, and implements strategic economic development priorities in the South Pacific, including eliminating child labor and the worst forms of child labor. This multi-national strategic framework program comprises 14 South Pacific nations. (17) Activities during the reporting period were conducted under the UNICEF Pacific Multi-Country Child Protection Program (2018–2022). (18,19)
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. (20) Involves public relations activities, such as awareness raising and advocacy. (21) During the reporting period, the government was finalizing the Child Care and Welfare Bill following the Cabinet's review of the proposed law. The Child Protection in Schools Policy is being revised and renamed as the Child Safe Schools Policy following consultations held by MEYS. (6) During the reporting period consultations were held with children and adults in communities and schools in five of nine islands in Tuvalu. (6)
Free Education Policy	Provides free primary education for all children in Tuvalu. (13) Active during the reporting period. (6)

‡ 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 2021, 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 inadequacy of programs to address the full scope of the problem, especially in the fishing sector.

**Table 10. Key Social Programs to Address Child Labor**

Program	Description
UNICEF Pacific Multi-Country Child Protection Program (2018–2022)	Prioritizes children's rights including the elimination of the worst forms of child labor. Multi-country program in 14 Pacific Island countries aligned with the UN Pacific Strategy 2018–2022. (18) During the reporting period, UNICEF collaborated with the Government of Tuvalu to launch the results of the MICS 6 2019–20. In addition, UNICEF is supporting the government on child protection intervention programs, including coordinating child protection activities in Tuvalu in the absence of NACCRC. (6,19,22)

‡ The government had other social programs that may have addressed child labor issues or had an impact on child labor. (6)

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 – 2021
	Accede to the UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography.	2013 – 2021
	Accede to the Palermo Protocol.	2013 – 2021
	Determine the types of hazardous work prohibited for all children in consultation with employers' and workers' organizations.	2017 – 2021
	Ensure that laws prohibiting forced labor criminalize slavery and practices similar to slavery or debt bondage and forced or compulsory labor.	2021
	Ensure that child trafficking laws criminalize the domestic trafficking of children.	2021
	Establish, by law, free basic public education.	2019 – 2021
Enforcement	Publish labor law enforcement information, including labor inspectorate funding, the ability to assess penalties, 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 – 2021
	Institutionalize training for labor inspectors, including by training new labor inspectors at the beginning of their employment and providing refresher courses.	2020 – 2021
	Strengthen the labor inspectorate by initiating targeted inspections based on analysis of data related to risk-prone sectors and patterns of serious incidents.	2020 – 2021
	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 – 2021
Coordination	Ensure that all coordinating bodies are active and able to carry out their intended mandates.	2021
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 – 2021
	Institute programs to address child labor in the fishing sector.	2009 – 2021

## MINIMAL ADVANCEMENT

### REFERENCES

- 1 U.S. Embassy- Suva. Reporting. December 17, 2017.
- 2 U.S. Embassy- Suva. Reporting. January 22, 2020.
- 3 UNESCO Institute for Statistics. Gross intake ratio to the last grade of primary education, both sexes (%). Accessed March 3, 2022. For more information, please see "Children's Work and Education Statistics: Sources and Definitions" in the Reference Materials section of this report. <http://data.uis.unesco.org/>
- 4 ILO. Analysis of Child Economic Activity and School Attendance Statistics from National Household or Child Labor Surveys. Original data from Multiple Indicator Cluster Survey 6, 2019-20. Analysis received March 2022. Please see "Children's Work and Education Statistics: Sources and Definitions" in the Reference Materials section of this report.
- 5 U.S. Embassy- Suva. Reporting. February 18, 2021.
- 6 U.S. Embassy- Suva. Reporting. January 24, 2022.
- 7 Tuvalu Central Statistics Division. Tuvalu Multiple Indicator Cluster Survey 2019-2020, Survey Findings Report. Funafuti, Tuvalu, November 21, 2021. [https://stats.gov.tv/wp-admin/admin-ajax.php?juwpfisadmin=false&action=wpfd&task=file.download&wpfd\\_category\\_id=84&wpfd\\_file\\_id=900&token=&preview=1](https://stats.gov.tv/wp-admin/admin-ajax.php?juwpfisadmin=false&action=wpfd&task=file.download&wpfd_category_id=84&wpfd_file_id=900&token=&preview=1)
- 8 Tuvalu Central Statistics Department. Tuvalu Multiple Indicator Cluster Survey 2019-2020, Snapshot of Key Findings. Funafuti, Tuvalu, November 21, 2021. [https://stats.gov.tv/wp-admin/admin-ajax.php?juwpfisadmin=false&action=wpfd&task=file.download&wpfd\\_category\\_id=84&wpfd\\_file\\_id=901&token=&preview=1](https://stats.gov.tv/wp-admin/admin-ajax.php?juwpfisadmin=false&action=wpfd&task=file.download&wpfd_category_id=84&wpfd_file_id=901&token=&preview=1)
- 9 Government of Tuvalu. Labour and Employment Relations Act 2017. Enacted: 2017. Source on file.
- 10 Government of Tuvalu. Penal Code (Revised 2008), Cap 10 20. Enacted: October 18, 1965. [http://www.tuvalu-legislation.tv/cms/images/LEGISLATION/PRINCIPAL/1965/1965-0007/PenalCode\\_1.pdf](http://www.tuvalu-legislation.tv/cms/images/LEGISLATION/PRINCIPAL/1965/1965-0007/PenalCode_1.pdf)
- 11 Government of Tuvalu. The Constitution of Tuvalu. Enacted: October 1, 1986. Revised: 2008. <http://www.parliament.am/library/sahmanadrutyunnor/tuvalu.pdf>
- 12 Government of Tuvalu. Counter Terrorism and Transnational Organized Crime Act, 2009. Enacted: November 30, 2009. [http://tuvalu-legislation.tv/cms/images/LEGISLATION/PRINCIPAL/2009/2009-0006/CounterTerrorismandTransnationalOrganisedCrimeAct2009\\_1.pdf](http://tuvalu-legislation.tv/cms/images/LEGISLATION/PRINCIPAL/2009/2009-0006/CounterTerrorismandTransnationalOrganisedCrimeAct2009_1.pdf)
- 13 Government of Tuvalu. Education (Compulsory Education) Order, Cap. 30.05.4. Enacted: January 1, 1984. Revised: 2008. [http://tuvalu-legislation.tv/cms/images/LEGISLATION/SUBORDINATE/1984/1984-0014/EducationCompulsoryEducationOrder\\_1.pdf](http://tuvalu-legislation.tv/cms/images/LEGISLATION/SUBORDINATE/1984/1984-0014/EducationCompulsoryEducationOrder_1.pdf)
- 14 U.S. Department of State. Country Reports on Human Rights Practices-2020: Tuvalu. Washington, D.C., March 30, 2021. <https://www.state.gov/wp-content/uploads/2021/03/TUVALU-2020-HUMAN-RIGHTS-REPORT.pdf>
- 15 Government of Tuvalu. Employment Act, Cap.40.28. Enacted: 2008. [http://www.tuvalu-legislation.tv/cms/images/LEGISLATION/PRINCIPAL/1965/1965-0006/EmploymentAct\\_1.pdf](http://www.tuvalu-legislation.tv/cms/images/LEGISLATION/PRINCIPAL/1965/1965-0006/EmploymentAct_1.pdf)
- 16 U.S. Embassy- Suva official. E-mail communication to USDOL official. May 1, 2022.
- 17 UN. United Nations Pacific Strategy 2018–2022: A Multi-Country Sustainable Development Framework in the Pacific Region. 2017. [https://www.unicef.org/about/execboard/files/Final\\_UNPS\\_2018-2022\\_Pacific.pdf](https://www.unicef.org/about/execboard/files/Final_UNPS_2018-2022_Pacific.pdf)
- 18 UN. Strategy Note for the 2018–2022 Pacific Multi-Country Programme of Cooperation. New York, October 10, 2017. Source on file.
- 19 UNICEF. Tuvalu launches MICS data to strengthen its commitment in improving the wellbeing of its people Funafuti, Tuvalu, October 8, 2021. <https://www.unicef.org/pacificislands/press-releases/tuvalu-launches-mics-data-strengthen-its-commitment-improving-wellbeing-its-people>
- 20 UN. Convention on the Rights of the Child: Replies of Tuvalu to the list of issues in relation to its combined second to fifth periodic reports. March 17, 2020. <http://docstore.ohchr.org/SelfServices/FilesHandler.ashx?enc=6QkGldPPRiCAqhKb7yhs4mxnfc1aVVRBQdL+VsmzBX7vfsuZoVlc7AdDqLWLWlxHySWVcbD8EDHsl1xZD6tN/5t/c2cp0TVLz1zfCSI BrxvQWHQTINCgVWRQe7Sj/>
- 21 U.S. Embassy- Suva official. E-mail communication to USDOL official. January 28, 2019.
- 22 U.S. Embassy- Suva official. E-mail communication to USDOL official. May 3, 2022.



In 2021, Uganda made moderate advancement in efforts to eliminate the worst forms of child labor. The government increased its efforts to investigate, prosecute, and sentence government officials complicit in facilitating the worst forms of child labor. Uganda also reconstituted its National Steering Committee on the Elimination of Child Labor. In addition, the government approved a new national action plan to address child labor. However, children in Uganda 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. 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. In addition, the law only guarantees free education through the primary level, which does not meet the international standard that free basic education through lower secondary school be guaranteed by law.



## I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Uganda are subjected to the worst forms of child labor, including in commercial sexual exploitation, sometimes as a result of human trafficking. (1,2) Children also perform dangerous tasks in gold mining. (3,4) Table I provides key indicators on children's work and education in Uganda.

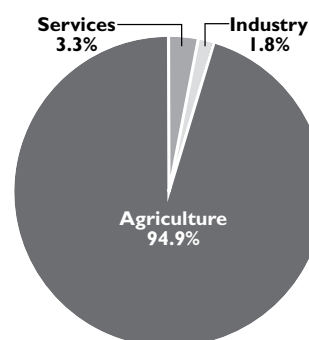
**Table I. Statistics on Children's Work and Education**

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, 2022. (5)

Source for all other data: International Labor Organization's analysis of statistics from Labour Force Survey (LFS), 2016–2017. (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	Cultivating and harvesting cocoa, coffee, corn, tea,† tobacco,† rice,† sugarcane,† and vanilla, and acting as scarecrows in rice fields (7-12)
	Working with livestock, including herding cattle† (12,13)
	Fishing,† including catching,† smoking,† and selling fish, and paddling† and loading boats† (1,9,12,13)
	Collecting grasshoppers (1,12,14)
Industry	Construction,† including making† and laying† bricks (1,9,13)
	Quarrying stone† and mining gold, charcoal, sand,† tin, and salt (1,3,9,12)

**Table 2. Overview of Children’s Work by Sector and Activity (Cont.)**

Sector/Industry	Activity
Industry	Manufacturing, including making steel† and working in carpentry workshops† (1,2,12)
Services	Domestic work† (1,13,14)
	Street work, including vending,† begging,† car washing,† working as porters,† scavenging,† and collecting and selling scrap metal (1,9,13,14)
	Working in hair salons, hotels,† restaurants,† bars,† and video halls† (1,9,13)
	Producing alcoholic beverages (1,13,15)
Categorical Worst Forms of Child Labor‡	Commercial sexual exploitation, sometimes as a result of human trafficking (2,12)
	Forced labor in agriculture, fishing, cattle herding, working in bars and restaurants, begging, brickmaking, mining, stone quarrying, street vending, and domestic work (2,12)
	Use in the production of pornography and pornographic performances (16)
	Use in illicit activities, including smuggling, burglary, cattle theft, and car and house break-ins, each sometimes as a result of human trafficking (1,9,12,13)

† 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.

Traffickers exploit Ugandan boys and girls in forced labor and sex trafficking in Uganda and abroad, with children increasingly at risk due to COVID-19 pandemic-related school closures. (2,12,17,18) They routinely use false job opportunities to lure children from rural areas to urban areas and subsequently exploit the children in forced labor or sex trafficking. Traffickers also exploit Ugandan children in forced labor and sex trafficking in neighboring countries, such as Kenya and Somalia, and in the Middle East and South Asia. (16-20) 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 are forced into begging, street vending, domestic work, or commercial sexual exploitation. (12,16,21) 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. (1,2,22) Well-organized networks of traffickers force children into street begging and girls into commercial sexual exploitation. Traffickers often physically abuse children for failing to collect a designated amount of money. (2,21) Traffickers also exploit children from neighboring countries, including Kenya, Rwanda, and Tanzania, in forced agricultural labor, domestic servitude, and commercial sexual exploitation in Uganda. (2,18,21)

Child labor rates in general in Uganda have also seen an increase over the course of the pandemic. (12) During the reporting period, the Uganda Bureau of Labor Statistics released its 2019–2020 National Household Survey, which includes a component on child labor. The survey found that, as a result of school closures, child labor rates for children between the ages of 5 and 17 increased from 14 percent prior to the pandemic to 22 percent since the start of the pandemic, to a total of 2,702,000 children. (23) Child labor rates in rural areas nearly doubled as a result of the pandemic, and 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. (9-12)

The Bureau also released a baseline study in cooperation with the End Child Labor in Tobacco Growing Foundation measuring child labor rates in the western districts of Hoima and Kikuube, which found that 3 out of 10 children between the ages of 4 and 17 were involved in some form of hazardous labor, and that over 30 percent of children between the ages of 5 and 17 were combining school with work (averaging 22 hours of work per week). (12,24) Children were found to be working in the agriculture, forestry, and fishing sectors, including 18 percent of working children involved in commercial crop farming of tea, tobacco, sugarcane, and rice, among others. (12,24)

In yet another study, the Bureau partnered with UN Women to measure violence against children ages 10 to 14 and found that 39 percent were involved in hazardous work. The study noted that in northern Uganda, this rate was as high as 74 percent. (12)

In other parts of the country, girls worked in gold mines in Karamoja in northern Uganda, and boys grazed cattle in Rwenzori in western Uganda. Meanwhile, children in the Bidibidi 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. (9,25)







While Ugandan law provides for free primary education, the cost of school supplies, uniforms, and other materials often prohibits children from attending school. (1,4,26) Research also found that children experience physical and sexual abuse at school by teachers and classmates. (27) Furthermore, a lack of teachers and school infrastructure and poor transportation in remote rural areas have created barriers to children's access to education. (1,13,28) Although the Government of Uganda implemented alternative instruction strategies due to the COVID-19 shutdown—such as printed materials and radio and televised instruction—poor, rural, and vulnerable children were less likely to be able to access the alternative resources. (9,11,12)

Laws on free primary education apply equally to refugee children, but 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. (20,29,30) 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. (31) 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. (32)

## 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 lack of free basic education guaranteed by law.

**Table 4. Laws and Regulations on Child Labor**

Standard	Meets International Standards	Age	Legislation
Minimum Age for Work	Yes	16	Section 7 of the Children (Amendment) Act (33)
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 (33-35)
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 (33,35)

## MODERATE ADVANCEMENT

**Table 4. Laws and Regulations on Child Labor (Cont.)**

Standard	Meets International Standards	Age	Legislation
Prohibition of Forced Labor	Yes		Sections 2 and 5 of the Employment Act; Sections 3–5 of the Prevention of Trafficking in Persons Act (34,36)
Prohibition of Child Trafficking	Yes		Section 8 of the Children (Amendment) Act; Sections 2–6 of the Prevention of Trafficking in Persons Act (33,36)
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 of the Penal Code; Section 14 of the Anti-Pornography Act (33,36–38)
Prohibition of Using Children in Illicit Activities	Yes		Article 5(d) of the Prevention of Trafficking in Persons Act; Article 88 of the Narcotic Drugs and Psychotropic Substances (Control) Act (36,39)
Minimum Age for Voluntary State Military Recruitment	Yes	18	Article 52(2)(c) of the Defense Forces Act (40)
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 (36)
Compulsory Education Age	No	13‡	Sections 2 and 10(3)(a) of the Education Act (26)
Free Public Education	No		Section 10(3)(a) of the Education Act (26)

\* Country has no conscription (40)

‡ Age calculated based on available information (26)

After delays due to the pandemic, the government resumed its efforts to harmonize its legal provisions, and during the reporting period the Cabinet passed the Principles for the Amendment of the Employment Act. (12) The First Parliamentary Council is now drafting the bill, which includes measures to expand protections to informal, domestic, and migrant workers. The bill would also prohibit the hiring of children under the age of 16 as domestic workers. (12,41,42)

Uganda's existing legal framework governing child labor does not meet international standards on a number of points. While Uganda has a list of hazardous occupations prohibited to children under the age of 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. (35) Children in Uganda are required to attend school only up to age 13. (26) 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. (26,44)

### 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
Ministry of Gender, Labor, and Social Development (MGLSD)	Sets labor inspection priorities and inspection guidelines. (45) Includes the Industrial Court, which judges labor dispute cases that are referred by labor officers. Operates the Uganda Child Helpline known as Sauti. (46)
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. (18)

**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. Deploys community development officers at the district level when district labor officers are not available. (18)
Directorate of Public Prosecutions	Prosecutes criminal cases related to the worst forms of child labor that are referred by the Uganda Police Force. (47)

**Labor Law Enforcement**

In 2021, labor law enforcement agencies in Uganda took actions to address 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	2020	2021
Labor Inspectorate Funding	\$320,000 (9)	\$320,000 (12)
Number of Labor Inspectors	168 (9)	173 (12)
Mechanism to Assess Civil Penalties	No (48)	No (48)
Initial Training for New Labor Inspectors	Unknown (9)	Yes (12)
Training on New Laws Related to Child Labor	N/A	N/A
Refresher Courses Provided	Unknown (9)	Yes (12)
Number of Labor Inspections Conducted	421 (9)	542 (12)
Number Conducted at Worksite	Unknown (9)	542 (12)
Number of Child Labor Violations Found	Unknown (9)	Unknown
Number of Child Labor Violations for Which Penalties Were Imposed	Unknown (9)	Unknown
Number of Child Labor Penalties Imposed that Were Collected	Unknown (9)	Unknown
Routine Inspections Conducted	Yes (9)	Yes (12)
Routine Inspections Targeted	Yes (9)	Yes (12)
Unannounced Inspections Permitted	Yes (48)	Yes (48)
Unannounced Inspections Conducted	Yes (9)	Yes (12)
Complaint Mechanism Exists	Yes (9)	Yes (12)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (9)	Yes (12)

While the labor inspectorate continued to carry out inspections during the reporting period, restrictions on movement and staff shortages due to the pandemic presented increased difficulties. (12) In addition to pandemic-related challenges, a local NGO has indicated that the inspectorate also faces funding issues and corruption at the local level, which often prevents labor inspectors from carrying out their duties. (12) During the reporting period, the government's Uganda Child Helpline helped identify 175 cases of child labor, primarily in domestic work. However, the government did not provide comprehensive data on the number of child labor violations identified through inspections, or the number of penalties applied and assessed for child labor violations. (12)

The MGLSD provided training to 40 labor inspectors in 2021, though it is not clear if this training included components on child labor. (12) Nonetheless, research has shown that training in general is not sufficient because labor inspectors lack the expertise to follow through on child labor cases. (1,12) Furthermore, labor unions have noted that the number of inspections is insufficient and that inspections are only carried out when complaints are received. 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 work in the country. (1)

The number of labor inspectors is still likely insufficient for the size of Uganda's workforce, which includes more than 17.3 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 need to employ about 434 inspectors. (49)



# Uganda

## MODERATE ADVANCEMENT

Uganda now has 173 labor officers to cover its 135 districts, but due 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. (1,9,25,28) Research also found that follow-up inspections rarely happen due to insufficient funding at the district level. (45) Given the lack of resources for inspections, local civil society organizations often train labor inspectors and even assist them in conducting inspections. (13,15)

Uganda is signatory to ILO Convention 81 that requires labor inspection to be placed under the supervision and control of a central authority. (50,51) 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. (52,53) 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. (45)

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. (51) Overall, the government's enforcement and penalization of labor laws was inadequate, particularly in the informal sector in which most children work. (54)

### **Criminal Law Enforcement**

In 2021, criminal law enforcement agencies in Uganda took actions to address 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	2020	2021
Initial Training for New Criminal Investigators	Yes (9)	Yes (12)
Training on New Laws Related to the Worst Forms of Child Labor	N/A	N/A
Refresher Courses Provided	Yes (9)	Yes (12)
Number of Investigations	Unknown (9)	Unknown
Number of Violations Found	Unknown (9)	Unknown
Number of Prosecutions Initiated	Unknown (9)	Unknown
Number of Convictions	Unknown (9)	Unknown
Imposed Penalties for Violations Related to the Worst Forms of Child Labor	Yes (16)	Yes (12)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (9)	Yes (12)

Due to the pandemic, officials indicated that the nationwide shutdown complicated criminal law enforcement efforts related to the worst forms of child labor. (12) Nonetheless, criminal law enforcement agencies indicated they were able to secure an increase in convictions related to the worst forms of child labor as a result of training provided to prosecutors and officers from the Human Trafficking Institute. In addition to securing sentences ranging from 3.5 to 15 years in prison and financial restitution, prosecutors also obtained the first ever life sentence for child trafficking in Uganda for a boarding school headmaster charged on multiple counts of exploiting boys in his school. (12) Furthermore, Ugandan police working in collaboration with Kenyan authorities, identified a 10-year-old Ugandan girl trafficked to Kenya for forced domestic labor. Ugandan authorities eventually arrested three individuals responsible for managing a human trafficking network that trafficked girls out of Uganda to Kenya. (17) The government reported identifying 371 victims of the worst forms of child labor, though it is not clear if this number represents the totality of all cases during the reporting period. (17) Similarly, the government did not provide disaggregated data for the number of investigations, prosecutions, or convictions related to the worst forms of child labor.

Law enforcement agencies and civil society organizations have acknowledged that immigration officials are complicit and involved in human trafficking, including the trafficking of children. (2,16,17) 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 that engage in child trafficking. (2,16,19,55) The involvement of government officials in human trafficking networks has significantly impeded operations against the worst forms of child labor. (2) 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. (19,21)

However, in 2021, the government took steps to investigate, prosecute, convict, and sentence officials complicit in human trafficking, including for cases of commercial sexual exploitation of children. One case investigated in 2020 involving an officer from the Uganda People's Defense Forces resulted in a plea bargain in 2021 and a 6-year sentence on charges of aggravated trafficking in children and defilement, as well as commercial sexual exploitation. (12,17) In addition, authorities arrested four police officers from the Uganda Police Force and charged them with various trafficking crimes, including one officer charged with aggravated trafficking in children and commercial sexual exploitation. Authorities also arrested two immigration officers in 2021 on charges of promoting and attempted human trafficking. (17) All 6 cases initiated in 2021 are currently pending, with the suspects on bond. Courts typically take up to 2 or 3 years to complete a prosecution. (17,25) Also during the reporting period, the Office of the Director of Public Prosecutions indicated that it had initiated investigations into officials at the Entebbe International Airport suspected of facilitating human trafficking in 2021. (17)

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. (17,56,57) 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. (25,43,58-60) Nonetheless, reports have indicated that investigators rarely follow up on reports of children involved in domestic work. When child domestic workers complain to their employers about not being paid, the employers may 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. (1)

During the reporting period, the Coordinating Office for Preventing Trafficking in Persons (COPTIP) significantly increased anti-trafficking in persons training opportunities, training over 636 criminal law enforcement officials. COPTIP also trained 60 workers at the Uganda Child Helpline to improve identification of human trafficking cases. (17) Meanwhile, the Uganda Police Force provided training on Uganda anti-trafficking policies to over 500 investigators. (17) However, training of criminal investigators is insufficient, in part due to regular staff turnover and transfers. Some criminal law enforcement officials are not aware of key human trafficking laws, and some officers misclassify cases, conduct insufficient investigations, or encourage victims to accept payment from their traffickers to settle cases. (15,19,21)

#### **IV. COORDINATION OF GOVERNMENT EFFORTS ON CHILD LABOR**

The government has established mechanisms to coordinate its efforts to address child labor (Table 8). However, gaps exist that hinder the effective coordination of efforts to address child labor, including 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, including by setting policy priorities, securing resources for child labor programs, and coordinating with key stakeholders. Led by MGLSD, includes members from several ministries, including the Office of the Prime Minister, Ministry of Finance, Ministry of Local Government, and Uganda Police. (1,13,61) The committee was reconstituted in 2020 and formally inaugurated in October 2021. (9,61) Met twice during the reporting period, in September and December. (12)
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. (1,62) During the reporting period, the Forum reestablished its working relationship with local NGO Joy for Children and stressed the need for increased child advocacy in the face of pandemic-related challenges affecting children, such as child labor and exploitation. (18,63)
Anti-Human Trafficking National Task Force	Coordinates government efforts on human trafficking. Led by the Ministry of Internal Affairs, with the Coordinating Office for Preventing Trafficking in Persons serving as the secretariat. (2,17) The Task Force resumed its quarterly meetings after March 2021, following a hiatus due to pandemic restrictions. (12,17)
National Child Well-Being Steering Committee*	Instituted through the National Child Policy of 2020, began operating in 2021 as the body to which all other working and coordinating groups will report. This new committee held its first meeting in November of 2021. (12)
National Children Authority	Works to ensure that member organizations integrate child labor concerns into their policies and budgets. Members include 10 government agencies. (64) The Authority worked to disseminate the new national action plan against child labor but was still not fully constituted in the reporting period. (12)

\* 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 inconsistent implementation of national policies throughout the country.

**Table 9. Key Policies Related to Child Labor**

Policy	Description
National Action Plan for the Elimination of Child Labor (2020/2021–2024/2025)†	Launched in 2021 and developed in alignment with the country's National Development Plan, aims to focus government efforts on prevention, protection, rehabilitation, and reduction of the risk of child labor, with the goal of eliminating all forms of child labor by 2025. (65,66)
National Child Policy	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. (67,68) 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. (67,68) During the reporting period, the National Children Authority worked with 80 district-level local governments to disseminate the policy and its implementation plan. (69)
National Social Protection Policy	Aims to reduce poverty and socioeconomic inequalities for inclusive development by targeting vulnerable people, including child laborers. (70) As part of the plan, during the reporting period the government launched the Single Registry for Social Protection digital platform intended to consolidate information from all social protection and security programs in the country in order to improve program coordination. (71)
National Action Plan for Prevention of Trafficking in Persons in Uganda (2019–2024)	Focuses on developing sustainable systems and structures to prevent human trafficking; improving capacity for the identification, protection of, and support for victims; improving investigations and prosecutions; and establishing cooperative relationships with international stakeholders. Includes the National Referral Guidelines for Management of Victims of Trafficking, which seek to improve coordination among stakeholders responsible for providing services to victims and those responsible for prosecuting criminals. (72,73) The government continued to hold public awareness campaigns focusing on human trafficking in 2021 and, in cooperation with IOM, worked to disseminate the plan's National Referral Guidelines at a national and local level. (74)
National Multisectoral 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. (13,75) Research was unable to determine whether activities were undertaken to implement the framework during the reporting period.

† 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. (76)

During the reporting period, the Commissioner for Children and Youth in the MGLSD announced that Uganda would become the first country to develop and implement a National Child Protection Action Plan to address online child sexual exploitation. The funding and development of the plan is expected to occur throughout 2022. (77)

Despite the efforts to develop and implement a national action plan against child labor, 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. (51)

## VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2021, 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 inadequacy 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)	Launched in 2018, and formally implemented by 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 Uganda portion of the \$29 million, multi-country project targets child labor in coffee and tea supply chains in the Mbale, Kabarole, Buikwe, Hoima, and Bushenyi districts. (9) In 2021, ILO launched a livelihood support program for vulnerable families that includes vocational training for children ages 14 to 17. The program will target over 1,200 children at risk of child labor in the tea and coffee sectors and reintegrate them into school. (78)
Uganda Child Helpline ( <i>Sauti</i> )†	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. (46) During the reporting period, the hotline identified 175 victims of child labor. (12)
Realizing Livelihood Improvement Through Savings and Education (2019–2021)†	NGO-implemented program in partnership with the government that focused on addressing child labor issues in tobacco-growing regions. (27,79) In its final year, the project indicated that it had either withdrawn, prevented, or protected over 31,000 children from child labor. The project also worked to draft pandemic-related implications for child labor into the new child labor action plan. (12)
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. (13,80) Activities for the program were suspended during the reporting period due to the pandemic. (12)

† 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. (81,82)

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. (1,9) Furthermore, the MGLSD has noted that programs are concentrated in specific districts and thus do not cover child labor issues throughout the country. (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 Uganda (Table 11).

## MODERATE 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.	2013 – 2021
	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 – 2021
	Establish by law free basic public education.	2009 – 2021
	Ensure that the age up to which education is compulsory is the same as the minimum age for work.	2021
Enforcement	Collect and publish disaggregated national-level information on the labor law enforcement efforts, including trainings offered to labor inspectors, number of investigations conducted, number of child labor violations found, number of child labor penalties imposed, and number of penalties collected.	2013 – 2021
	Ensure that the inspectorate is using its existing authorities to inspect private farms and homes and to conduct sufficient routine and unannounced inspections, including in the informal sector.	2017 – 2021
	Enhance the effectiveness of the inspectorate to enforce labor laws, including by establishing a mechanism to assess child labor violation penalties.	2017 – 2021
	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 – 2021
	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 – 2021
	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 – 2021
	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 – 2021
	Significantly increase the number of labor inspectors to meet the ILO's technical advice.	2009 – 2021
	Publish disaggregated data on number of investigations, violations, prosecutions initiated, convictions achieved, and penalties imposed for the worst forms of child labor.	2017 – 2021
	Continue and increase efforts to ensure that public officials who facilitate or participate in human trafficking or the worst forms of child labor are held accountable, including officials who have ties with labor recruitment companies.	2019 – 2021
	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 – 2021
	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 – 2021
Coordination	Ensure that coordinating mechanisms are fully functional and able to carry out their mandates.	2019 – 2021
Government Policies	Ensure that district labor action plans reflect the Ministry of Gender, Labor, and Social Development's priorities.	2018 – 2021
	Ensure that activities are undertaken to implement the National Multisectoral Coordination Framework for Adolescent Girls and publish results from activities implemented during the reporting period.	2018 – 2021
Social Programs	Enhance efforts to eliminate barriers and make education accessible for all children by defraying informal costs borne by families, including supplies, uniforms, and materials; addressing physical and sexual violence; and ensuring sufficient teachers, infrastructure, and transportation in rural areas.	2012 – 2021
	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 – 2021
	Ensure the availability of shelters for victims of child labor, including child trafficking victims.	2017 – 2021
	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 – 2021
	Ensure that activities are undertaken to implement key social programs to address child labor during the reporting period and make information about implementation measures publicly available.	2021



## REFERENCES

- 1 U.S. Embassy- Kampala. Reporting. January 9, 2020.
- 2 US Department of State. 2021 Trafficking in Persons Report Uganda. Washington, D.C., July 1, 2021.  
<https://www.state.gov/reports/2021-trafficking-in-persons-report/uganda/>
- 3 Nakabugo, Zurah. Uganda- Where pupils, teachers, parents prefer gold mining to schooling. *The Observer* (Kampala). June 12, 2017.  
<http://allafrica.com/stories/201706120764.html>
- 4 Platform for Labour Action. Child Labour in Gold Mining: A Study of Bugiri and Moroto Districts of Uganda. 2017.  
<https://www.pla-uganda.org/publications/6-pla-report-on-child-labour-in-gold-mining/file>
- 5 UNESCO Institute for Statistics. Gross intake ratio to the last grade of primary education, both sexes (%). Accessed March 3, 2022. For more information, please see "Children's Work and Education Statistics: Sources and Definitions" in the Reference Materials section of this report.  
<http://data.uis.unesco.org/>
- 6 ILO. Analysis of Child Economic Activity and School Attendance Statistics from National Household or Child Labor Surveys. Original data from Labour Force Survey (LFS), 2016–2017. Analysis received March 2022. Please see "Children's Work and Education Statistics: Sources and Definitions" in the Reference Materials section of this report.
- 7 Nakato, Tausi. Uganda - Luuka pupils abandon school to work on sugarcane plantations. *The Monitor*, Kampala, July 4, 2017.  
<http://allafrica.com/stories/201707050089.html>
- 8 Austin, Kelly F. Brewing Unequal Exchanges in Coffee: A Qualitative Investigation into the Consequences of the Java Trade in Rural Uganda. *Journal of World-Systems Research*: 23, 2 (2017).  
<https://jwsr.pitt.edu/ojs/jwsr/article/view/668>
- 9 U.S. Embassy- Kampala. Reporting. January 15, 2021.
- 10 Karakire, Diana Taremwa. How COVID-19 has expedited child labour in Uganda's coffee industry. Mbale: *The Independent*. September 10, 2021.  
<https://www.independent.co.ug/how-covid-19-has-expedited-child-labour-in-ugandas-coffee-industry/>
- 11 Agiresaasi, Apophia. For many, hard labor takes the place of homework. *Mayuge: Global Press Journal*. August 26, 2021.  
<https://globalpressjournal.com/africa/uganda/many-hard-labor-takes-place-homework/>
- 12 U.S. Embassy- Kampala. Reporting. February 10, 2022.
- 13 U.S. Embassy- Kampala. Reporting. January 11, 2019.
- 14 Uganda Child Helpline official. E-mail communication to USDOL official. April 26, 2019.
- 15 U.S. Embassy- Kampala. Reporting. January 16, 2018.
- 16 U.S. Embassy- Kampala. Reporting. February 12, 2021.
- 17 U.S. Embassy- Kampala. Reporting. February 28, 2022.
- 18 U.S. Embassy- Kampala official. Official communication to USDOL official. June 8, 2022.
- 19 U.S. Embassy- Kampala. Reporting. February 14, 2020.
- 20 U.S. Embassy- Kampala official. E-mail communication to USDOL official. July 9, 2020.
- 21 U.S. Department of State. Trafficking in Persons Report- Uganda: 2020. Washington, D.C., June 16, 2020.  
<https://www.state.gov/reports/2020-trafficking-in-persons-report/uganda/>
- 22 Mafabi, David. Child trafficking is big business in Karamoja. *PML Daily*. September 29, 2018.  
<http://www.pmldaily.com/features/2018/09/child-trafficking-is-big-business-in-karamoja.html>
- 23 Government of Uganda. The Uganda National Household Survey 2019-2020. Uganda Bureau of Statistics. August 2021.  
[https://www.ubos.org/wp-content/uploads/publications/09\\_2021Uganda-National-Survey-Report-2019-2020.pdf](https://www.ubos.org/wp-content/uploads/publications/09_2021Uganda-National-Survey-Report-2019-2020.pdf)
- 24 Government of Uganda. Press Release: Child Labour on the Rise in Hoima and Kikuube Districts. Hoima: Uganda Bureau of Statistics. April 8, 2021.  
<https://www.ubos.org/child-labour-press-release/>
- 25 US Embassy- Kampala official. E-mail communication to USDOL official. June 17, 2021.
- 26 Government of Uganda. The Education (Pre-Primary, Primary and Post-Primary) Act, 2008. Act 13. Enacted: August 29, 2008.  
<http://www.unesco.org/education/edurights/media/docs/5d1b721a509097c2833561341ead3d788906cf4a.pdf>
- 27 U.S. Embassy- Kampala. Reporting. January 17, 2017.
- 28 Child Protection Manager Uganda Women's Effort to Save Orphans (UWESO). Interview with USDOL official. December 12, 2018.
- 29 UNHCR. Uganda Monthly Update: Protection - Education. October 2018.  
<https://data2.unhcr.org/en/documents/download/67166>
- 30 UNHCR. Uganda Monthly Update: Protection - Education. August 2018.  
<https://reliefweb.int/sites/reliefweb.int/files/resources/66181.pdf>
- 31 van Blerk, Lorraine. Youth Transitions in Protracted Crises. Synthesis Report. University of Dundee. October 2017.  
<https://youthtransitionscom.files.wordpress.com/2017/11/synthesis-report.pdf>
- 32 UNHCR. Uganda Refugee Response Monitoring, Settlement Fact Sheet: Nakivale. June 2018.  
<https://reliefweb.int/sites/reliefweb.int/files/resources/66773.pdf>
- 33 Government of Uganda. The Children (Amendment) Act, 2016. Enacted: May 20, 2016.  
<https://www.ilo.org/dyn/natlex/docs/ELECTRONIC/104395/127307/F-171961747/UGA104395.pdf>
- 34 Government of Uganda. The Employment Act, 2006. Enacted: June 8, 2006.  
<http://www.ilo.org/dyn/natlex/docs/SERIAL/74416/76582/F1768664138/UGA74416.pdf>
- 35 Government of Uganda. The Employment (Employment of Children) Regulations, 2012. Enacted: April 20, 2012. Source on file.
- 36 Government of Uganda. The Prevention of Trafficking in Persons Act, 2009. Act 7. Enacted: October 23, 2009. Source on file.
- 37 Government of Uganda. Penal Code Act of Uganda. Enacted: 1950.  
<https://www.refworld.org/docid/59ca2bf44.html>
- 38 Government of Uganda. The Anti-Pornography Act, 2014. Enacted: February 6, 2014. Source on file.
- 39 Government of Uganda. The Narcotic Drugs and Psychotropic Substances (Control) Act, No. 3 of 2016.  
<https://ulii.org/akn/ug/act/2016/3/eng@2016-02-05>
- 40 Government of Uganda. The Uganda Peoples' Defence Forces Act, 2005. Enacted: September 2, 2005.  
<https://ulii.org/akn/ug/act/statute/1992/3/eng@2000-12-31>
- 41 Government of Uganda. Parliament to fast track Employment Amendment Bill. Parliament of Uganda. March 23, 2021.  
<https://www.parliament.go.ug/news/5040/parliament-fast-track-employment-amendment-bill>
- 42 The Independent. UWOPA wants Museveni to expeditiously assent to Employment Law. Kampala. April 3, 2021.  
<https://www.independent.co.ug/uwopa-wants-museveni-to-expeditiously-assent-to-employment-law/>
- 43 U.S. Department of State. Trafficking in Persons Report- 2019: Uganda. Washington, D.C., June 20, 2019.  
<https://www.state.gov/reports/2019-trafficking-in-persons-report-2/uganda/>
- 44 New Vision. Govt drives reforms in education sector. January 23, 2020.  
<https://www.newvision.co.ug/news/1513894/govt-drives-reforms-education-sector>
- 45 Ministry of Gender, Labor and Social Development official. Interview with USDOL official. December 12, 2018.
- 46 Uganda Child Helpline official. Phone interview with USDOL official. March 28, 2019.
- 47 U.S. Embassy- Kampala. Reporting. February 12, 2018.

## MODERATE ADVANCEMENT

- 48 Government of Uganda. The Employment Act, 2006.  
<https://www.ilo.org/dyn/natlex/docs/ELECTRONIC/74416/127308/F-831045940/UGA74416.pdf>
- 49 ILO modelled estimates and projections (ILOEST) – Population and labour force. Accessed January 25, 2022. Labor force data is modelled on a combination of demographic and economic explanatory variables by the ILO. Please see "Labor Law Enforcement: Sources and Definitions" in the Reference Materials section of this report.  
<https://ilostat.ilo.org/data/>
- 50 ILO CEACR. Observation Concerning Labour Inspection Convention, 1947 (No. 81) Uganda (ratification: 1963). Published: 2019.  
[https://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100\\_COMMENT\\_ID:3791190](https://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:3791190)
- 51 ILO. Labour Inspection Structure and Organization. Accessed February 25, 2019.  
[https://www.ilo.org/labadmin/info/WCMS\\_209370/lang--en/index.htm](https://www.ilo.org/labadmin/info/WCMS_209370/lang--en/index.htm)
- 52 U.S. Embassy- Kampala official. E-mail communication to USDOL official. March 1, 2017.
- 53 U.S. Embassy- Kampala official. E-mail communication to USDOL official. February 1, 2018.
- 54 U.S. Department of State. 2021 Country Reports on Human Rights: Uganda. April 22, 2022.  
<https://www.state.gov/reports/2021-country-reports-on-human-rights-practices/uganda/>
- 55 U.S. Embassy- Kampala official. E-mail communication to USDOL official. July 11, 2019.
- 56 U.S. Embassy- Kampala official. E-mail communication to USDOL official. March 19, 2019.
- 57 U.S. Embassy- Kampala official. E-mail communication to USDOL official. May 23, 2018.
- 58 U.S. Embassy- Kampala. Reporting. February 22, 2019.
- 59 U.S. Embassy- Kampala official. E-mail communication to USDOL official. February 26, 2019.
- 60 Ngwomoya, Amos. The plight of Kampala street children. Daily Monitor. August 22, 2019.  
<https://www.monitor.co.ug/SpecialReports/The-plight-of-Kampala-street-children/688342-5245322-128o3xo/index.html>
- 61 Trumpet News. Government ramps up Efforts to fight Child labour. October 5, 2021.  
<https://trumpetnews.co.ug/government-ramps-up-efforts-to-fight-child-labour/>
- 62 Government of Uganda. Uganda Parliamentary Forum for children. Accessed March 2, 2022.  
<https://www.parliament.go.ug/page/uganda-parliamentary-forum-children-upfc>
- 63 Joy for Children Uganda. Child Rights Advocacy. December 9, 2021.  
<https://joyforchildren.org/child-rights-advocacy/>
- 64 Government of Uganda. National Children Authority (NCA). Accessed April 12, 2022.  
<https://nca.go.ug/>
- 65 Government of Uganda. Uganda National Action Plan for Elimination of Child Labor 2020-2025. Ministry of Gender, Labour, and Social Development. April 2021. Source on file.
- 66 Aryatwijuka, Phillo. Uganda's National Plan of Action on Child Labor will strengthen country's prevention and protection of children at risk and working children mechanisms. ILO. June 1, 2021.  
[https://www.ilo.org/africa/technical-cooperation/accel-africa/WCMS\\_799733/lang--en/index.htm](https://www.ilo.org/africa/technical-cooperation/accel-africa/WCMS_799733/lang--en/index.htm)
- 67 Government of Uganda. National Child Policy 2020. January 1, 2020.  
<https://bettercarenetwork.org/sites/default/files/2020-10/NationalChildPolicy2020.pdf>
- 68 Government of Uganda. National Child Policy Implementation Plan 2020–2025. January 1, 2020.  
<https://bettercarenetwork.org/sites/default/files/2020-10/NationalChildPolicy2020.pdf>
- 69 Government of Uganda. Milestones of the Authority. National Child Authority. Accessed January 15, 2022.  
<https://nca.go.ug/Achievements.php>
- 70 Government of Uganda, Ministry of Gender, Labour and Social Development. The National Social Protection Policy. Kampala. November 2015.  
<http://socialprotection.go.ug/wp-content/uploads/2016/07/National-Social-Protection-Policy-uganda.pdf>
- 71 Government of Uganda. Uganda launches Single Registry for Social Protection. Uganda Parliamentary Forum. Accessed February 20, 2022.  
<https://upfsp.org/uganda-launches-single-registry-for-social-protection/>
- 72 International Organization on Migration. With Support of BMM Programme, Uganda Launches Action Plan on Trafficking. August 3, 2020.  
<https://www.ilo.org/ipec/projects/global/snapuganda/lang--en/index.htm>
- 73 Government of Uganda. National Action Plan for Prevention of Trafficking in Persons in Uganda 2019-2024. 2019. Source on file.
- 74 Vuga, Innocent. IOM Uganda Supports Commemoration of World Day Against Trafficking. IOM Uganda. August 3, 2021.  
<https://uganda.iom.int/news/iom-uganda-supports-commemoration-world-day-against-trafficking>
- 75 Government of Uganda. National Multi-Sectoral Coordination Framework for Adolescent Girls 2017/2018-2021/2022. November 2018.  
<https://www.unicef.org/uganda/reports/national-multi-sectoral-coordination-framework-adolescent-girls>
- 76 Government of Uganda. The National Action Plan on Business and Human Rights. Ministry of Gender, Labour, and Social Development. August 2021. Source on file.
- 77 Taremwa, Alex. Uganda to develop a National Action Plan on online child sexual abuse and exploitation. UNICEF. November 18, 2021.  
<https://www.unicef.org/uganda/stories/uganda-develop-national-action-plan-online-child-sexual-abuse-and-exploitation>
- 78 ILO. ILO collaborates with NASCENT Research and Development Organisation to implement interventions to eliminate child labour within communities in Uganda. October 28, 2021.  
[https://www.ilo.org/africa/technical-cooperation/accel-africa/WCMS\\_825094/lang--en/index.htm](https://www.ilo.org/africa/technical-cooperation/accel-africa/WCMS_825094/lang--en/index.htm)
- 79 Uganda Women's Effort to Save Orphans. UWESO Today. Accessed April 23, 2020. Source on file.
- 80 Asiimwe, Bridget. Government resumes forceful repatriation of street children. IntelPost. June 2, 2018. Source on file.
- 81 Uganda Youth Development Link (UYDEL). Uganda Youth Development Link (UYDEL) – Profile. Accessed May 25, 2017.  
<http://www.uydel.org/about.php?category=2>
- 82 World Education. Better Outcomes for Children and Youth in Eastern and Northern Uganda. Source on file.

## MINIMAL ADVANCEMENT – EFFORTS MADE BUT CONTINUED LAW THAT DELAYED ADVANCEMENT

In 2021, Ukraine made minimal advancement in efforts to eliminate the worst forms of child labor. The government adopted Law No. 1256-IX, which strengthened Ukraine's child protection framework by criminalizing the sexual exploitation of children in accordance with the Council of Europe's Lanzarote Convention. The Office of the Prosecutor General issued Order No. 224 to ensure all Ukrainian government bodies responsible for investigating crimes against children are fully observing the laws and regulations aimed at protecting minors. Additionally, the Ministry of Social Policy collaborated with UNICEF to develop a National Strategy for Children's Rights. However, despite new initiatives to address child labor, Ukraine is assessed as having made only minimal advancement because it continued to uphold Act No. 877-V of 2007, which both restricts labor inspectors' ability to conduct regular workplace visits and places limits on the time, scope, and duration of worksite inspections. Furthermore, in 2021, the National Police opened criminal investigations against 72 children for participation in Russia-led military formations in the so-called "Donetsk People's Republic" and "Luhansk People's Republic," as well as one child in the Russia-led forces in Crimea; it transferred 47 of these cases to courts for prosecution. 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. The government 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. In addition, it remains unclear how Russia's invasion of Ukraine in 2022 will affect the child labor situation throughout the country.



## 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. (1-7) Table 1 provides key indicators on children's work and education in Ukraine.

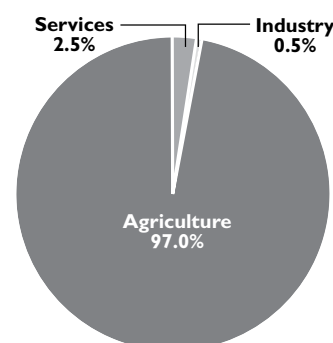
**Table 1. Statistics on Children's Work and Education**

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, 2022. (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 (1,4-6,8,9)
	Raising livestock, activities unknown (10)
Industry	Construction, activities unknown (1,4,7,11,12)
	Mining,† including loading, transporting, and sorting coal, and extracting amber (1,5-7,9,11,13)
Services	Street work, including distributing advertising leaflets, street trade, washing cars, and begging (1,4,6-8,14)

# Ukraine

## MINIMAL ADVANCEMENT – EFFORTS MADE BUT CONTINUED LAW THAT DELAYED ADVANCEMENT

**Table 2. Overview of Children’s Work by Sector and Activity (Cont.)**

Sector/Industry	Activity
Categorical Worst Forms of Child Labor†	Commercial sexual exploitation, sometimes as a result of human trafficking (1,4,12,14)
	Use in the production of pornography (1,5,7,11,12,15)
	Recruitment of children by non-state armed groups for use in armed conflict (7,11,14)
	Forced begging (1,7,9,11,12,14,16,17)

† 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.

Children from Ukraine are trafficked both internationally and domestically for commercial sexual exploitation and forced begging. (7,12,14,17) 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. (18) The pandemic also increased the risk of internal trafficking for children, particularly for labor exploitation and forced criminal activities. (17) Girls from single-parent families, youth from disadvantaged families, children with disabilities and homeless, orphaned, and poor children, especially those living in state-run institutions, are at high risk of being trafficked. (14,17-19) Some state-run orphanages have used children for illegal labor in business, seasonal agricultural work, construction, and sexual exploitation. (1,10,12) 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 documents, and experience heightened vulnerability to child trafficking. (18-20)

Through the end of 2021, Russia’s operations in eastern Ukraine resulted in more than 1.4 million IDPs, including more than 190,000 children. (21,22) These numbers climbed far higher in 2022, with millions of additional children been forced to leave their homes. (23) It remains unclear how the war will affect the child labor situation throughout the country, though refugee and IDP children (particularly those who are unaccompanied) are especially vulnerable to exploitation in the worst forms of child labor. (19,24,25) In addition, there is limited information about 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 some children in these areas, in particular boys ages 11 to 16, engaged in illegal coal mining in the Donbas region. (1,7)

Reports also indicate that thousands of children participate in military-style training or other military-style activities carried out by Russia-led forces in "Donetsk People’s Republic" and "Luhansk People’s Republic," and by Russia’s occupation authorities in Crimea. (1,7) During the reporting period, proxy groups backed by Russia 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 Russia’s proxies. (1,7,11,22)

Children in 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. (26) Although a judicial procedure exists to provide children born in 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 Donetsk and Luhansk. (27) In 2021, the government adopted amendments to this law to clarify the status of many Ukrainians living in these territories. (17)

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. (1,7) Additionally, up to a third




**MINIMAL ADVANCEMENT – EFFORTS MADE BUT CONTINUED LAW THAT DELAYED ADVANCEMENT**

of children from Roma communities also lack birth registration, impeding their access to education. (19) 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. (1,7)

**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 failure to prohibit 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 (28-30)
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 (28-30)
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 (28,29,31)
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 (28,32,33)
Prohibition of Child Trafficking	Yes		Article 149 of the Criminal Code; Article 32 of the Law on the Protection of Childhood (28,30)
Prohibition of Commercial Sexual Exploitation of Children	No		Articles 149 and 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 (28,30,34,35)
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 (28,30)
Minimum Age for Voluntary State Military Recruitment	Yes	17	Articles 15 and 20 of the Law on Military Duty and Military Service (36)
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 (36,37)
Prohibition of Military Recruitment by Non-state Armed Groups	Yes		Article 30 of the Law on the Protection of Childhood (30)



# Ukraine

## 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
Compulsory Education Age	Yes	17‡	Articles 3, 12, and 20 of the Law on General Secondary Education; Article 53 of the Constitution (32,38)
Free Public Education	Yes		Article 53 of the Constitution of Ukraine; Article 2 of the Law on General Secondary Education (32,38)

‡ Age calculated based on available information (38)

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. (28-30,38) Furthermore, the Ministry of Health Order No. 46 does not prohibit children between ages 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. (39,40) In April 2021, the District Administrative Court of Kyiv rescinded Decree No. 823 of 2019, which outlined procedural rules for labor inspections conducted by the State Labor Service (SLS) and restricted inspectors' authority to conduct worksite visits, both proactively and in response to complaints. (41,42) However, Decree No. 877 of 2007 (Fundamental Principles of State Supervision and Monitoring of Economic Activity) continues to restrict inspectors' ability to undertake inspections without giving employers prior notice, in addition to effectively limiting the frequency of allowed inspections. (41,43)

During the reporting period, the government of Ukraine adopted Law No. 1256-IX—On Amendments to Certain Legislative Acts of Ukraine on the Implementation of the Council of Europe Convention for the Protection of Children against Sexual Exploitation and Sexual Violence (Lanzarote Convention)—which includes enhanced punishment for storing and viewing child sexual abuse material and online child grooming. (7,17,44,45) However, Ukraine does not sufficiently prohibit commercial sexual exploitation of children because, while Articles 302 and 303 of the Criminal Code of Ukraine criminalize involvement of a minor in prostitution and pimping involving minors, no law criminalizes the users (clients) of prostitution involving children. Further, the law does not sufficiently prohibit commercial sexual exploitation because the use, procuring, or offering of children in pornographic performances is not expressly prohibited. (28,44,46)

The Cabinet of Ministers of Ukraine adopted Resolution No. 531 on Amendments to the Procedure for Establishing the Status of a Victim of Trafficking in Persons, which improved the existing procedures of establishing victim status and granted increased authority to the National Social Service (NSS) to certify human trafficking victims to allow receipt of government services. (17,47)

The government also adopted Amendments to Law No. 1916-IX to codify the right of Ukrainians, including children, living in the temporarily Russia-occupied territories encompassing parts of Luhansk and Donetsk Oblasts, Crimea, and the city of Sevastopol to register their residencies and obtain identity documents. These amendments clarify the status of many Ukrainians living in these areas where Russia has distributed Russian passports, in some cases forcibly, and left many residents, including children, in ambiguous status and more vulnerable to human trafficking. (17,48)

In 2021, the Government of Ukraine began drafting several pieces of legislation related to child labor: On Amendments to the Criminal Code of Ukraine on Strengthening Criminal Liability for Trafficking in Human Beings (Reg. No. 5134, 22 February 2002); On Amendments to Article 149 of the Criminal Code of Ukraine on Ensuring Harmonization of Criminal Legislation with Provisions of International Law Concerning the Regulation of Criminal Liability for Trafficking in Human Beings (Reg. No. 5134-I, March 2021); and On Amendments to Certain Legislative Acts of Ukraine on Delimitation of Executive and Local Governments on Social Protection and Protection of Children's Rights with the establishment of the National Social Service and its territorial

**MINIMAL ADVANCEMENT – EFFORTS MADE BUT CONTINUED LAW THAT DELAYED ADVANCEMENT**

bodies (Reg. No. 5849, August 2021). Regulation No. 5849 includes provisions to improve human trafficking victims' access to assistance by allowing them to apply for victim status with their local government. (17)

**III. ENFORCEMENT OF LAWS ON CHILD LABOR**

The government has established institutional mechanisms for the enforcement of laws and regulations on child labor (Table 5). However, gaps exist within the operations of 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. (1,7,11)
Ministry of Internal Affairs	Enforces criminal laws against the worst forms of child labor, including child trafficking. (1,7,11)
Security Service of Ukraine	Tracks recruitment and use of children in armed conflict. (1,7,11)
Office of the Prosecutor General	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) Ensures compliance with laws and regulations aimed at protecting minors by other government bodies investigating crimes against children. (1,7,49)

The Office of the Prosecutor General (OPG) has established a department and regional offices for the Protection of Interests of Children and Combating Violence. 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. (7,44) In 2021, the OPG issued Order No. 224 "On the Authorization of Employees of the Department for the Protection of Interests of Children and Combating Violence." This order authorizes the department to conduct inspections to ensure that government bodies tasked with enforcing and investigating crimes against children (such as the National Police of Ukraine, the Security Service of Ukraine, the State Bureau of Investigation, the State Fiscal Service of Ukraine, the State Border Guard Service of Ukraine, and the State Penitentiary Service of Ukraine along with their territorial divisions) are fully observing the laws and regulations aimed at protecting minors. (7,49) 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. (1,7) 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. (45)

**Labor Law Enforcement**

In 2021, labor law enforcement agencies in Ukraine took actions to address child labor (Table 6). However, gaps exist within the operations of the SLS that may hinder adequate labor law enforcement, including the inability of the SLS to compel payment of delinquent fines without a court proceeding.

**Table 6. Labor Law Enforcement Efforts Related to Child Labor**

Overview of Labor Law Enforcement	2020	2021
Labor Inspectorate Funding	\$16.3 million (1)	\$16.9 million (7)
Number of Labor Inspectors	1,199 (7)	772 (7)
Mechanism to Assess Civil Penalties	Yes (43)	Yes (43)
Initial Training for New Labor Inspectors	Yes (1)	Yes (7)
Training on New Laws Related to Child Labor	Yes (1)	Yes (7)
Refresher Courses Provided	Yes (1)	Yes (7)
Number of Labor Inspections Conducted	17,330 (7)	16,008 (7)
Number Conducted at Worksites	17,330 (7)	16,008 (7)

# Ukraine

## MINIMAL ADVANCEMENT – EFFORTS MADE BUT CONTINUED LAW THAT DELAYED ADVANCEMENT

**Table 6. Labor Law Enforcement Efforts Related to Child Labor (Cont.)**

Overview of Labor Law Enforcement	2020	2021
Number of Child Labor Violations Found	57 (7)	127 (7)
Number of Child Labor Violations for Which Penalties Were Imposed	57 (7)	127 (7)
Number of Child Labor Penalties Imposed that Were Collected	11 (7)	13 (7)
Routine Inspections Conducted	Yes (1)	Yes (7)
Routine Inspections Targeted	Yes (1)	Yes (7)
Unannounced Inspections Permitted	Yes (42)	Yes (42)
Unannounced Inspections Conducted	Yes (1)	Yes (7)
Complaint Mechanism Exists	Yes (1)	Yes (7)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (1)	Yes (7)

The 39 percent decrease in the number of inspectors, from 1,199 in 2000 to 772 in 2021, resulted from changes in legislation that prohibit officials from having a dual role. Members of executive bodies of city councils or local communities are no longer able to serve as certified labor inspectors to conduct inspections. (7)

During the reporting period, all new labor inspectors received ILO-approved training upon hiring. (7) Sources note that training for labor inspectors on child trafficking may be inadequate, especially outside of Kyiv. (14,19) Although 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. (46) In 2021, the OSCE conducted online training sessions for labor inspectors from around Ukraine to improve detecting and preventing labor exploitation and human trafficking. (7)

In 2021, the SLS reported a total of 2,600 child labor-related unannounced site inspections. Identified instances of child labor were in services (44 companies), industry (6 enterprises), agriculture (11 enterprises), and other (12 enterprises). (7) Inspections identified 360 children under the age of 18 who were employed illegally. This included 329 children between the ages of 16 and 18, 14 children between the ages of 15 and 16, 14 children between the ages of 14 and 15, and 3 children under the age of 14. (7) The SLS is not authorized to compel payment of delinquent fines without a court proceeding, which can delay the collection of penalties. (1,11)

### Criminal Law Enforcement

In 2021, criminal law enforcement agencies in Ukraine took actions to address 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	2020	2021
Initial Training for New Criminal Investigators	Yes (1)	Yes (7)
Training on New Laws Related to the Worst Forms of Child Labor	Yes (1)	Yes (7)
Refresher Courses Provided	Yes (1)	Yes (7)
Number of Investigations	262 (1)	1,265† (7)
Number of Violations Found	188 (1)	802† (7)
Number of Prosecutions Initiated	188 (1)	802† (7)
Number of Convictions	Unknown (1)	Unknown
Imposed Penalties for Violations Related to the Worst Forms of Child Labor	Unknown (1)	Unknown
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (1)	Yes (7)

† Data are from January 2021 to November 2021.

The National Police reported identifying 25 minors as human trafficking victims in 2021, all of whom were used for commercial sexual exploitation or the production of pornography; it did not provide specific information on these cases. (7,17)

**MINIMAL ADVANCEMENT – EFFORTS MADE BUT CONTINUED LAW THAT DELAYED ADVANCEMENT**

The OPG referred 802 cases related to the worst forms of child labor for prosecution, including 19 cases of trafficking in persons of a minor, 155 cases of the use of children for the production of pornography, 232 cases of distribution or sale of child pornography, 3 cases of criminal exploitation of child labor or forced begging, 13 cases of sexual violence committed against a minor, 281 cases of sexual intercourse with a person under the age of 16, and 19 cases of engaging minors in criminal activity. (7) The outcomes of these cases are unknown, as the OPG does not track convictions in cases related to the worst forms of child labor. (1,7,11)

In 2021, the National Police opened criminal cases against 72 children for participation in Russia-led military formations in the so-called "Donetsk People's Republic" and "Luhansk People's Republic," as well as 1 child in the Russia-led forces in Crimea; it transferred 47 of these cases to courts for prosecution. The status of these cases is unknown. (1,7)

The National Police acknowledged instances of involvement of minors in amber or coal extraction in Ukraine, but they provided no information on efforts taken to address this issue. (7)

In October 2021, the Council of Europe launched a new course on family law and human rights under the project Combating Violence Against Children in Ukraine. Representatives of the legal community in Ukraine participated in the course, which provides an overview of child-friendly justice and good practices in cases involving children's rights. (50) In addition, the OSCE and IOM conducted several trainings to strengthen the capacity of Ukrainian government bodies and NGOs to work together to address human trafficking. Activities included participants from 10 oblasts, including police, investigators, social services providers, psychologists, labor inspectors, state labor service officials, officials responsible for granting victim of trafficking status, and NGO representatives. (17,51)

**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 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 the Ministry of Social Policy (MSP), which serves as the National Coordinator for Counter-Trafficking Policy and includes more than 20 government entities and representatives from regional governments, NGOs, and international organizations. (12) This body was not active during the reporting period. (17)
National Referral Mechanism	Identifies victims of human trafficking, including children, and refers victims to appropriate government agencies for assistance and services. Implemented by the MSP in its capacity as the National Coordinator for Counter-Trafficking Policy. (1,12) 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 the MSP, the Ministry of Internal Affairs, and the OPG, and facilitates coordination between government agencies when child victims are identified. (1,7) Research was unable to determine whether this mechanism was active during the reporting period. (7)
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. (52)

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.

The NSS, formed in 2020 with the purpose of implementing state policies for social protection and children's rights, including those on human trafficking, assumed the duties of granting, refusing, extending, revoking, and managing human trafficking victim status in May 2021. (17,47) With the ongoing decentralization reform process that consolidated rayons and communities in August 2020, the Ministry of Social Policy (MSP) and NSS are transferring the responsibility for identifying human trafficking victims and administering the certification process to local and regional authorities. The MSP, the NSS, and partner organizations began providing training for those

# Ukraine

## MINIMAL ADVANCEMENT – EFFORTS MADE BUT CONTINUED LAW THAT DELAYED ADVANCEMENT

officials in effectively assisting potential victims. (17) However, the new local administrative structures are not yet officially part of the National Referral Mechanism. The necessary legislation is pending, and the gap has resulted in some confusion over responsibilities. (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 coverage of all worst forms of child labor.

**Table 9. Key Policies Related to Child Labor**

Policy	Description
National Action Plan for Implementation of UN CRC (2017–2021)	Identified 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. (1,6,8,53,54) During the reporting period, MSP collaborated with UNICEF to develop a new National Strategy for Children's Rights that prioritizes implementation of activities related to CRC. (55)
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. (11,56) Research was unable to determine whether actions were undertaken to implement this policy 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. (57) Research was unable to determine whether activities were undertaken to implement this policy 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. (1,7,11)

In July 2021, the Government of Ukraine approved a concept paper, entitled "Concept of the State Social Program to Combat Trafficking in Persons until 2025," which will serve as the basis for a new countertrafficking strategy to cover 2021–2025. In September 2021, the MSP convened a working group composed of members of the National Police of Ukraine, OPG, various NGOs, and other stakeholders, to discuss the draft, but no further progress was made. (17)

In March 2021, President Zelenskyy approved Ukraine's National Strategy on Human Rights, which includes the rights of children, and in June 2021, the government approved the action plan to execute that strategy. (17,58,59)

### VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2021, 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 inadequacy 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. (18) Research was unable to determine whether this body was active during the reporting period.
Shelters and Centers for Socio-Psychological Rehabilitation of Children†	Serve children in need, including child victims of trafficking, through 82 centers, including 8 children's shelters. Children are provided with individual assistance programs that involve social, psychological, pedagogical, medical, legal, and other types of assistance. (12,19) Government officials report that there is a lack of resources and specialized personnel to assist child victims of sexual exploitation through these centers. (19) Research was unable to determine whether the shelters were active during the reporting period.
Centers for Social Services for Family, Youth, and Children†	Centers, in coordination with municipal authorities, provide social services for vulnerable children and families, including victims of human trafficking. (58) Research was unable to determine whether the centers were active during the reporting period.

† Program is funded by the Government of Ukraine.



**MINIMAL ADVANCEMENT – EFFORTS MADE BUT CONTINUED LAW THAT DELAYED ADVANCEMENT**

During the reporting period, the UNICEF Ukraine Business Advisory Board was developed to encourage private sector entities to support initiatives that defend children's rights. The Board's inaugural meeting emphasized the importance of businesses bearing responsibility for innovation in the realms of responsible consumption and ecological concerns, with an emphasis on children's health and well-being. (59)

In 2020, Ukraine's Cabinet of Ministers adopted Resolution No. 585, which established a procedure for social protection of children in difficult situations, including children who are victims of abuse. (1,60) 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. (61) Although the Government of Ukraine has implemented programs to assist child victims of human 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.

In November 2021, Ukraine's Cabinet of Ministers adopted Resolution No. 126, which established a Hotline for Combating Human Trafficking, Domestic Violence, Sexual Violence, and Violence against Children. (17)

During the reporting period the OPG and oblast and rayon prosecutor's offices established specialized units to handle cases involving children. In addition, the OPG, with the assistance of UNICEF, established specialized centers for child victims or witnesses. (17) These children's centers are open and operating in Mykolayiv and Vinnytsya oblasts, and are planned for Chernivtsi, Odesa, and Ternopil oblasts, as well as Kyiv. (17)

Employees of the Local Units of the State Migration Service, who are trained in identifying human trafficking victims as well as child interviewing techniques, provided social, psychological, legal, and medical assistance to children who are separated from their families and may have been placed in shelters. (17)

**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 – 2021
	Prohibit all children under age 16 from working in hazardous occupations during vocational training.	2011 – 2021
	Criminally prohibit and penalize the use of a child for prostitution, and the use, procuring, or offering of children in pornographic performances.	2019 – 2021
	Strengthen the labor inspection system by removing restrictions on labor inspectors' authority to conduct unannounced onsite inspections, both proactively and in response to complaints.	2019-2021
Enforcement	Authorize the State Labor Service to enforce collection of delinquent penalties to ensure that all penalties imposed are collected.	2019 – 2021
	Ensure that all labor inspectors, including those working outside the capital, receive training on child trafficking.	2019 – 2021
	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 – 2021
	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 – 2021
	Publish criminal law enforcement information.	2021
	Hold perpetrators of the worst forms of child labor, including child soldiering, accountable. Ensure that former child soldiers are not penalized for crimes they were forced to commit.	2021
Coordination	Ensure that all coordinating bodies are active and able to carry out their intended mandates.	2020 – 2021
	Establish coordinating mechanisms to address all worst forms of child labor.	2019 – 2021
Government Policies	Adopt a policy that addresses all relevant worst forms of child labor, including hazardous child labor in mining.	2018 – 2021
	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 – 2021

# Ukraine

## 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
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 – 2021
	Ensure that refugee children are allowed to receive services at state-run children's shelters and can be registered at birth.	2019 – 2021
	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.	2019 – 2021
	Develop programs to ensure that Roma children are registered at birth and are able to access education.	2010 – 2021
	Allocate resources and trained personnel to assist with child victims of illegal labor in business, seasonal agriculture work, construction, and commercial sexual exploitation in all state-run facilities that serve children in need.	2020 – 2021
	Expand educational opportunities for children without Internet access and those with special needs.	2020 – 2021
	Ensure that there are sufficient resources for the Centers for Social Services for Family, Youth, and Children to assist child victims of human trafficking.	2013 – 2021
	Implement social programs to assist children subjected to all forms of child labor, including mining.	2020 – 2021
	Institute a rehabilitation and reintegration program for children engaged in armed conflict.	2021

## REFERENCES ON FILE

In 2021, Uzbekistan made significant advancement in efforts to eliminate the worst forms of child labor. The government passed legislation which amended their law on commercial sexual exploitation of children to bring it into full compliance with international standards. The government amended the Code of Administrative Liability and the Criminal Code to increase punishments for forced labor and child labor, including its worst forms, and to create criminal liability for individuals who commit child labor violations. The government also undertook a survey to assess allegations of child labor in the silk industry and signed a new Decent Work Country Program for 2021–2025. Additionally, the government continued to raise awareness and enforce prohibitions against the use of child labor and forced labor in the cotton harvest. Research indicates that the use of forced labor in the cotton harvest has been eliminated outside of isolated incidents, largely as a result of government efforts to implement and enforce forced labor prohibitions. However, children in Uzbekistan 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 public works. While the Government of Uzbekistan has made strong progress in addressing labor issues in the cotton harvest, there continue to be impediments to the operation of NGOs in addressing broader labor concerns. Human rights NGOs and civil society organizations, including those working on forced and child labor issues, are frequently denied official registration for bureaucratic reasons, sometimes for failing to meet registration requirements that had not been publicly specified.



## 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, sometimes as a result of human trafficking. Children also engage in child labor in agriculture and public works. (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. (2) Table I provides key indicators on children's work and education in Uzbekistan.

**Table I. 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 (%)		106.0

Source for primary completion rate: Data from 2020, published by UNESCO Institute for Statistics, 2022. (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; picking cotton; preparing land for crop planting (1,6,7)
Services	Street work, including vending, car washing, and begging (1,7-10)
	Collecting scrap metal (6,8)
	Public works, including refurbishing school grounds and facilities (1,2,6,11,12)
	Vending in markets (7)

# Uzbekistan

## SIGNIFICANT ADVANCEMENT

**Table 2. Overview of Children’s Work by Sector and Activity (Cont.)**

Sector/Industry	Activity
Categorical Worst Forms of Child Labor‡	Commercial sexual exploitation, sometimes as a result of human trafficking (1-3,8,13)
	Forced labor in harvesting silk cocoons (6,13,14)
	Forced labor in construction, non-cotton agriculture, and cleaning parks, streets, and buildings (6,13)
	Illicit activities, including theft and the production or trafficking of drugs (1)

‡ Child labor understood as the worst forms of child labor *per se* under Article 3(a)–(c) of ILO C. 182.

Traffickers exploit Uzbek children in sex trafficking transnationally in the Middle East, Eurasia, and Asia. (13) Children are also vulnerable to internal trafficking for the purpose of commercial sexual exploitation. (3,12)







ILO monitors reported that prohibitions on child labor were generally upheld during the 2021 cotton harvest. However, ILO and civil society harvest monitors identified more cases of child labor than in recent years when only sporadic cases were identified. (1,15) In general, these children were 16 to 17 years old and accompanied by their parents. Civil society observers believe this increase in child labor cases is related to increased rural poverty. (1,15) Further, children in Uzbekistan sometimes participate in public works projects, including refurbishing school grounds and facilities. (1,2,6) 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*). (6,14)

In 2021, Uzbekistan received an influx of refugees from Afghanistan. While all children in Uzbekistan are entitled to free compulsory education regardless of ethnicity or immigration status, Afghan children who do not speak Uzbek or Russian struggle in Uzbekistan’s schools. (1) In addition, although there is free public education in Uzbekistan, schools may charge informal fees, which can make education inaccessible to children from low-income families. (1,2,10,16)

## 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 clarifying criminal penalties for 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	18	Articles 15, 77, and 242 of the Labor Code; Article 49 of the Administrative Code (17-19)
Minimum Age for Hazardous Work	Yes	18	Articles 241 and 245 of the Labor 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 Labor Code; Article 51 of the Administrative Code; Articles 135 and 148(2) of the Criminal Code (18,19,22,23)
Prohibition of Child Trafficking	Yes		Article 3 of the Law on Combating Human Trafficking; Article 135 of the Criminal Code (23,24)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Articles 128, 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 56 and 127 of the Criminal Code (23,25)
Minimum Age for Voluntary State Military Recruitment	Yes	18	Article 24 of the Law on Universal Military Service (26)
Prohibition of Compulsory Recruitment of Children by (State) Military	Yes		Articles 4 and 46 of the Law on Universal Military Service (26)
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 (23,27)
Compulsory Education Age	Yes	18‡	Articles 4 and 9 of the Law on Education (16)
Free Public Education	Yes		Articles 4 and 5 of the Law on Education; Article 41 of the Constitution (16,22)

‡ Age calculated based on available information (16)

During the reporting period, the government amended the Criminal Code to close a gap in the law which previously failed to criminalize the users (clients) of prostitution involving children ages 16-17, and the law was signed by the President in December. In February 2021, the Government of Uzbekistan also amended the Code of Administrative Liability and the Criminal Code of Uzbekistan to increase punishments for forced labor and child labor, including its worst forms. (1,23,28) Any individual who forces a child to work has now committed a criminal act, whereas previously an initial child labor violation only resulted in a civil penalty. The Ministry of Employment and Labor Relations (MOELR) also drafted a new labor code which was approved by the lower house of Parliament. (1,28) The updated labor code, once enacted, will more clearly specify acceptable types of work that minors may perform. (1)

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. (16,17)

### III. ENFORCEMENT OF LAWS ON CHILD LABOR

The government has established institutional mechanisms for the enforcement of laws and regulations on child labor (Table 5). However, gaps exist within the operations of enforcement agencies that may hinder adequate enforcement of their child labor laws.



# Uzbekistan

## SIGNIFICANT ADVANCEMENT

**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. (29,30)
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. (29,30) 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 address the worst forms of child labor. (12)
Agency for Youth Affairs	Previously known as the Youth Union, monitors school attendance to ensure that students do not miss class during the cotton harvest. (1,9) Participates in monitoring efforts organized by the Federation of Trade Unions (FTUU) to monitor violations of labor laws during the annual cotton harvest. (31,32)
State Committee for Family and Women's Affairs	Previously known as the Ministry of Mahalla and Family Support, responsible for oversight of various policies related to gender equality and family welfare. Subsumed the Women's Committee of Uzbekistan. (1) This agency was renamed by Presidential Decree in March 2022. (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. (3,13)
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. (34-38) Labor inspectors are required to investigate all complaints submitted to MOELR within 7 days. In 2021, labor inspectors investigated 148 complaints received through these channels. (1) FTUU also operates its own independent feedback mechanism, accessible online or over the phone, and a legal clinic that assists workers in remediating issues. In 2021, FTUU received 4,647 complaints. (1)

### Labor Law Enforcement

In 2021, labor law enforcement agencies in Uzbekistan took actions to address child labor. (Table 6). However, gaps exist within the operations of MOELR that may hinder adequate labor law enforcement, including the reluctance of inspectors to conduct unannounced inspections other than on the basis of a complaint.

**Table 6. Labor Law Enforcement Efforts Related to Child Labor**

Overview of Labor Law Enforcement	2020	2021
Labor Inspectorate Funding	\$142,000 (12)	\$150,000 (1)
Number of Labor Inspectors	344 (12)	344 (1)
Mechanism to Assess Civil Penalties	Yes (12,39)	Yes (12,39)
Initial Training for New Labor Inspectors	Yes (10,12)	Yes (1)
Training on New Laws Related to Child Labor	Yes (10,40)	Yes (1)
Refresher Courses Provided	Yes (10,12)	Yes (1)
Number of Labor Inspections Conducted	5,154 (12)	27,471 (1)
Number Conducted at Worksite	5,154 (12)	Unknown
Number of Child Labor Violations Found	2 (12)	6 (1)
Number of Child Labor Violations for Which Penalties Were Imposed	2 (12)	4 (1)
Number of Child Labor Penalties Imposed that Were Collected	2 (12)	4 (1)
Routine Inspections Conducted	Yes (10)	Yes (1)
Routine Inspections Targeted	Yes (10)	Yes (1)
Unannounced Inspections Permitted	Yes (39)	Yes (39)
Unannounced Inspections Conducted	Yes (10)	Yes (1)
Complaint Mechanism Exists	Yes (10,36)	Yes (1)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (10)	Yes (1)

The number of labor inspectors is likely insufficient for the size of Uzbekistan's workforce, which includes more than 13.9 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 need to employ about 700 inspectors. (41,42) During the reporting period, the MELR's labor inspectorate carried out 27,471 labor inspections, and identified 19,967 labor violations, mostly related to workplace safety. However, the government did not disclose how many of these inspections took place on site or were targeted to high-risk sectors. (1) This represents a dramatic increase in labor inspections from 2020, in large part due to an increase in inspections during the cotton harvest—from around 3,000 in 2020 to over 13,000 in 2021. (28,43) The inspectorate continued to conduct targeted inspections in high risk sectors such as cotton and construction, and, in cooperation with the ILO, also undertook a survey to investigate allegations of forced labor and child labor in the silk sector. With regard to training, the government reported that 215 labor inspectors attended advanced training courses in 2021. (1) In June, the ILO also conducted online training courses on forced labor for employees of MOELR, the Prosecutor General's Office, and the labor inspectorate. In addition to labor inspectors employed by MOELR, local governments employ an additional 200 "assistant inspectors" who can participate in labor inspections but are not allowed to impose administrative fines, and the Federation of Trade Unions (FTUU) employs 33 labor monitors, who can refer potential violations to the labor inspectorate for investigation and imposition of penalties as appropriate. (1,12)

In accordance with legislation passed in 2020, fines imposed for labor violations were as high as \$2,000. MOELR identified six cases of child labor, all of which involved children working on refurbishing school facilities and grounds. (1) Four individuals were ultimately fined for these violations, and 31 children were removed from child labor. (1)

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 on an unannounced basis and typically only do so in response to complaints. (1,2,10-12,36,44,45)

The government continued its commitment to monitor labor violations in the cotton harvest, with labor inspectors monitoring 13,419 farms and clusters during harvest season. These efforts identified 65 local officials who violated labor legislation, 5 of whom were prosecuted under Article 51 of the Code of Administrative Liability. (28) The government continued to support the ILO's Third-Party Monitoring of the cotton harvest, which in 2021 was largely implemented by a group of local activists. Local authorities also conducted large-scale publicity campaigns to raise public awareness of pickers' rights, distributing more than 800,000 flyers to residents of cotton-producing regions. (28) International observers assess that the Government of Uzbekistan has succeeded in eliminating systematic forced labor from the cotton harvest, though scattered instances of coercion persist. (15,28)

### **Criminal Law Enforcement**

In 2021, criminal law enforcement agencies in Uzbekistan took actions to address 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 in investigation planning.

**Table 7. Criminal Law Enforcement Efforts Related to Child Labor**

Overview of Criminal Law Enforcement	2020	2021
Initial Training for New Criminal Investigators	Yes (12)	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	12 (12)	9 (1)
Number of Violations Found	13 (12)	13 (1)
Number of Prosecutions Initiated	8 (12)	9 (1)

# Uzbekistan

## SIGNIFICANT ADVANCEMENT

**Table 7. Criminal Law Enforcement Efforts Related to Child Labor (Cont.)**

Overview of Criminal Law Enforcement	2020	2021
Number of Convictions	6 (12)	9 (1)
Imposed Penalties for Violations Related to the Worst Forms of Child Labor	Yes (12)	Yes (1)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (10)	Yes (1)

During the reporting period, the Academy of the MOIA graduated 120 cadets, all of whom received training on human trafficking, including modules on child labor. Additionally, 1,802 investigators received training on new laws related to trafficking in persons and child labor. (1) In 2021, law enforcement investigated 9 criminal cases involving 15 individuals suspected of procuring children for commercial sexual exploitation. Because of these investigations, 13 child victims were identified and referred to rehabilitation centers for services. (1) The investigation resulted in nine convictions: six individuals received prison sentences, one received a sentence of “restriction of freedom,” one was sentenced to correctional labor, and one received probation. (1)

Although criminal liability for repeat forced labor offenses was introduced in early 2020 under Criminal Code Article 148(2), monitoring reports note enforcement challenges that may have hampered the government's ability to initiate criminal prosecutions for forced labor offenses. (23,46) In addition, criminal enforcement agencies may face difficulties collecting sufficient evidence to prosecute complicit officials. (46) 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. (36,47)

## 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 repeatedly denying human rights NGOs from officially registering with the government.

**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 address sex trafficking and forced labor; analyzes and monitors efficacy of government programs to address sex trafficking and forced labor; organizes international cooperation on efforts to address sex trafficking and forced labor; and provides legal and policy recommendations for improvement of government efforts in these areas. (29,30) Chaired by the National Rapporteur on Combating Trafficking in Persons and Forced Labor. (29) Comprises two sub-commissions to address sex trafficking and forced labor, respectively. MOIA heads the Sub-Commission on Combating Trafficking in Persons and the Minister of Labor heads the Sub-Commission on Combating Forced Labor. (1,2,29,30) In 2021, the National Commission met four times to discuss progress in addressing trafficking in persons and forced labor under the 2019 roadmap. (1,28)
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 survivors of sex trafficking and forced labor crimes. (29,30) Conducts public awareness-raising activities related to sex trafficking and forced labor. (30) In 2021, the National Rapporteur supported MOIA in signing a Road Map Action Plan for the implementation of the USAID Safe Migration in Central Asia program. (48)
Oliy Majlis Commissioner for Children's Rights†	Created in August 2021 by Presidential Decree No. UP-6275. Responsible for proposing measures to protect the rights of children. (1)
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. (12,49) Local Commissions are chaired by the regional <i>hokim</i> (governor) and provide monthly reports to the National Commission. (49,50) Research was unable to determine whether actions were undertaken by the Local Commissions during the reporting period.

† Coordinating mechanism was created during the reporting period.

During the reporting period, the National Sub-Commission on Combating Trafficking in Persons worked with the UNODC to develop and release guidance on standard operating procedures (SOPs) for identifying victims of human trafficking. The SOPs were used as guidance for law enforcement agencies, ministries and

departments, and NGOs that are members of the National Commission on Combatting Trafficking in Persons and Forced Labor. (28) International organizations reported that the Sub-Commission's lack of a designated secretariat hampered communication with external stakeholders including NGOs and anti-trafficking in persons activists, which delayed action on activities to counter human trafficking. (36)

In 2021, the government continued to engage in dialogue with civil society stakeholders on child and forced labor issues. 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. (15,34,51,52)

## V. GOVERNMENT POLICIES ON CHILD LABOR

The government has established policies related to child labor (Table 9). However, policy gaps exist that hinder efforts to address child labor, including lack of implementation.

**Table 9. Key Policies Related to Child Labor**

Policy	Description
Memorandum of Understanding Between the ILO and the Republic of Uzbekistan (2021–2025) <sup>†</sup>	Establishes terms of agreement between ILO and the government on cooperation to implement the Decent Work Country Program in Uzbekistan. In 2021, the Government of Uzbekistan and ILO signed a new agreement for 2021–2025, focused on improving the framework for labor relations and creating better work opportunities for youth and other vulnerable groups. (1,53)
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. (54) In 2021, the Action Plan was updated twice to call for implementation of recommendations from U.S. Government reports. (28)
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. (32,37,55) These policies continued to be implemented during the 2021 harvest, and wages continued to rise as the harvest progressed to compensate for lower earning potential in the end stages. (43)
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. (56,57) Research was unable to determine whether activities were undertaken to implement this policy during the reporting period.

<sup>†</sup> Policy was approved during the reporting period.

In 2020, President Mirziyoyev formally abolished the practice of imposing state quotas for cotton production. (57-59) 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. (60,61) International and civil society monitors observed that, in some areas, local governments continued to set harvest “targets” during the 2021 cotton harvest in apparent violation of the nationwide ban. (62) However, observers have noted that the 2021 cotton harvest was free of systemic forced labor organized by either local or central government officials. (15,43)

The central government adequately communicated through all branches of government that the use of forced labor in the 2021 cotton harvest would not be tolerated. The labor inspectorate monitored the harvest closely and responded to investigate every allegation of forced labor that was identified. (43) 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. (34,46,63,64) ILO and civil society monitors found that in some districts, the adoption of these practices resulted in a significant decrease in labor exploitation. (34,46)

## VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2021, 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 inadequacy of programs to address the full scope of the problem.

# Uzbekistan

## SIGNIFICANT ADVANCEMENT

**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. (63,65) In 2021, the government distributed thousands of informational flyers to residents in cotton-producing regions about pickers' rights and prohibitions on child labor and forced labor. (28)
National Rehabilitation Center†	MOELR-operated shelter that provides human trafficking survivors with emergency medical and social services and assists in social rehabilitation. (2,8,65) This center continued to provide services to survivors of the worst forms of child labor in 2021. (1)
Population Employment Facilitation Centers†	Local centers run by MOELR to connect the unemployed with job opportunities, including paid public work and seasonal agricultural work. Match job seekers with labor needs in the cotton harvest to reduce the risk of forced labor. (2,35) These centers continued to operate during the reporting period. (1)
From Protocol to Practice: A Bridge to Global Action on Forced Labor (The Bridge Project)	USDOL-funded global project implemented by ILO to support global and national efforts aimed at countering forced labor of adults and children under the 2014 ILO Protocol and supporting Recommendation to C.29 on Forced Labor. (66) In 2021, the project trained 14 directors of regional labor inspectorates on soft skills and interviewing techniques for forced labor investigations. Additional information is available on the USDOL website. (66)

† Program is funded by the Government of Uzbekistan.

In 2021, the government continued to refer children removed from child labor and human trafficking to social services in accordance with the new trafficking in persons law passed in 2020. (1) According to government data, the MOELR's Agency for External Labor Migration provided legal, financial, and social assistance to 323,620 labor migrants overseas, as well as entrepreneurship and vocational training to 23,878 returned labor migrants. (28)

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.

## 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	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 – 2021
Enforcement	Continue to increase the number of labor inspectors to meet the ILO's technical advice.	2015 – 2021
	Share detailed information on whether labor inspections are taking place at work sites and target inspections to high-risk sectors.	2021
	Ensure that labor inspectors conduct self-initiated unannounced inspections in all sectors, including at private enterprises, even if no complaint has been filed.	2018 – 2021
	Thoroughly investigate all potential criminal cases involving the worst forms of child labor and, when sufficient evidence exists, refer violations for criminal prosecution.	2020 – 2021
	Remove barriers to investigating and prosecuting officials who may be complicit in child labor violations.	2021
Coordination	Ensure that the Local Commissions to Combat Trafficking in Persons meet and carry out their mandates to ensure timely and rigorous implementation of all laws and regulations, including those issued by the National Commission, related to sex trafficking and forced labor.	2021
	Designate standard mechanisms for communication between external stakeholders and national coordinating bodies to facilitate coordination of efforts to address forced labor and sex trafficking.	2020 – 2021
	Remove obstacles to the registration of NGOs monitoring child labor, forced labor, and other labor rights issues, including making all registration requirements public, and penalize officials who harass, intimidate, or abuse labor rights activists.	2017 – 2021
Government Policies	Ensure that activities are undertaken to implement local policies to protect cotton pickers and the Strategy for the Development of Agriculture in the Republic of Uzbekistan and publish information on activities implemented during the reporting period.	2021



Table I I. Suggested Government Actions to Eliminate Child Labor (Cont.)

Area	Suggested Action	Year(s) Suggested
Social Programs	Collect and publish data on the extent and nature of child labor to inform policies and programs.	2013 – 2021
	Ensure educational access for children who do not speak Uzbek or Russian.	2021
	Ensure that schools do not charge informal fees to students or their families.	2019 – 2021
	Expand programs to address the worst forms of child labor in sectors other than cotton harvesting.	2009 – 2021

## REFERENCES

- 1 U.S. Embassy- Tashkent. Reporting. February 1, 2022.
- 2 U.S. Embassy- Tashkent. Reporting. January 13, 2020.
- 3 U.S. Department of State. Trafficking in Persons Report- 2021: Uzbekistan. Washington, D.C., June 30, 2021.  
<https://www.state.gov/reports/2021-trafficking-in-persons-report/uzbekistan/>
- 4 UNESCO Institute for Statistics. Gross intake ratio to the last grade of primary education, both sexes (%). Accessed March 3, 2022. For more information, please see “Children’s Work and Education Statistics: Sources and Definitions” in the Reference Materials section of this report.  
<http://data.uis.unesco.org/>
- 5 ILO. Analysis of Child Economic Activity and School Attendance Statistics from National Household or Child Labor Surveys. Original data from Multiple Indicator Cluster Survey 3 (MICS 3), 2006. Analysis received March 2022. Please see “Children’s Work and Education Statistics: Sources and Definitions” in the Reference Materials section of this report.
- 6 Uzbek-German Forum for Human Rights. There is no work we haven’t done: Forced labor of public sector employees in Uzbekistan. February 2019.  
<http://uzbekgermanforum.org/wp-content/uploads/2019/02/Uzbekistan.Forced-Labor-in-Public-Sector-Report.English.1.2019.pdf>
- 7 International Union of Food, Agricultural, Hotel, Restaurant, Catering, Tobacco and Allied Workers’ Associations. Information on the compliance of the Republic of Uzbekistan from 2017 through 2019 with Convention No. 138 of the International Labour Organization “Minimum Age Convention” 1973 (adopted in Geneva on 26 June 1973 at the 58th session of the ILC-ILO) and Convention No. 182 of the International Labour Organization “Worst Forms of Child Labour Convention” 1999 (adopted in Geneva on 17 June 1999 at the 87th session of the ILC-ILO). August 30, 2018. Source on file.
- 8 U.S. Embassy- Tashkent. Reporting. February 22, 2019.
- 9 U.S. Embassy- Tashkent. Reporting. January 9, 2018.
- 10 U.S. Embassy- Tashkent. Reporting. January 15, 2021.
- 11 Government of Uzbekistan. Written communication: Information for use in preparation of the Report on the worst forms of child labor for 2019 (TDA Report) and List of goods produced with child or forced labor (TVPR Report). (a) April 1, 2020. Source on file.
- 12 Government of Uzbekistan. Written Communication: Information for 2020 Worst Forms of Child Labor Report (TDA Report). March 18, 2021. Source on file.
- 13 U.S. Department of State. Trafficking in Persons Report- 2020: Uzbekistan. Washington, D.C., June 2020.  
<https://www.state.gov/reports/2020-trafficking-in-persons-report/uzbekistan/>
- 14 Uzbek Forum for Human Rights. E-mail communication to USDOL official. May 10, 2021.
- 15 Human Rights Watch. Submission to the Committee on Economic, Social and Cultural Rights on Uzbekistan. January 28, 2022.  
<https://www.hrw.org/news/2022/01/28/submission-committee-economic-social-and-cultural-rights-uzbekistan>
- 16 Government of Uzbekistan. Law of the Republic of Uzbekistan on Education. Enacted: 2020.  
<https://lex.uz/ru/docs/5013009>
- 17 Government of Uzbekistan. Law No. ZRU-239 to amend the Labour Code of the Republic of Uzbekistan and Law on Child’s Rights Guarantees, UZB-2009-L-85547. Enacted: 2009.  
[http://www.oit.org/dyn/natlex/natlex\\_browse.details?p\\_lang=en&p\\_isn=85547](http://www.oit.org/dyn/natlex/natlex_browse.details?p_lang=en&p_isn=85547)
- 18 Government of Uzbekistan. Law No. ZRU-365 Labor Code of the Republic of Uzbekistan. Enacted: 1996.  
[https://www.ilo.org/dyn/natlex/natlex4.detail?p\\_lang=en&p\\_isn=98879](https://www.ilo.org/dyn/natlex/natlex4.detail?p_lang=en&p_isn=98879)
- 19 Government of Uzbekistan. Administrative Code of the Republic of Uzbekistan. Enacted: 1994.  
<https://lex.uz/acts/97661>
- 20 Government of Uzbekistan. Decree on Approval of Provision on Requirements on Prohibition of Use of Minors’ Labor. Enacted: 2010. Source on file.
- 21 Government of Uzbekistan. Decree on Adoption of the List of Occupations with Unfavorable Working Conditions to which it is forbidden to Employ Persons under Eighteen Years of Age. Enacted: 2009. Source on file.
- 22 Government of Uzbekistan. Constitution of the Republic of Uzbekistan. Enacted: 1992.  
<http://gov.uz/en/constitution/>
- 23 Government of Uzbekistan. Criminal Code of the Republic of Uzbekistan. Enacted: 1994. As Amended: 2021.  
<https://lex.uz/docs/111457>
- 24 Government of Uzbekistan. Law of the Republic of Uzbekistan on the Introduction of Changes and Additions to the Law of the Republic of Uzbekistan “On Combatting Human Trafficking.” Enacted: August 2020.  
<https://www.lex.uz/acts/4953319#4958741>
- 25 Government of Uzbekistan. Law No. ZRU-139 On the Guarantees of the Rights of the Child, UZB-2008-L-85548. Enacted: 2008.  
[http://www.ilo.org/dyn/natlex/natlex\\_browse.details?p\\_lang=en&p\\_isn=85548](http://www.ilo.org/dyn/natlex/natlex_browse.details?p_lang=en&p_isn=85548)
- 26 Government of Uzbekistan. Law on Universal Military Service. Enacted: 2002. Source on file.
- 27 Government of Uzbekistan. Law on civil organizations in the Republic of Uzbekistan. Enacted: 1991.  
<https://www.lex.uz/acts/111827>
- 28 U.S. Embassy- Tashkent. Reporting. February 17, 2022.
- 29 Government of Uzbekistan. Presidential Decree on additional measures to further the establishment of systems combating trafficking in persons and forced labor. Enacted: July 30, 2019.  
<http://uza.uz/ru/documents/o-dopolnitelnykh-merakh-po-dalneyshemu-sov-ershenshtvovaniyu-s-31-07-2019>
- 30 Government of Uzbekistan. On measures to further improve the system of combating trafficking in persons and forced labor. September 19, 2019. Source on file.
- 31 ILO. Support to the Implementation of the Decent Work Country Programme (DWCP) of Uzbekistan. October 2019: Technical Progress Report. Source on file.
- 32 ILO. Support to the Implementation of the Decent Work Country Programme (DWCP) of Uzbekistan. October 2020: Technical Progress Report. Source on file.

## SIGNIFICANT ADVANCEMENT

- 33 Government of Uzbekistan. Presidential Decree On Measures to Improve the System of Work With Families and Women, Support for the Mahalla and the Older Generation. March 2, 2022.  
<https://lex.uz/en/docs/5884176>
- 34 Uzbek Forum for Human Rights. Key findings from the 2020 cotton harvest in Uzbekistan. January 28, 2021.  
<https://www.uzbekforum.org/key-findings-from-the-2020-cotton-harvest/>
- 35 Government of Uzbekistan. Information of the Ministry of Employment and Labor Relations of the Republic of Uzbekistan on Measures for Countering and Prevention of Forced Labor. October 28, 2019. Source on file.
- 36 U.S. Embassy- Tashkent. Reporting, January 8, 2021.
- 37 Government of Uzbekistan. Progress in Uzbekistan: Environment, social and governance report 2020. January 29, 2021.  
<https://changeinuzbekistan.com/report/>
- 38 Government of Uzbekistan. Labor rights enforcement in Uzbekistan: Annual report 2020. May 2021.  
<https://mehnat.uz/en/news/uzbekistan-launches-first-ever-annual-report-on-enforcement-of-labour-standards>
- 39 Government of Uzbekistan. Cabinet of Ministers Decree no. 1066 on measures for the fulfillment of activities of the Ministry of Employment and Labor Relations of the Republic of Uzbekistan. Enacted: December 31, 2018.  
[https://nrm.uz/content?doc=574333\\_&products=1\\_vse\\_zakonodatelstvo\\_uzbekistana](https://nrm.uz/content?doc=574333_&products=1_vse_zakonodatelstvo_uzbekistana)
- 40 Government of Uzbekistan. Instances of forced labor in the cotton harvest discussed at regular National Commission meeting. News release. December 5, 2020.  
<https://mehnat.uz/ru/news/na-ocherednom-zasedanii-natsionalnoy-komissii-obsuzhdalis-sluchai-prinuditelnogo-truda-vo-vremya-sbora-hlopka-v-tekuschem-godu>
- 41 UN. World Economic Situation and Prospects 2017 Statistical Annex. 2017. Please see "Labor Law Enforcement: Sources and Definitions" in the Reference Materials section of this report.  
[https://www.un.org/development/desa/dpad/wp-content/uploads/sites/45/publication/2017wesp\\_full\\_en.pdf](https://www.un.org/development/desa/dpad/wp-content/uploads/sites/45/publication/2017wesp_full_en.pdf)
- 42 ILO Labor Force Statistics (LFS) – Population and labour force. Accessed (January 25, 2022). <https://ilostat.ilo.org/data/> Labor force data is government-reported data collected by the ILO. Please see "Labor Law Enforcement: Sources and Definitions" in the Reference Materials section of this report.
- 43 Uzbek Forum for Human Rights. A Turning Point in Uzbekistan's Cotton Harvest. March 2022.  
[https://www.uzbekforum.org/wp-content/uploads/2022/03/UZBEK-FORUM\\_harvest\\_report.pdf](https://www.uzbekforum.org/wp-content/uploads/2022/03/UZBEK-FORUM_harvest_report.pdf)
- 44 Government of Uzbekistan. Experience of Uzbekistan in eradicating forced labor. December 10, 2019. Source on file.
- 45 Government of Uzbekistan. Decree No. 5490, On measures to further the establishment of a system for protecting the rights and legal interests of business entities. Enacted: July 2018.  
<https://lex.uz/ru/docs/3839752>
- 46 ILO. 2020 third-party monitoring of child labour and forced labour during the cotton harvest in Uzbekistan. January 2021.  
[https://www.ilo.org/wcmsp5/groups/public/---dgreports/---ilo-washington/documents/projectdocumentation/wcms\\_767756.pdf](https://www.ilo.org/wcmsp5/groups/public/---dgreports/---ilo-washington/documents/projectdocumentation/wcms_767756.pdf)
- 47 U.S. Embassy- Tashkent. Reporting, December 30, 2020.
- 48 National Commission on Combating Trafficking in Persons and Forced Labor. Strengthening cooperation with international organizations. July 3, 2021.  
<http://ht.gov.uz/2021/07/халқаро-ташкилотлар-билан-ўамкорлик/>
- 49 Government of Uzbekistan. Written communication on measures to further improve the system of combating trafficking in persons and forced labor. September 19, 2019. Source on file.
- 50 U.S. Embassy- Tashkent. Reporting, February 14, 2020(a).
- 51 Human Rights Watch. Uzbekistan: Registration Barriers for Independent Groups. January 7, 2021.  
<https://www.hrw.org/news/2021/01/07/uzbekistan-registration-barriers-independent-groups>
- 52 Uzbek Forum for Human Rights. The time for words has passed. Uzbekistan should simplify the rules for registration of NGOs and legitimize civil society voices. April 7, 2021.  
<https://www.uzbekforum.org/the-time-for-words-has-passed-uzbekistan-should-simplify-the-rules-for-registration-of-ngos-and-legitimize-civil-society-voices/>
- 53 ILO. ILO – Uzbekistan cooperation is on track: Decent Work Country Programme for 2021-2025 signed. September 22, 2021.  
[https://www.ilo.org/moscow/news/WCMS\\_820537/lang--en/index.htm#:~:text=Today,Uzbekistan implements wide-ranging,their right to decent work.&text=It will contribute to the,a new Uzbekistan,he said](https://www.ilo.org/moscow/news/WCMS_820537/lang--en/index.htm#:~:text=Today,Uzbekistan implements wide-ranging,their right to decent work.&text=It will contribute to the,a new Uzbekistan,he said)
- 54 Government of Uzbekistan. Action Plan on Improving the position of Uzbekistan in the next report of the US Department of Labour on "Worst forms of child labor" and the implementation of recommendations on the removal of Uzbek cotton and silk cocoons from the "List of goods produced using child labour or forced labour." Approved: November 10, 2020. Source on file.
- 55 Kun.uz. The Labor Ministry sets wage rates for manual cotton harvesting. September 5, 2020.  
<https://kun.uz/ru/news/2020/09/05/v-mintrude-nazvali-tarify-po-oplate-truda-za-ruchnoy-sbor-xlopka>
- 56 Government of Uzbekistan. On approval of the strategy for the development of agriculture in the Republic of Uzbekistan 2020–2030. Enacted: October 23, 2019.  
<https://lex.uz/ru/docs/4567337>
- 57 Review.uz. A historic document has been adopted: Uzbekistan renounces state orders for cotton. March 6, 2020.  
<https://review.uz/ru/post/prinyat-istoricheskiy-dokument-uzbekistan-otkazalsya-ot-goszakaza-na-xlopok>
- 58 Uzbek Forum for Human Rights. Cotton Chronicle 2020. October 25, 2020.  
[https://www.uzbekforum.org/wp-content/uploads/2020/10/Uzbekistan\\_Cotton\\_Harvest\\_2020.pdf](https://www.uzbekforum.org/wp-content/uploads/2020/10/Uzbekistan_Cotton_Harvest_2020.pdf)
- 59 Schweisfurth, Lynne. Eliminating forced labor in Uzbekistan's cotton sector – a work still in progress. The Diplomat. December 15, 2020.  
<https://thediplomat.com/2020/12/eliminating-forced-labor-in-uzbekistans-cotton-sector-a-work-still-in-progress/>
- 60 U.S. Department of State. Country Reports on Human Rights Practices–2018: Uzbekistan. Washington, D.C., March 13, 2019.  
<https://www.state.gov/reports/2018-country-reports-on-human-rights-practices/uzbekistan/>
- 61 Uzbek-German Forum for Human Rights. Why the practice of "forced voluntary" cotton harvesting in Uzbekistan continues. November 19, 2019.  
<http://uzbekgermanforum.org/why-the-practice-of-forced-voluntary-cotton-harvesting-in-uzbekistan-continues/>
- 62 U.S. Embassy- Tashkent. Communication to USDOL official. June 16, 2022.
- 63 Government of Uzbekistan. Human value of labor: Progress log and a look into the future. 2019. Source on file.
- 64 U.S. Embassy- Tashkent. Reporting, October 22, 2020.
- 65 Government of Uzbekistan. Response to TDA Questionnaire. January 25, 2017.
- 66 U.S. Department of Labor. International Labor Affairs Bureau. From Protocol to Practice: A Bridge to Global Action on Forced Labor (The Bridge Project).  
<https://www.dol.gov/agencies/ilab/protocol-practice-bridge-global-action-forced-labor-bridge-project-0>

In 2021, Vanuatu made minimal advancement in efforts to eliminate the worst forms of child labor. The government created the National Steering Committee on Migrant Protection, which serves to enhance the ability of the government to identify and respond to cases of trafficking in persons, including child labor trafficking, and the Ministry of Education and Training released the Vanuatu Education and Training Sector Strategic Plan (2021–2030), which outlines policies and strategies to improve access to education for all children in the country. Although research is limited, there is evidence that children in Vanuatu are subjected to the worst forms of child labor, including in commercial sexual exploitation, sometimes as a result of human trafficking, and forced domestic work. Children also engage in dangerous tasks in forestry and logging activities. Vanuatu's minimum age for hazardous work is below that of international standards. Vanuatu also lacks a referral mechanism between criminal authorities and social services providers. Significant commitment to eradicate child labor is still required, especially with funding and interagency coordination procedures. 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 commercial sexual exploitation, sometimes as a result of human trafficking, and forced domestic work. Children also engage in dangerous tasks in forestry and logging activities. (1-4) 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 (%)		94.2

Source for primary completion rate: Data from 2020, published by UNESCO Institute for Statistics, 2022. (5)  
Data were unavailable from International Labor Organization's analysis, 2022. (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	Forestry, including logging (1,3,4)
Services	Street vending, including selling newspapers (1,3,7,8)
Categorical Worst Forms of Child Labor‡	Forced domestic work (2,4)
	Commercial sexual exploitation, sometimes as a result of human trafficking (4,9,10)

‡ 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. (1,3,8) Children living in remote areas face difficulties accessing education, increasing the risk of children's involvement in child labor. (3,11) In addition, approximately 50 percent of children reportedly drop out of the education system due to inadequate programs and facilities, and a lack of school slots. (3) Free primary education has led to an increase in students enrolling in schools, which has created a need for improved infrastructure and teacher




## MINIMAL ADVANCEMENT

training. (3) Lack of proper sanitation facilities continues to be a hurdle. Only 53 percent of Vanuatu has access to basic sanitation facilities, and lack of access to water and sanitation to manage menstrual hygiene has been a key concern for girls in school. (3) Although children are often seen selling newspapers on the street, the country does not consider that this activity should be regulated. (3) Families sometimes send children to live with relatives in nearby towns or cities, and these children are subjected to forced labor as domestic workers. (2,9)

## 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 a failure to criminalize 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	Section 38 and 39 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; Sections 2 and 34-35 of the Counter Terrorism and Transnational Organized Crime Act. (12,13)
Prohibition of Child Trafficking	Yes		Section 35 of the Counter Terrorism and Transnational Organized Crime Act (13)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Sections 101B–D of the Penal Code; Section 2 and 35 of the Counter Terrorism and Transnational Organized Crime Act. (13,14)
Prohibition of Using Children in Illicit Activities	No		Section 35 of the Penal Code (14)
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		

† Country has 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. Further, Vanuatu has yet to determine by law the types of hazardous work prohibited for children. (12, 16-18) In addition, the Employment Act permits children under age 12 to perform light work in agricultural undertakings owned and managed by their own families without requiring that the undertaking not have other employees and be for local consumption only; the Employment Act also 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 inducing children to engage in illicit activities, including in drug production and drug trafficking. (14) The government acknowledges these gaps and is developing a Child Protection Bill, which is in draft form and is expected to go before Parliament in 2022. (8, 19, 20) Vanuatu lacks a compulsory education policy, increasing the risk of children's involvement in child labor. (10, 16)

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. (10, 21, 22) During the reporting period, as part of the continued response to the COVID-19 pandemic, the Government of Vanuatu subsidized school fees for more than 26,000 students. (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 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. (3, 7)
Vanuatu Police Force	Enforces all criminal laws related to the worst forms of child labor and collaborates with the Vanuatu Tourism Office to address commercial sexual exploitation of children. Prosecutes child labor cases. (3, 10)
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. (9, 24)

The Child Desk, under the Ministry of Justice and Community Services, does not have adequate financial and human resources to develop and integrate national planning initiatives into child protection policies. (1, 3) Coordination between the Department of Labor, the Vanuatu Police Force, and the Vanuatu Tourism Office is weak and carried out on an ad hoc basis. In most cases, the three agencies' commitment, coordination, and priorities vary, based on their mandated roles, budgetary allocations, and structural capacity. (3) In many cases, including suspected labor issues involving child labor, the Vanuatu Police Force and the Department of Labor lack proper communication and collaboration mechanisms to investigate allegations unless sanctioned by the government. (25)

#### Labor Law Enforcement

In 2021, research did not find information on whether labor law enforcement agencies in Vanuatu took actions to address child labor (Table 6).

**Table 6. Labor Law Enforcement Efforts Related to Child Labor**

Overview of Labor Law Enforcement	2020	2021
Labor Inspectorate Funding	Unknown (1)	Unknown (3)
Number of Labor Inspectors	4 (22)	Unknown (3)
Mechanism to Assess Civil Penalties	Yes (12)	Yes (12)
Initial Training for New Labor Inspectors	Unknown (1)	Unknown (3)
Training on New Laws Related to Child Labor	Unknown (1)	Unknown (3)
Refresher Courses Provided	Unknown (1)	Unknown (3)



## MINIMAL ADVANCEMENT

**Table 6. Labor Law Enforcement Efforts Related to Child Labor (Cont.)**

Overview of Labor Law Enforcement	2020	2021
Number of Labor Inspections Conducted	Unknown (1)	Unknown (3)
Number Conducted at Worksite	Unknown (1)	Unknown (3)
Number of Child Labor Violations Found	Unknown (1)	Unknown (3)
Number of Child Labor Violations for Which Penalties Were Imposed	Unknown (1)	Unknown (3)
Number of Child Labor Penalties Imposed that Were Collected	Unknown (1)	Unknown (3)
Routine Inspections Conducted	Unknown (1)	Unknown (3)
Routine Inspections Targeted	Unknown (1)	Unknown (3)
Unannounced Inspections Permitted	Yes (12)	Yes (12)
Unannounced Inspections Conducted	Yes (1)	Yes (3)
Complaint Mechanism Exists	No (26)	Yes (3)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	No (1)	Unknown (3)

The Government of Vanuatu did not respond to requests for information on its labor law enforcement efforts for inclusion in this report. However, research indicates that Vanuatu does not have a formal mechanism for reporting and responding to children who need protection. (3) Vanuatu lacks interagency referral and coordination protocols to connect enforcement authorities—including the Department of Labor—to social welfare services. (1,3,8,9) Although 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, Vanuatu would need to employ roughly 3 labor inspectors because its workforce consists of more than 92,000 workers. (27)

### Criminal Law Enforcement

In 2021, research did not find information on whether criminal law enforcement agencies in Vanuatu took actions to address child labor (Table 7).

**Table 7. Criminal Law Enforcement Efforts Related to Child Labor**

Overview of Criminal Law Enforcement	2020	2021
Initial Training for New Criminal Investigators	Unknown (1)	Unknown (3)
Training on New Laws Related to the Worst Forms of Child Labor	Unknown (1)	Unknown (3)
Refresher Courses Provided	Unknown (1)	Unknown (3)
Number of Investigations	50 (22)	Unknown (3)
Number of Violations Found	Unknown (1)	Unknown (3)
Number of Prosecutions Initiated	Unknown (1)	Unknown (3)
Number of Convictions	Unknown (1)	Unknown (3)
Imposed Penalties for Violations Related to the Worst Forms of Child Labor	Unknown (1)	Unknown (3)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	No (1)	Unknown (3)

The Government of Vanuatu did not respond to requests for information on its criminal law enforcement efforts for inclusion in this report. However, research found that 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. (3,7,8) 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. (1,28) Reporting shows that inspectors in Vanuatu do not receive anti-human trafficking trainings. (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 efforts to address all forms of child labor.

**Table 8. Key Mechanisms to Coordinate Government Efforts on Child Labor**

Coordinating Body	Role & Description
National Child Protection Working Group	Serves as the primary forum for exchanging information on child protection and the commercial sexual exploitation of children. Chaired by the Director General of the Ministry of Justice and Community Services, and comprises representatives from the government, UN agencies, civil society organizations, and NGOs. (7,30-33) The program was recently reactivated since ceasing operations in 2014. (3) According to its Terms of Reference, it has a role in capacity building, systems strengthening, emergency preparedness and response, and coordination of services across all child protection sectors. (1,3,34)
<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. (7,8) Although there are no formal reports of this service being used during the reporting period, it may have been used in rural areas. (35)
National Steering Committee on Migrant Protection	Serves to enhance the ability of the government to identify and respond to cases of trafficking in persons, including child labor trafficking, by assessing policies and legislation related to trafficking in persons. (36) Chaired by Director General of the Ministry of Internal Affairs and comprises senior government officials from Vanuatu Immigration Services, the Department of Customs and Inland Revenue, Biosecurity Vanuatu, the Department of Labor, the Department of Women's Affairs, the Transnational Crime Unit, and the National Security Council. The Steering Committee held its first meeting in November 2021. (25,36)

Although the government has established a National Child Protection Working Group to address the commercial sexual exploitation of children, research found no evidence of a coordinating mechanism to address all forms of child labor. (30) *Kastom* is a common mechanism used to address child protection issues, but research found that there is a lack of established interagency protocols and procedures between *Kastom* and governmental offices—including the Vanuatu Police Force—to sufficiently coordinate and ensure that child protection services are provided. (3,7,8) In addition, research found that interagency coordination on human trafficking investigations between law enforcement agencies was primarily ad hoc. Lastly, there were reports 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. (37)

## V. GOVERNMENT POLICIES ON CHILD LABOR

The government has established policies related to child labor (Table 9). However, policy gaps exist that hinder efforts to address child labor, including lack of implementation of the National Children Protection Policy.

**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. (10,30,32)
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. (40)

‡ 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 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 lack human and financial resources. (1,3,8)

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. (3,8,32)

## VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2021, 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 inadequacy of programs to address the full scope of the problem.

## MINIMAL ADVANCEMENT

**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. (42,43) The grant program was active in 2021. (44)
Education and Training Sector Strategic Plan (2021–2030)*	A strategic plan to strengthen the education sector in Vanuatu, including the education budget and monitoring of expenses. (39) Provides access to education to all children in Vanuatu. Implements quality infrastructure based on needs. (39) Reduces the number of out-of-school children and identifies children studying at the incorrect grade level. (39)

\* Program was launched during the reporting period.

† Program is funded by the Government of Vanuatu.

Research was unable to determine whether the Vanuatu Education School Fee Grant program included child labor elimination policies or efforts.

## VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE CHILD LABOR

Based on the reporting above, suggested actions are identified that would advance the elimination of child labor in Vanuatu (Table 11).

**Table 11. Suggested Government Actions to Eliminate Child Labor**

Area	Suggested Action	Year(s) Suggested
Legal Framework	Ratify the Palermo Protocol on Trafficking in Persons.	2014 – 2021
	Ensure that the minimum age for hazardous work is age 18.	2016 – 2021
	Determine by national law or regulation the types of hazardous work prohibited for children after consultation with employers' and workers' organizations.	2009 – 2021
	Ensure that the law protects children ages 12 and 13 employed in light agricultural work by specifying the activities and hours per week that are allowed.	2009 – 2021
	Ensure that the law specifically prohibits the use of children in illicit activities, including in the production and trafficking of drugs.	2016 – 2021
	Ensure that the law criminalizes the recruitment of children under age 18 by non-state armed groups.	2016 – 2021
	Establish by law provision of free basic public education.	2016 – 2021
	Establish by law an age up to which education is compulsory that extends to the minimum age for work.	2016 – 2021
Enforcement	Publish information on labor law enforcement efforts undertaken, including the number of labor inspectors, labor inspectorate funding, the number and type of labor inspections conducted, violations found, and penalties imposed and collected.	2012 – 2021
	Ensure that the number of labor inspectors meets the ILO's technical advice.	2021
	Train labor inspectors and criminal investigators on human anti-trafficking and enforcement of child labor laws, and make the results of these efforts public.	2014 – 2021
	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 – 2021
	Strengthen coordination and sufficiently fund referral mechanisms between the Department of Labor, the Vanuatu Police Force, the Vanuatu Tourism office, and social welfare services to protect and rehabilitate children involved in child labor, including its worst forms.	2014 – 2021
	Ensure that the Child Desk has adequate financial and human resources to develop and integrate national planning initiatives for child protection policies.	2019 – 2021
	Ensure that all complaints of child labor are investigated, regardless of who lodges the complaint.	2019 – 2021
	Establish interagency protocols and a referral and coordination mechanism between <i>Kastom</i> and government child protection services.	2018 – 2021
Coordination	Ensure that the National Child Protection Working Group is funded and active and can carry out its intended mandates.	2018 – 2021
	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 – 2021
Government Policies	Ensure that social services providers are registered and follow a standard set of procedures in providing care to vulnerable children.	2019 – 2021

**Table 11. Suggested Government Actions to Eliminate Child Labor (Cont.)**

Area	Suggested Action	Year(s) Suggested
Social Programs	Collect and publish data on the extent and nature of child labor to inform policies and programs, including in forestry and logging.	2014 – 2021
	Increase access to education for all children, including access by remote students, facilities to accommodate all children, improved infrastructure, adequate programs, and expanded teacher training.	2012 – 2021
	Ensure that the Education School Fee Grant is sufficiently funded and contains child labor elimination policies or efforts.	2018 – 2021

**REFERENCES**

- 1 U.S. Embassy- Port Moresby. Reporting. February 3, 2021.
- 2 U.S. Embassy- Port Moresby. Reporting. February 11, 2021.
- 3 U.S. Embassy- Port Moresby. Reporting. January 25, 2022.
- 4 U.S. Department of State. Trafficking in Persons Report- 2021: Vanuatu. Washington, D.C. July 1, 2021.
- 5 UNESCO Institute for Statistics. Gross intake ratio to the last grade of primary education, both sexes (%). Accessed March 3, 2022. For more information, please see "Children's Work and Education Statistics: Sources and Definitions" in the Reference Materials section of this report. <http://data.uis.unesco.org/>
- 6 ILO. Analysis of Child Economic Activity and School Attendance Statistics from National Household or Child Labor Surveys. Analysis received March 2022. Please see "Children's Work and Education Statistics: Sources and Definitions" in the Reference Materials section of this report.
- 7 U.S. Embassy- Port Moresby. Reporting. January 29, 2020.
- 8 Save the Children. Child Rights Situation Analysis: Vanuatu 2018. June 2018. Source on file.
- 9 U.S. Embassy- Port Moresby. Reporting. February 18, 2020.
- 10 ILO. Direct Request (CEACR) - adopted 2019, published 109th ILC session (2021) Published: 2021. [https://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100::P13100\\_COMMENT\\_ID,P11110\\_COUNTRY\\_ID,P11110\\_COUNTRY\\_NAME,P11110\\_COMMENT\\_YEAR:3995905,103350,0,2019](https://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100::P13100_COMMENT_ID,P11110_COUNTRY_ID,P11110_COUNTRY_NAME,P11110_COMMENT_YEAR:3995905,103350,0,2019)
- 11 U.S. Department of State. Country Reports on Human Rights Practices- 2020: Vanuatu. Washington, D.C., March 30, 2020. <https://www.state.gov/reports/2020-country-reports-on-human-rights-practices/vanuatu/>
- 12 Government of Vanuatu. Employment Act (Cap 160). Enacted: May 30, 1983. Source on file.
- 13 Government of Vanuatu. Counter Terrorism and Transnational Organised Crime Act. Enacted: February 24, 2006. [https://fiu.gov.vu/docs/Counter Terrorism and Transnational Organised Crime Act \[CAP 313\].pdf](https://fiu.gov.vu/docs/Counter Terrorism and Transnational Organised Crime Act [CAP 313].pdf)
- 14 Government of Vanuatu. Penal Code, Chapter 135. Enacted: August 7, 1981. [http://www.paclii.org/vu/legis/consol\\_act/pc66/](http://www.paclii.org/vu/legis/consol_act/pc66/)
- 15 CIA. The World Factbook. Accessed January 19, 2018. Please see "Labor Law Enforcement: Sources and Definitions" in the Reference Materials section of this report. <https://www.cia.gov/the-world-factbook/countries/vanuatu/>
- 16 ILO Committee of Experts. Individual Direct Request concerning Worst Forms of Child Labour Convention, 1999 (No. 182) Vanuatu (ratification: 2006) Published: 2017. Accessed March 9, 2017. [http://www.ilo.org/dyn/normlex/en/f?p=1000:13101:0::NO:13101:P13101\\_COMMENT\\_ID:3294473](http://www.ilo.org/dyn/normlex/en/f?p=1000:13101:0::NO:13101:P13101_COMMENT_ID:3294473)
- 17 Vanuatu Chamber of Commerce and Industry. Employer Survey (Employment Relations Bill) Accessed April 23, 2019. Source on file.
- 18 Government of Vanuatu. Employment Relations Bill 2012 (Draft). June 2012. Source on file.
- 19 U.S. Embassy- Port Moresby official. E-mail communication to USDOL official. March 10, 2019.
- 20 U.S. Embassy- Port Moresby. Reporting. February 18, 2022.
- 21 UN OHCHR. Committee on the Rights of the Child considers reports of Vanuatu. September 22, 2017. <https://www.ohchr.org/en/NewsEvents/Pages/DisplayNews.aspx?NewsID=22136&LangID=E>
- 22 ILO. Direct Request (CEACR) - adopted 2019, published 109th ILC session (2021) Published: 2021. [https://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100::P13100\\_COMMENT\\_ID:3995905:0](https://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100::P13100_COMMENT_ID:3995905:0)
- 23 Roberts, Anita. School fees subsidy for over 26,000 students. Daily Post, May 22, 2021. [https://www.dailypost.vu/news/school-fees-subsidy-for-over-26-000-students/article\\_253e421a-bc14-11eb-87c3-2f5964be18c9.html](https://www.dailypost.vu/news/school-fees-subsidy-for-over-26-000-students/article_253e421a-bc14-11eb-87c3-2f5964be18c9.html)
- 24 U.S. Department of State. Trafficking in Persons Report- 2020: Vanuatu. Washington, D.C., June 16, 2020. <https://www.state.gov/reports/2020-trafficking-in-persons-report/sample-2020-tip-report-eap/>
- 25 U.S. Embassy Port Moresby. Official. E-mail communication with USDOL Official. April 21, 2022.
- 26 U.S. Embassy- Port Moresby official. E-mail communication to USDOL official. June 24, 2021.
- 27 ILO. ILO Labor Force Statistics (LFS) – Population and labour force. Accessed (January 25, 2022). Labor force data is government-reported data collected by the ILO. Please see "Labor Law Enforcement: Sources and Definitions" in the Reference Materials section of this report. <https://ilostat.ilo.org/data/>
- 28 U.S. Embassy- Port Moresby official. E-mail communication to USDOL official. June 25, 2020.
- 29 U.S. Embassy- Port Moresby. Reporting. January 27, 2021.
- 30 U.S. Embassy- Port Moresby. Reporting. January 16, 2018.
- 31 U.S. Embassy- Port Moresby official. E-mail communication to USDOL official. February 15, 2017.
- 32 Government of Vanuatu. Vanuatu National Child Protection Policy 2016–2026. 2016. [http://www.mjcs.gov.vu/images/policy/Vanuatu\\_National\\_Child\\_Protection\\_Policy\\_2016-2026\\_FINAL\\_Nov16.pdf](http://www.mjcs.gov.vu/images/policy/Vanuatu_National_Child_Protection_Policy_2016-2026_FINAL_Nov16.pdf)
- 33 UN Committee on the Rights of the Child. Consideration of reports of States parties: Replies of Vanuatu to the list of issues. CRC/C/VUT/Q/2/Add.1. August 17, 2017. <http://docstore.ohchr.org/SelfServices/FilesHandler.ashx?enc=6QkGId/PPRiCAqhKb7yhsvLY7XvhK/OZc0Mh9WtkqV6zJbSeGm9VPHjyZE9JCSRhuJINFE3dAXEUgsN9IFCVFnHpK00D1liIN23rx7aTA02BtgdNL96UgSmtnpGG8HIGuxQU6+3uHPCqk5bWqv6Q==>
- 34 Vanuatu Internet Governance Forum. Vanuatu IGF is very pleased to participate in the National Child Protection Working Group. November 9, 2020. [www.facebook.com/VanuatuIGF/posts/vanuatu-igf-is-very-pleased-to-participate-in-the-national-child-protection-work/2038200116310091/](https://www.facebook.com/VanuatuIGF/posts/vanuatu-igf-is-very-pleased-to-participate-in-the-national-child-protection-work/2038200116310091/)
- 35 U.S. Embassy- Port Moresby official. E-mail communication to USDOL official. February 14, 2020.

## MINIMAL ADVANCEMENT

- 36 Vanuatu Nightly News. Vanuatu Convenes First Sitting of National Steering Committee on Migrant Protection Daily Post Digital Network. November 27, 2021.  
[https://www.dailypost.vu/news/vanuatu-convenes-first-sitting-of-national-steering-committee-on-migrant-protection/article\\_9fbf4b2b-7d99-5dab-8fe0-9d073f4a2ed2.html](https://www.dailypost.vu/news/vanuatu-convenes-first-sitting-of-national-steering-committee-on-migrant-protection/article_9fbf4b2b-7d99-5dab-8fe0-9d073f4a2ed2.html)
- 37 U.S. Embassy- Port Moresby official. E-mail communication to USDOL official. December 21, 2020.
- 38 Government of Vanuatu, Ministry of Education and Training. Child Safeguarding Policy 2017–2020. April 7, 2017.  
[https://moet.gov.vu/docs/press-releases/ministry/MoET\\_Child\\_Safeguarding\\_Policy\\_2017\\_04\\_2017.pdf](https://moet.gov.vu/docs/press-releases/ministry/MoET_Child_Safeguarding_Policy_2017_04_2017.pdf)
- 39 Government of Vanuatu. VANUATU Education and Training Sector Strategic Plan 2021–2030. 2021.  
<https://pacificdata.org/data/dataset/education-and-training-sector-strategic-plan-2021-2030/resource/3739ad98-35b1-47e0-a07c-b64636cb3a17>
- 40 UN. UN Pacific Strategy 2018–2022. 2017.  
[https://www.unicef.org/about/execboard/files/Final\\_UNPS\\_2018-2022\\_Pacific.pdf](https://www.unicef.org/about/execboard/files/Final_UNPS_2018-2022_Pacific.pdf)
- 41 Government of Vanuatu. Ministry of Justice and Community Services Annual Report. 2017.  
[https://mjcs.gov.vu/images/reporting/ANNUAL\\_REPORT\\_-\\_2018\\_MJCS\\_CSU\\_-\\_09.05.18\\_-\\_DRAFT\\_V11.0.pdf](https://mjcs.gov.vu/images/reporting/ANNUAL_REPORT_-_2018_MJCS_CSU_-_09.05.18_-_DRAFT_V11.0.pdf)
- 42 Tabimasmass, Charlot Salwai. Schools Grants Scheme. Government of Vanuatu Ministry of Education. January 22, 2010. Source on file.
- 43 Government of Vanuatu. Press Statement on School Fees and Free Education. January 16, 2018.  
[https://moet.gov.vu/docs/press-releases/ministry/School\\_Fees\\_and\\_Free\\_Education\\_02\\_2018.pdf](https://moet.gov.vu/docs/press-releases/ministry/School_Fees_and_Free_Education_02_2018.pdf)
- 44 Government of Vanuatu. School Grant Program. April 2021.  
[https://education.gov.vu/docs/school-grants/grantposters/2021\\_School\\_Grant\\_Poster\\_EN\\_Website.pdf](https://education.gov.vu/docs/school-grants/grantposters/2021_School_Grant_Poster_EN_Website.pdf)



*For the 2021 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 approximately 15,851 inhabitants. (2) 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

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	✓

Given its status as an overseas collectivity of France, French law is applicable 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, 227-22, 227-23, and 711-1 of the Penal Code (8,9)
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†		

# Wallis and Futuna

## NO ASSESSMENT

**Table 2. Laws and Regulations on Child Labor (Cont.)**

Standard	Meets International Standards	Age	Legislation
Prohibition of Compulsory Recruitment of Children by (State) Military	N/A*		
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-I and L161-I of the Education Code of France (10)
Free Public Education	Yes		Articles L132-I, L132-2, and L161-I of the Education Code of France (10)

\* Country has no conscription (11)

† Country has no standing military (2)

During the reporting period, the French Parliament amended the Penal Code to include stricter penalties for sexual crimes, offences, and incest of children. The law, which is applicable in Wallis and Futuna, increased penalties for the use of child prostitution and established that any paid sexual relationship between an adult and a minor under the age of 15 is considered rape and is punishable by imprisonment for up to 20 years. (9,12) In cases where the minor is age 15 or older, the penalty is reduced to 10 years of imprisonment. This law also introduced the offence of incitement to engage minors in acts of a sexual nature via electronic media, and of soliciting communication of pornographic images or videos from a minor. (9,12)

### 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. (1,3)
Defender of Rights	Promotes children's rights, including through the prohibition of child labor. (13)
French National Police	Oversee the health and safety of children. (13)

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.

### REFERENCES

- 1 U.S. Embassy- Paris. Reporting. January 12, 2022.
- 2 CIA. The World Factbook: Wallis and Futuna. Accessed: January 25, 2022. Please see "Labor Law Enforcement: Sources and Definitions" in the Reference Materials section of this report.  
<https://www.cia.gov/the-world-factbook/countries/wallis-and-futuna/>
- 3 U.S. Embassy- Paris. Reporting. January 15, 2020.
- 4 Government of France. Loi n° 61-814 du 29 Juillet 1961 Conférant aux Iles Wallis et Futuna le Statut de Territoire d'Outre-Mer. Enacted: July 29, 1961; Updated May 1, 2012.  
<https://www.legifrance.gouv.fr/affichTexte.do?cidTexte=JORFTEXT000000684031&categorieLien=cid>
- 5 Government of Wallis and Futuna. Code du Travail applicable à Wallis et Futuna. Enacted: June 30, 2014; Updated July 1, 2017.  
<http://www.wallis-et-futuna.gouv.fr/Publications/Publications-administratives/Reglementation-du-Travail/Code-du-Travail-applicable-a-WF>
- 6 Government of France. Décret n° 2013-915 du 11 Octobre 2013 Relatif aux Travaux Interdits et Réglementés pour les Jeunes Agés de Moins de Dix-Huit Ans. Enacted: October 11, 2013.  
<https://www.legifrance.gouv.fr/affichTexte.do?cidTexte=JORFTEXT000028057273&dateTexte=20190824>
- 7 Government of France. Code du Travail. Enacted: May 2008.  
<https://www.legifrance.gouv.fr/affichCode.do?cidTexte=LEGITEXT000006072050>
- 8 Government of France. Code Penal. Enacted: June 1998.  
[http://www.wipo.int/wipolex/en/text.jsp?file\\_id=342991](http://www.wipo.int/wipolex/en/text.jsp?file_id=342991)
- 9 Government of France. Law n° 2021-478 Enacted: April 2021  
<https://www.legifrance.gouv.fr/jorf/id/JORFTEXT000043403203>
- 10 Government of France. Code de l'Education. Enacted: 2014.  
<https://www.legifrance.gouv.fr/affichCode.do?cidTexte=LEGITEXT000006071191>
- 11 UN Committee on the Rights of the Child. Consideration of Reports Submitted by States Parties Under Article 8 of the Optional Protocol to the Convention on the Rights of the Child on the Involvement of Children in Armed Conflict: Wallis and Futuna. October 15, 2007: CRC/C/OPAC/FRA/CO/1.  
[https://tbinternet.ohchr.org/\\_layouts/15/treatybodyexternal/Download.aspx?symbolno=CRC/C/OPSC/FRA/CO/1&Lang=En](https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=CRC/C/OPSC/FRA/CO/1&Lang=En)
- 12 U.S. Embassy- Paris. Reporting. February 11, 2022.
- 13 U.S. Embassy- Paris official. E-mail communication to USDOL official. March 15, 2022. Source on file.

# West Bank and the Gaza Strip

## MINIMAL ADVANCEMENT

In 2021, 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 Labor detected 51 cases of child labor and imposed 19 penalties. However, children in the West Bank and the Gaza Strip are subjected to the worst forms of child labor, including use 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. 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 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 (%)		101.6

Source for primary completion rate: Data from 2020, published by UNESCO Institute for Statistics, 2022. (3)

Data were unavailable from International Labor Organization's analysis, 2022. (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 (5-9)
	Fishing,† including working on fishing boats and repairing nets (1,5)
Industry	Construction,† including demolishing buildings and collecting rubble and gravel for construction purposes (1,5,7,8,10,11)
	Manufacturing, activities unknown (1,6)
	Working in factories (5)
	Mining and quarrying† (6,12)
Services	Street vending, portering, and cleaning cars (1,5,7,10,13)
	Begging (5,7)
	Working in auto shops (5)
	Working in shops, hotels, restaurants, and bakeries (1,5,6,8)
	Domestic work (1,5,11)
	Transporting goods (5)
	Collecting scrap metal, cement bricks, and solid waste† (5)
Categorical Worst Forms of Child Labor‡	Scavenging garbage and gravel at trash pits (8,11,13)
	Use in illicit activities, including smuggling drugs (1)
	Begging, sometimes as a result of human trafficking (15)
	Commercial sexual exploitation (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.

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. (1,9,17) 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. (16)

# West Bank and the Gaza Strip






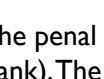
## MINIMAL ADVANCEMENT

The COVID-19 pandemic continued to disrupt education, particularly for students experiencing difficulty accessing online instruction. (18) In the Gaza Strip, most schools operate on a split schedule, offering only 4 hours of instruction per day. (5,19,20) Overcrowded classrooms, violence in schools, and damaged schools susceptible to disruption due to weather contribute to some children dropping out. (1,5,8,20) In the West Bank, school closures, Israeli demolition and confiscation of schools, and long distances and fear of harassment at checkpoints and settler attacks prevent some children from attending school. (21,22)

## 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). (23) 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 the failure to criminalize 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 (24)
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 (24,25)
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 (26)
Prohibition of Forced Labor	No		Article 1 of Minister of Labor's Decree on Hazardous Work for the West Bank and the Gaza Strip (26)
Prohibition of Child Trafficking	No		Article 1 of Minister of Labor's Decree on Hazardous Work for the West Bank and the Gaza Strip (26)
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 (27,28)
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 (25,27,28)
Minimum Age for Voluntary State Military Recruitment	Yes†	18	Article 46 of the Palestinian Child Law for the West Bank and the Gaza Strip (25)



**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 46 of the Palestinian Child Law for the West Bank and the Gaza Strip (25)
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 (25,29)
Free Public Education	Yes		Articles 3 and 15 of the Palestinian Education Act for the West Bank and the Gaza Strip (29)

\* No conscription in the West Bank and the Gaza Strip (30)

† 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. (24)

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. (24,26) 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. (25,27,28) Further, there are no criminal penalties for recruiting children into non-state armed groups. (25)

### 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. (7)
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. (7)
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. (7)
Office of the Public Prosecutor for Children	Investigates and prosecutes cases of child exploitation, including child labor. (7)

In the West Bank, under the terms of the Oslo-era agreements between the Palestine Liberation Organization (PLO) 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

# West Bank and the Gaza Strip

## MINIMAL ADVANCEMENT

areas. (31-33) 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. (31,33,34)

### Labor Law Enforcement

In 2021, labor law enforcement agencies in the West Bank took actions to address child labor (Table 6). However, gaps exist within the operations of the Ministry of Labor (MOL) that may hinder adequate labor law enforcement, including the insufficient allocation of resources.

**Table 6. Labor Law Enforcement Efforts Related to Child Labor**

Overview of Labor Law Enforcement	2020	2021
Labor Inspectorate Funding	Unknown	Unknown (22)
Number of Labor Inspectors	Unknown	79 (22)
Mechanism to Assess Civil Penalties	Yes (22)	Yes (22)
Initial Training for New Labor Inspectors	Unknown	No (22)
Training on New Laws Related to Child Labor	N/A	N/A
Refresher Courses Provided	Unknown	No (22)
Number of Labor Inspections Conducted	Unknown	11,226 (22)
Number Conducted at Worksite	Unknown	11,226 (22)
Number of Child Labor Violations Found	Unknown	51 (22)
Number of Child Labor Violations for Which Penalties Were Imposed	Unknown	19 (22)
Number of Child Labor Penalties Imposed that Were Collected	Unknown	Unknown (22)
Routine Inspections Conducted	Unknown	Yes (22)
Routine Inspections Targeted	Unknown	Yes (22)
Unannounced Inspections Permitted	Yes (24)	Yes (22)
Unannounced Inspections Conducted	Unknown	Yes (22)
Complaint Mechanism Exists	Yes (7)	Yes (22)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (7)	Yes (22)

All inspections in the West Bank are unannounced and are conducted in all sectors and include a check for child labor. The PA does not have authority to conduct inspections in the Gaza Strip. (22)

In 2021, the PA allocated approximately \$4 million for the labor inspectorate; however, only \$1 million was disbursed. (22) In previous years, the MOL reported that it was unable to inspect as many businesses per year as required by the Labor Law, due to insufficient funding. (1)

### Criminal Law Enforcement

Research did not find information on whether criminal law enforcement agencies in the West Bank took actions to address child labor (Table 7).

**Table 7. Criminal Law Enforcement Efforts Related to Child Labor**

Overview of Criminal Law Enforcement	2020	2021
Initial Training for New Criminal Investigators	Unknown	Unknown (22)
Training on New Laws Related to the Worst Forms of Child Labor	N/A	N/A
Refresher Courses Provided	Unknown	Unknown (22)
Number of Investigations	Unknown	Unknown (22)
Number of Violations Found	Unknown	Unknown (22)
Number of Prosecutions Initiated	Unknown	Unknown (22)
Number of Convictions	Unknown	Unknown (22)
Imposed Penalties for Violations Related to the Worst Forms of Child Labor	Unknown	Unknown (22)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (7)	Yes (7)

Insufficient resources, including investigators lack of access to vehicles, hampered the PA's capacity to enforce criminal laws related to the worst forms of child labor. (22)

The PA did not provide information on its criminal law enforcement efforts for inclusion in this report.

### 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 a lack of efficacy in accomplishing mandates.

**Table 8. Key Mechanisms to Coordinate Government Efforts on Child Labor**

Coordinating Body	Role & Description
MOSD Child Protection Network	Monitors cases of child labor, ensuring that the MOL's services are provided to withdraw children from child labor. Includes eight technical committees throughout the West Bank that provide psychological and social support to children and caregivers. (7) Coordinates with the Ministry of Education on cases of school dropouts and child labor. Works with the MOSD's 13 Youth Social Rehabilitation Centers to provide children who have dropped out of school with social, education, vocational, and cultural training. (7) Comprising MOSD, MOL, Ministry of Education, Ministry of Interior, and other Palestinian Authority (PA) and non-governmental organizations. (35) The Child Protection Network generally holds monthly meetings; however, in 2021, meetings were less frequent due to the ongoing pandemic. (22)

### 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. (36) 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 2021, 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 inadequacy of programs to address the full scope of the problem.

**Table 9. Key Social Programs to Address Child Labor**

Program	Description
MOL's Vocational Centers†	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. (7) Active in 2021. (30)
UN Education Programs	UN Relief and Works Agency for Palestine Refugees in the Near East programs that 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. (37) In 2021, UNICEF distributed tablets and stationary kits, and helped repair schools damaged by escalations in the Gaza Strip. (18)

† 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.

# West Bank and the Gaza Strip

## MINIMAL ADVANCEMENT

### VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE CHILD LABOR

Based on the reporting above, suggested actions are identified that would advance the elimination of child labor in the West Bank 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 – 2021
	Ensure that the law criminally prohibits child trafficking, including both domestic and international human trafficking, in accordance with international standards.	2015 – 2021
	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 – 2021
	Establish laws that criminally prohibit forced labor.	2017 – 2021
	Ensure that the use, procurement, and offering of children for all forms of commercial sexual exploitation are criminally prohibited.	2017 – 2021
	Ensure that the law criminally prohibits the recruitment of children under age 18 into non-state armed groups.	2016 – 2021
Enforcement	Ensure that child labor laws are enforced in the Gaza Strip.	2010 – 2021
	Publish information on labor law enforcement efforts, including labor inspectorate funding and the number of violations for which penalties were collected.	2010 – 2021
	Publish information on criminal law enforcement efforts.	2010 – 2021
	Provide further resources and staff to the Ministry of Labor to conduct labor inspections and criminal investigations.	2010 – 2021
	Ensure that labor inspectors receive initial and refresher training.	2021
Coordination	Ensure that the Child Protection Network is active and able to carry out its intended mandates.	2017 – 2021
Government Policies	Integrate child labor elimination and prevention strategies into the National Policy Agenda and ensure that it is implemented.	2017 – 2021
Social Programs	Expand programs to improve access to education; for example, ensure that children are not subjected to violence, schools are weatherproof, and delays at checkpoints do not prevent children from attending school.	2011 – 2021
	Expand programs to further address child labor, specifically in construction, street work, illicit activities, and agriculture.	2010 – 2021
	Collect and publish data on the extent and nature of child labor to inform policies and programs.	2020 – 2021

### REFERENCES

- U.S. Consulate General- Jerusalem. Reporting. March 31, 2017.
- U.S. Department of State. Trafficking in Persons Report- 2020: Israel. Washington, D.C., June 25, 2020. <https://www.state.gov/reports/2020-trafficking-in-persons-report/israel/>
- UNESCO Institute for Statistics. Gross intake ratio to the last grade of primary education, both sexes (%). Accessed March 3, 2022. For more information, please see "Children's Work and Education Statistics: Sources and Definitions" in the Reference Materials section of this report. <http://data.uis.unesco.org/>
- ILO. Analysis of Child Economic Activity and School Attendance Statistics from National Household or Child Labor Surveys. Analysis received March 2022. For more information, please see "Children's Work and Education Statistics: Sources and Definitions" in the Reference Materials section of this report.
- Terre des Hommes. Child Protection Rapid Assessment Report. 2018. Source on file.
- Palestinian Central Bureau of Statistics. Press Release: Ms. Awad highlights the Palestinian children's situation on the eve of the Palestinian Child Day. April 4, 2019. [http://www.pcbs.gov.ps/portals/\\_pcbs/PressRelease/Press\\_En\\_4-4-2019-child-en.pdf](http://www.pcbs.gov.ps/portals/_pcbs/PressRelease/Press_En_4-4-2019-child-en.pdf)
- UN Committee on the Rights of the Child. Initial report submitted by the State of Palestine under article 44 of the Convention. March 25, 2019: CRC/C/PSE/1. [https://tbinternet.ohchr.org/\\_layouts/15/treatybodyexternal/Download.aspx?symbolno=CRC/C/PSE/1&Lang=en](https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=CRC/C/PSE/1&Lang=en)
- UN Office for the Coordination of Humanitarian Affairs (OCHA). Child labour increasing in Gaza. May 14, 2019. <https://www.ochaopt.org/content/child-labour-increasing-gaza>
- Tartakovsky, Joshua. "Israeli Settlers Make a Living Out of Our Suffering," Says Palestinian Activist. Truthout. August 5, 2020. <https://truthout.org/articles/israeli-settlers-make-a-living-out-of-our-suffering-says-palestinian-activist/>
- Shawish, Abeer and Weibel, Catherine. Poverty drives child labour in Gaza. UNICEF, July 20, 2017. [https://www.unicef.org/infobycountry/oPt\\_97039.html](https://www.unicef.org/infobycountry/oPt_97039.html)
- Eskafi, Najlaa. Gaza's child laborers find their way back to school. Al-Monitor, July 2, 2017. Source on file.
- Defense for Children International - Palestine (DCIP) et al. Joint Alternative Report to the State of Palestine's Initial Report to the Committee on the Rights of the Child. INT\_CRC\_NGO\_PSE\_34737\_E. April 20, 2019. [https://tbinternet.ohchr.org/Treaties/CRC/Shared Documents/PSE/INT\\_CRC\\_NGO\\_PSE\\_34737\\_E.pdf](https://tbinternet.ohchr.org/Treaties/CRC/Shared%20Documents/PSE/INT_CRC_NGO_PSE_34737_E.pdf)
- The Palestine Monitor. Why is child labour on the rise in Gaza? June 4, 2017. Source on file.

# West Bank and the Gaza Strip

## MINIMAL ADVANCEMENT

- 14 United Nations Security Council. Annual Report of the Secretary-General on Children and armed conflict. June 21, 2021: S/2021/437. <https://childrenandarmedconflict.un.org/document/annual-report-of-the-secretary-general-on-children-and-armed-conflict-2/>
- 15 U.S. Embassy- Tel Aviv. Reporting. March 20, 2017.
- 16 U.S. Department of State. Trafficking in Persons Report- 2021: Israel. Washington, D.C., July 1, 2021. <https://www.state.gov/reports/2021-trafficking-in-persons-report/israel/>
- 17 U.S. Consulate General- Jerusalem official. E-mail communication to USDOL official. May 9, 2015.
- 18 UNICEF. State of Palestine Humanitarian Situation Report No. 4 January – December 2021. February 8, 2022. <https://reliefweb.int/report/occupied-palestinian-territory/unicef-state-palestine-humanitarian-situation-report-report-no>
- 19 UNICEF. Leaving Gaza for The First Time in Their Lives. July 27, 2017. <https://www.unicef.org/sop/press-releases/leaving-gaza-first-time-their-lives>
- 20 UN. Gaza: Ten Years Later. July 2017. [https://unsco.unmissions.org/sites/default/files/gaza\\_10\\_years\\_later\\_-\\_11\\_july\\_2017.pdf](https://unsco.unmissions.org/sites/default/files/gaza_10_years_later_-_11_july_2017.pdf)
- 21 Human Rights Watch. Israel: Army Demolishing West Bank Schools. April 25, 2018. <https://www.hrw.org/news/2018/04/25/israel-army-demolishing-west-bank-schools>
- 22 U.S. Embassy- Jerusalem. Reporting. February 15, 2022.
- 23 Law Library of Congress. West Bank and Gaza: Child Labor Laws, Report No. 003857. 2010. Source on file.
- 24 Palestinian National Authority. Labor Law No. (7) of 2000. Enacted: 2000. Source on file.
- 25 Palestinian National Authority. Palestinian Child Law No. 7 of 2004 as amended. Enacted: 2012. Source on file.
- 26 Palestinian National Authority. Minister of Labor's Decree No. I of 2004 on hazardous activities and industries or those harmful to health in which minors are not allowed to work. Enacted: 2004. Source on file.
- 27 High Commissioner for Palestine (British Mandate). Penal Code No. 74 of 1936. Enacted: 1936. Source on file.
- 28 Government of Jordan. Penal Code, Law No. 16 of 1960. Enacted: 1960. Source on file.
- 29 Palestinian National Authority. Education Act No. I of 2013. Enacted: February 10, 2013. Source on file.
- 30 U.S. Embassy- Jerusalem official. E-mail communication to USDOL official. March 24, 2022.
- 31 U.S. Department of State. Country Reports on Human Rights Practices- 2016: Israel and the Occupied Territories. Washington, D.C., March 3, 2017. <https://www.state.gov/reports/2016-country-reports-on-human-rights-practices/israel-and-the-occupied-territories/>
- 32 U.S. Consulate General- Jerusalem official. E-mail communication to USDOL official. May 9, 2017.
- 33 U.S. Consulate General- Jerusalem official. E-mail communication to USDOL official. July 10, 2019.
- 34 U.S. Department of State. Country Reports on Human Rights Practices- 2019: Israel, West Bank, and Gaza. Washington, D.C., March 11, 2020. <https://www.state.gov/wp-content/uploads/2020/03/ISRAEL-2019-HUMAN-RIGHTS-REPORT.pdf>
- 35 UN Committee on the Rights of the Child. Initial report submitted by the State of Palestine under article 44 of the Convention. Annex II. March 25, 2019. [https://tbinternet.ohchr.org/\\_layouts/15/treatybodyexternal/Download.aspx?symbolno=INT/CRC/ADR/PSE/32919&Lang=en](https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=INT/CRC/ADR/PSE/32919&Lang=en)
- 36 Palestinian Authority. 2017–2022 National Policy Agenda. December 2016. <http://www.fao.org/faolex/results/details/en/c/LEX-FAOC175678/>
- 37 UNRWA. Where we work. 2020. <http://www.unrwa.org/where-we-work>



In 2021, 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 with the same constitution, laws, and structures as in internationally recognized Morocco, including laws that deal with child labor. During the reporting period, the government increased the number of labor inspectors by over 43 percent and launched a new labor inspectorate information technology management system that enabled remote training sessions for inspectors in compliance with COVID-19 pandemic countermeasures. In addition, the government signed eight partnership agreements with local non-governmental organizations in various regions of Morocco to counter the prevalence of child labor. However, children in Western Sahara are subjected to the worst forms of child labor, including in forced domestic work. The law on minimum age for work does not meet international standards. Furthermore, the scope of government social 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 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. (1-3) 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

Western Sahara is subject to the same laws as internationally recognized Morocco. (2) A U.S. Presidential Proclamation released in December 2020 recognized Moroccan sovereignty over the entire Western Sahara territory. (3) Morocco has ratified all key international conventions concerning child labor, which the Government extends to the areas in Western Sahara that it controls (Table 1).

**Table 1. Ratification of International Conventions on Child Labor**

Convention	Ratification
 ILO C. 138, Minimum Age	✓
 ILO C. 182, Worst Forms of Child Labor	✓
 UN CRC	✓
 UN CRC Optional Protocol on Armed Conflict	✓
 UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	✓
 Palermo Protocol on Trafficking in Persons	✓

The Government of Morocco has established laws and regulations related to child labor 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 forced labor.

**Table 2. Laws and Regulations on Child Labor**

Standard	Meets International Standards	Age	Legislation
Minimum Age for Work	No	15	Articles 4 and 143 of the Labor Code (4)
Minimum Age for Hazardous Work	Yes	18	Articles 147 and 181 of the Labor Code (4)

# Western Sahara

## MODERATE ADVANCEMENT

**Table 2. Laws and Regulations on Child Labor (Cont.)**

Standard	Meets International Standards	Age	Legislation
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Hazardous Child Labor List, Decree No. 2-10-183; Article 181 of the Labor Code (4,5)
Prohibition of Forced Labor	Yes		Article 10 and 12 of the Labor Code; Article 467-2 of the Penal Code (4,6)
Prohibition of Child Trafficking	Yes		Articles 448.1, 448.4, and 448.5 of the Law on Trafficking in Human Beings (7)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Articles 497, 498, 499, and 503-2 of the Penal Code; Articles 448.1 and 448.4 of the Law on Trafficking in Human Beings (6,7)
Prohibition of Using Children in Illicit Activities	Yes		Law number 1-73-282; Article 467-2 of the Penal Code; Articles 448.1 and 448.4 of the Law on Trafficking in Human Beings (6-8)
Minimum Age for Voluntary State Military Recruitment	Yes	18	Article 4 of Royal Decree of 9 June 1966 (9)
Prohibition of Compulsory Recruitment of Children by (State) Military	Yes		Article 4 of Law No. 44-18 (10)
Prohibition of Military Recruitment by Non-state Armed Groups	Yes		Articles 448.1 and 448.4 of the Law on Trafficking in Human Beings (7)
Compulsory Education Age	Yes	15	Article 1 of Law No. 04-00 (11)
Free Public Education	Yes		Article 1 of Law No. 04-00 (11)

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. (3,4)

### 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).

**Table 3. Agencies Responsible for Child Labor Law Enforcement**

Organization/Agency	Role
Ministry of Economic Inclusion, Small Business, Employment and Skills (MEIPEEC)	Enforces child labor laws within its 54 inspection offices throughout the country. The Government of Morocco maintains 54 "designated focal points," which serve to coordinate efforts among labor inspectors as they work to deal with the prevalence of child labor. (3)
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. (2,12,13)
General Prosecutor	Prosecutes criminal offenses against children and processes cases involving women and children in the court system. (1,2,12,13) The General Prosecutor is a judiciary body that serves independently from the Ministry of Justice. (12)

In 2021, the Government of Morocco increased the number of labor inspectors by over 43 percent, from 282 to 404 inspectors. (3) In addition, the government launched a new labor inspectorate information technology management system that enabled remote training sessions for inspectors in compliance with pandemic countermeasures. (3) During the reporting period, 998 children were removed from worksites considered dangerous by inspectors. (3)

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 laws that protect children from violence. (3) In addition, the Ministry of Justice provided a training session for law enforcement officials and prosecutors pertaining to the implementation of Domestic Labor Law 19.12. (3) The Public Prosecutor's Office also organized trainings to help prosecutors recognize the indicators of human trafficking in child victims. The Ministry of the Interior held online trainings on human trafficking and smuggling of migrants. (14)

#### 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 intersectoral 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. (12) Research was unable to determine whether this coordinating body was active during the reporting period.
Commission for the Support of Women Victims of Violence	Monitors policies and actions against child labor, ensuring coordination on child labor issues between labor inspectors and those NGOs that have partnership projects with the Government of Morocco. Made up of 19 ministerial departments and is chaired by the Head of Government of Morocco. (3) Research was unable to determine whether this coordinating body was active during the reporting period.
The Interministerial Commission for Combating Trafficking in Persons	Coordinates the government's approach to trafficking in persons on an interministerial level. Conducts training sessions for members of the security services. (15) Chaired by the Head of the Government of Morocco and lead by the Ministry of Justice, with representation from civil society. (3,12) Established in May 2019. (12,15,16) In 2021, the Commission carried out four training sessions in coordination with the Council of Europe, covering themes of human trafficking and management of crime scenes. (14)

Due to the restrictions associated with the COVID-19 pandemic, a number of coordination activities were canceled in 2021. (3)

#### 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 Inclusion, and Family (MSWFSD) Integrated Public Policy on the Protection of Children in Morocco	Promotes an interdisciplinary approach to respond to the exploitation of children. (17) MEIPEEC continued administering grant programs to NGOs in 2021 to address child labor. In this context, MEIPEEC signed eight partnership agreements with NGOs in multiple regions of Morocco to counter the prevalence of child labor. These agreements support the removal of children from work (particularly domestic work), while also seeking to improve working conditions and raise awareness of the hazards associated with child labor. (3)

In March 2021, Labor Minister Mohamed Amekraz appeared on a virtual conference marking 2021 as the ILO-sponsored International Year for the Elimination of Child Labor. Minister Amekraz addressed attendees with an elaboration on the government's 10-year plan to eliminate child labor. (18) Morocco 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. (12)

#### VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2021, 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 inadequacy of efforts to address the problem in all sectors.

# Western Sahara

## MODERATE ADVANCEMENT

**Table 6. Key Social Programs to Address Child Labor**

Program	Description
Tayssir Conditional Cash Transfer Program†	The Ministry of Solidarity, Social Development, Equality and Family funds the Tayssir Conditional Cash Transfer Program, providing direct cash transfers to qualifying families whose children meet school attendance criteria. In 2021, the Government of Morocco reported its continued support for this social program but did not provide further information. (3)

† 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. (12,19)

Although the government has programs that target child labor, the scope of these programs is insufficient to fully address the extent of the problem, including for children engaged in forced domestic work. (1,20)

## VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE CHILD LABOR

Based on the reporting above, suggested actions are identified that would advance the elimination of child labor in Western Sahara (Table 7).

**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 in artisan and handicraft sectors for family businesses.	2009 – 2021
Coordination	Ensure that key coordinating bodies related to the worst forms of child labor are active.	2021
Social Programs	Remove barriers to education, such as insufficient facilities, lack of reliable and safe transportation, and unqualified teachers, particularly in rural areas.	2015 – 2021
	Expand existing programs to address the scope of the child labor problem, including child victims of commercial sexual exploitation.	2017 – 2021
	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 – 2021

## REFERENCES

- U.S. Consulate- Casablanca. Reporting. February 12, 2018.
- U.S. Consulate- Casablanca. Reporting. February 8, 2019.
- U.S. Consulate- Casablanca. Reporting. January 24, 2022.
- Government of Morocco. Dahir n° 1-03-194 du 14 reheb 1424 (11 septembre 2003) portant promulgation de la loi n° 65-99 relative au code du travail, No. 1-03-194. Enacted: 2003. [http://www.ilo.org/dyn/travail/docs/450/Maroc\\_-\\_Code\\_travail.pdf](http://www.ilo.org/dyn/travail/docs/450/Maroc_-_Code_travail.pdf)
- Government of Morocco. Décret n° 2-10-183 du 9 hija 1431 (16 novembre 2010) fixant la liste des travaux auxquels il est interdit d'occuper certaines catégories de personnes, No. 2-10-183. Enacted: November 16, 2010. [http://www.ilo.org/dyn/natlex/natlex4.detail?p\\_lang=fr&p\\_isn=86187](http://www.ilo.org/dyn/natlex/natlex4.detail?p_lang=fr&p_isn=86187)
- Government of Morocco. Code Penal. Enacted: November 26, 1962. [https://www.imolin.org/doc/amlid/Morocco/Morocco\\_code\\_penal\\_1962.pdf](https://www.imolin.org/doc/amlid/Morocco/Morocco_code_penal_1962.pdf)
- Government of Morocco. Loi n° 27-14 relative à la lutte contre la traite des êtres humains, No. 27-14. Enacted: 2016. <http://www.ilo.org/dyn/natlex/docs/ELECTRONIC/103357/125489/F1582466313/MAR-103357.pdf>
- Government of Morocco. Law number 1-73-282. May 21, 1974. <https://www.sante.gov.ma/Reglementation/REGLEMENTATIONAPPLICABLEAUPRODUITSDESANTE/1-73-282.pdf>
- Government of Morocco. Décret royal n° 137-66 du 20 safar 1386 (9 juin 1966) portant loi relatif à l'institution et à l'organisation du service militaire. Enacted: June 9, 1966. [https://www.ilo.org/dyn/natlex/natlex4.detail?p\\_lang=en&p\\_isn=49842&p\\_country=MAR&p\\_count=669](https://www.ilo.org/dyn/natlex/natlex4.detail?p_lang=en&p_isn=49842&p_country=MAR&p_count=669)
- Government of Morocco. Law No. 44-18. Enacted: 2018. Source on file.
- Government of Morocco. Loi n° 04-00 modifiant et complétant le dahir n° 1-63-071 du 25 jourmada II 1383 (13 novembre 1963) relatif à l'obligation de l'enseignement fondamental, No. 04-00. Enacted: 2000. Source on file.
- U.S. Consulate- Casablanca. Reporting. February 9, 2021.
- U.S. Consulate- Casablanca. Reporting. March 4, 2019.
- U.S. Embassy- Casablanca. Reporting. February 11, 2022.
- U.S. Department of State. Trafficking in Persons Report - 2020: Morocco. Washington, D.C., June 16, 2020. <https://www.state.gov/reports/2020-trafficking-in-persons-report/morocco/>
- Danish Immigration Service. Morocco: Protection and assistance to victims of human trafficking. October 2019. [https://www.ecoi.net/en/file/local/2018054/COI\\_report\\_morocco\\_protection\\_assistance\\_victims\\_of\\_human\\_trafficking\\_oct\\_2019.pdf](https://www.ecoi.net/en/file/local/2018054/COI_report_morocco_protection_assistance_victims_of_human_trafficking_oct_2019.pdf)
- Government of Morocco. Politique Publique Intégrée de Protection de l'Enfance 2015–2025. 2016. <https://www.iltasam-cgem.ma/la-politique-publique-integree-de-la-protection-de-lenfance/>
- Sauers, Michael. International Year for Elimination of Child Labor Launches in Morocco. Rabat: Morocco World News, April 1, 2021. <https://www.moroccoworldnews.com/2021/04/338717/international-year-for-elimination-of-child-labor-launches-in-morocco>
- Government of Morocco. Les éléments de réponse au questionnaire émanant de l'Ambassade des Etats-Unis d'Amérique. Submitted in response to U.S. Department of Labor Federal Register Notice (September 6, 2016) "Request for Information on Efforts by Certain Countries to Eliminate the Worst Forms of Child Labor." February 24, 2017. Source on file.
- U.S. Consulate- Casablanca. Reporting. February 18, 2020.

## MINIMAL ADVANCEMENT – EFFORTS MADE BUT CONTINUED PRACTICE THAT DELAYED ADVANCEMENT

In 2021, Yemen made minimal advancement in efforts to eliminate the worst forms of child labor. The International Labor Organization provided training to Ministry of Social Affairs and Labor employees. However, despite this initiative, Yemen is assessed as having made 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 insurgent forces (also known as Ansar Allah) and other armed groups. Children also perform dangerous tasks in fishing. Research found no evidence of a government policy on worst forms of child labor outside of child soldiering, such as commercial sexual exploitation or child trafficking. Moreover, the Republic of Yemen Government continued to have limited operational control over its ministries and was unable to enforce regulations to address 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. (1-3) Children also perform dangerous tasks in fishing. (4-6) Given the ongoing conflict in Yemen and highly variable situation, it is difficult to obtain reliable data. Table 1 provides key indicators on children’s work and education in Yemen.

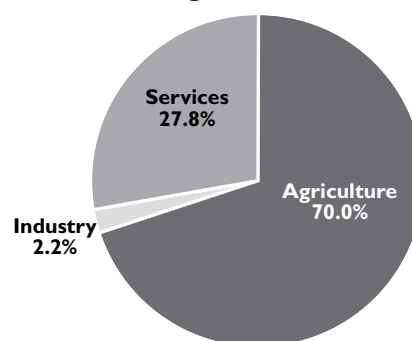
**Table 1. Statistics on Children’s Work and Education**

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, 2022. (7)

Source for all other data: International Labor Organization’s analysis of statistics from National Child Labour Survey (NCLS), 2010. (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	Farming,† including harvesting dates (5,9,10)
	Fishing,† activities unknown (4-6)
Industry	Quarrying† and mining† (5)
	Construction† and brick production (4,6,9,10)
	Working in carpentry† and welding† workshops (4,6,10-12)
Services	Street work, including selling items, and begging (4,9,10,13-16)
	Working in auto repair and mechanic shops,† car washes, and collecting fares in taxis (5,9)



**Table 2. Overview of Children’s Work by Sector and Activity (Cont.)**

Sector/Industry	Activity
Services	Selling goods in stores and transporting them, working in bakeries (9)
	Voluntarily-recruited children used in hostilities by state armed groups (17-22)
Categorical Worst Forms of Child Labor‡	Commercial sexual exploitation, sometimes as a result of human trafficking (1,4,6,10,23,24)
	Use in illicit activities, including in trafficking of drugs (6,10,25-27)
	Forced labor, including domestic work, begging, and working in small shops (24,25)
	Recruitment of children by non-state armed groups for use in armed conflict (2-4,6,10,21,22,28-31)

† Determined by national law or regulation as hazardous and, as such, relevant to Article 3(d) of ILO C. 182.

‡ Child labor understood as the worst forms of child labor *per se* under Article 3(a)–(c) of ILO C. 182.

Yemen suffered another year of escalating hostilities, economic collapse, food insecurity, displacement, and effects of the COVID-19 pandemic that put children at risk. (32) There are 20.7 million people in Yemen in need of humanitarian support with more than 25,500 families displaced, 13,000 of whom have been displaced as a result of hostilities in Ma'rib Governorate. (32) Yemen was also home to approximately 178,000 refugees and asylum seekers, mostly from Somalia and Ethiopia. (33) 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. (33) Vulnerable populations, including IDP's and refugees, were at increased risk of child labor and human trafficking. (34,35)

Armed conflict in Yemen intensified in 2021, 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 2021. (3,30) In 2021, the UN verified the recruitment and use of 174 children, 128 of whom served in combat roles. The Houthis accounted for 131 of these children during the reporting period. In addition, the Yemeni Armed Forces recruited and used children, typically ages 15 to 17, for these same purposes, in contravention of Yemeni law. (3,29) The government's failure to institute effective mechanisms for age verification continued to prolong the problem. (22) 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. (29) In areas under Houthi control, children are indoctrinated in schools and recruited into armed forces in 34 schools in 6 governorates. (29) 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. (29)

Children in Yemen continued to face significant barriers to education in 2021. (10) According to UNICEF, over 2 million boys and girls are not attending school due to poverty, conflict, and lack of education. Direct effects of the war, including destruction of schools, prevented more than 400,000 children from attending classes. (36) Further, more than two thirds of teachers in Yemen have not received a regular salary in 4 years, leaving some children with no school to attend. (36) Many families also 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. (37,38) According to UNICEF, school closures have had a deleterious impact on school attendance and other aspects of children's lives and has made them more vulnerable to child labor, child sexual exploitation, and recruitment into armed groups. (37)







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. (39,40) 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. (40,41) *Muhamasheen* boys are vulnerable to sexual violence by armed actors, particularly while they engage in child labor, even if they are not directly involved in armed conflict. (41) Research did not uncover any government efforts to address discrimination.

## MINIMAL ADVANCEMENT – EFFORTS MADE BUT CONTINUED PRACTICE THAT DELAYED ADVANCEMENT

## 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	Articles 5 and 27 of Ministerial Order No. 11 of 2013; Articles 48 and 49 of the Labor Code (42,43)
Minimum Age for Hazardous Work	Yes	18	Article 7 of Ministerial Order No. 11 of 2013; Articles 49 and 154 of the Labor Code (42,43)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Articles 7, 8, and 15 of Ministerial Order No. 11 of 2013 (42)
Prohibition of Forced Labor	No		Articles 6 and 26 of Ministerial Order No. 11 of 2013; Article 248 of the Penal Code (42,44)
Prohibition of Child Trafficking	No		Articles 6 and 26 of Ministerial Order No. 11 of 2013 (42)
Prohibition of Commercial Sexual Exploitation of Children	No		Articles 147 and 163 of the Child Rights Law; Article 279 of the Penal Code; Articles 6 and 25 of Ministerial Order No. 11 of 2013 (42-45)
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 (42,45)
Minimum Age for Voluntary State Military Recruitment	Yes	18	Article 149 of the Child Rights Law (45)
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 (42)
Compulsory Education Age	Yes	15‡	Article 18 of the General Education Law (46)
Free Public Education	Yes		Article 87 of the Child Rights Law (45)

\* Country has no conscription (47)

‡ Age calculated based on available information (42)

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. (44)

The law related to child trafficking is insufficient because it only provides criminal penalties for someone who has bought, sold, or dispensed of a child. (42)

# Yemen

## MINIMAL ADVANCEMENT – EFFORTS MADE BUT CONTINUED PRACTICE THAT DELAYED ADVANCEMENT

The legal framework does not adequately prohibit using, procuring, or offering a child in pornography and pornographic performances, or using a child in prostitution. (42-45)

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. (42,46)

### III. ENFORCEMENT OF LAWS ON CHILD LABOR

The government has established institutional mechanisms for the enforcement of laws and regulations on child labor (Table 5). However, research found no evidence that law enforcement agencies in Yemen took actions to address 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. (10)
Ministry of the Interior	Enforces child labor laws. Police departments within this ministry handle human trafficking investigations. (10)
Ministry of Justice	Enforces child labor laws; prosecutes and adjudicates child labor cases. (10)

#### **Labor Law Enforcement**

Research did not find information on whether labor law enforcement agencies in Yemen took actions to address child labor.

In 2021, the ILO provided training to Ministry of Social Affairs and Labor (MOSAL) employees. However, the Republic of Yemen Government continued to have limited operational control over its ministries and was unable to enforce regulations to combat child labor. (10) While it is MOSAL policy to conduct inspections after child labor complaints, MOSAL reported they did not receive any such complaints in 2021, and thus did not undertake any child labor inspections. (10)

MOSAL 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. (6,43)

The number of labor inspectors is likely insufficient for the size of Yemen's workforce, which includes over 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, Yemen would need to employ roughly 173 labor inspectors. (10,48,49)

#### **Criminal Law Enforcement**

Research did not find information on whether criminal law enforcement agencies in Yemen took actions to address child labor.

The government is 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. (4) Further, the government lacked the capacity to adequately oversee, effect, investigate, and prosecute labor violations as a criminal matter. (10) Nonetheless, the ILO provided training to government officials on preventing and reintegrating child soldiers. (50)

### IV. COORDINATION OF GOVERNMENT EFFORTS ON CHILD LABOR

The government has established mechanisms to coordinate its efforts to address child labor (Table 6). However, gaps exist that hinder the effective coordination of efforts to address child labor, including a lack of efficacy in accomplishing mandates.

## MINIMAL ADVANCEMENT – EFFORTS MADE BUT CONTINUED PRACTICE THAT DELAYED ADVANCEMENT

**Table 6. Key Mechanisms to Coordinate Government Efforts on Child Labor**

Coordinating Body	Role & Description
National Steering Committee to Combat Child Labor	Coordinates child labor issues in Yemen. Comprises representatives from the Ministry of Social Affairs and Labor; other state agencies, ILO, and local NGO's. (10) The National Steering Committee to Combat Child Labor was not active during the reporting period. (10)
National Network for Child Protection	Implements training programs and media awareness campaigns, and advocates for progress on children's issues. (10) 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. (51) In 2021, the committee held a 3-day meeting and workshop on preventing the recruitment of children into the armed forces. (50)

**V. GOVERNMENT POLICIES ON CHILD LABOR**

The government has established policies related to child labor (Table 7). However, policy gaps exist that hinder efforts to address child labor, including covering of all worst forms of child labor.

**Table 7. Key Policies Related to Child Labor**

Policy	Description
Action Plan to End and Prevent the Recruitment of Children by the Yemeni Armed Forces	Ensures that national laws comply with international standards, prohibits the recruitment and use of children in armed forces, investigates allegations of violations, and facilitates UN access to monitor compliance. (21) Active in 2021. (50)

‡ The government had other policies that may have addressed child labor issues or had an impact on child labor. (52)

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. (28) 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. (28)

**VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR**

In 2021, the government participated in programs that include the goal of eliminating child labor (Table 8). However, gaps exist in these social programs, including the inadequacy of programs to address the full scope of the problem in all sectors.

**Table 8. 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. (53) In 2021, UNICEF renovated and repaired 23 schools in 3 governorates. (54)

Although the Republic of Yemen Government participates in programs that address child labor and access to education, the scope of these programs is insufficient to fully address the extent of the problem, particularly in commercial sexual exploitation, child soldiering, and fishing.

**VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE CHILD LABOR**

Based on the reporting above, suggested actions are identified that would advance the elimination of child labor in Yemen (Table 9).

## MINIMAL ADVANCEMENT – EFFORTS MADE BUT CONTINUED PRACTICE THAT DELAYED ADVANCEMENT

**Table 9. Suggested Government Actions to Eliminate Child Labor**

Area	Suggested Action	Year(s) Suggested
Legal Framework	Accede to the Palermo Protocol on Trafficking in Persons.	2013 – 2021
	Ensure that forced labor is criminally prohibited.	2015 – 2021
	Ensure that trafficking of children, including recruitment, harboring, transportation, transfer, and receipt, for purposes of forced labor and commercial sexual exploitation, is criminalized.	2015 – 2021
	Ensure that the law criminally prohibits the recruitment of children under age 18 into non-state armed groups.	2016 – 2021
	Ensure that the law adequately prohibits using, procuring, or offering a child in pornography and pornographic performances, and using a child in prostitution.	2020 – 2021
	Raise the minimum age for work to the age up to which education is compulsory.	2018 – 2021
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 – 2021
	Ensure that the labor inspectorate has the capacity to enforce labor laws, including reestablishing a mechanism to receive child labor complaints.	2015 – 2021
	Ensure the number of labor inspectors in Yemen meets the ILO's technical guidance.	2020 – 2021
	Ensure that labor inspectors have proper funding and training to conduct inspections.	2009 – 2021
	Ensure that authorities enforce minimum age protections in all sectors in which the worst forms of child labor are prevalent, including in casual employment, farming, and domestic work.	2009 – 2021
	Ensure that criminal law enforcement agencies enforce child labor laws and publish information on enforcement activities.	2015 – 2021
Coordination	Ensure that all coordinating bodies are active and able to carry out their intended mandates.	2017 – 2021
Government Policies	Adopt a policy that addresses all relevant worst forms of child labor, such as commercial sexual exploitation and child trafficking.	2009 – 2021
Social Programs	Expand programs to improve children's equal access to education, particularly for child <i>Muhamasheen</i> .	2013 – 2021
	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 – 2021

### REFERENCES

- Al-Haj, Ahmed, and Maggie Michael. Girls are increasingly being married off in war-torn Yemen. The Associated Press, May 27, 2017. <https://www.apnews.com/54d03e90918e4dd3962a0537dca40118>
- U.S. Department of State. Trafficking in Persons Report- 2021: Special Case Yemen. Washington, D.C., July 1, 2021. <https://www.state.gov/reports/2021-trafficking-in-persons-report/yemen/>
- UN General Assembly. Children and Armed Conflict: Report of the Secretary-General. July 11, 2022: A/76/871–S/2022/493. <https://undocs.org/en/S/2022/493>
- U.S. Yemen Affairs Unit- Riyadh. Reporting. March 4, 2021.
- U.S. Yemen Affairs Unit- Jeddah. Reporting. January 24, 2017.
- U.S. Yemen Affairs Unit- Riyadh. Reporting. March 5, 2020.
- UNESCO Institute for Statistics. Gross intake ratio to the last grade of primary education, both sexes (%). Accessed: March 3, 2022. For more information, please see “Children's Work and Education Statistics: Sources and Definitions” in the Reference Materials section of this report. <http://data.uis.unesco.org/>
- ILO. Analysis of Child Economic Activity and School Attendance Statistics from National Household or Child Labor Surveys. Original data from National Child Labour Survey (NCLS), 2010. Analysis received March 2022. Please see “Children's Work and Education Statistics: Sources and Definitions” in the Reference Materials section of this report.
- Belhaj, Khaled. Child Labor is a Dangerous Phenomenon. December 4, 2019. <https://www.alayyam.info/news/80TNGDI1C-SHCWY5-0DAB>
- U.S. Yemen Affairs Unit- Riyadh. Reporting. February 3, 2022.
- Arab24. Yemen: The Deteriorating Situation In Yemen Raises Child Labor Rates. August 3, 2017. Source on file.
- UNICEF Falling Through the Cracks: The Children of Yemen. March 2017. <https://www.unicef.org/yemen/reports/falling-through-cracks-children-yemen>
- Al-Karimi, Khalid and Mohammed Al-Sameai. Starving Yemenis resort to eating rubbish. Al Jazeera, January 8, 2017. <https://www.aljazeera.com/features/2017/1/8/starving-yemenis-resort-to-eating-rubbish>
- Middle East Monitor. Child labour in Yemen. January 23, 2017. <https://www.middleeastmonitor.com/20170123-child-labour-in-yemen/>
- Middle East Eye. Yemen war: Corruption stops food aid reaching us, say desperate families. January 6, 2018. <https://www.middleeasteye.net/news/yemen-war-corruption-stops-food-aid-reaching-us-say-desperate-families>
- BBC. Yemen crisis: Why is there a war? December 18, 2018. <https://www.bbc.com/news/world-middle-east-29319423>
- UN General Assembly- Human Rights Council. Situation of human rights in Yemen, including violations and abuses since September 2014. August 9, 2019: A/HRC/42/17. (Advance edited version) <https://reliefweb.int/report/yemen/situation-human-rights-yemen-including-violations-and-abuses-september-2014-ahrc3943>
- UN Human Rights Council. Situation of human rights in Yemen, including violations and abuses since September 2014. August 17, 2018: A/HRC/39/43. [https://www.ohchr.org/Documents/Countries/YE/A\\_HRC\\_39\\_43\\_EN.docx](https://www.ohchr.org/Documents/Countries/YE/A_HRC_39_43_EN.docx)
- Kirkpatrick, David D. For Yemen Child Soldiers, a Refuge Mixes Play With Saudi Propaganda. New York Times, February 22, 2019. <https://www.nytimes.com/2019/02/22/world/middleeast/yemen-saudi-arabia-child-soldiers.html>



## MINIMAL ADVANCEMENT – EFFORTS MADE BUT CONTINUED PRACTICE THAT DELAYED ADVANCEMENT

- 20 Al-Jazeera. Saudi Arabia accused of recruiting child soldiers, Sudanese mercenaries. September 10, 2019.  
[https://www.youtube.com/watch?v=n\\_2gy1INogA&vI=en](https://www.youtube.com/watch?v=n_2gy1INogA&vI=en)
- 21 UN General Assembly. Children and Armed Conflict: Report of the Secretary-General. June 9, 2020: A/74/845–S/2020/525.  
<https://undocs.org/en/S/2020/525>
- 22 United Nations Security Council. Annual Report of the Secretary-General on Children and armed conflict. June 21, 2021: S/2021/437.  
<https://childrenandarmedconflict.un.org/document/annual-report-of-the-secretary-general-on-children-and-armed-conflict-2/>
- 23 Shakdam, Catherine. Yemen's Forgotten Victims – Children Sold as a Commodity of War. Citizen Truth, July 24, 2019.  
<https://citizentruth.org/yemens-forgotten-victims-of-war-children-being-sold-as-a-commodity-of-war/>
- 24 U.S. Department of State. Trafficking in Persons Report- 2019: Yemen. Washington, D.C., June 20, 2019.  
<https://www.state.gov/reports/2019-trafficking-in-persons-report-2/yemen/>
- 25 U.S. Department of State. Country Reports on Human Rights Practices- 2018: Yemen. Washington, D.C., June 28, 2018.  
<https://www.state.gov/reports/2018-country-reports-on-human-rights-practices/yemen>
- 26 IOM. Protecting Children in Yemen. April 27, 2017.  
<https://weblog.iom.int/protecting-children-yemen>
- 27 Cavallone, Elena. Shooting instead of school: The stolen childhood of children in Yemen. November 20, 2019.  
<https://www.euronews.com/2019/11/20/un-fucile-al-posto-della-penna-l-infanzia-rubata-dei-bambini-in-yemen>
- 28 U.S. Yemen Affairs Unit- Riyadh. Reporting. February 27, 2020.
- 29 UN Human Rights Council. Situation of human rights in Yemen, including violations and abuses since September 2014. September 28, 2020: A/HRC/45/6.  
<https://www.ohchr.org/Documents/HRBodies/HRCouncil/GEE-Yemen/A-HRC-45-CRP7-en.pdf>
- 30 Euro-Mediterranean Human Rights Monitor, and SAM for Rights and Liberties. Militarized Childhood. February 2021.  
<https://euromedmonitor.org/en/article/4175/Militarized-Childhood>
- 31 DW. Underage 'Martyrs': Recruiting child soldiers in Yemen. July 10, 2021.  
<https://www.dw.com/en/underage-martyrs-recruiting-child-soldiers-in-yemen/a-58203651>
- 32 OCHA. Humanitarian Update - December 2021. January 11, 2022.  
<https://reliefweb.int/node/3807148>
- 33 OCHA. Humanitarian Needs Overview 2021: Yemen. February 23, 2020.  
[https://reliefweb.int/sites/reliefweb.int/files/resources/Yemen\\_HNO\\_2021\\_Final.pdf](https://reliefweb.int/sites/reliefweb.int/files/resources/Yemen_HNO_2021_Final.pdf)
- 34 UNHCR. Yemen Update: 1–21 September 2018.  
<https://reliefweb.int/report/yemen/yemen-unhcr-update-1-21-september-2018-enar>
- 35 Abdiker, Mohammed. Yemen: The deadly migration route that the world is ignoring. CNN, June 20, 2018.  
<https://www.cnn.com/2018/06/20/opinions/yemen-migration-iom/index.html>
- 36 UNICEF. Education Disrupted. July 2021.  
<https://www.unicef.org/yemen/reports/education-disrupted>
- 37 UNICEF. Yemen five years on: Children, conflict, and COVID-19. June 2020.  
<https://www.unicef.org/yemen/reports/yemen-5-years-children-conflict-and-covid-19>
- 38 Amnesty International. Yemen: Huthi forces recruiting child soldiers for front-line combat. February 28, 2017.  
<https://www.amnesty.org/en/latest/news/2017/02/yemen-huthi-forces-recruiting-child-soldiers-for-front-line-combat/>
- 39 U.S. Department of State. Country Reports on Human Rights Practices- 2019: Yemen. Washington, D.C., March 11, 2020.  
<https://www.state.gov/wp-content/uploads/2020/03/YEMEN-2019-HUMAN-RIGHTS-REPORT.pdf>
- 40 Equal Rights Trust. Sifting the Grain: 6,000 Testimonies of Discrimination and Inequality from Yemen. 2018.  
[https://www.equalrightstrust.org/ertdocumentbank/Sifting the Grain report Eng.pdf](https://www.equalrightstrust.org/ertdocumentbank/Sifting%20the%20Grain%20report%20Eng.pdf)
- 41 Equal Rights Trust. From Night to Darker Night: Addressing Discrimination and Inequality in Yemen. June 2018.  
[https://www.equalrightstrust.org/ertdocumentbank/Yemen\\_EN\\_online version.pdf](https://www.equalrightstrust.org/ertdocumentbank/Yemen_EN_online%20version.pdf)
- 42 Government of Yemen. Ministerial Order No 11 of 2013: List of Activities Prohibited and Activities Permitted for Working Children under the age of 18. Enacted: March 16, 2013.  
[http://www.ilo.org/dyn/natlex/docs/MONOGRAPH/106494/130671/F-895523001/yem106494 arab.pdf](http://www.ilo.org/dyn/natlex/docs/MONOGRAPH/106494/130671/F-895523001/yem106494%20arab.pdf)
- 43 Government of Yemen. Labor Code as Amended, Law No. 5. Enacted: 1995.  
<http://www.ilo.org/dyn/natlex/docs/WEBTEXT/44043/65001/E95YEM01.htm>
- 44 Government of Yemen. Penal Code as Amended, Law No. 12. Enacted: 1994.  
<http://www.refworld.org/docid/3fec62f17.html>
- 45 Government of Yemen. Law No. 45 of 2002 on the Rights of the Child. Enacted: November 19, 2002. Source on file.
- 46 Government of Yemen. Law No. 45 of 1992 on General Education. Enacted: December 31, 1992. Source on file.
- 47 CIA. The World Factbook: Yemen. 2018.  
<https://www.cia.gov/the-world-factbook/countries/yemen/>
- 48 ILOSTAT. ILO modelled estimates and projections (ILOEST) – Population and labour force. Accessed (February 16, 2022). Labor force data is modelled on a combination of demographic and economic explanatory variables by the ILO. Please see “Labor Law Enforcement: Sources and Definitions” in the Reference Materials section of this report.  
<https://ilostat.ilo.org/data/>
- 49 UN. World Economic Situation and Prospects: 2019 Statistical Annex. New York: 2019. Please see “Labor Law Enforcement: Sources and Definitions” in the Reference Materials section of this report.  
[https://www.un.org/development/desa/dpad/wp-content/uploads/sites/45/WESP2019\\_BOOK-BIBLIO-en.pdf](https://www.un.org/development/desa/dpad/wp-content/uploads/sites/45/WESP2019_BOOK-BIBLIO-en.pdf)
- 50 U.S. Yemen Affairs Unit- Riyadh. Reporting. March 22, 2022.
- 51 UN Human Rights Council. Children and armed conflict: Report of the Special Representative of the Secretary-General for Children and Armed Conflict. December 26, 2018: A/HRC/40/49.  
<https://reliefweb.int/report/world/children-and-armed-conflict-report-special-representative-secretary-general-children-2>
- 52 GCPEA (Global Coalition to Protect Education from Attack). Yemen endorses Safe Schools Declaration in advance of UN Security Council Debate on Children and Armed Conflict. October 27, 2017: Press Release.  
<https://protectingeducation.org/news/yemen-endorses-safe-schools-declaration-in-advance-of-un-security-council-debate-on-children-and-armed-conflict/>
- 53 UNICEF. Yemen Humanitarian Situation Report: Mid-Year Update (Jan–Jun) 2019. 2019.  
[https://reliefweb.int/sites/reliefweb.int/files/resources/UNICEFYemen Humanitarian Situation Report - June 2019.pdf](https://reliefweb.int/sites/reliefweb.int/files/resources/UNICEFYemenHumanitarianSituationReport-June2019.pdf)
- 54 UNICEF. An improved school leads to better educational outcomes. February 1, 2022.  
<https://www.unicef.org/yemen/stories/improved-school-leads-better-educational-outcomes>

In 2021, Zambia made moderate advancement in efforts to eliminate the worst forms of child labor. The government significantly increased the number of labor inspectors to 240, from 160 the previous year. The government also launched its second National Action Plan for the Elimination of the Worst Forms of Child Labor, allocated funding to hire 22,000 schoolteachers, and collected updated data on the number of children in child labor and in hazardous work. However, children in Zambia are subjected to the worst forms of child labor, including commercial sexual exploitation, sometimes as a result of human trafficking, and forced labor 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 commercial sexual exploitation, sometimes as a result of human trafficking, and forced labor in agriculture. (1,2) Table I provides key indicators on children's work and education in Zambia.

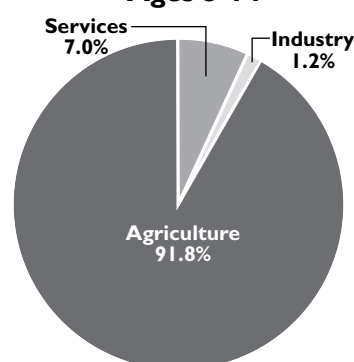
**Table I. Statistics on Children's Work and Education**

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, 2022. (3)

Source for all other data: International Labor Organization's Analysis of Statistics from the Labour Force Survey (LFS), 2008. (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.

**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 (2,5,6)
	Raising and herding† cattle (2,5)
	Fishing† (2,7,8)
	Production of charcoal† (9)
	Forestry, including loading of timber (2,10)
Industry	Mining of tin, chrome, gold, ore, and gems, including manganese (2,7,8,11,12)
	Work in quarries, including carrying heavy loads† and crushing stones† (2,7)

**Table 2. Overview of Children's Work by Sector and Activity (Cont.)**

Sector/Industry	Activity
Services	Domestic work (2,7)
	Street work, including begging and vending (2,7,8)
	Garbage disposal (2)
Categorical Worst Forms of Child Labor†	Commercial sexual exploitation, sometimes as a result of human trafficking (1,13)
	Forced labor in agriculture, herding, construction, domestic work, mining, small businesses, and textile production (1,11,13)
	Forced begging (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.

Child labor in Zambia is most prevalent in the agricultural sector and sometimes involves forced labor. (1,2,14) Traffickers exploit children from rural areas in Zambia to cities for domestic work and to rural areas for agriculture. (1) 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. (2) Orphans, street children, children with disabilities, and children from poor households are particularly vulnerable to child trafficking. (1,8,15) In addition, traffickers exploit children from neighboring countries for forced labor and commercial sexual exploitation. (16)







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. (1,17) Commercial sexual exploitation of children is common, particularly along Zambia's borders and transit corridors. (1,13) Research indicates that school closures resulting from the COVID-19 pandemic have increased the vulnerability of children to the worst forms of child labor, including forced labor and commercial sexual exploitation. (1,13) During the reporting period, the government collected data on child work as part of its 2021 Labor Force Survey, which included measurements of the number of children engaged in paid and unpaid work, the prevalence of child labor, the number of children engaged in hazardous work, and variances in child labor prevalence based on geographical location, school attendance, sex, age group, and other factors. (2)

Long distances to schools, particularly in rural areas, an insufficient number of teachers and classrooms, and costs of learning materials are barriers to education. (2,18,19) 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. (2,15,20,21)

## 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.

**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 (22,23)
Minimum Age for Hazardous Work	Yes	19	Article 83 of the Employment Code Act (23)
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 (23-25)
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 (22,23,26,27)
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 (22,23,26,27)
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 (23,27)
Prohibition of Using Children in Illicit Activities	Yes		Sections 80 and 83 of the Employment Code Act (23)
Minimum Age for Voluntary State Military Recruitment	Yes	18	Article 14 of the Defense Act (28)
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 (23,26)
Compulsory Education Age	No		Article 16 and 17 of the Education Act (29)
Free Public Education	Yes		Article 15 of the Education Act (29)

\* Country has no conscription (30)

The law establishes a light work framework for employment of children ages 13 to 15 but has not identified permitted light work activities. (23,31) 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. (26)

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 for which education is compulsory 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)

### 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. Advises other government agencies on child labor issues and coordinates government efforts to prevent child labor through its Child Labor Unit (CLU). The CLU, which falls under the labor inspectorate, carries out inspections related to child labor. (2,33)
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 through its Immigration Department and Drug Enforcement Commission. (2)
Zambia Police Service	Collaborates with the Ministry of Justice to investigate and prosecute child labor cases. (2) Handles the enforcement of laws against human trafficking, commercial sexual exploitation, and the use of children in illicit activities through its Child Protection and Victim Support units. (2,34) 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. (2)
Ministry of Justice	Prosecutes criminal law enforcement cases related to the worst forms of child labor through its Office of the Prosecutor. (2)
Ministry of Community Development and Social Services	Provides social services to survivors of human trafficking or sexual abuse. Operates one government shelter in Luapula province. (1)

### Labor Law Enforcement

In 2021, labor law enforcement agencies in Zambia took actions to address 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 insufficient financial resources.

**Table 6. Labor Law Enforcement Efforts Related to Child Labor**

Overview of Labor Law Enforcement	2020	2021
Labor Inspectorate Funding	\$281,520 (10)	\$26,000 (2)
Number of Labor Inspectors	160 (10)	240 (2)
Mechanism to Assess Civil Penalties	Yes (23)	Yes (23)
Initial Training for New Labor Inspectors	Yes (10)	No (2)
Training on New Laws Related to Child Labor	Yes (10)	N/A (2)
Refresher Courses Provided	Yes (10)	No (2)
Number of Labor Inspections Conducted	630 (10)	1,800 (2)
Number Conducted at Worksite	630 (10)	1,800 (2)
Number of Child Labor Violations Found	1 (10)	0 (35)
Number of Child Labor Violations for Which Penalties Were Imposed	1 (10)	0 (35)
Number of Child Labor Penalties Imposed that Were Collected	1 (10)	0 (35)
Routine Inspections Conducted	Yes (10)	Yes (2)
Routine Inspections Targeted	Yes (10)	Yes (2)
Unannounced Inspections Permitted	Yes (23)	Yes (23)
Unannounced Inspections Conducted	Yes (10)	Yes (2)
Complaint Mechanism Exists	Yes (10)	Yes (2)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (10)	Yes (2)

In 2021, the government increased the size of its labor inspectorate to 240 inspectors and nearly tripled the number of labor inspections from 630, in 2020, to 1,800. (2) The government reported a budgetary allocation of \$26,000 in 2021, a significant reduction from 2020; however, this figure is not inclusive of budget for personnel, including labor inspectors. (2) The financial resources allocated to the labor inspectorate were likely insufficient to enforce laws related to child labor. (10,36) 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. (2,37-39)

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. (37,40,41) 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. (41)

### **Criminal Law Enforcement**

In 2021, criminal law enforcement agencies in Zambia took actions to address child labor (Table 7). However, gaps exist within 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	2020	2021
Initial Training for New Criminal Investigators	No (10)	Unknown (2)
Training on New Laws Related to the Worst Forms of Child Labor	N/A (10)	N/A (2)
Refresher Courses Provided	No (10)	Yes (42)
Number of Investigations	Unknown (10)	Unknown (2)
Number of Violations Found	Unknown (10)	17 (42)
Number of Prosecutions Initiated	4 (10,13)	3 (42)
Number of Convictions	Unknown (10)	Unknown (2)
Imposed Penalties for Violations Related to the Worst Forms of Child Labor	Unknown (10)	Unknown (2)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (10)	Yes (2)

The government did not provide complete information on its criminal law enforcement efforts, including training of new criminal law enforcement investigators, the number of investigations and convictions, and whether it imposed penalties, related to the worst forms of child labor. (2) During the reporting period, criminal law enforcement authorities rescued 17 children from the Democratic Republic of the Congo who were being trafficked to the Copperbelt region. In addition, at least three defendants were prosecuted for criminal offenses related to the commercial sexual exploitation of children. (42) However, research could not determine whether there were additional criminal law enforcement efforts related to the worst forms of child labor in 2021. The government, with support from UNICEF, trained 75 immigration and police officers from the Eastern, Southern, and Western Provinces of Zambia, on concepts related to the trafficking of children and handling of vulnerable persons. (42)

Law enforcement agencies do not have sufficient financial and human resources to address human trafficking, and standard operating procedures to screen and identify victims remain limited. (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
National Steering Committee on Child Labor	Advises and oversees child labor matters, including implementation of hazardous work regulations. Chaired by MLSS and comprises government representatives, employers, trade unions, and civil society members. The National Steering Committee on Child Labor was not active in 2021. (2)
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 CLU of MLSS. (2) 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, which operate at the community level to raise awareness and promote mobilization against child labor. DCLCs were active during the reporting period and continued to monitor matters of child labor at the local level and hold sensitization meetings and trainings. (2)

## MODERATE ADVANCEMENT

**Table 8. Key Mechanisms to Coordinate Government Efforts on Child Labor (Cont.)**

Coordinating Body	Role & Description
National Coordinating Committee for Children	Coordinates 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. (2) Research indicates that the National Coordinating Committee for Children met late in 2021 with a focus on implementation of the National Child Safeguard Framework. (35)
Interministerial Committee on Anti-Human Trafficking	Shares information and coordinates efforts in addressing human trafficking issues. 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, MYSCD, the Zambia Police Service, the Department of Immigration, IOM, and a number of NGOs. (2) The Interministerial Committee on Anti-Human Trafficking met six times during the reporting period, working on an updated national action plan for trafficking in persons, coordinating trainings, and developing a new national referral mechanism for children on the move. The new referral mechanism, which was operationalized during the reporting period, aims to improve responses and care for survivors of child trafficking. (42)

Communication lapses among government agencies may hinder coordination and the ability of agencies to implement their mandates related to the worst forms of child labor (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 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. (43) During the reporting period the government launched and published its second National Action Plan (NAP) for the Elimination of the Worst Forms of Child Labor, which is the implementation strategy for the National Child Labor Policy. The updated NAP outlines strategies for the effective elimination by 2025 of the worst forms of child labor in Zambia through coordination of various stakeholders. (7)
7th National Development Plan (2017–2021)	Outlined 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. Sought to improve access to quality education and reduce poverty by 20 percent by 2021. (44) In 2021, the government launched the International Year for the Elimination of Child Labor to encourage actions to eradicate child labor. In addition, in June, the government held public and radio awareness events during the commemoration of the World Day Against Child Labor. (2)
UN's Sustainable Development Partnership Framework (2016–2021)	An \$806 million framework, funded by the UN, that aimed to protect children, including through the prevention of child labor. (46) In 2021, the government and the UN supported awareness-raising on the risks of child labor during the national commemoration of the World Day Against Child Labor and facilitated the development of the National Skills Demand Survey Report for Zambia, which provides labor market information to inform career paths of youths. (2) The UN Sustainable Development Partnership Framework expired during the reporting period; however, the government is working with the UN to establish an updated partnership that will run from 2023–2027. (35)

‡ The government has other policies that may have addressed child labor issues or had an impact on child labor. (11,47-49)

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. (50) Also, the government has not included child labor elimination and prevention strategies in the Education Policy. (51)

## VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2021, 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 inadequacy to address the problem in all 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. (52) As of September 2020, about 700,000 were receiving benefits under the Social Cash Transfer Program. (53) The government allocated \$137 million (ZMW 2.3 billion) to the Social Cash Transfer Program in 2021. (2)
Achieving Reduction of Child Labor in Support of Education (ARISE) (2019-2021)	Japan Tobacco International and Winrock International joint initiative that sought to eliminate the worst forms of child labor in tobacco-growing communities in Brazil, Malawi, Tanzania, and Zambia. (18,54)
Determined, Resilient, Empowered, AIDS-free, Mentored, and Safe (DREAMS)	A \$30 million initiative, funded jointly by USAID and the U.S. President's Emergency Plan for AIDS Relief, aimed at increasing 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 as of 2020. (10,25,55-57)

† 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. (11,61)

In 2021, the government launched a new policy aimed at universal free public education in Zambia and financed the recruitment of 22,000 additional teachers and the purchase of desks and school supplies. (2) In addition, the Ministry of Labor, in collaboration with other line ministries, international cooperating partners, NGOs, and CSOs implemented a school re-integration and family reunion program for children withdrawn from child labor. (2)

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. (10,25) 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. (62) 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 – 2021
	Determine the list of light work activities for children ages 13 to 15.	2018 – 2021
	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 – 2021
	Establish through statutory instrument the "school-going age" for compulsory education, in line with the minimum age for work.	2012 – 2021
Enforcement	Publish information on labor law enforcement efforts, including the number of child labor violations found, the number of child labor violations for which penalties were imposed, and the number of child labor penalties imposed that were collected.	2021
	Institutionalize training for labor inspectors, including by training new labor inspectors at the beginning of their employment and providing refresher courses.	2021
	Ensure that inspections cover all areas in which children work, including registered and unregistered businesses.	2010 – 2021
	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 – 2021

**Table 11. Suggested Government Actions to Eliminate Child Labor (Cont.)**

Area	Suggested Action	Year(s) Suggested
Enforcement	Publish information on criminal law enforcement efforts, including training of new investigators, the number of investigations and convictions, and whether penalties were imposed.	2014 – 2021
	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 – 2021
Coordination	Improve lines of communication and clarify responsibilities among agencies to improve effectiveness and referrals to social services.	2011 – 2021
	Ensure all coordinating bodies are active and able to carry out their mandates.	2021
Government Policies	Integrate child labor elimination and prevention strategies into the Education Policy and the National Employment and Labor Market Policy.	2013 – 2021
Social Programs	Ensure that all children have access to education and are not restricted by long travel distances, auxiliary school costs, lack of classrooms and teachers, lack of birth certificates, or early marriage.	2012 – 2021
	Harmonize child labor prevention and elimination measures and improve financial tracking in the Social Cash Transfer Program.	2020 – 2021
	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 – 2021

### REFERENCES

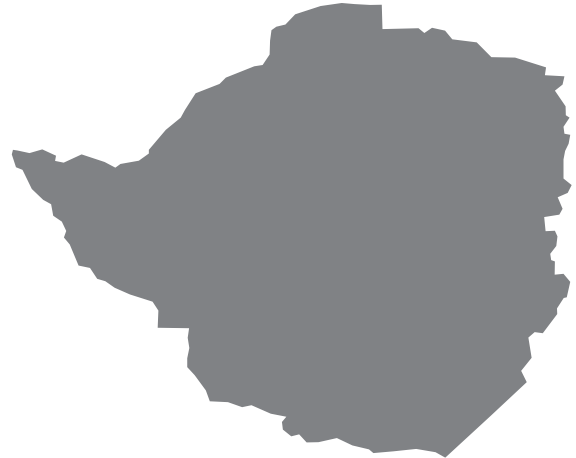
- U.S. Department of State. Trafficking in Persons Report- 2021: Zambia. Washington, D.C., July 1, 2021. <https://www.state.gov/reports/2021-trafficking-in-persons-report/zambia/>
- U.S. Embassy- Lusaka. Reporting. January 14, 2022.
- UNESCO Institute for Statistics. Gross intake ratio to the last grade of primary education, both sexes (%). Accessed March 3, 2022. For more information, please see "Children's Work and Education Statistics: Sources and Definitions" in the Reference Materials section of this report. <http://data.uis.unesco.org/>
- ILO. Analysis of Child Economic Activity and School Attendance Statistics from National Household or Child Labor Surveys. Original data from Labour Force Survey (LFS), 2008. Analysis received March, 2022. Please see "Children's Work and Education Statistics: Sources and Definitions" in the Reference Materials section of this report.
- Zulu, Abawelo. JTI says over 1 million children in child labour. The Mast. October 22, 2017. Source on file.
- Unfair Tobacco. The impact of tobacco production on children's rights in Zambia. Youtube. December 1, 2020. [https://www.youtube.com/watch?v=IDsXn\\_0kLs](https://www.youtube.com/watch?v=IDsXn_0kLs)
- Government of Zambia. National Action Plan for the Elimination of the Worst Forms of Child Labour, 2020-2025. 2021. Source on file.
- UNICEF. The 2021 Situation Analysis of the Status and Well-Being of Children in Zambia. October 2021. <https://www.unicef.org/zambia/media/2591/file/Zambia-situation-analysis-2021-revised.pdf>
- U.S. Embassy- Lusaka. Reporting. January 22, 2020.
- U.S. Embassy- Lusaka. Reporting. January 14, 2021.
- U.S. Embassy- Lusaka. Reporting. January 22, 2020.
- Banda, Webby. Appraisal of Zambia's Artisanal and Small-Scale Gold Mining Sector. Centre for Trade Policy & Development. October, 2020. <https://ctpd.org.zm/wp-content/uploads/2021/05/Gold-Mining-Study-Final-Report1.pdf>
- U.S. Embassy- Lusaka. Reporting. February 19, 2021.
- Mwaaba, Christine. Zambia: Tackling Child Labour in Agro Sector. October 16, 2017. <https://allafrica.com/stories/201710160656.html>
- ILO Committee of Experts. Observation concerning Worst Forms of Child Labour Convention, 1999 (No. 182) Zambia (ratification: 2001). Published 2021. [https://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100\\_COMMENT\\_ID:4004162:NO](https://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:4004162:NO)
- U.S. Department of State. Trafficking in Persons Report- 2020: Zambia. Washington, D.C., June 2020. <https://www.state.gov/reports/2020-trafficking-in-persons-report/zambia/>
- Musonda, Chishala. Child Labour at Mine Site Worries Minister. July 19, 2019. <http://www.daily-mail.co.zm/child-labour-at-mine-site-worries-minister/>
- ARISE. Reaching New Heights Together: Annual Review 2017. 2018. [http://ariseprogram.org/files/8415/2872/7578/ARISE\\_Annual\\_Review\\_2017.pdf](http://ariseprogram.org/files/8415/2872/7578/ARISE_Annual_Review_2017.pdf)
- UN General Assembly Human Rights Council. Summary of Stakeholders' submissions on Zambia—Report of the Office of the United Nations High Commissioner for Human Rights. August 18, 2017: A/HRC/WG.6/28/ZMB/3. <https://undocs.org/en/A/HRC/WG.6/28/ZMB/3>
- Government of Zambia. Child Poverty in Zambia: A Multiple Overlapping Deprivation Analyses. Lusaka: UNICEF. 2018. <https://www.unicef.org/zambia/media/1176/file>
- Government of Zambia. National report submitted in accordance with paragraph 5 of the annex to Human Rights Council resolution 16/21\*: Zambia. Human Rights Council, Working Group on the Universal Periodic Review, Twenty-eighth session. A/HRC/WG.6/28/ZMB/1. October 26, 2017. <https://www.ohchr.org/EN/HRBodies/UPR/Pages/ZMIndex.aspx>
- Government of Zambia. Zambia Constitution. Enacted: August 24, 1991. [https://constituteproject.org/constitution/Zambia\\_2016.pdf?lang=en](https://constituteproject.org/constitution/Zambia_2016.pdf?lang=en)
- Government of Zambia. The Employment Code Act, 2019. Enacted: April 4, 2019. <https://www.ilo.org/dyn/natlex/docs/ELECTRONIC/108714/134550/F144869431/ZMB108714.pdf>
- Government of Zambia. Prohibition of Employment of Young Persons and Children (Hazardous Labour) Order, No. 121. Enacted: December 27, 2013.
- U.S. Embassy- Lusaka official. E-mail communication to USDOL official. March 26, 2021.
- Government of Zambia. The Anti-Human Trafficking Act, 2008. Enacted: September 26, 2008. [http://ilo.org/dyn/natlex/natlex4.detail?p\\_lang=en&p\\_isn=79940&p\\_country=ZMB&p\\_count=182](http://ilo.org/dyn/natlex/natlex4.detail?p_lang=en&p_isn=79940&p_country=ZMB&p_count=182)
- Government of Zambia. The Penal Code Act, as amended. Enacted: 2005. Source on file.
- Government of Zambia. Defence Act. Enacted: 1964. Source on file.
- Government of Zambia. Education Act of 2011. Enacted: 2011. Source on file.

- 30 CIA. The World Factbook, Military service age and obligation. Accessed June 29, 2021.  
<https://www.cia.gov/the-world-factbook/field/military-service-age-and-obligation/>.
- 31 ILO Committee of Experts. Observation concerning Minimum Age Convention, 1973 (No. 138) Zambia (ratification: 1976). Published 2021.  
[https://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100\\_COMMENT\\_ID:4004158:NO](https://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:4004158:NO)
- 32 U.S. Embassy- Lusaka. Reporting. January 15, 2019.
- 33 Government of Zambia, Ministry of Labour and Social Security. About the Labour Department. Website, Accessed February 19, 2020.  
[https://www.mls.gov.zm/?page\\_id=4822](https://www.mls.gov.zm/?page_id=4822)
- 34 ILO. Committee on the Application of Standards. Discussion of Individual Cases- Zambia: C.App./PV.15. June 2017.  
[http://www.ilo.org/wcmsp5/groups/public/---ed\\_norm/---relconf/documents/meetingdocument/wcms\\_557880.pdf](http://www.ilo.org/wcmsp5/groups/public/---ed_norm/---relconf/documents/meetingdocument/wcms_557880.pdf)
- 35 U.S. Embassy- Lusaka. Electronic communication to USDOL official. May 4, 2022.
- 36 ILO Committee of Experts. Direct request concerning Labour Inspection Convention, 1947 (No. 81) Zambia (ratification: 2013). Published 2021.  
[https://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100\\_COMMENT\\_ID:4022063:NO](https://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:4022063:NO)
- 37 U.S. Department of State. Country Reports on Human Rights Practices- 2020: Zambia. Washington, DC, March 2021.  
<https://www.state.gov/wp-content/uploads/2021/03/ZAMBIA-2020-HUMAN-RIGHTS-REPORT.pdf>
- 38 ILO Committee of Experts. Direct Request concerning Zambia Labour Inspection Convention, 1947 (No. 81) (ratification: 2013) and Labour Inspection (Agriculture) Convention, 1969 (No. 129) (ratification: 2013). Published 2017.  
[http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100\\_COMMENT\\_ID:3300004](http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:3300004)
- 39 Lusaka Times. Ministry of Labour need tools like motor vehicles to monitor child Labour Programmes. February 22, 2019.  
<https://www.lusakatimes.com/2019/02/22/ministry-of-labour-need-tools-like-motor-vehicles-to-monitor-child-labour-programmes/>
- 40 U.S. Embassy- Lusaka official. E-mail communication to USDOL official. June 23, 2020.
- 41 U.S. Embassy- Lusaka official. E-mail communication to USDOL official. May 14, 2021.
- 42 U.S. Embassy- Lusaka. Reporting. February 9, 2022.
- 43 Government of Zambia. National Policy on Child Labour: Securing a Better Future for Our Children. 2011. Source on file.
- 44 Government of Zambia. Seventh National Development Plan (2017–2021). Lusaka. 2017.  
<http://extwprlegs1.fao.org/docs/pdf/zam170109.pdf>
- 45 Government of Zambia. 2015 National Youth Policy. Lusaka, August 2015.  
[https://www.ilo.org/wcmsp5/groups/public/---ed\\_emp/---ed\\_emp\\_msu/documents/projectdocumentation/wcms\\_427020.pdf](https://www.ilo.org/wcmsp5/groups/public/---ed_emp/---ed_emp_msu/documents/projectdocumentation/wcms_427020.pdf)
- 46 UN Zambia. The United Nations Development Assistance Framework (UNDAF). Accessed May 18, 2018. Source on file.
- 47 U.S. Embassy- Lusaka official. E-mail communication to USDOL official. July 9, 2019.
- 48 Government of Zambia. Vision 2030. Lusaka, 2006.  
[http://www.zambiaembassy.org/sites/default/files/documents/Vision\\_2030.pdf](http://www.zambiaembassy.org/sites/default/files/documents/Vision_2030.pdf)
- 49 International Conference on Artisanal and Small-Scale Mining & Quarrying. Mosi-oa-Tunya Declaration on Artisanal and Small-scale Mining, Quarrying and Development. Lusaka. September 2018. Source on file.
- 50 Government of Zambia. National Employment and Labour Market Policy. 2019. Source on file.
- 51 Government of Zambia. Educating our Future: National Policy on Education. May 1996. Source on file.
- 52 Arruda, Pedro, et al. A brief history of Zambia's Social Cash Transfer Programme, Report Research Brief No. 62. Brasilia: International Policy Centre for Inclusive Growth June 2018.  
[https://www.ipc-undp.org/pub/eng/PRB62\\_A\\_brief\\_history\\_of\\_Zambia\\_s\\_social\\_cash\\_transfer\\_programme.pdf](https://www.ipc-undp.org/pub/eng/PRB62_A_brief_history_of_Zambia_s_social_cash_transfer_programme.pdf)
- 53 Government of Zambia. Social Cash Transfer Factsheet. March 2022.  
<https://www.unicef.org/zambia/reports/social-cash-transfer-factsheet-2022>
- 54 ILO. Committee of Experts. Individual Observation concerning Minimum Age Convention, 1973 (No. 138) Zambia (ratification: 1976) Published: 2017.  
[http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100\\_COMMENT\\_ID:3292558](http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:3292558)
- 55 U.S. Embassy- Lusaka official. E-mail communication to USDOL official. June 26, 2020.
- 56 USAID. DREAMS: Partnership to Reduce HIV/AIDS in Adolescent Girls and Young Women. March 7, 2018.  
<https://www.usaid.gov/global-health/health-areas/hiv-and-aids/technical-areas/dreams>
- 57 Bell, Emily. A Zambian teen returns to school and stays HIV-free. PACT, November 11, 2018.  
<https://www.pactworld.org/features/support-pact-zambian-teen-returns-school-and-stays-hiv-free>
- 58 Winrock International. Technical Progress Report, EMPOWER: Increasing Economic and Social Empowerment for Adolescent Girls and Vulnerable Women in Zambia. Arlington, VA. March 31, 2018. Source on file.
- 59 Winrock International. Technical Progress Report, EMPOWER: Increasing Economic and Social Empowerment for Adolescent Girls and Vulnerable Women in Zambia. Arlington, VA. October 30, 2020. Source on file.
- 60 Winrock International. Technical Progress Report, EMPOWER: Increasing Economic and Social Empowerment for Adolescent Girls and Vulnerable Women in Zambia. Arlington, VA. January 31, 2021. Source on file.
- 61 UN, WFP. Zambia Country Brief. 2019.  
<https://docs.wfp.org/api/documents/WFP-0000109794/download/?ga=2.118422209.957054887.1582306133-203680729.1582306133>
- 62 de Hoop, Jacobus and Valeria Groppo. How Do Cash Transfers Affect Child Work and Schooling? Surprising evidence from Malawi, the United Republic of Tanzania and Zambia UNICEF. 2020.  
<https://www.unicef-irc.org/publications/1113-how-do-cash-transfers-affect-child-work-and-schooling-surprising-evidence-from-malawi.html>



## MINIMAL ADVANCEMENT – EFFORTS MADE BUT REGRESSION IN PRACTICE THAT DELAYED ADVANCEMENT

In 2021, Zimbabwe made minimal advancement in efforts to eliminate the worst forms of child labor. The National Assembly began consideration of amendments to the Labor Act, which would increase penalties for child labor violations. The government, with the United Nations, also launched an updated Sustainable Development Cooperation Assistance Framework, prioritizing increased educational access and social protections for girls and other groups vulnerable to child labor. However, Zimbabwe is assessed as having made only minimal advancement because it implemented a practice that delays advancement to eliminate child labor. Evidenced by a pattern of threats and intimidation of worker organizations and trade unionists, high-level officials within the Government of Zimbabwe and the ruling political party interfered with a delegation representing worker and civil society organizations to investigate concerns of child labor occurring at a commercial farm, sending party activists to the farm to threaten and intimidate the delegation. Children in Zimbabwe are subjected to the worst forms of child labor, including in commercial sexual exploitation, sometimes as a result of human trafficking, and forced labor in mines and on farms. Children also engage in child labor in agriculture, including in the harvesting of sugarcane and tobacco. The government did not publicly release information on its labor and criminal law enforcement efforts for inclusion in this report, and law enforcement agencies lack resources to enforce child labor laws.



### 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, sometimes as a result of human trafficking. Children also experience forced labor in mines and on farms. Children also engage in child labor in agriculture, including in the harvesting of sugarcane and tobacco. (1,2)

**Table 1. Statistics on Children's Work and Education**

Children	Age	Percent
Working (% and population)	5 to 14	40.4 (Unavailable)
Working children by sector	5 to 14	
Attending School (%)	5 to 14	90.7
Combining Work and School (%)	7 to 14	42.0
Primary Completion Rate (%)		90.0

Source for primary completion rate: Data from 2020, published by UNESCO Institute for Statistics, 2022. (3)

Source for all other data: International Labor Organization's analysis of statistics from Multiple Indicator Cluster Survey 6 (MICS 6). (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, cotton, tobacco, corn, and sugarcane (5-14)
	Fishing, including casting nets, hauling fish loads, and sorting fish (2,8,10,15)
	Work in forestry, such as dragging logs from felling sites and loading logs for transport (2,10)
	Cattle herding (2,9)
Industry	Mining and panning of gold and chrome, using dangerous chemicals such as cyanide and mercury, and extracting material from underground passages and quarries† (10,16-20)
	Molding bricks (18,21,22)
Services	Street work, including vending and begging (8,14,23-26)
	Domestic work, including child care, house cleaning, and gardening (8,10,14)

Table 2. Overview of Children’s Work by Sector and Activity (Cont.)

Sector/Industry	Activity
Categorical Worst	Commercial sexual exploitation, sometimes as a result of human trafficking (1,14,27-30)
Forms of Child Labor‡	Forced labor in agriculture, including herding cattle, mining, and domestic work (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.

Deteriorating economic conditions likely make children more vulnerable to child labor. (2,32,33) 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. (30) 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 are forced to work in mining. (34) Girls, as young as 11, are subjected to commercial sexual exploitation, particularly along major transit corridors and in mining areas. (1,2,18,30,35)

Children ages 8 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. (7,20,36) Children also work on sugar plantations in the southeastern part of the country, where they wield dangerous tools and endure high temperatures. (9,37) Moreover, children work 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. In some cases, armed criminal groups have lured children to mining sites with the promise of self-employment and then forced them to mine gold under the threat of physical harm or death. (30) During the COVID-19 pandemic, multiple civil society stakeholders also have observed greater numbers of children engaged in vending, brickmaking, working on tobacco and sugarcane farms, and in the worst forms of child labor, including the use of children in commercial sexual exploitation. (18,26,30,38,39)

During the reporting period, the government implemented a practice that was detrimental to the prevention and elimination of the worst forms of child labor in Zimbabwe by interfering with worker and civil society organizations’ efforts to address child labor. Youth activists for the ruling Zimbabwe African Nation Union-Patriotic Front party, under the direction of Kazembe Kazembe, Zimbabwe’s Minister of Home Affairs and other high-level government officials, sought to block a delegation of workers and civil society organizations seeking to investigate concerns of child labor occurring at a commercial farm, using threats and other forms of intimidation. (40,41)




The Education Amendment Act stipulates children’s right to education regardless of race, nationality, or place of birth. (42,43) However, refugees and 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. (14,44-46) Children, especially those in rural areas, often 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. (47) As a result of these barriers, children may drop out of school, increasing their vulnerability to child labor. (2,8,48) 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).

## MINIMAL ADVANCEMENT – EFFORTS MADE BUT REGRESSION IN 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 Zimbabwe's legal framework to adequately protect children from the worst forms of child labor, including lack of criminal prohibitions against slavery.

**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; Section 10A(1) of the Children's Act (49,50)
Minimum Age for Hazardous Work	Yes	18	Section 11.4 of the Labor Act; Section 10A(4) of the Children's Act (49,50)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Section 3.1 of the Labor Relations (Employment of Children and Young Persons) Regulations; Section 2 and 10A(4) of the Children's Act (49,51)
Prohibition of Forced Labor	No		Sections 54 and 55 of the Constitution; Sections 2 and 4A of the Labor Act; Sections 2 and 3 of the Trafficking in Persons Act (50,52)
Prohibition of Child Trafficking	Yes		Section 3 of the Trafficking in Persons Act (53)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Sections 61, 83, 86, and 87 of the Criminal Law Act; Section 8(2)a of the Children's Act; Sections 2 and 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; 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 (42,43)
Free Public Education	No		Sections 5, 6, and 13 of the Education Act (42,43)

‡ Age calculated based on available information (56)

During the reporting period, Parliament began consideration of amendments to the Labor Act that increase both maximum fines and prison sentences from 2 to 10 years for violations related to child labor. (57)

Laws prohibiting forced labor are not sufficient as they do not criminalize slavery. (53) Although the 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. (42,43)

### 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 authority and operations of enforcement agencies that may hinder adequate enforcement of their child labor laws.

# Zimbabwe

## MINIMAL ADVANCEMENT – EFFORTS MADE BUT REGRESSION IN PRACTICE THAT DELAYED ADVANCEMENT

**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. (16) Also conducts industry- and sectoral-based labor inspections through appointed agents of national employment councils, comprising representation from both employers' associations and trade unions. (58,59)
Zimbabwe Republic Police	Enforce laws related to the worst forms of child labor in conjunction with MPSLSW and the Ministry of Justice, Legal and Parliamentary Affairs. (16)
Ministry of Justice, Legal and Parliamentary Affairs	Oversees all courts, including labor courts. Addresses human trafficking and child victim cases through victim-centered courts. (16)

### Labor Law Enforcement

In 2021, labor law enforcement agencies in Zimbabwe took actions to address 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 the lack of authority to assess penalties.

**Table 6. Labor Law Enforcement Efforts Related to Child Labor**

Overview of Labor Law Enforcement	2020	2021
Labor Inspectorate Funding	\$25,000 (2)	Unknown (14)
Number of Labor Inspectors	120 (2)	Unknown (2)
Mechanism to Assess Civil Penalties	No (2,60)	No (60)
Initial Training for New Labor Inspectors	Yes (2)	Unknown (14)
Training on New Laws Related to Child Labor	N/A (2)	Unknown (2)
Refresher Courses Provided	Yes	Unknown (14)
Number of Labor Inspections Conducted	1,860 (2)	Unknown (14)
Number Conducted at Worksite	1,860 (2)	Unknown (14)
Number of Child Labor Violations Found	0 (2)	Unknown (14)
Number of Child Labor Violations for Which Penalties Were Imposed	N/A (2)	Unknown (14)
Number of Child Labor Penalties Imposed that Were Collected	N/A (2)	Unknown (14)
Routine Inspections Conducted	Yes (2)	Unknown (14)
Routine Inspections Targeted	Yes (2)	Unknown (14)
Unannounced Inspections Permitted	Yes (50)	Yes (50)
Unannounced Inspections Conducted	Yes (2)	Yes (14)
Complaint Mechanism Exists	Yes (2)	Yes (14)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (2)	Yes (14)

The government did not make available information about its labor law enforcement efforts for inclusion in this report. (14) According to reporting from a major international organization, the government conducted 2,603 inspections in 2021; however, separate reporting from a trade union indicates that labor inspections have been significantly curtailed as a result of pandemic restrictions. (14,61,62)

As of 2020, the labor inspectorate employed 120 inspectors, which is likely insufficient for the size of Zimbabwe's workforce of approximately 7.4 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 need to employ about 494 labor inspectors. (14,63,64) The limited number of inspectors and a lack of resources, such as available vehicles, likely hinder the labor inspectorate's ability to conduct child labor investigations and adequately monitor rural farms at which child labor occurs. (2,58) Furthermore, labor inspectors also oversee arbitration and conciliation, a responsibility that compromises their ability to conduct onsite investigations to address child labor. (58)

### Criminal Law Enforcement

In 2021, criminal law enforcement agencies in Zimbabwe took actions to address child labor (Table 7). However, gaps exist within the operations of the MPSLSW that may hinder adequate criminal and labor law enforcement, including lack of information on law enforcement efforts.

## MINIMAL ADVANCEMENT – EFFORTS MADE BUT REGRESSION IN PRACTICE THAT DELAYED ADVANCEMENT

**Table 7. Criminal Law Enforcement Efforts Related to Child Labor**

Overview of Criminal Law Enforcement	2020	2021
Initial Training for New Criminal Investigators	Unknown (2)	Unknown (14)
Training on New Laws Related to the Worst Forms of Child Labor	N/A (2)	Unknown (14)
Refresher Courses Provided	Unknown (2)	Yes (65)
Number of Investigations	Unknown (2)	Unknown (14)
Number of Violations Found	Unknown (2)	Unknown (14)
Number of Prosecutions Initiated	Unknown (2)	Unknown (14)
Number of Convictions	Unknown (2)	Unknown (14)
Imposed Penalties for Violations Related to the Worst Forms of Child Labor	Unknown (2)	Unknown (14)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (2)	Yes (14)

The government did not provide information on its criminal law enforcement efforts related to the worst forms of child labor for inclusion in this report. (14) During the reporting period the government undertook seven human trafficking investigations, related to commercial sexual exploitation and forced labor, resulting in four new criminal prosecutions and one conviction. However, research was not able to verify the ages of the victims and whether these cases were related to the worst forms of child labor. (65) More than 500 police officers, 10 immigration officers, and 20 members of the Anti-Trafficking Interministerial Committee participated in training on various topics including the international and national legal framework, essential elements of trafficking in persons, techniques for interviewing victims, differences between human trafficking and smuggling, the national referral mechanism, and push and pull factors that contribute to human trafficking. (65)

**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 resources.

**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	Leads government coordination to address the worst forms of child labor. Chaired by MPSLSW and includes the Ministries of Health and Child Care; Primary and Secondary Education; and Youth Development, Indigenization, and Economic Empowerment. Also includes international organizations and civil society groups, such as workers' and employers' organizations. (2) Research could not determine whether the National Steering Committee to Address the Worst Forms of Child Labor was active during the reporting period. (14)
Ministry-Level Committee on Children's Issues	Coordinates government ministries' efforts related to children's issues, including child labor. Includes MPSLSW and the Ministries of Education; Women's Affairs; and Youth Development, Indigenization and Economic Empowerment. (16) Includes Child Protection Committees, which operate at the village, ward, district, provincial, and national levels, to discuss issues affecting children, including child labor. (66) Research could not determine whether the Ministry-Level Committee on Children's Issues was active during the reporting period; community-level committees likely remained in place, however, operated at varying levels of performance due to gaps in resources and capacity, especially in rural areas. (14)
Anti-Trafficking Inter-Ministerial Committee	Coordinates actions to prevent and eliminate human trafficking, including the implementation of the Trafficking in Persons National Plan of Action (NAPLAC). (30) Comprises the Ministries of Labor and Social Services, Women's Affairs, Home Affairs, Health and Child Welfare, Information and Publicity, Education, Local Government, and Foreign Affairs; the National Prosecuting Authority; the Office of the Registrar General; the Department of Immigration; the Zimbabwe Republic Police; and the Financial Intelligence Unit. (65) The Anti-Trafficking Inter-Ministerial Committee met twice during the reporting period, participating in trainings and reviewing NAPLAC. (65)
National Task Force on Street Children	Outlines strategies to address child labor, including feeding street children at drop-in centers, reuniting children with their families, and offering counseling sessions. Chaired by MPSLSW and includes NGOs that work on street children's issues. (67) Also includes the Ministry of Home Affairs, represented by the Zimbabwe Republic Police. (66) Research could not determine whether the National Task Force on Street Children was active during the reporting period. (14)

A lack of funding hinders coordinating bodies from carrying out their mandates. (2)



# Zimbabwe

## MINIMAL ADVANCEMENT – EFFORTS MADE BUT REGRESSION IN PRACTICE THAT DELAYED ADVANCEMENT

### V. GOVERNMENT POLICIES ON CHILD LABOR

The government has established policies related to child labor (Table 9). However, policy gaps exist that hinder efforts to address child labor, including lack of implementation of key policies.

**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 address human trafficking, with an emphasis on prevention, protection, prosecution, and partnership. (68) During the reporting period, the government drafted a TIP Amendment Bill; however it had to restart the process because of a procedural error. (14)
Zimbabwe UN Sustainable Development Assistance Cooperation Framework (2022–2026) <sup>†</sup>	UN and Zimbabwe cooperative agreement to advance economic and sustainable development goals. Prioritizes four core areas: equitable and quality social services for girls and other vulnerable groups; strengthening of health and food security; inclusive and sustainable economic growth, including decent work opportunities; and promoting accountable institutions and systems of rule of law, human rights, and access to justice. (69) Prioritizes school enrollment as an indicator. (69)

<sup>†</sup> Policy was approved during the reporting period.

<sup>‡</sup> The government had other social programs that may have included the goal of eliminating or preventing child labor. (70)

### VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2021, 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 inadequacy 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 <sup>†</sup>	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. (2,71) As of 2021, the Harmonized Social Cash Transfer Program covered 55,000 households across 20 districts. (14)
Basic Education Assistance Module <sup>†</sup>	Government program, with support by the UK Foreign Commonwealth and Development Office, 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. (16) Allocated \$25 million and covered tuition, examination fees, and levies for 859,000 children in 2021, a slight decrease from 950,000 children in 2020. (14,72)
Mobile Birth Registration Program <sup>†</sup>	Government mobile birth registration program, with support from UNICEF and implemented by the Office of the Registrar General and some local governments, to ensure that citizens receive identity documents, including birth certificates. (47,73) Fields mobile teams are located in every district in the country. (74) During the reporting period, the government, with the support of UNICEF, provided registration assistance to at least 6,645 children under age 16 in areas effected by Cyclone Idai in 2019 and flooding in 2017. (62) UNICEF funding for the Mobile Birth Registration Program ended in 2021. (62)
Child Protection Fund for the National Action Plan for Orphans and Vulnerable Children (2016–2022)	UNICEF Child Protection Fund program, supported by the UK Foreign, Commonwealth and Development Office, which 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. (70,75) In 2021, UNICEF had provided psychosocial support activities, reaching 132,243 children, including children with disabilities and support for parents and caregivers. (62)
Determined, Resilient, Empowered, AIDS-free, Mentored, and Safe (DREAMS)	\$106 million, U.S. President's Emergency Plan for AIDS Relief/USAID-funded country program that aims to reduce rates of HIV among adolescent girls and young women, including girls vulnerable to commercial sexual exploitation. (76,77) In 2021, the DREAMS program provided support to 244,046 adolescent girls and young women and expanded services from 6 to 16 districts. In addition, 20,678 adolescent girls and young women benefited from economic strengthening interventions to improve economic security and earning capacity. Finally, 438,669 orphans and vulnerable children and their families received services through USAID programming during the reporting period. (62)

<sup>†</sup> Program is funded by the Government of Zimbabwe.

## MINIMAL ADVANCEMENT – EFFORTS MADE BUT REGRESSION IN PRACTICE THAT DELAYED ADVANCEMENT

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 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. (2,14)

## 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 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 – 2021
	Establish, by law, free basic education.	2009 – 2021
	Ensure that laws prohibiting forced labor criminalize slavery.	2021
Enforcement	Establish a mechanism to assess civil penalties for child labor violations.	2017 – 2021
	Increase the number of labor inspectors to meet the ILO's technical advice.	2016 – 2021
	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 – 2021
	Publish information on the government's labor law enforcement efforts.	2021
	Publish information on the government's criminal law enforcement efforts.	2015 – 2021
Coordination	Ensure that all coordinating bodies are able to carry out their intended mandates.	2016 – 2021
	Ensure that all Child Protection Committees, including those in rural areas, have adequate resources to operate according to their intended mandates.	2021
Government Policies	Ensure that activities are undertaken to implement the National Action Plan to Combat Child Labor and publish results from activities implemented during the reporting period.	2010 – 2021
Social Programs	Cease the practice of interfering with civil society and work organizations seeking to investigate and respond to issues of child labor; and hold government and party officials engaging in such practices accountable.	2021
	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 – 2021
	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 – 2021
	Expand existing social programs to address child labor; especially child labor in agriculture, commercial sexual exploitation, and mining.	2010 – 2021
	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 – 2021

## REFERENCES

- Murungweni, Maxim. Organisation steps up fight against sexual exploitation of children. *The Herald*, September 30, 2017. <http://www.herald.co.zw/organisation-steps-up-fight-against-sexual-exploitation-of-children/>
- U.S. Embassy- Harare. Reporting. January 13, 2021.
- UNESCO Institute for Statistics. Gross intake ratio to the last grade of primary education, both sexes (%). Accessed March 3, 2022. For more information, please see "Children's Work and Education Statistics: Sources and Definitions" in the Reference Materials section of this report. <http://data.uis.unesco.org/>
- ILO. Analysis of Child Economic Activity and School Attendance Statistics from National Household or Child Labor Surveys. Original data from Multiple Indicator Cluster Survey 6 (MICS 6), 2018. Analysis received March 2022. For more information, please see "Children's Work and Education Statistics: Sources and Definitions" in the Reference Materials section of this report.
- NewsDay. The sad story of Arda Transau villagers. January 16, 2017. <https://www.newsday.co.zw/2017/01/sad-story-arda-transau-villagers/>
- Bara, Energy. Zimbabwe fails to deal with child labour scourge. *African Independent*, August 11, 2017. Source on file.
- Kafe, Emmanuel. Child labour thrives in farms? *The Sunday Mail*, January 15, 2017. <http://www.sundaymail.co.zw/child-labour-thrives-in-farms/>
- World Atlas. Worst Countries for Child Labor. April 25, 2017. Source on file.
- Chingono, Nyasha. \$1 a Week: the bitter poverty of child sugarcane workers in Zimbabwe. *The Guardian*, November 19, 2020. <https://www.theguardian.com/global-development/2019/nov/19/the-bitter-poverty-of-child-sugarcane-workers-in-zimbabwe>

## MINIMAL ADVANCEMENT – EFFORTS MADE BUT REGRESSION IN PRACTICE THAT DELAYED ADVANCEMENT

- 10 ILO Committee of Experts. Individual Observation concerning Minimum Age Convention, 1973 (No. 138) Zimbabwe (ratification: 2000). Published 2021.  
[https://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:PI3100\\_COMMENT\\_ID:4051483](https://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:PI3100_COMMENT_ID:4051483)
- 11 Mangwaya, Miriam. Spike in child labour jolts govt. News Day. August 27, 2021.  
<https://www.newsday.co.zw/2021/08/spike-in-child-labour-cases-jolts-govt/>
- 12 Magoronga, Michael. Of Gokwe's cotton, strange stories and child marriages. The Chronicle. July 31, 2021.  
<https://www.chronicle.co.zw/of-gokwes-cotton-strange-stories-and-child-marriages/>
- 13 Mangwaya, Miriam. COVID-induced poverty worsens child labour. The Standard. August 1, 2021.  
<https://www.thestandard.co.zw/2021/08/01/covid-induced-poverty-worsens-child-labour/>
- 14 U.S. Embassy- Harare. Reporting. January 14, 2022.
- 15 Sunday Mail. Child labour rampant in fishing industry. June 3, 2018.  
<https://www.sundaymail.co.zw/child-labour-rampant-in-fishing-industry>
- 16 U.S. Embassy- Harare. Reporting. January 15, 2020.
- 17 Mugabi, Samuel. Child labour on the rise in mines, say officials. New Vision, December 15, 2020. Source on file.
- 18 Zimbabwe Environmental Law Association. Impact of COVID-19 Response Mechanisms on Children in Selected Gold and Diamond Mining Communities in Zimbabwe. October 12, 2020.  
<http://www.zela.org/download/impact-of-covid-19-response-mechanisms-on-children-in-selected-gold-and-diamond-mining-communities-in-zimbabwe-2/>
- 19 Chingono, Nyasha. 'I need money for school': The children forced to pan for gold in Zimbabwe. The Guardian. November 13, 2020.  
<https://www.theguardian.com/global-development/2020/nov/13/i-need-money-for-school-the-children-forced-to-pan-for-gold-in-zimbabwe>
- 20 ILO Committee of Experts. Individual Observation concerning Worst Forms of Child Labour Convention, 1999 (No. 182) Zimbabwe (ratification: 2000). Published 2021.  
[https://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:PI3100\\_COMMENT\\_ID:4051487](https://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:PI3100_COMMENT_ID:4051487)
- 21 NGO official. Interview with USDOL official. January 21, 2022.
- 22 Cite. Illegal brick moulders exploit children September 26, 2020.  
<https://cite.org.zw/illegal-brick-moulders-exploit-children/>
- 23 Mananavire, Bridget. Nearly 5,000 children live on streets. DailyNews Live, March 20, 2017.  
<https://bettercarenetwork.org/sites/default/files/Nearly.pdf>
- 24 Muradzikwa, Sam. Child poverty fuelling child labour worldwide. The Chronicle, June 14, 2017.  
<http://www.chronicle.co.zw/child-poverty-fuelling-child-labour-worldwide/>
- 25 The Herald. Zimbabwe: A child rescued is a child saved. March 22, 2017.  
<http://allafrica.com/stories/201703220664.html>
- 26 New Zimbabwe. Over 20k Zim children turn to vending as economy screams. August 14, 2020.  
<https://www.newzimbabwe.com/over-20k-children-turn-to-vending-as-economy-screams/>
- 27 Bulawayo 24 News. Zimbabwe's corridors of sexual horror. March 16, 2017.  
<http://bulawayo24.com/index-id-opinion-sc-columnist-byo-106443.html>
- 28 NewsDay. Sex exploitation of teenage girls rife. March 4, 2017.  
<https://www.newsday.co.zw/2017/03/sex-exploitation-teenage-girls-rife/>
- 29 Government of Zimbabwe. Ministerial Statement, Recorded Commercial Child Sexual Exploitation in Harare. October 4, 2017.  
<http://veritaszim.net/node/2220>
- 30 U.S. Department of State. Trafficking in Persons Report- 2021: Zimbabwe. Washington, DC, July 1, 2021.  
<https://www.state.gov/reports/2021-trafficking-in-persons-report/zimbabwe/>
- 31 U.S. Embassy- Harare. Reporting. February 5, 2020.
- 32 BBC News. Zimbabwe Country Profile. February 15, 2018.  
<http://www.bbc.com/news/world-africa-14113249>
- 33 UN News. Zimbabwe 'facing worst hunger crisis in a decade'. December 3, 2019.  
<https://news.un.org/en/story/2019/12/1052621>
- 34 U.S. Department of State. Trafficking in Persons Report- 2019: Zimbabwe. Washington, DC, June 2019.  
<https://www.state.gov/wp-content/uploads/2019/06/2019-Trafficking-in-Persons-Report.pdf>
- 35 Saunyama, Jairos. Living conditions fuel child sexual exploitation in Hopley. NewsDay, August 19, 2017.  
<https://www.newsday.co.zw/2017/08/living-conditions-fuel-child-sexual-exploitation-hopley/>
- 36 Human Rights Watch. A Bitter Harvest: Child Labor and Human Rights Abuses on Tobacco Farms in Zimbabwe. April 2018.  
[https://www.hrw.org/sites/default/files/report\\_pdf/zimbabwe0418\\_web\\_2.pdf](https://www.hrw.org/sites/default/files/report_pdf/zimbabwe0418_web_2.pdf)
- 37 Chitagu, Tatenda. Rampant child labour sours Lowveld's sugarcane industry. The Standard, June 30, 2019.  
<https://www.thestandard.co.zw/2019/06/30/rampant-child-labour-sours-lowvelds-sugarcane-industry/>
- 38 Karombo, Tawanda. Child prostitution in Zimbabwe spikes amid two other crises: COVID-19 and hunger. America Magazine, July 30, 2020.  
<https://www.americamagazine.org/politics-society/2020/07/30/child-prostitution-zimbabwe-spikes-amid-two-other-crises-covid-19-and>
- 39 Gwenzi, Getrude Dairai. More children in Zimbabwe are working to survive: What's needed. The Conversation, November 11, 2020.  
<https://theconversation.com/more-children-in-zimbabwe-are-working-to-survive-whats-needed-149033>
- 40 AllAfrica. Zimbabwe. Minister linked to child labour storm - Zanu-PF activists block probe at two white-owned farms March 15, 2022.  
[https://allafrica.com/stories/202203150428.html?utm\\_campaign=daily-headlines&utm\\_medium=email&utm\\_source=newsletter&utm\\_content=aans-view-link](https://allafrica.com/stories/202203150428.html?utm_campaign=daily-headlines&utm_medium=email&utm_source=newsletter&utm_content=aans-view-link)
- 41 U.S. Embassy-Harare official E-mail communication to USDOL official. March 22, 2022.
- 42 Government of Zimbabwe. Education Act, Chapter 25:04. Enacted: 2001.  
<http://www.unesco.org/education/edurights/media/docs/d0945389cdf8992e8cb5f3a4b05ef3b3aa0e6512.pdf>
- 43 Government of Zimbabwe. Education Amendment Act, Amending Education Act. 2020.  
[http://mopse.co.zw/sites/default/files/public/downloads/EDUCATION-AMENDMENT-ACT,2019\[Act15-2019\].pdf](http://mopse.co.zw/sites/default/files/public/downloads/EDUCATION-AMENDMENT-ACT,2019[Act15-2019].pdf)
- 44 U.S Embassy- Harare official. E-mail communication to USDOL official. February 10, 2021.
- 45 Amnesty International Zimbabwe: Statelessness crisis traps hundreds of thousands in limbo April 16, 2021.  
<https://www.amnesty.org/en/latest/news/2021/04/zimbabwe-statelessness-crisis-traps-hundreds-of-thousands-in-limbo/#:~:text=5:49 am-,Zimbabwe: Statelessness crisis traps hundreds of thousands in limbo,today in a new report.>
- 46 The Economist. Old laws and red tape leave thousands stateless in Zimbabwe 2021.  
<https://www.economist.com/middle-east-and-africa/2021/04/22/old-laws-and-red-tape-leave-thousands-stateless-in-zimbabwe>
- 47 U.S Embassy- Harare official. E-mail communication to USDOL official. March 11, 2020.
- 48 Government of Zimbabwe. Births and Deaths Registration Act. Enacted: 1985.  
<https://unstats.un.org/unsd/vitalstatkb/KnowledgebaseArticle50177.aspx>
- 49 Government of Zimbabwe. Children's Act (Act 22 of 1971 as amended through Act 14 of 2002). Enacted: 1972.  
<https://www.ilo.org/dyn/natlex/docs/ELECTRONIC/76958/88827/F-860336063/ZWE76958.pdf>

## MINIMAL ADVANCEMENT – EFFORTS MADE BUT REGRESSION IN PRACTICE THAT DELAYED ADVANCEMENT

- 50 Government of Zimbabwe. Labour Act, Chapter 28:01. Enacted: 1985, copy 2019. Source on file.
- 51 Government of Zimbabwe. Labour Relations (Employment of Children and Young Persons) Regulations, 1997 (S.I. No. 72 of 1997) 2017. Source on file.
- 52 Government of Zimbabwe. Constitution of Zimbabwe. Enacted: May 6, 2015.  
[https://tbinternet.ohchr.org/Treaties/CEDAW/Shared Documents/ZWE/INT\\_CEDAW\\_ADR\\_ZWE\\_33226\\_E.pdf](https://tbinternet.ohchr.org/Treaties/CEDAW/Shared%20Documents/ZWE/INT_CEDAW_ADR_ZWE_33226_E.pdf)
- 53 Government of Zimbabwe. Trafficking in Persons Act. Enacted: 2014.  
<https://digitallibrary.un.org/record/834986?ln=en>
- 54 Government of Zimbabwe. Criminal Law Act of 2004.  
<https://www.refworld.org/pdfid/4c45b64c2.pdf>
- 55 Government of Zimbabwe. International Humanitarian Law: National Implementation. National Service Act: Acts 19/1979, 22/2001. Accessed April 4, 2019.  
<https://ihl-databases.icrc.org/applic/ihl/ihl-nat.nsf/implementingLaws.xsp?documentId=F66BE5AEF3C149ABC125771B005D03B5&action=OpenDocument>
- 56 Coltart, David. Education Fact Sheet, Zimbabwe. SACMEQ, Accessed December 3, 2020. Source on file.
- 57 Government of Zimbabwe. Labour Amendment Bill, 2021, H.B. 14. 2021.  
<http://www.veritaszim.net/node/5355>
- 58 ILO CEACR. Individual Direct Request concerning Labor Inspection Convention, 1947 (No. 81) Zimbabwe (ratification: 1993) and Labor Inspection (Agriculture) Convention, 1969 (No. 129) Zimbabwe (ratification: 1993) Published: 2017  
[http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100\\_COMMENT\\_ID:3298230](http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:3298230)
- 59 Nhimba, Nicholas K. Zimbabwe: NECs play vital role in industrial harmony. The Herald, September 5, 2018.  
<https://allafrica.com/stories/201809050173.html>
- 60 Government of Zimbabwe. Labour Relations Amendment Act, 2002, Chapter 28:01 Part IV: I I. Enacted: 2002. Source on file.
- 61 U.S. Embassy- Harare. E-mail communication to USDOL official. March 15, 2022.
- 62 U.S. Embassy- Harare official. E-mail communication to USDOL official. March 4, 2022.
- 63 ILO. ILO modelled estimates and projections (ILOEST) – Population and labour force. Accessed February 7, 2022. Labor force data is modelled on a combination of demographic and economic explanatory variables by the ILO. Please see “Labor Law Enforcement: Sources and Definitions” in the Reference Materials section of this report.  
<https://ilostat.ilo.org/data/>
- 64 UN. World Economic Situation and Prospects. 2021 Statistical Annex. New York, 2021.  
<https://www.un-ilibrary.org/content/books/9789210054980>
- 65 U.S. Embassy- Harare. Reporting. February 4, 2022.
- 66 U.S. Embassy- Harare. Reporting. March 7, 2018.
- 67 U.S. Embassy- Harare official. E-mail communication to USDOL official. April 14, 2015.
- 68 Government of Zimbabwe. The Zimbabwe Trafficking in Persons National Plan of Action 2019–2021. 2019.  
[https://www.unodc.org/documents/southernafrica/Publications/CriminalJusticeIntegrity/TraffickinginPersons/2019\\_to\\_2021\\_Final\\_NAPLAC\\_.pdf](https://www.unodc.org/documents/southernafrica/Publications/CriminalJusticeIntegrity/TraffickinginPersons/2019_to_2021_Final_NAPLAC_.pdf)
- 69 Government of Zimbabwe. Zimbabwe United Nations Sustainable Development Cooperative Framework. 2022-206 2021.  
<https://zimbabwe.un.org/en/152534-2022-2026-zimbabwe-un-sustainable-development-cooperation-framework>
- 70 UNICEF. UNICEF 2018 Social Protection Budget Brief. April 2018.  
<https://www.unicef.org/esa/media/2371/file/UNICEF-Zimbabwe-2018-Social-Protection-Budget-Brief.pdf>
- 71 UNICEF. Zimbabwe’s Cash Transfer Programme: the Challenges of a Promising Programme. 2017.  
[https://transfer.cpc.unc.edu/wp-content/uploads/2018/02/Zimbabwes-cash-transfer-programme\\_The-challenges-of-a-promising-programme\\_2017-Brief.pdf](https://transfer.cpc.unc.edu/wp-content/uploads/2018/02/Zimbabwes-cash-transfer-programme_The-challenges-of-a-promising-programme_2017-Brief.pdf)
- 72 Zhkata, Ivan. Govt to pay school fees for 1.5 million children. The Herald. November 30, 2021.  
<https://www.herald.co.zw/govt-to-pay-school-fees-for-1.5-million-children/>
- 73 U.S. Embassy- Harare. E-mail communication to USDOL official. May 18, 2018.
- 74 U.S. Embassy- Harare. Reporting. February 28, 2019.
- 75 UK Department for International Development. Child Protection Fund Phase II for the National Action Plan for Orphans and other Vulnerable Children (CPF II for NAP) - Zimbabwe. December 12, 2018.  
<https://devtracker.fcdo.gov.uk/projects/GB-1-204831/documents>
- 76 USAID. DREAMS: Partnership to Reduce HIV/AIDS in Adolescent Girls and Young Women. March 7, 2018.  
<https://www.usaid.gov/global-health/health-areas/hiv-and-aids/technical-areas/dreams>
- 77 U.S. Department of State. Zimbabwe: Dreams Overview (FY 2016–2021). Washington, DC, 2020.  
[https://www.state.gov/wp-content/uploads/2020/07/ZIMBABWE\\_DREAMS-Fact-Sheet-2020.pdf](https://www.state.gov/wp-content/uploads/2020/07/ZIMBABWE_DREAMS-Fact-Sheet-2020.pdf)





© Raphael Pouget/UNICEF/UNI372363

Young Fatimetou poses with her  
cloth mask in front of her classroom.  
Mauritania. September 18, 2020.



# 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***.

Learn more: [dol.gov/EndChildLabor](https://dol.gov/EndChildLabor)

To contact us, please email [GlobalKids@dol.gov](mailto:GlobalKids@dol.gov)

Follow us: [@ILAB\\_DOL](https://twitter.com/ILAB_DOL)



**[www.dol.gov/ilab](https://www.dol.gov/ilab)**

For more information or to contact us, please visit USDOL's website at:  
**<https://www.dol.gov/agencies/ilab/resources/reports/child-labor/findings>** or email  
us at: **[GlobalKids@dol.gov](mailto:GlobalKids@dol.gov)**



**Office of Child Labor, Forced Labor, and Human Trafficking**  
Bureau of International Labor Affairs  
United States Department of Labor

Access our Sweat & Toil mobile app, containing this and other USDOL reports on international child labor and forced labor:

