



2019 FINDINGS ON THE WORST FORMS OF CHILD LABOR



Asking the Right Questions to Trace Abuses in Global Supply Chains

The Year in Review: From Paper Commitments to Active Enforcement

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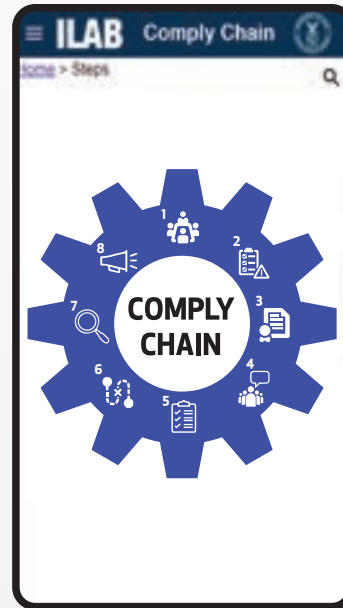
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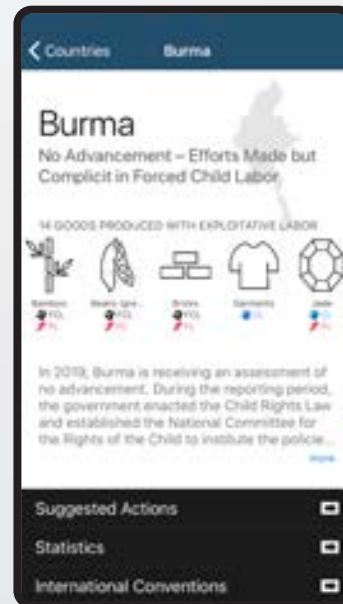
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All three of the U.S. Department of Labor's (USDOL) flagship reports on international child labor and forced labor are available on the USDOL website in HTML and PDF formats at <https://www.dol.gov/agencies/ilab/resources/reports/child-labor>. These 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 in the country, specific goods produced by child labor or forced labor in the country, the legal framework on child labor, enforcement of laws related to child labor, coordination of government efforts on child labor, government policies related to child labor, social programs to address child labor, and specific suggestions for government actions to address the issue.

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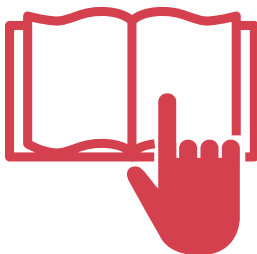


The Department's *Sweat & Toil* mobile application contains more than 1,000 pages of research from all three reports. *Sweat & Toil* helps you easily sort data by region, country, assessment level, good, and type of exploitation, all without the need for an internet connection. You can download the free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

<https://www.dol.gov/agencies/ilab/apps#Sweat&Toil>.

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 ranging from stakeholder engagement to code of conduct provisions, and from auditing to remediation to reporting and engagement. You can download the free app from Apple's App Store or the Google Play store, or access it online at <https://www.dol.gov/agencies/ilab/apps#ComplyChain>.

On Paper



The *Sweat & Toil* magazine is published in hardcopy and includes the *Findings on the Worst Forms of Child Labor* report and the *List of Goods Produced by Child Labor or Forced Labor*. The magazine provides an overall summary of the *Findings on the Worst Forms of Child Labor* report, regional findings related to meaningful efforts made and gaps for countries to address, and the assessment levels of each of the 131 countries. The magazine also includes additions and removals from our *List of Goods Produced by Child Labor or Forced Labor*. Send an e-mail to GlobalKids@dol.gov to request hard copies or download them from the Department's website at

<https://www.dol.gov/agencies/ilab/resources/reports/child-labor>.



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An immigrant Haitian boy carries rice for planting in the rice paddy.
Dominican Republic. January 5, 2010.

Foreword

For more than 25 years, the Department of Labor's Bureau of International Labor Affairs (ILAB) has conducted research and reporting to inform U.S. foreign and trade policy with the aim, among others, of shining a light on labor abuses in key sectors across the world. As the economy becomes more global and supply chains more extensive, ILAB's effort to reveal abusive child labor and forced labor practices becomes even more important.

Central to those efforts are ILAB's annual *Findings on the Worst Forms of Child Labor* and biennial *List of Goods Produced by Child or Forced Labor*. The reports provide specific, actionable information to governments, businesses, non-profits, and other key actors in the global economy on how to combat child labor and forced labor in more than 145 countries and territories. Policymakers and companies can rely on these reports to conduct risk assessments, perform due diligence on supply chains, and develop strategies to address child labor and forced labor.

To assist businesses in identifying risks and in remediating abuses in their supply chains, the Department of Labor also offers the *Comply Chain* smartphone app. This year, we updated its content with real-world examples of actions taken by companies to ensure workers in their supply chains are not exploited. These examples will give businesses additional tools and ideas on ways to ensure compliance and prevent labor abuses.

The historic United States-Mexico-Canada Agreement (USMCA) adopted earlier this year provides ILAB another important opportunity for impact, as the agency works with key trading partners on increasing

and strengthening labor protections through technical assistance, capacity-building projects, and cutting-edge research. The USMCA explicitly

requires each country to prohibit the importation of goods made with forced labor, and ILAB's research and reporting will play a key role in the implementation of this provision.

While it is heartening to see in this year's reports that some countries have progressed in combatting child or forced labor practices within their borders, other nations have taken a step back. And unfortunately, some of the world's largest economies are home to some of the worst violators. As the world grapples with a pandemic, forced labor and unacceptable child labor is likely to become more frequent, not less. Ending these practices demands persistence and requires that all of us around the world, whether businesses, governments, or worker advocates, do our part by sharing our expertise, our lessons learned, and our best practices. Our hope is that these reports will be valuable tools in those efforts.



Eugene Scalia
U.S. Secretary of Labor

Eugene Scalia
Secretary of Labor
September 2020



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Sunita was once forced to weave carpets and perform domestic work from 4 a.m. late into the night, until she began attending school through GoodWeave's education program. Nepal. 2007.

Acknowledgments

The U.S. Department of Labor’s Bureau of International Labor Affairs (ILAB) published this report under the leadership of Martha Newton, Deputy Undersecretary for International Affairs, who has recently left the U.S. Department of Labor to join the International Labour Organization; Mark Mittelhauser, Associate Deputy Undersecretary for International Affairs; Grant Lebens, Chief of Staff; Marcia Eugenio, Director of the Office of Child Labor, Forced Labor, and Human Trafficking (OCFT); and Margaret Jungk, Deputy Director, OCFT.

Chanda Uluca, Austin Pedersen, Fan Yang, and Jon Underdahl-Peirce managed the research, writing, and production of this report, with major contributions from Rachel Raba, James Gyenes, Dan Arp, Sandi Giver, Claudia Guidi, and Veronica Zeitlin. The following OCFT staff carried out the underlying research that made the report possible: Ahoura Afshar, Oryza Astari, Marco Campos, Sara Christopher, Jennifer Fendrick, Matt Fraterman, Caitlin Harwood, Erica Herrmann, Jacqueline Jesus, Kyle Livingston, Eric Martin, Caleb Owen, Julia Reinitz, Rita Weiss, and Siyuan Xie. Alexa Gunter, Marina Medina Cordero, Ashby Henningsen, Anastasia Hirt, Krista Mangiardi, and Victoria Vardanega provided vital research and administrative support.

Other personnel within OCFT who made important contributions include Christine Carlson, Kathryn Chinnock, Marina Colby, Lorena Davalos, Courtney Donnalley, Rana Dotson, Tina Faulkner, Yune Lee, Marisa Ferri Light, Quinn Marschik, Eileen Muirragui, Ingris Ramos, Sherry Richmond, Doris Senko, Tanya Shugar, Shelley Stinelli, Leyla Strotkamp, Sarah Sunderlin, Honoré Tchou, Pilar Velasquez, and Kevin Willcutts.

Micole Allekotte, Tamara Hoflejzer, Jane Garrido, and Derek Baxter from the Department’s Office of the Solicitor, along with Jay Berman from the Office of the Assistant Secretary for Policy, made major contributions. Other staff from ILAB, the Employment and Training Administration, Office of Public Affairs, Office of the Solicitor, Office of the Assistant Secretary for Policy, and the Wage and Hour Division who contributed include Olaoluwa Abina, Rebecca Azhdam, Giorleny Altamirano Rayo, Stefan Babich, Andy Bailey, Joan Barrett, Deborah Birnbaum, Ryan Carrington, Randall Denison, Cleveland Fairchild, Jared Green, Ashley Higgins, Rob Hines, Hanan Idilbi, Leena Khan, Jaelyn Lahr, Emma Laury, Ed McCarthy, Tecla Murphy, Everett Murtagh, Diana

Pineros, Carlos Quintana, Egan Reich, Crispin Rigby, Cindy Riggs, Carolina Rizzo, Kathleen Ryou, Esperanza Sanchez, Pablo Solorio, Halima Woodhead, and Katherine Zhao.

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 Michael O’Donovan, Desiree Ganz, Brandon Strassberg, Jason Vorderstrasse, and Jessica Chesbro.

Karen Cleek and Francis Knab of Graphic Visions produced the report’s graphics and layout, and Suteera Nagavajara, Patricia Vazquez, 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 the Chief Information Officer, Saliha Keddache, Praveen Bhatt, Harpreet Singh, and Aby Chalil of Zolon Tech, Inc. updated the *Sweat & Toil* and *Comply Chain* mobile application data from the report.

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



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Portrait of a young boy working in the fields.
Moldova. April 2010.

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Eritrean boys carrying fruits on their heads.
Asmara, Eritrea, August 14, 2019.

Purpose of This Report

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

The Department has prepared this 19th annual report on the 2019 *Findings on the Worst Forms of Child Labor* in accordance with the Trade and Development Act of 2000 (TDA). (1) The TDA set forth the requirement that a country implement its commitments to eliminate the worst forms of child labor for the President of the United States to consider designating the country a beneficiary developing country under the Generalized System of Preferences (GSP) program. (2; 3) The TDA also mandated that the President submit to the United States Congress the Secretary of Labor's findings with respect to each "beneficiary country's implementation of its international commitments to eliminate the worst forms of child labor." (1) ILAB carries out this responsibility on behalf of the Secretary.

Children, 5-17 years old

million working children

Working Children

Child Labor

Hazardous Child Labor

million* children
engaged in hazardous
child labor

million children in child labor

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

Country Coverage

This report covers 119 independent countries and 15 non-independent countries and territories designated as GSP beneficiaries. This includes former GSP recipients who have negotiated free trade agreements with the United States. (4) Because the population of children is extremely small (fewer than 50) or non-existent in the British Indian Ocean Territory, Heard Island and McDonald Islands, and the Pitcairn Islands, the report does not contain a discussion of these three non-independent countries and territories. This 2019 report presents information on child labor and the worst forms of child labor and efforts to eliminate this exploitation in the remaining 119 countries and 12 non-independent countries and territories. The use of “countries” in this report includes territories, and because the report focuses on government efforts, non-independent countries and territories are classified by their associated regions.

Population Covered

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

Reporting Period

The reporting period for this year’s report is January 2019 through December 2019. In certain cases, significant events or government efforts that occurred in early 2020 were included, as appropriate.

Type of Work

This report focuses on child labor and the worst forms of child labor. Definitions related to these types of work are guided by ILO C. 138 on Minimum Age and ILO C. 182 on the Worst Forms of Child Labor. Child labor includes work below the minimum age as established in national legislation (excluding permissible light work), the worst forms of child labor, and hazardous unpaid household services. The definition of the “worst forms of child labor” is found in the TDA and is the same as that included in ILO C. 182. It includes (a) all forms of slavery or practices similar to slavery, such as the sale or trafficking of children, debt bondage and serfdom, or forced or compulsory labor, including forced or compulsory recruitment of children for use in armed conflict; (b) the use, procuring, or offering of a child for prostitution, for the production of pornography, or for pornographic performances; (c) the use, procuring, or offering of a child for illicit activities, in particular for the production and trafficking of drugs; and (d) work which, by its nature or the circumstances 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.”



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Afghan children sort bricks at the Sadat Ltd. Brick factory, where they work from 8 am to 5 pm daily. Kabul, Afghanistan. May 14, 2010.

Asking the Right Questions to Trace Labor Abuses in Global Supply Chains

Global Benefits and a Persistent Problem

What do product quality control measures have in common with efforts to eliminate child labor? In a word: traceability. In the case of product safety-related issues, traceability is crucial as quality control experts and operations managers race to link the faulty product to the source. Just as in identifying the origin of defective products to limit harm, the world also has sought to trace the origins of various goods and products as a way to combat child labor and forced labor in those supply chains by asking the right questions: “Who made this and under what conditions?”

Global supply chains have created tremendous prosperity for our society as a whole, lifting millions out of poverty and providing livelihoods for many more; however, problems remain. Violations such as child labor, forced labor, and human trafficking have persisted as supply networks have continued to grow ever more complex. The latest global estimates highlight that 152 million children remain in child labor and 25 million adults and children toil under conditions of forced labor, including in global supply chains that crisscross our globe. (6) Many businesses at all stages of the supply chain, including major global brands, acknowledge these abuses. Businesses can play a critical role in improving working conditions for workers around the world – and many companies have recognized the economic benefit of doing so. These global conditions and the motivations of companies and governments to rectify these injustices have led to an increasing array of research on global supply chains with ILAB playing a pivotal role. ILAB is a leading voice and advocate through its support of research, tools, and technical assistance to aid those who seek to clean up global supply chains, and partnership with the private sector remains essential to matching these aspirations to reality.

A Sound Heard Around the World

On April 24, 2014, a garment factory building in Dhaka, Bangladesh collapsed, killing 1,132 people and injuring more than 2,500 – one of the deadliest structural failures in human history. This was not, however, an isolated incident, but rather another example to remind the world about these long-standing issues. (7) Only 5 months earlier, at least 112 workers lost their lives in a similar tragic accident, trapped inside the burning Tazreen Fashions factory on the outskirts of Dhaka. These events, and similar ones that have occurred since that time, continue to remind us once more about the mortal risks of labor abuses in global supply chains, prompting consumers around the world to question the origins of the clothes they wear and the conditions of the people who make those garments. Driven, in part, by this consumer sentiment and the history of concern focused on apparel sector sweatshops ranging back to the late 1980s, some companies began to push ahead to meet the growing consumer demand for transparency in supply chains. (8) As a government agency, ILAB has led many of the efforts to research and shed light on these abuses, partnering with the private sector, governments, and workers to help bring an end to these forms of exploitation.

Driving Global Research Forward

Informed action depends on quality research, and ILAB is a knowledge generator. Since 1993, ILAB has published more than 40 congressionally-mandated and Presidential Directive reports on child labor, forced labor, and human trafficking – covering approximately 140 countries – that have supported business efforts to reduce child labor and forced labor in global supply chains. In 2002, ILAB submitted a report to the United States Congress on the development of a

reporting methodology on working conditions in the apparel industry in major apparel exporting countries, an industry that employs every sixth worker in the world. (9) The Food, Conservation, and Energy Act of 2008 (Farm Bill) mandated ILAB to work with the U.S. Department of Agriculture on a Consultative Group to develop recommendations to lessen the likelihood of agricultural products or commodities produced with child labor and forced labor from entering the United States given global child labor risks in agriculture. In 2012, ILAB introduced *Reducing Child Labor and Forced Labor: A Toolkit for Responsible Businesses*, the first such guide developed by the U.S. Government to help companies address child labor and forced labor in supply chains. Building on these experiences, in 2017, ILAB supported the first G20 Strategy to Eradicate Child Labor, Forced Labor, and Human Trafficking in the World of Work. ILAB also has contributed to the development of a number of other strategies to eliminate child labor and forced labor, from promoting economic development to conducting research, and from sharing knowledge to driving innovation.

More recently, ILAB has continued to support other critical research on global supply chains. A key piece of this ongoing research is the 2019 report *Ending Child Labour, Forced Labour and Human Trafficking in Global Supply Chains*. (10) This Alliance 8.7 report, partially funded and supported by ILAB, provides the first-ever estimates of child labor in global supply chains and highlights the often indirect link between the two. This latest research confirmed an indispensable fact: that a significant share of child labor in global supply chains occurs in the lower tiers, in activities such as raw material extraction and agriculture, making due diligence, visibility, and traceability even more challenging. In the face of this challenge, ILAB has sought to be a crucial partner and mentor to those working on these efforts as the world demands more coherence on actions against child labor, forced labor, human trafficking, and modern slavery.



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Child labour, boy producing soft toys and carpets from alpaca fur in a small family business. Pachamac, Lima, Peru. March 14, 2011.

Challenges Ahead

The shortage of data sets, as well as gaps in existing ones, hinder efforts to accurately estimate the scale of child labor and forced labor in global supply chains. Nevertheless, ILAB is committed to leading with our global partners and other researchers to refine and improve traceability methodology and to support complementary, related research. To that end, dialogue among stakeholders must continue on persistent and complex questions like commodity pricing and fair wages for small-scale producers. Additionally, further research is needed on workers that play a supporting role, but are outside a business's direct supply chain. These workers may be involved in providing supplementary manufacturing inputs and the raw materials from farms and forests. In the face of these challenges, more work is needed to link customer to brand to supplier to producer and thereby paint a definitive picture of the complete supply chain.

ILAB as a Leading Actor on Supply Chains

Beyond efforts at a macro level to overcome these hurdles, ILAB collaborates directly with private sector partners aiming to eradicate labor abuses from their supply chains. ILAB provides critical tools to businesses and consumers that help promote a fair global playing field for workers and companies, including our essential reporting, a tool for the business community called *Comply Chain*, and our technical assistance.

Our Essential Reporting

Since 1993, ILAB has developed a unique approach to using its research to combat labor abuses. ILAB's *List of Goods Produced by Child Labor or Forced Labor* and the *List of Products Produced by Forced or Indentured Child Labor* identify supply chains that violate international labor standards and highlight particular goods and products with evidence of abusive labor practices. The annual *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. 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 approach helps ensure the credibility and validity of ILAB's publications on child labor and forced labor. Together, these reports serve as a foundation and reliable resource for many companies as part of their ongoing risk management. All data and research from these three information-packed reports also are available through the mobile app *Sweat & Toil*, which allows users to access more than 1,000 pages of research in the palm of their hand. ILAB uses these reports to provide critical and actionable information to federal government agencies to safeguard federal procurement and prevent the importation of goods made with prohibited labor, as well as helping foreign governments build their capacity to end modern slavery in their countries. Additionally, U.S. and global companies rely on ILAB's informative reports to prevent and reduce labor abuses across their supply chains and global production networks.

Comply Chain – A Tool for the Business Community

While our reports raise awareness, ILAB also provides companies with a practical, step-by-step guide to tackle child labor and forced labor in their global production through *Comply Chain: Business Tools for Labor Compliance in Global Supply Chains*, originally developed as *A Toolkit for Responsible Businesses* in 2012. 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



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Child at work in tea fields.
Rwanda. October 16, 2015.

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. It is designed for companies that do not have

such a system in place or those needing to strengthen their existing systems. To provide companies operating around the world with the tools necessary to confront these labor injustices, we made *Comply Chain* available in English, French, and Spanish in 2018. Read more about ILAB's work in the coffee sector in Figure 1.

Figure 1

Do You Know Where Your Coffee Comes From?

The word "coffee" first entered the English language in 1582.⁽¹¹⁾ Today, much of humanity runs on coffee. In fact, the United States is the leading importer of coffee in the world (23 percent of total coffee imports), and Brazil and Vietnam are two of the largest suppliers.⁽¹²⁾ However, before that coffee reaches our cups, millions of individuals, including children, pick and process those beans.

Coffee is a risky business. Many coffee workers, often from marginalized populations, are paid on a piecework basis and face sub-minimum wages and excessive working hours. Hazardous conditions are commonplace. Moreover, the lack of labor law enforcement in many countries, coupled with ineffective responses from corporate actors, allows systemic labor violations to continue. As evidence of the widespread nature of these abuses, ILAB's reporting highlights 17 countries where there is evidence of child labor and one country (Côte d'Ivoire) where there is evidence of forced labor in coffee production.⁽¹³⁾

Beyond research, ILAB funds projects to address labor issues in coffee supply chains in Latin America and spur government action. One of these projects is the \$2 million Cooperation On Fair, Free, Equitable Employment (COFFEE) project implemented by Verité and launched in May 2019.⁽¹⁴⁾ Leveraging ILAB's *Comply Chain*

app, COFFEE focuses on the creation of a global compliance system and toolkit to enable industry actors to implement sustainable social compliance systems to reduce child labor, forced labor, and unacceptable working conditions.⁽¹⁵⁾ A subset of these tools will be piloted in three key coffee-producing countries (Brazil, Colombia, and Mexico) in tandem with training and guidance on the implementation of these tools as part of ongoing stakeholder engagement. More than 25 prominent coffee roasters and traders, industry associations, multi-stakeholder and certification initiatives, and CSOs have agreed to collaborate with the COFFEE project. Against a backdrop of the COVID-19 pandemic, the risks of child labor and forced labor have been elevated in communities that rely on the coffee sector for their livelihoods, especially where enforcement is weak and restrictions on movement for workers have been used as was the case in Brazil. Moreover, in Brazil, there have been proposals to mandate internal migrant quarantines and suspend enforcement efforts directed at mitigating forced labor risks, which has exacerbated the risk of labor abuse.⁽¹⁶⁾ Despite the challenges, it is through direct engagements such as COFFEE that ILAB encourages governments, companies, and industry groups to take increased responsibility for ensuring the dignity of workers everywhere.

Technical Assistance – Lending a Helping Hand as a Partner

ILAB leads not just as a knowledge generator on these issues, but also in the design and funding of innovative technical assistance projects to combat labor abuses in global supply chains. ILAB's projects in this focus area include program activities that not only touch upon aspects of traceability, but also certification and accreditation models, inspections, and even monitoring and remediation. These projects succeed through collaborative efforts to address the root causes of child labor and forced labor and to create an environment for work that is free of exploitation. Since 1995, ILAB has implemented more than 300 projects in more than 95 countries in partnership with more than 80 organizations and with the support and association of a variety of governments and private sector partners.

Campos de Esperanza (Fields of Hope) is a project in Mexico that involves multiple stakeholders in government, the private sector, and civil society working together to reduce child labor in migrant agricultural communities, particularly in the coffee and sugarcane sectors in Veracruz and Oaxaca. (17) The project links children and youth to existing educational programs and refers vulnerable households to existing government programs to improve income and reduce the need for child labor. *Campos de Esperanza* also strengthens the Government of Mexico's capacity to improve working conditions by addressing occupational safety, and health concerns in the sugarcane sector. The interim evaluation of the *Campos de Esperanza* project in Mexico found that building on existing private sector policies helped to increase stakeholder buy-in.

Our work in Mexico represents just a single example of our work in this space and the benefit of evaluating projects to generate new knowledge. Additionally, our previous work in the Philippines through the

ABK3 LEAP (Livelihoods, Education, Advocacy and Protection to Reduce Child Labor in Sugarcane) project highlighted that forging partnerships among the private sector, civil society, and government requires time and a platform that creates opportunities for dialogue. The *ABK3 LEAP* project raised awareness, strengthened advocacy, and built the capacity of community, government, and sugar industry stakeholders to reduce exploitative child labor in 11 sugarcane-producing provinces in the Philippines. The final evaluation of this project highlighted the broad commitment from major sugarcane industry stakeholders to eliminate child labor. (18) From the outset, the project engaged with the Government of the Philippines' Sugar Regulatory Administration and piloted multi-stakeholder efforts to establish Voluntary Codes of Conduct developed separately by the sugar stakeholders in each province, according to the conditions in each province to enhance buy-in from planters and millers. The project also leveraged its relationship with SIFI (Sugar Industry Foundation, Inc.) to facilitate access for participant households to receive financial assistance from the Social Amelioration Program, funded through a lien by sugar producers, during major life events, such as childbirth or serious illness. The partnership with SIFI also served an instrumental role in engaging the sugar industry on child labor issues. This multifaceted approach to addressing child labor in the Philippines ensures that efforts to reduce exploitative child labor are sustainable, creating positive, lasting changes. The results are better protections for children from exploitation, increased opportunities for youth and families to contribute to their communities and to global growth, and a more level global playing field for sugar producers who play by the rules and seek to protect their workers from unfair competition and abuses of human rights.

A final example is our project *Piloting the United States Department of Agriculture Guidelines for Eliminating Child Labor and Forced Labor in Turkey's Hazelnut Supply Chain*, implemented in partnership with the Fair Labor Association. The final evaluation of

ILAB's Projects

Strengthening Labor Enforcement

ILAB funded **59** active projects & initiatives in **53** countries in 2019.



Campos de Esperanza, Mexico
Developed a labor competency standard and guides and manuals used to train more than 4,500 producers and agricultural workers in the sugar and coffee sectors to recognize and mitigate occupational safety and health (OSH) risks in their supply chains.

Semilla, Peru
Worked with Peru's Ministry of Labor and Employment Promotion to expand nationally a "Child Labor Free Seal" Program to verify that agricultural supply chains are free of child labor.

FLIP, Ghana
Trained government officials, private companies, employers and civil society stakeholders relevant to cocoa, gold and palm oil supply chains to understand and address forced labor and labor trafficking in Ghana.

Decent Work Country Program, Uzbekistan
Offered information and trainings on fair recruitment in the cotton supply chain to over 2,000 participants in four target districts.

CLIMB, Bangladesh
Built the capacity of over 455 civil society actors to establish more effective communication strategies about law enforcement and service provision to reduce hazardous child labor in the dried fish supply chain.

FAIR Fish, Thailand
Provided pilot companies in the seafood processing supply chain with over 230 technical assistance trainings and a set of tools and guidelines for social compliance.

Making an Impact



Demonstrating commitment and leadership in the worldwide movement to end child labor, which has contributed to the global reduction of 94 million child laborers since 2000

Providing education and vocational training opportunities to nearly 2 million children



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

Improving the livelihoods for nearly 170,000 vulnerable families



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

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



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

Visit www.dol.gov/EndChildLabor to learn more

that project found that two companies (Balsu and Olam – suppliers of Nestlé) had either successfully developed or enhanced their systems to trace and identify risk within their supply chains as part of the project. (19) These traceability activities enable the companies to identify age and worker origin and minimize potential risks, not just traditional business risks, but also the risks of exploitative labor practices. Olam enhanced the system it had in place prior to its involvement in the project by adding labor information, such as labor contractor details, to better understand workforce movements and promote more effective interventions. Balsu was able to develop a new tracing system through the project that combined supply chain (and farmer) traceability with workforce traceability. In short, ILAB’s support for this project has led to real change in pushing corporate efforts forward through the strengthening of collaborative and common responsibilities of both brands and supply chain partners.

ILAB continues to learn from our numerous supply chain-focused projects to improve outcomes for those faced with the reality of exploitative work within global supply chains.

An Evolving Mandate and the Next Frontier

ILAB is committed to innovative approaches that address labor abuses in supply chains. For example, the Bureau has initiated a feasibility study to pilot a methodology to trace the supply chain in the Indonesian palm oil sector. On June 3, 2020, the Bureau also issued a notice of intent to fund a project to develop and pilot methodologies to trace supply chains. Additionally, ILAB is expanding its own research into goods made with inputs produced with child labor or forced labor. This research grew out of the Frederick Douglass Trafficking Victims Prevention and Protection Reauthorization Act of 2018, which included a new congressional mandate for ILAB related to its *List of Goods Produced by Child Labor or Forced Labor*. (20) Specifically, the United States Congress

added a mandate to identify, “to the extent practicable, goods that are produced with inputs that are produced with forced labor or child labor.” This new language asks ILAB to examine not only the inputs to goods and products, but also the final goods and products made up of those inputs that end up on the shelves of our favorite stores. ILAB’s expanded mandate reinforces the reality of the expanding parameters of due diligence across often complex and multi-tier global supply chains. Although some methodologies exist to trace the origin of various consumer products, this field is in its infancy and lacks any widely accepted and cost-efficient standards. ILAB continues to play a role in addressing this challenging supply chain issue.

Partnerships Remain Essential

Governments have a major duty to enforce laws and uphold fundamental workers’ rights, and should lead by example as a responsible partner in public procurement, given a government’s impact on workers connected to global supply chains. For example, consider the 37-member group known as the Organization for Economic Co-operation and Development (OECD). This group of high-income nations represents more than 40 percent of global gross domestic product (GDP). Moreover, this same group spends, on average, 12 percent of its GDP on public procurement – a considerable sum. (21) This high amount of spending highlights the importance of governments taking proactive steps in tending to their own supply chains. Furthermore, this is the reality for all governments around the globe, especially large non-OECD economies, which have the potential to contribute to reductions in labor abuses through responsible procurement policies.

One way that the U.S. Government protects fundamental worker rights is through the Federal Acquisition Regulations (FAR), which prohibit contractors, subcontractors, and their employees from engaging in specific types of trafficking-related activities. Additionally, FAR requires that contractors

take appropriate action against employees, agents, and subcontractors who violate the prohibitions and that those contractors inform their employees about the prohibited activities and associated consequences. One of ILAB's flagship reports – *List of Products Produced by Forced or Indentured Child Labor* – is another example of the U.S. Government's efforts to responsibly manage its procurement. This List is intended to ensure that U.S. federal agencies do not procure goods made by forced or indentured child labor. Under procurement regulations, federal contractors who supply products on the List must certify that they have made a good faith effort to determine whether forced or indentured child labor was used to produce the items supplied. Additionally, the U.S. Government's trade agreements and preference programs require our trading partners to protect internationally recognized worker rights. For example, the United States–Mexico–Canada Agreement (USMCA) brings labor obligations into the core of the agreement and makes them fully enforceable, representing the strongest provisions of any trade agreement. USMCA's labor chapter also requires that each country prohibit the importation of goods into its territory from other sources produced in whole or in part by forced or compulsory labor, including forced or compulsory child labor.

Furthermore, greater enforcement on the part of governments leads to greater compliance on the part of businesses. The business community is an essential partner in this alliance to delve deeper into the question of where our products come from. Eradicating child and forced labor cannot be achieved without sustained commitment from the businesses that mine, produce, manufacture, distribute, and sell goods around the world. Businesses create jobs and find workers to perform those jobs; these companies bear a responsibility to ensure that those working

relationships respect national laws and fundamental labor rights. Some businesses and industry groups have long taken this responsibility seriously, through robust voluntary standards, due diligence, remediation, transparency, and engagement with stakeholders. Now, however, the combination of increased pressure from stakeholders, such as governments, and incentives to develop stronger responses is driving more businesses to acknowledge and address labor abuses in their supply chains not just as a voluntary commitment, but as a necessary way of conducting business today.

Partnerships are essential to address the problem of child labor and forced labor in supply chains. We need to bring together all key actors – including governments, international organizations, businesses, workers' and employers' organizations, and civil society – if we hope to truly accelerate progress over the coming decade. That is the kind of “all hands on deck” approach needed. Moreover, such an approach offers the added benefit of allowing us to leverage our vast, collective learning and experience. A greater impact in the years ahead is not only possible, but also more likely by sharing our expertise, our lessons learned, and our good practices.

We continue to recognize the importance of traceability to the quality of the goods and products that we purchase. Yet, traceability is significant beyond quality control: knowing the origin of all products and the conditions under which they are made is increasingly critical in all aspects. As traceability improves, it is increasingly possible to know whether child labor and forced labor are at the origin of the foods we eat or the clothes we wear. As ILAB continues to improve our ability to ask and to answer these questions, we invite you to join us in asking, “Who made this and under what conditions?”

Figure 2

20 Years of the Trafficking Victims Protection Act

In October 2000, the United States Congress passed a pivotal piece of legislation – the Trafficking Victims Protection Act of 2000 (TVPA) – that provided increased protections for trafficking victims in the United States, established human trafficking and related offenses as federal crimes, and strengthened the U.S. Government's service provision and prevention efforts. This Act served as the catalyst for two decades of rapid expansion of federal efforts to eradicate human trafficking and uphold the rights of survivors. As we commemorate the 20th anniversary of the TVPA's enactment, USDOL remains committed to working in partnership with other federal agencies and the business and non-governmental organization (NGO) communities to end human trafficking, both at home and abroad.

USDOL has an important role to play in the fight against trafficking in persons. Domestically, investigators from our Wage and Hour Division and Occupational Safety and Health Administration proactively enforce workplace laws and are often the first federal agencies to make contact with vulnerable workers and detect exploitation in the workplace. Our Employment and Training Administration leverages its resources and expertise to help trafficking survivors seek gainful employment when they are ready. Additionally, the Department works hand-in-hand with interagency Anti-Trafficking Coordination Teams, which streamline federal

criminal investigations and prosecutions of human trafficking offenses.

Internationally, ILAB has been recognized as a global leader in combating the trafficking of adults and children for more than 20 years. We use our reporting on child labor, forced labor, and human trafficking to engage with and ensure that governments strengthen and enforce their laws, and that businesses do their part to rid their supply chains of child labor and forced labor. Furthermore, ILAB's programming to combat trafficking and forced child labor has expanded to some of the most challenging environments and sectors in the world – from deep-sea fishing in Indonesia and brick kilns in Nepal to palm oil supply chains in Colombia and Ecuador to cocoa farming in Côte d'Ivoire. ILAB has piloted strategies to prevent human trafficking and build the capacity of governments to combat labor abuses. ILAB projects have rescued millions of children from the worst forms of child labor – including trafficking – and provided them with direct services, such as shelter and rehabilitation.

The Trafficking Victims Protection Act and its subsequent reauthorizations have provided ILAB with clear and expanding authorities to combat trafficking in persons. In commemorating the 20th anniversary of this watershed law, we reflect on how far we have come and commit to continuing efforts to meet its goals.



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Clarisse Kambire, 13, and fellow laborers deliver baskets of hand-picked organic cotton to her farmer's store house. Benvar, Burkina Faso. November 10, 2011.



©Asrian Mirza/ILO

Tackling child labour through education in West Java,
Indonesia. West Java, Indonesia. June 18, 2008.

2019 Findings on the Worst Forms of Child Labor

The Year in Review: From Paper Commitments to Active Enforcement

Unanimous decisions do not come easily, especially on the international stage among 174 different countries. However, in 1999, the 174 member countries of the ILO unanimously adopted Convention No. 182 on the Worst Forms of Child Labor, along with its corresponding Recommendation No. 190. (64) Together, these instruments articulated a global consensus that child labor cannot be tolerated. The Convention called for “immediate and effective measures to secure the prohibition and elimination of the worst forms of child labor as a matter of urgency” and called on members to “take appropriate steps to assist one another in giving effect to the provisions of this Convention.”

In 2000, the United States Congress mandated that the U.S. Department of Labor (USDOL) submit findings with respect to each Generalized System of Preference’s “beneficiary country’s implementation of its international commitments to eliminate the worst forms of child labor.” In 2002, USDOL’s Bureau of International Labor Affairs (ILAB) published the first edition of *Findings on the Worst Forms of Child Labor*. In 2009, ILAB introduced country-specific suggested actions that governments could implement in order to accelerate progress in their fight against child labor. In 2012, ILAB established individual country assessments that identify whether progress has been made toward eliminating the worst forms of child labor. Today, the 2019 release of *Findings on the Worst Forms of Child Labor* offers more than 2,000 suggested actions to governments in 131 countries and territories to advance the elimination of child labor, with almost 1,280 related to improvements in and enforcement of laws alone. This report also highlights the meaningful efforts that many countries have made to prevent and eliminate the worst

forms of child labor, including through enacting and enforcing laws, coordinating more effectively among stakeholders, establishing policy frameworks, promoting quality education for children, and implementing social protection programs along with poverty alleviation strategies that address the root causes of child labor.

The 2019 edition also marks a unique milestone with the inclusion of **Mexico** for the first time. The report covers countries and territories designated as Generalized System of Preferences (GSP) beneficiaries and former GSP beneficiary countries with a Free Trade Agreement signed after the Trade Development Act of 2000 was enacted and for which there is evidence of a child labor problem. Mexico, a former GSP beneficiary, met the benchmark for inclusion in this year's report with the entry into force of the USMCA on July 1, 2020. Although our research coverage has expanded this year, ILAB's commitment to work with governments to eliminate the worst forms of child labor remains the same as we strive to move from commitments on paper to the active enforcement of and compliance with these ideals.

A Newcomer in the Report This Year: Mexico

As this is the first year that Mexico is included in the report, the country received no assessment. ILAB does not offer assessments in the first year that a country's efforts are evaluated and suggested actions are provided, allowing the initial report to serve instead as a baseline. However, it is encouraging to know that were an assessment provided, Mexico would have received a Significant Advancement, the highest assessment possible, as it made meaningful efforts in all relevant areas. The new country profile for Mexico includes more information, such as the results from the country's latest National Employment and Occupation Survey - Child Labor Module, and goods produced with child labor, including some that may be in your pantry. You can also learn about the government's new commission on migrant children and the challenges of enforcement within an informal sector that includes 60 percent of all workers. Figure 3 contains more information about the labor provisions and ILAB's work on the USMCA.

Figure 3

USMCA

The United States, Mexico, and Canada signed the USMCA to replace the outdated North American Free Trade Agreement (NAFTA) in November 2018, and it entered into force on July 1, 2020. Unlike NAFTA, the USMCA includes a labor chapter that brings labor obligations into the core of the agreement and makes them fully enforceable, and places a priority on workers as central beneficiaries. Under this chapter, each country, including Mexico, commits to adopt and maintain in its statutes, regulations, and practices the effective abolition of child labor and a prohibition of the worst forms of child labor. The USMCA labor chapter also requires that each country prohibit the importation of goods into its territory from other sources produced in whole or in part by forced or compulsory labor, including forced or compulsory child labor. Additionally, it lists areas where the three countries may develop cooperative activities, which include combating forced labor and human trafficking on fishing vessels and identifying the movement of goods produced by forced labor. As part of the United States' implementation of the USMCA, President Donald Trump established a Forced Labor Enforcement Task Force. The Task Force includes representatives from across multiple government agencies to effectively monitor and report on U.S. enforcement of the prohibition of importing goods made by forced labor. ILAB plays a leading role in using its expertise to design and implement programs that will assist the Government of Mexico in meeting its USMCA obligations to combat forced labor. USDOL, represented by ILAB, also co-chairs the Interagency Labor Committee for Monitoring and Enforcement, which will monitor implementation of the labor obligations under the USMCA and request enforcement actions when there is a failure to comply with these obligations.

Overview of 2019 Assessments

This year, of the 131 countries and territories assessed, eight countries – **Argentina, Colombia, Costa Rica, Ecuador, Guatemala, Namibia, Paraguay, and Peru** – received the highest assessment of Significant Advancement (see Figure 4 for a global breakdown of country assessments for this year). These countries made meaningful efforts during the reporting period in all relevant areas covering legal frameworks, enforcement, coordination, policies, and social programs, which may have included taking suggested actions recommended in 2018. Furthermore, each of the eight countries met the baseline of minimally acceptable protections that countries must have in order to receive ILAB’s highest assessment of Significant Advancement. In fact, this year warrants special attention and praise for the Government of **Namibia** as the nation achieved the highest rating of Significant Advancement for the first time ever.

It is noteworthy that 14 more countries and territories would have received an assessment of Significant Advancement had they met this baseline level of protections. These include **Angola, Brazil, Chile, Christmas Island, Cocos (Keeling) Islands, India, Madagascar, Mali, Mozambique, Niger, Norfolk Island, the Philippines, Thailand, and Uzbekistan**. For more information about this baseline see Figure 5 and Exhibit 1.

Sixty-seven countries received a Moderate Advancement assessment in 2019. 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, 27 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

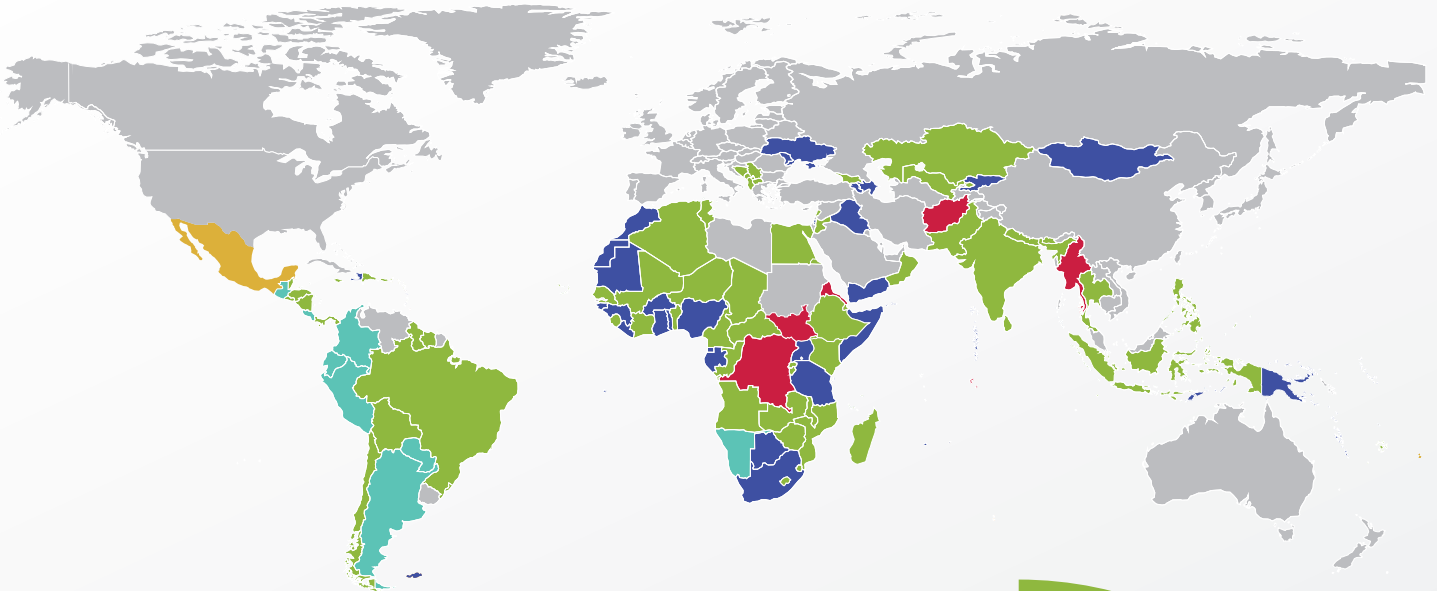
law, policy, or practice that delayed advancement in eliminating the worst forms of child labor, the highest assessment level these countries could receive was a Minimal Advancement. Sixteen countries – **Armenia, Azerbaijan, Cambodia, Gabon, Iraq, Kyrgyz Republic, Mauritania, Moldova, Mongolia, Somalia, Tanzania, Timor-Leste, Tonga, Uganda, Ukraine, and Yemen** – implemented or maintained a law, policy, or practice related to access to education, minimum age for work, labor inspection, official complicity in human trafficking, or the recruitment and use of child soldiers that undermined other advancements made toward eliminating the worst forms of child labor. Dropping off the list this year after its inclusion for several consecutive years is the West African nation of **Sierra Leone**. In early 2020, Sierra Leone overturned its policy that prohibited pregnant girls from attending regular public schools or taking secondary and post-secondary school entrance exams – a policy that made them more vulnerable to the worst forms of child labor.

Additionally, some countries could not receive an assessment level beyond No Advancement because they had a policy or demonstrated a practice of being complicit in the use of forced child labor in more than isolated incidents. Unfortunately, five countries – **Afghanistan, Burma, the Democratic Republic of the Congo, Eritrea, and South Sudan** – were found to be complicit in the use of forced child labor during the reporting period, whether it be for commercial sexual exploitation, public works projects, compulsory recruitment or support for non-state groups involved in recruitment, or participation in armed conflict.

Six countries received an assessment of No Advancement because they made no effort to prevent the worst forms of child labor: **Anguilla, British Virgin Islands, Grenada, Montserrat, Niue, and Tokelau**. Despite the lack of evidence of child labor, these countries lack legal frameworks that meet international standards, thereby leaving children without an adequate preventative mechanism.

Figure 4

Global Breakdown of Country Assessments



8 Significant Advancement

Argentina | Colombia | Costa Rica | Ecuador | Guatemala | Namibia | Paraguay | Peru

67 Moderate Advancement

Albania | Algeria | Angola | Bangladesh | Belize | Benin | Bhutan | Bolivia | Bosnia and Herzegovina | Brazil | Burundi | Cabo Verde | Cameroon | Central African Republic | Chad | Chile | Christmas Island | Cocos (Keeling) Islands | Comoros | Congo, Republic of the | Côte d'Ivoire | Djibouti | Dominican Republic | Egypt | El Salvador | Eswatini | Ethiopia | Fiji | Georgia | Guyana | Honduras | India | Indonesia | Jamaica | Jordan | Kazakhstan | Kenya | Kosovo | Lebanon | Lesotho | Madagascar | Malawi | Mali | Montenegro | Mozambique | Nepal | Niger | Norfolk Island | North Macedonia | Oman | Pakistan | Panama | Philippines | Rwanda | Saint Lucia | Senegal | Serbia | Sierra Leone | Sri Lanka | Suriname | Thailand | The Gambia | Tunisia | Tuvalu | Uzbekistan | Zambia | Zimbabwe

43 Minimal Advancement

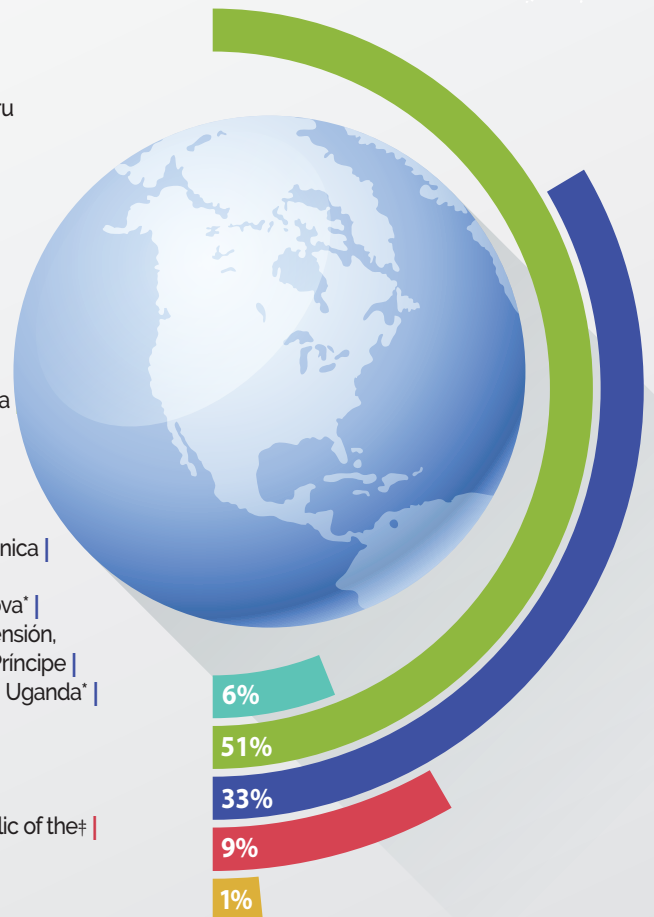
Armenia* | Azerbaijan* | Botswana | Burkina Faso | Cambodia* | Cook Islands | Dominica | Falkland Islands (Islas Malvinas) | Gabon* | Ghana | Guinea | Guinea-Bissau | Haiti | Iraq* | Kiribati | Kyrgyz Republic* | Liberia | Maldives | Mauritania* | Mauritius | Moldova* | Mongolia* | Morocco | Nicaragua | Nigeria | Papua New Guinea | Saint Helena, Ascension, and Tristán da Cunha | Saint Vincent and the Grenadines | Samoa | São Tomé and Príncipe | Solomon Islands | Somalia* | South Africa | Tanzania* | Timor-Leste* | Togo | Tonga* | Uganda* | Ukraine* | Vanuatu | West Bank and the Gaza Strip | Western Sahara | Yemen*

11 No Advancement

Afghanistan‡ | Anguilla | Burma‡ | British Virgin Islands | Congo, Democratic Republic of the‡ | Eritrea‡ | Grenada | Montserrat | Niue | South Sudan‡ | Tokelau

2 No Assessment

Mexico | Wallis and Futuna



* Efforts made but regression or continued law, policy, or practice that delayed advancement
‡ Efforts made but complicit in forced child labor



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Mexican indigenous girl, selling food at the
waterfalls of Agua Azul Palenque, Mexico.
Palenque, Chiapas, Mexico. July 7, 2017.

Figure 5

Baseline of Minimally Acceptable Protections



SOCIAL PROGRAMS

Safeguarding Future Progress

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

ENFORCEMENT

Putting Legislation to Action

- Made a good faith effort to collect and publish labor and criminal law enforcement data
- Took active measures to investigate, prosecute, convict, and sentence public officials who participate in or facilitate the worst forms of child labor
- Took active measures to ensure that children are not inappropriately incarcerated, penalized, or physically harmed solely for unlawful acts as a direct result of being a victim of the worst forms of child labor
- Imposed penalties for violations related to the worst forms of child labor
- Designated a competent authority or institutional mechanisms for the enforcement of laws and regulations on child labor

LEGAL ACTIONS

Establishing a Framework to Combat Child Labor

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

Overview of Meaningful Efforts

Legal Framework for Child Labor

Around the world in 2019, many countries made meaningful efforts to strengthen legal protections for children from the worst forms of child labor. In South America, the Government of **Colombia** passed a law that granted birthright citizenship to children born in Colombia to Venezuelan parents, including those with irregular migration status, for the period from January 1, 2015 to September 16, 2021. This legislation was the result of a concerted effort by several ministries and agencies to facilitate access to education and health care, thereby reducing this population's vulnerability to child labor.

Moreover, several countries in the Indo-Pacific region acceded to international conventions and protocols related to the worst forms of child labor as a first step to incorporate those global standards into actionable domestic legislation. For example, **Vanuatu** acceded to ILO C. 138 on the minimum age, setting the minimum age for work at 14. Additionally, the Government of **Tuvalu** ratified ILO C. 182 on the worst forms of child

labor. **Burma** also ratified the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict. Finally, **Bangladesh** acceded to the Palermo Protocol on human trafficking in September 2019.

In Africa, **Ethiopia** raised its minimum age for work from 14 to 15, significantly increased penalties for child labor violations, and extended protections to non-contractual workers. **Namibia's** new Child Care Protection Act increased protections for children from the worst forms of child labor. Coupled with its implementing guidance, this Act establishes a legal framework for the care of children; provides guidelines for the mandatory reporting of cases related to child exploitation, as well as the provision of protective service for those children; and stipulates penalties of up to 10 years of imprisonment for offenses related to the worst forms of child labor. **Tunisia** published its hazardous work list in the country's official register in April 2020, thereby bringing it into effect. The new hazardous work list prevents children from participating in street work, specifically the itinerant sale of items on public streets, beaches, and public transport, such as at bus terminals or on the vehicles. Learn more about hazardous child labor and the minimum age for work in Figure 6 and Figure 7.

Figure 6

What is Hazardous Child Labor?

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



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



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



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



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



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

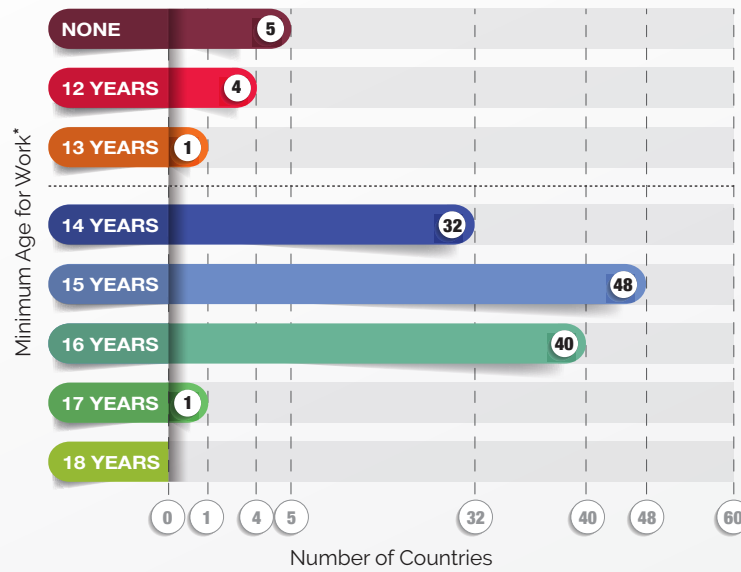
¹ International Labor Organization. Recommendation 190. Geneva: June 1999. <https://www.ilo.org/public/english/standards/relm/ilc/ilc87/com-chir.htm>.

Figure 7

Minimum Age for Work

15

years



Countries that do not have a minimum age at 15 years

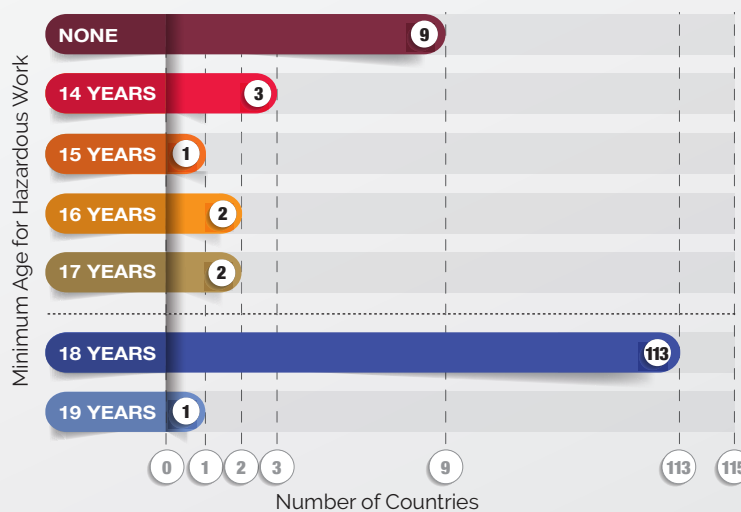
- Anguilla ■ Belize ■
- Bhutan ■ Liberia ■
- Nigeria ■ Niue ■
- Norfolk Island ■
- Solomon Islands ■
- Tokelau ■ Tonga

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

Minimum Age for Hazardous Work

18

years



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

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

Enforcement of Laws on Child Labor

Legislation remains just one side of the coin with enforcement of those laws representing the other side. **Colombia's** Ministry of Labor launched a virtual training campus for labor inspectors, including a course on Fundamental Rights at Work, which included modules on child labor. In the Indo-Pacific region, **Sri Lanka** was one of a few countries to increase its labor inspectorate funding, providing almost double the amount of funds – from \$1,154,000 in 2018 to \$2,110,933 in 2019. Moreover, the Government of Sri Lanka supplied all district offices with at least one vehicle and fuel to conduct inspections. **Tunisia** took enforcement actions against allegations of child trafficking – including forced labor – subsequently shutting down 11 associations operating unauthorized Koranic schools in 6 different governorates. In **Jordan**, the Joint Anti-Trafficking Unit held 39 workshops and 250 lectures on trafficking indicators as part of an effort with civil society organizations to raise awareness regarding human trafficking indicators. **Georgia** implemented a new law that empowers the labor inspectorate to conduct unannounced occupational safety and health inspections in all industries, including for hazardous child labor. In an effort to counteract

the growing trend of online exploitation of children, **Kenya** developed a cyber-crimes unit. In 2019, the unit responded to 10 cases of cyber trafficking and the commercial sexual exploitation of children, resulting in 5 prosecutions. See Figure 8 for an overview of global enforcement efforts.

Coordination of Government Efforts on Child Labor

Globally, some countries undertook efforts to enhance and improve coordination mechanisms to address child labor. In **Nepal**, for example, the police created a new anti-trafficking bureau to assist in the rescue and rehabilitation of victims, and coordinated with their Department of Labor on hazardous child labor cases. A few other countries signed intra-governmental agreements to formalize coordination. In **Paraguay**, the Ministry of Labor and the Ministry of Children and Adolescents signed an agreement to strengthen inter-agency coordination on child labor. The South American nation of **Chile's** National Prosecutor's Office also signed a cooperative agreement with the Ombudsman's Office for the Rights of Children to improve the provision of services to children in need. **Ecuador's** Ministry of Economic and Social

Figure 8

Global Enforcement Efforts



Inclusion put in place an inter-agency agreement for the conducting of joint inspections, as well as set in motion the Inter-Institutional Action Protocol for the Comprehensive Care and Protection of Victims of Trafficking in Persons. Recognizing the need for improved coordination, the southern African nation of **Eswatini** – formerly known as Swaziland – launched a program with the International Organization for Migration (IOM) to strengthen coordination mechanisms to respond to trafficking in persons and ensure justice for trafficking victims.

Government Policies on Child Labor

The year 2019 saw a number of countries put in place policies that support the prevention and elimination of the worst forms of child labor. New this year is **Sri Lanka's** National Child Protection Policy, which places a strong focus on the pervasive issues of child sex tourism in that country. State involvement in the cotton sector in **Uzbekistan** has historically been a root cause of child labor and forced labor. In 2019, the Government of Uzbekistan took up a new Agricultural Strategy that calls for an end to state involvement in cotton production. Another positive development is **Lebanon's** new education policy, which allows all refugees to enroll in public schools regardless of whether they have the required documentation for school enrollment. **Argentina's** Superintendent of Labor Risks worked with the ILO and youth advocacy groups to adopt a new National Action Plan to Improve the Safety and Health at Work of Adolescents and Youth. Additionally, the new 4-year National Plan for Development in **Costa Rica**, which includes strategies for addressing child labor, is also worth commending. Finally, **Guinea-Bissau** also developed a new National Action Plan to Eliminate and Combat Trafficking in Persons.

Social Programs to Address Child Labor

Beyond policy, a number of countries implemented or strengthened social programs to assist in tackling child labor. In Central America, **El Salvador** published the results of its 2018 El Salvador Annual Multipurpose Household Survey, which found that around 101,000 children between the ages of 5 and 17 are working in El Salvador, a 21.69 percent decrease since 2017. Elsewhere in the world, **Cambodia**, **Colombia**, and **Mexico** each released results from national surveys that highlighted child labor issues in the production of particular goods and products. Read more about this on page 29. Farther south, **Paraguay** launched a program to provide support to street children. Under this program, government employees with a range of specializations, including psychologists and social workers, respond to tips from a hotline for reporting mistreatment, sexual abuse, sexual exploitation, and neglect of children, as well as information from roving street patrols in high-risk areas.

In the Indo-Pacific region, the nation of **Bangladesh's** Ministry of Labor and Employment began implementation of a \$35 million, 3-year project – Phase IV of the Eradication of Hazardous Child Labor project – that seeks to identify 100,000 child laborers, reintegrate these children into vocational schools, and provide livelihood support for their parents.

Elsewhere, in the Middle East and North Africa region, **Lebanon** and **Jordan** continued to work with international organizations to provide educational opportunities to refugee children, including the Social Support Center in Marka, Jordan, which provided services to 20,000 children. Farther east, **Mongolia's** Unfriend Campaign monitored, raised awareness of, and investigated instances of possible online

recruitment of youth into commercial exploitation, including sex trafficking and forced labor. In 2019, the Unfriend Campaign shut down dozens of social media pages attempting to lure children into false employment opportunities abroad, and referred several cases for criminal investigation.

Nigeria launched the Accelerating Action for the Elimination of Child Labor in Supply Chains in Africa (ACCEL Africa) program, which focuses on eliminating child labor in supply chains. In an effort to improve access to social services, the Government of **Zimbabwe** launched a mobile birth registration program, implemented by the Office of the Registrar General and some local governments, to ensure that citizens receive identity documents, including birth certificates. The Government of **Uganda** launched a program to rescue Karamoja street children working in Kampala and place them in rehabilitation centers in Moroto and Wakiso districts before reuniting them with their families.

Overall, these represent just a fraction of the numerous meaningful efforts to combat child labor that countries made in 2019.

Overview of Major Gaps

Unfortunately, 2019's report also highlights a number of gaps that continue to hinder progress against child labor. As was the case last year and noted earlier, the majority of the suggested actions in the *Findings on the Worst Forms of Child Labor* report relate to the areas of legal framework and enforcement, highlighting the persistent need to honor our paper commitments to confront these injustices with comprehensive laws and proper enforcement.

Legal Framework for Child Labor

Persistent legal gaps remain in many countries around the world, resulting in inadequate protections for children against the worst forms of child labor. In many countries in every region, from **Bangladesh** to **Georgia** to **Guinea** to **Haiti** to **Lebanon**, labor laws do not cover children working in the informal sector. Similarly, many countries have labor laws that only apply to certain sectors or exclude certain sectors from their minimum age or hazardous work protections. As one example among many, **Malawi's** minimum age protections do not extend to children working in private homes or on non-commercial farms. Other countries, including **Algeria**, **Nigeria**, and **Niue**, have not determined by national law or regulation the types of work that are hazardous for children.

Gaps persist in criminal laws as well. Some countries have relevant laws that do not fully meet international standards. For example, laws prohibiting child trafficking do not meet international labor standards because they require the use of force, threats, violence, coercion, fraud, or abuse to be established as a crime in a number of countries, including **Bhutan**, **Brazil**, and **Cameroon**, among others. Laws in **Mongolia** do not specifically criminalize forced labor other than forced begging and forced hazardous work, and laws in **Afghanistan** likewise fall short of international standards, as the law does not sufficiently criminalize forced labor or debt bondage. Many countries in all regions fail to criminalize the use, procuring, and offering of all children for prostitution, the production of pornography, and pornographic performances. In other cases, countries entirely lack relevant criminal provisions. For example, many countries, from **Algeria** to **Ghana** to **Papua New Guinea**, do not criminalize the use, procurement and offering of children in illicit

activities, including in the production and trafficking of drugs. Review Figure 9 to see an overview of global gaps in laws and regulations.

Enforcement of Laws on Child Labor

In the Indo-Pacific region, **Cambodia** received an assessment of Minimal Advancement this year because the government failed to take active measures to investigate, prosecute, convict, and sentence public officials who participate in or facilitate the worst forms of child labor, including commercial sexual exploitation of children and debt-based forced labor in brick kilns. To make matters worse, reports alleged that Cambodian judges have accepted bribes in return for the dismissal of charges, acquittal, and reduced sentencing for individuals committing such crimes, in particular for those with alleged ties to the Government of Cambodia. The lack of prosecution of public officials facilitating the worst forms of child labor in Cambodia and other countries, such as **Afghanistan, India, Madagascar, and Uganda**, which is sometimes combined with bribery in the justice system, exacerbates the worst forms of child labor.

Around the world, labor inspectorates lacked adequate human and financial resources, likely resulting in gaps in enforcement of protections. In many Latin America and Caribbean countries, such

as **Honduras, Mexico, and Panama**, criminal and labor law enforcement agencies lacked financial and human resources. Elsewhere in the region, labor law enforcement agencies in places such as **Chile, El Salvador, Guatemala, Paraguay, and Peru** lacked sufficient inspectors and training to adequately combat child labor.

A number of other labor inspectorates faced limitations in authority that hindered enforcement efforts. Sadly, the **Kyrgyz Republic** put a 2-year moratorium on unannounced labor inspections. **Azerbaijan's** inspection moratorium continued, and in neighboring **Armenia**, the labor inspectorate was not empowered to conduct inspections. Additionally, labor inspectors in **Moldova** only conduct unannounced inspections, even in response to complaints, when they demonstrate an immediate risk to the environment, life, health, or property.

There is a persistent lack of data on criminal and labor enforcement efforts around the world, but especially in the Middle East and North Africa. In particular, **Iraq, Mauritania, Tunisia, and the West Bank and Gaza Strip** each failed to provide information on labor and criminal law enforcement efforts. This lack of information presents difficulties with regard to verifying the strength of a country's enforcement of its laws.

Figure 9

Global Gaps in Laws and Regulations*



*Out of 131 countries

23

Countries' prohibitions of forced labor do not meet international standards

44

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

30

Countries' prohibitions of child trafficking do not meet international standards

46

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

Resource constraints are common in many Sub-Saharan African countries, and in some countries inspectorates are non-existent or not operational. For example, in **Guinea-Bissau**, limited resources, such as 1 vehicle shared among 28 inspectors with no budget for fuel, severely hinders the labor inspectorate's ability to enforce child labor laws. **Burundi's** labor inspectorate meanwhile owns no vehicles. Labor inspectors in the **Republic of the Congo** do not have access to government vehicles and must rely on the businesses that they are inspecting to provide transportation. **Somalia** does not even have a labor inspectorate, and the labor inspectorate in the **Democratic Republic of the Congo** simply was not operational during the entire year. These are only two examples that highlight this widespread issue.

Coordination of Government Efforts on Child Labor

This year's report also highlights on a global level how a continued lack of coordination can hurt a country's efforts to tackle the systemic issues of child labor. Across Latin America, some coordinating bodies did not fulfill their mandates. As just one example, in **Bolivia**, the ILO determined that despite ongoing activities of the National Commission for the Progressive Eradication of Child Labor, there was no significant coordination on the part of this central coordinating body. Local and municipal committees of the **Dominican Republic's** National Steering Committee to Eliminate Child Labor faced limitations in fulfilling coordination mandates due, in part, to a lack of financial resources. Whether the result of financial constraints or not, the lack of effective coordinating mechanisms can hinder a nation's efforts to promote unified action against the worst forms of child labor.

Because of weak coordination, border police officers and social workers in **Bosnia and Herzegovina** failed to properly identify unaccompanied migrant and refugee children as potential victims of human trafficking due to lack of proper protocols.

In Sub-Saharan Africa, it was the case that many coordinating bodies did not meet or fulfill their mandates, including in **Benin, Cameroon, the Democratic Republic of the Congo, Eritrea, Guinea, and Togo**, among others.

Government Policies on Child Labor

Many countries lacked policies to address child labor. Most acutely in the Indo-Pacific region, some countries like **Bangladesh, Bhutan, Pakistan, and Tonga** have not integrated child labor elimination and prevention strategies into various development or education policies. Despite a number of plans put down on paper, **Fiji** is just one country that has not approved any of their draft action plans to combat child labor and human trafficking. **Kiribati** and **Maldives** also do not have policies that focus on combating all relevant worst forms of child labor. Lastly, some countries, such as **Algeria, the Central African Republic, and The Gambia**, among others, have adopted various policies addressing child labor and human trafficking, yet research found no evidence of a policy on other worst forms of child labor.

Social Programs to Address Child Labor

Just as many countries face enforcement challenges, around the world, social programs to address child labor were insufficient. In the Indo-Pacific region educational challenges were common. In **Bhutan**, children living in remote villages, children of nomadic communities and migrant populations, and children with disabilities face significant difficulties in accessing public education – a common challenge in numerous other countries. In **Nepal**, children face some common global barriers to accessing education, including a lack of sanitation facilities at schools, long distances to schools, and fees associated with schooling, among others. More specifically, **Bangladesh's** community of Rohingya refugees are barred from its public schools, leaving international organizations to fill the education gap. **Timor-Leste** school principals also forced girls to leave school when they became pregnant, although no law or policy prohibits pregnant girls from attending school.

Similarly, in South America, barriers to educational access for children from vulnerable communities, including indigenous peoples, migrants, and refugees, often increase their risk of child labor. 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. Children in rural areas of other Latin American countries, including **Chile**, **Colombia**, and **Panama** also face challenges due to the lack of transportation among other barriers. As a reflection of this broader trend and despite legal access to free education, children in **Ecuador** face long-standing barriers to education, such as the lack of space and teachers, the lack of transportation to school, and teen pregnancy. The lack of schools in some areas of the country disproportionately affects indigenous and refugee children, as research demonstrates is the case in several other countries, as they must travel long distances to attend school and have limited transportation options.

In Sub-Saharan Africa, social programs in **The Gambia** 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. Similar gaps were noted in **Angola**, **Cabo Verde**, **Guinea**, **Guinea-Bissau**, and **Mozambique**, to name a few. For a more in-depth regional analysis of government efforts and challenges in 2019, see Figure 10.

Converting Commitments to Action

ILAB remains committed to promoting the dignity of workers everywhere. As ILAB strives to achieve this lofty goal, it is evident that regardless of the laudable successes in 2019 highlighted above, a number of challenging and persistent gaps remain in addressing child labor and forced labor worldwide. Tackling these key challenges must obviously involve the active participation of governments; however, governments are not the only entities that can make a difference. Businesses, civil society organizations, and even individuals can do so as well. As we reflect once more upon the year in review, let us all affirm our conscious commitment to extinguishing these oppressive labor abuses for the last time and move from these commitments to active enforcement.



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An Afghan child polishes shoes on World Day Against Child Labor in Ghazni province, eastern Afghanistan. Ghazni, Afghanistan. June 12, 2017.

Figure 10

A Global Picture and Regional Analysis of Government Efforts and Challenges

REGION	EFFORTS	CHALLENGES
Indo-Pacific	<ul style="list-style-type: none"> ■ Acceded to ILO conventions reinforcing commitments to address the worst forms of child labor. ■ Increased funding for labor inspectorates. ■ Developed new mechanisms for training law enforcement officers to respond to child trafficking and the commercial sexual exploitation of children. 	<ul style="list-style-type: none"> ■ Limited data on the prevalence and nature of child labor. ■ Persistent barriers to educational access for children vulnerable to the worst forms of child labor, including girls and refugees. ■ Lack of policies that address child labor.
Europe & Eurasia	<ul style="list-style-type: none"> ■ Enacted legal protections for children from the worst forms of child labor and expanded the authority of labor inspectorates to conduct inspections. ■ Adopted new policies to eliminate the worst forms of child labor. ■ Expanded educational access and social programs for children vulnerable to the worst forms of child labor. 	<ul style="list-style-type: none"> ■ Limitations in the authority of the labor inspectorate hindered enforcement of minimum age laws. ■ Few prosecutions, convictions, or imposed penalties for crimes related to the worst forms of child labor. ■ Lack of coordination and data sharing among key government institutions resulted in gaps in protections for children.
Latin America & the Caribbean	<ul style="list-style-type: none"> ■ Worked with international organizations to expand school access to children vulnerable to labor exploitation. ■ Sustained or expanded child labor investigations, despite budgetary challenges. ■ Conducted specialized trainings for law enforcement officials on children's rights and child trafficking. 	<ul style="list-style-type: none"> ■ Legal and enforcement gaps that leave children working in the informal sector with limited protection. ■ Insufficient number of labor inspectors to ensure compliance with labor laws. ■ Lack of published data on labor law enforcement efforts.
Middle East & North Africa	<ul style="list-style-type: none"> ■ Published updated statistics on child labor. ■ Enacted new laws that expand protections from child labor. ■ Expanded social programs to promote educational access. 	<ul style="list-style-type: none"> ■ Barriers that limit access to education for children vulnerable to the worst forms of child labor, including indigenous peoples, migrants, and refugees. ■ Gaps in laws leave some children with inadequate protections from labor exploitation. ■ Lack of financial and human resources hinder some labor law enforcement efforts.
Sub-Saharan Africa	<ul style="list-style-type: none"> ■ Adopted new laws that strengthen legal protections for children from the worst forms of child labor. ■ Expanded investigations, prosecutions, and convictions, and imposed penalties related to the worst forms of child labor. ■ Leveraged international partnerships to address child labor across supply chains. 	<ul style="list-style-type: none"> ■ Lack of adequate personnel and financial resources, resulting in gaps in enforcement of minimum age protections. ■ Incomplete data related to labor and criminal law enforcement efforts. ■ Insufficient scope of social programs to fully address the child labor problem.



The U.S. Experience

"The well-being of our workforce is core to the mission of the U.S. Department of Labor. That is why we work to ensure that labor abuses like child labor, forced labor, and human trafficking have no place in our economy or those of our trade partners."

— Secretary of Labor Eugene Scalia

Whether abroad or within our borders, the Department continues to be a major force in the fight against the worst forms of child labor, forced labor, and human trafficking. As a signatory to ILO Convention No. 182 on the Worst Forms of Child Labor, the United States has provided vigilant and innovative leadership in combating illegal and dangerous labor practices worldwide. At the same time, we have initiated investigations, programs, and collaborations to ensure that both minors of legal working age and adults enjoy safe and healthy workplaces and decent working conditions that comply with all appropriate laws. Doing so ensures that American businesses and workers not only benefit from competitiveness and growth in the short term, but also benefit from a favorable labor market for the future.

Our domestic initiatives have yielded safe and dynamic job opportunities for America's workers. The Wage and Hour Division (WHD) enforces regulations on the legal work age, permissible hours of work, earned wages, and hazardous occupations prohibited for minor employees. The WHD's YouthRules! initiative also promotes positive and safe work experiences for young workers (see Figure 11). Keeping work environments safe for all employees, regardless of age, is the mission of the Occupational Safety and Health Administration. To help youth and young adults with disabilities find success in employment and adulthood, the Office of Disability Employment Policy is on the job, while the Employment and Training Administration (ETA) helps youth enter the

Figure 11



What Jobs Can I Do?

**13
or younger?**

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

14-15?

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

16-17?

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

For more information on the specific jobs you can and can't do, visit www.youthrules.gov/know-the-limits

To Find Out More:

Visit youthrules.dol.gov or Call 1-866-4US-WAGE

workforce and be productive. Additionally, the Bureau of Labor Statistics gathers data on a variety of subjects, including child labor.

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

The Federal Minimum Ages for Work

Since 1938, the Fair Labor Standards Act (FLSA) has set crucial standards for the safety, well-being, and development of children engaged in work. Child labor provisions under the FLSA are designed to protect children's involvement in educational opportunities and prohibit children's employment in jobs that are detrimental to their health and safety. The FLSA includes restrictions on maximum working hours and types of permissible occupational fields for children under age 16.

- A minimum age of 14 for most employment in non-hazardous, non-agricultural industries, and limits on the times of day, number of hours, and tasks that can be performed by 14- and 15-year-olds.
- A minimum age of 18 for employment in hazardous occupations as delineated by the Department's 17 non-agricultural Hazardous Occupation Orders.
- Exceptions for agricultural and non-agricultural employment. For example, the FLSA does not restrict the work that 16- and 17-year-olds may perform in agricultural employment, and it permits youth under the age of 14 to work in non-hazardous agricultural employment outside school hours with parental approval.

All states have child labor standards and mandatory school attendance laws. When state and federal child labor standards differ, the rule that provides the most protection is the one that must be followed. For example, Washington state and Wisconsin have stricter

regulations on child labor in agriculture than the FLSA. In these states, the minimum age for employment in agriculture is 18 during school hours. California, Hawaii, and New Hampshire also set their minimum age for employment in agriculture at 18 during school hours and 16 for individuals who are not in school. (22)

There were 1,838,000 youth ages 16 to 17 employed in 2018 and 1,790,000 employed in the United States in 2019. (23) Despite the restrictions and limitations placed on their work, in 2018, the most recent year for which data are available, there were 9 fatal occupational injuries among youth ages 16 to 17, and 13 fatal occupational injuries among youth below age 16 in the United States. (24)

Wage and Hour Division

The WHD ascertains for employer compliance with the FLSA's child labor provisions in every investigation it conducts. In fiscal year 2019, the WHD concluded more than 850 investigations in which child labor violations were found by investigators; 240 of these investigations found violations of the agency's Hazardous Occupations Orders. The WHD found more than 3,000 young workers employed in violation of the FLSA's child labor requirements, with nearly 550 of them employed in violation of the Hazardous Occupations Orders (see Figure 12).

"Child labor laws exist to strike a balance between providing meaningful work experiences for young people and keeping them safe on the job while not interfering with their educational opportunities."

Wage and Hour Division District Director, Thomas Silva
Portland, Oregon, February 28, 2020,
(Release Number: 20-334-SAN)

For example, investigations by the WHD resulted in three Chicago-area development companies – Maria V. Contracting, Prate Roofing & Installations, LLC, and Red Line Management – being penalized under the FLSA's child labor provisions. The WHD found that all three companies had employed minors in unlawful and hazardous occupations, which led to workplace injuries to three minors. The companies had allowed the minors to engage in activities such as working on roofs (in at least one case, without proper safety equipment), operating heavy and powered machinery, cutting power lines, and working around demolition gear. Subsequent injuries to the minors included electrical shock, bone fractures, torn ligaments, and a joint dislocation. The WHD issued a total of \$127,262 in penalties to the three companies. (25)

"The U.S. Department of Labor's Wage and Hour Division is committed to ensuring minors and their parents are aware of the child labor rules and that employers comply. We encourage employment opportunities for minors, but they must be safe."

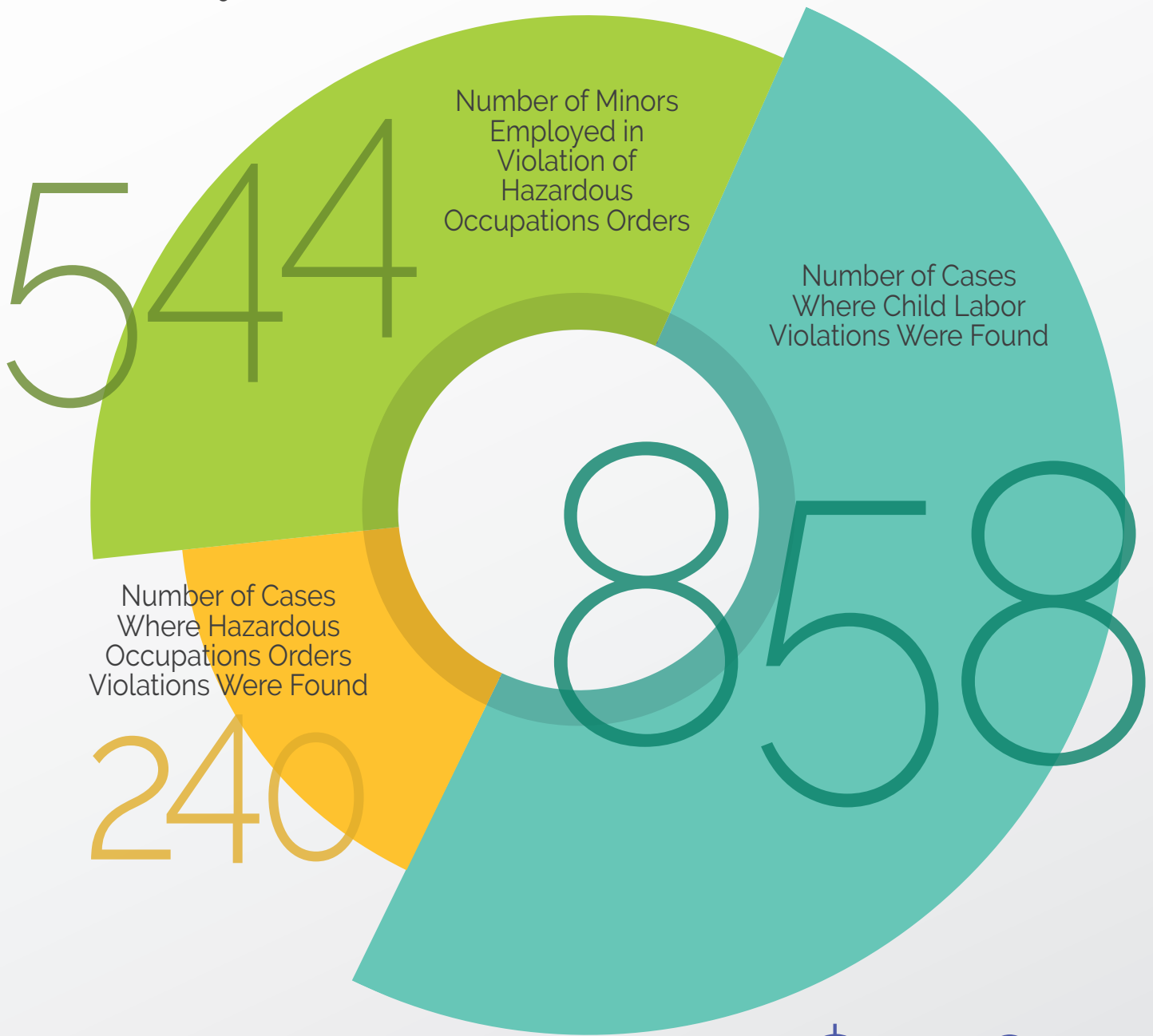
Wage and Hour Division District Director, Tom Gauza
Chicago, Illinois
November 12, 2019
(Release Number: 19-1780-CHI)

In another case, the WHD found that Manna, Inc., a franchisee of 99 Wendy's and Fazoli's restaurants across 9 states, had violated FLSA standards regarding legal working hours for minors. In particular, the franchisee had allowed 446 minors to work before 7 a.m. or after 7 p.m. on school nights, as well as more than 3 hours on school days and more than 8 hours on non-school days. The WHD issued a \$157,114 penalty to Manna, Inc. as a result. (26)

Figure 12

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

Fiscal Year 2019 Enforcement Data:



Total Penalties Imposed for Child Labor Violations: **\$2.98** million

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

Employment and Training Administration

Through its various workforce training and development programs, ETA works to remove barriers to meaningful work and open economic mobility to more Americans. ETA offers such programs as the Registered Apprenticeship Program, YouthBuild, Job Corps, and Reentry Employment Opportunities. These programs especially equip and empower populations who face unique employment

barriers, including youth who are out of school or involved in the justice system, by providing them with work-readiness skills and industry accreditation pathways. Additionally, through Executive Order 13801 (Expanding Apprenticeships in America) and the Workforce Innovation and Opportunity Act, USDOL is expanding apprenticeship opportunities and broadening special work-readiness opportunities for youth. These include the Industry-Recognized Apprenticeship Program system, which will enable more Americans to take advantage of apprenticeship opportunities.





©Florian Kopp/imageBROKER/Alamy Stock Photo
Two girls sharing a bench at school.
Las Mesitas, Bajo Lempa, El Salvador. October 31, 2011.

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 at age 13 in 1995.

In 2019, the U.S. Secretary of Labor selected *Casa Esperanza* (House of Hope), an NGO in Panama, to receive the Iqbal Masih Award. In 2020, the Secretary selected Damon Wamara, Executive Director of the Ugandan NGO Dwelling Places, as the recipient of the 2020 award. The recipients received the award in recognition of their extraordinary efforts to combat child labor.

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

2019 Iqbal Masih Award *Casa Esperanza* (House of Hope)

Casa Esperanza has been dedicated to eliminating child labor in Panama for more than 25 years. As the first Panamanian organization to launch a child labor eradication campaign for Panama's coffee sector, *Casa Esperanza* has encouraged more than 30 farms to adopt labor inspection protocols, which in turn has benefited more than 10,000 children to date, and has decreased child labor in the sector by more than 40 percent. The NGO's initiatives and reports also were fundamental in the removal of sugarcane from USDOL's 2018 *List of Goods Produced by Child Labor or Forced Labor* as they tirelessly raised awareness of the prevalence of child labor in the sector, and propelled government action to address the issue. The organization's leadership and dedication has been instrumental in empowering the Government of Panama to achieve its mission of eradicating child labor by 2025.

2020 Iqbal Masih Award *Dwelling Places*

As the Executive Director of Dwelling Places, Damon Wamara works to rehabilitate child victims of human trafficking for the purpose of commercial sexual exploitation and forced begging on the streets of Kampala, Uganda. Over the past 6 years, Mr. Wamara and his team have worked tirelessly to rescue more than 1,800 child trafficking victims. These children are then reunited with their families and enrolled in schools. Dwelling Places also provides a catch-up education program, which offers an education to those who have never attended school. Mr. Wamara has collaborated with community leaders to create anti-trafficking committees advocating against children being taken to Kampala for work. Moreover, Mr. Wamara has continuously urged the Government of Uganda to create stronger laws aimed at protecting children from exploitation and giving them a better chance at life.



Casa Esperanza receiving the 2019 Iqbal Masih Award.



Damon Wamara receiving the 2020 Iqbal Masih Award.

Appendix 1

Acronyms & Abbreviations

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

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

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.

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 one hour during the reference period. "Productive activity" includes market production and certain types of non-market production, principally the production of goods and services for their families' use. The 20th ICLS introduced changes to the definition of working children to align that definition with internationally accepted definitions of work for adults. The new definition classifies working children as those engaged in any activity to produce goods or to provide services for use by others or for own use. In summary, the new definition includes the production of additional types of services for family use, unpaid trainee work by children, volunteer work by children, and other work activities by children. Since survey instruments are redesigned 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. (27; 28)

CHILD LABOR

"Child labor" is a subset of "working children" and is work below the minimum age for work, as established in national legislation that conforms to international standards. The definition includes the worst forms of child labor. Child labor is a subset of working children because child labor excludes children who work only a few hours a week in permitted light work and those who are above the minimum age who engage in work not classified as a worst form of child labor. (27; 29)

WORST FORMS OF CHILD LABOR

The term "worst forms of child labor" refers to activities described and as understood in ILO C. 182, Worst Forms of Child Labor, 1999. (30) 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.” See also ILO C. 182, Worst Forms of Child Labor, 1999. (30)

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. (30)

FORCED LABOR

“Forced labor,” under international standards, is defined as all work or service that is exacted from any person under the menace of any penalty and for which the worker does not offer him or herself voluntarily. (31) Forced labor is work obtained by force, fraud, or coercion, including (a) by threat of serious harm to, or physical restraint against, any person; (b) by means of any scheme, plan, or pattern intended to cause the person to believe that, if the person did not perform such labor or services, the person or another person

would suffer serious harm or physical restraint; or (c) by means of the abuse or threatened abuse of law or the legal process. (31) Circumstances that may give rise to involuntary work, when undertaken under deception or uninformed, include, *inter alia*, unfree recruitment at birth or through transactions such as slavery or bonded labor; situations in which the worker must perform a job of a different nature from that specified during recruitment without his or her consent; abusive requirements for overtime or on-call work that were not previously agreed to with the employer; work in hazardous conditions to which the worker has not consented, with or without compensation or protective equipment; work with very low or no wages; work coupled with 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. (32)

FORCED CHILD LABOR

“Forced child labor” is a categorical worst form of child labor under ILO C. 182. (30) Children older than the minimum age for work are in forced child labor if work is involuntary and they are under the menace of penalty. For children younger than the minimum age, voluntariness does not need to be established because children cannot legally consent to work. Forced child labor also includes work performed with or for the child’s parents for a third party under the threat or menace of any penalty directly applied to the child or parents. All children who are made to work as a result of parental forced labor are engaged in forced child labor. (32)

Appendix 3

ILO Conventions Related To Child Labor and Forced Labor

The ILO brings together government, employer, and worker representatives of member states to establish and supervise the implementation of international labor standards, and develop policies and implement programs to advance decent work. (6) 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 to employment or work in any occupation “shall not be less than the age of completion of compulsory schooling, and, in any case, shall not be less than fifteen” (Article 2(3)). Countries whose economy and educational facilities are insufficiently developed may initially specify a minimum legal working age of 14 when ratifying the convention. Additionally, Article 7(1) says that national laws or regulations may permit the employment or work of children ages 13 to 15 in light work. Countries that have specified a minimum legal working age of 14 may permit light work for children ages 12 to 14. (34)

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. (30)

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.” (31)

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. (35)

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. (36) 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. (37)



©Ricardo Funari/Brazil Photos/LightRocket/Getty Images

Guarani indigenous 14-years old child laborer works as sugarcane cutter - Brazilian ethanol production. Mato Grosso do Sul State, Brazil. October 11, 2018.

Appendix 4

How to Read a TDA Country Profile

Country Overview: Each country profile begins with an overview for 2019 in a single paragraph, starting with a statement identifying the assessment level assigned to the country for 2019. Following the statement of assessment, the paragraph offers a summary of key findings in the country profile. The narrative includes any meaningful efforts taken by a government, defined as efforts in key areas where the government advanced its commitments to eliminate the worst forms of child labor. The narrative also notes the most common or egregious forms of child labor found in the country and highlights areas in which key gaps in government efforts remain.

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

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

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

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

The table is followed by a narrative highlighting additional sector-specific information and social, economic, or political issues that affect the prevalence of child labor, such as barriers to accessing education, or major 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.

Colombia

SIGNIFICANT ADVANCEMENT

In 2019, Colombia made a significant advancement in efforts to eliminate the worst forms of child labor. The Ministry of Labor launched a virtual training campus for labor inspectors, including a Fundamental Rights at Work course with modules on child labor, and trained local officials on its Comprehensive Child Labor Information System. In an effort to address the education and health of the increased Venezuelan refugee population, the government passed Law 1997 that granted birthright citizenship to children born in Colombia to Venezuelan parents during the period January 1, 2015 - September 16, 2021. The Ministry of the Interior also collaborated with civil society organizations to evaluate the government's anti-trafficking in persons strategy. In addition, the government expanded the Eyes Everywhere anti-commercial sexual exploitation campaign. However, children in Colombia engage in the worst forms of child labor, including in commercial sexual exploitation and illicit activities, each sometimes as a result of human trafficking. In addition, the government does not employ a sufficient number of labor inspectors.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Colombia engage in the worst forms of child labor, including in commercial sexual exploitation and illicit activities, each sometimes as a result of human trafficking. (1,2) The government publishes annual statistics on children's work from its National Household Survey. (3) Table 1 provides key indicators on children's work and education in Colombia.

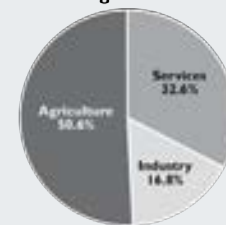
Table 1. Statistics on Children's Work and Education

Children	Age	Percent
Working (% and population)	5 to 14	3.2 (267,924)
Attending School (%)	5 to 14	94.1
Combining Work and School (%)	7 to 14	3.0
Primary Completion Rate (%)		106.5

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

Source for all other data: International Labor Organizations' analysis of statistics from Gran Encuesta Integrada de Hogares, Módulo de Trabajo Infantil (GEIH-MTI), 2018. (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 coffee,† sugarcane,‡ cocoa, pome and stone fruits, grapes, and unrefined brown sugar (panela)† (1-6)
	Animal husbandry,† hunting,† and fishing†, including conch and crab harvesting (1,3-8)
Industry	Mining coal,† emeralds,† gold,† tungsten,† coltan,† and clay† (1,3,4,9,10)
	Producing bricks† (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.

Commercial sexual exploitation of children occurs more often in private homes rented online than in commercial establishments. (10) Some child victims of commercial sexual exploitation are allegedly recruited in schools by other students, and, in some cases, prostitution ring members conduct surveillance around schools in search of girls. (10,36) Indigenous women and children, as well as Venezuelan refugees, are particularly vulnerable to commercial sexual exploitation. (36,39) Young girls suffer commercial sexual exploitation along the highway between Medellín and Bogotá. (10,34) In mining areas, trafficking of children for forced labor and

Section II: Legal Framework for Child Labor.

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

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

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

Table 4 lists each of the relevant legal standards and notes which laws meet and do not meet international standards. The Table indicates 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

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

Table 3. Ratification of International Conventions on Child Labor

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

The government's laws and regulations are in line with relevant international standards (Table 4). However, gaps exist in Colombia's legal framework to adequately protect children from the worst forms of child labor, including the difference in the minimum age for work and the compulsory education age.

Table 4. Laws and Regulations on Child Labor

Standard	Meets International Standards	Age	Legislation
Minimum Age for Work	Yes	15	Article 35 of the Code on Childhood and Adolescence (38)
Minimum Age for Hazardous Work	Yes	18	Article 117 of the Code on Childhood and Adolescence (38)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Article 3 of Resolution 1796 (39)
Prohibition of Forced Labor	Yes		Article 17 of the Constitution; Articles 141 and 188A of the Penal Code (40,41)
Prohibition of Child Trafficking	Yes		Article 17 of the Constitution; Articles 188A–188C of the Penal Code (40,41)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Articles 213–219B of the Penal Code (41)
Prohibition of Using Children in Illicit Activities	Yes		Articles 162, 188D, and 384 of the Penal Code (41)
Minimum Age for Voluntary State Military Recruitment	Yes	18	Article 81 of Law 1861 (42)
Prohibition of Compulsory Recruitment of Children by (State) Military	Yes		Article 4 of Law 1861 (42)
Prohibition of Military Recruitment by Non-state Armed Groups	Yes		Article 162 of the Penal Code; Article 20 of Law 1098; Article 14 of Law 418 (38,41,43)
Compulsory Education Age	Yes	18	Decree 4807 of 2011 (44)
Free Public Education	Yes		Article 1 of Decree 4807, Article 28 of the Child and Adolescent Code (38,44)

In September 2019, the government passed Law 1997 that granted birthright citizenship to children born in Colombia to Venezuelan parents, including those with irregular migration status, during the period January 1, 2015 - September 16, 2021. (10,57) This legislation was the result of a concerted effort by the Human Rights Ombudsman, the Ministry of Foreign Affairs, the National Civil Registry (*Registraduría*), and other agencies to facilitate access to education and healthcare for this vulnerable population. (10) Although Congress drafted a bill in 2018 that would revise the Penal Code to establish more comprehensive criminal provisions to protect children and adolescents from cyber commercial sexual exploitation, the bill was not approved during the reporting period. (58)

III. ENFORCEMENT OF LAWS ON CHILD LABOR

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

Table 5. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
Ministry of Labor's (MOL) Inspection, Monitoring, Control, and Territorial Management Department	Receives complaints of labor law violations and conducts labor inspections, including inspections to verify labor conditions for adolescent workers and compliance with other child labor provisions. Oversees the Internal Working Group on Child Labor Eradication. (4,45) Operates the Comprehensive Child Labor Information System (SIRTI), a child labor monitoring system that identifies children engaged in or at risk of child labor. (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 the crimes of trafficking in persons and the sexual exploitation of children, girls, and adolescents in areas of Bogotá where they occur instead of waiting for victims to seek attention at the national level. Created in 2018 by the Bogotá Mayor's office. (21,46)

Table 6 and Table 7 provide data on labor law and criminal law enforcement efforts, respectively, in 2018 and 2019.

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.

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.

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.

Labor Law Enforcement

In 2019, labor law enforcement agencies in Colombia took actions to combat child labor (Table 6). However, gaps exist within the operations of the Ministry of Labor (MOL) that may hinder adequate labor law enforcement, including resource allocation.

Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2018	2019
Labor Inspectorate Funding	\$2,400,000 (1)	\$2,200,000 (4)
Number of Labor Inspectors	867 (1)	791 (4)
Inspectorate Authorized to Assess Penalties	Yes (1)	Yes (4)
Initial Training for New Labor Inspectors	Yes (1)	Yes (4)
Training on New Laws Related to Child Labor	N/A (1)	N/A (4)
Refresher Courses Provided	Unknown (1)	Yes (4)
Number of Labor Inspections Conducted	Unknown (1)	Unknown (4)
Number Conducted at Worksite	Unknown (1)	Unknown (4)
Number of Child Labor Violations Found	Unknown (1)	Unknown (4)
Number of Child Labor Violations for Which Penalties Were Imposed	12 (1)	12 (4)
Number of Child Labor Penalties Imposed that Were Collected	Unknown (1)	Unknown (4)

Table 7. Criminal Law Enforcement Efforts Related to Child Labor

Overview of Criminal Law Enforcement	2018	2019
Initial Training for New Criminal Investigators	Unknown (1)	No (4)
Training on New Laws Related to the Worst Forms of Child Labor	N/A (1)	N/A (4)
Refresher Courses Provided	Yes (1)	No (4)
Number of Investigations	4,333 (1)	2,883 (4)
Number of Violations Found	3,280 (1)	3,512 (4)
Number of Prosecutions Initiated	607 (1)	764 (4)
Number of Convictions	673 (1)	378 (49)
Imposed Penalties for Violations Related to The Worst Forms of Child Labor	Yes (50,51)	Yes (49)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (1)	Yes (4)

IV. COORDINATION OF GOVERNMENT EFFORTS ON CHILD LABOR

The government has established mechanisms to coordinate its efforts to address child labor (Table 8). However, gaps exist that hinder the effective coordination of efforts to address child labor, including the inconsistent coordination in human trafficking victim identification.

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

Coordinating Body	Role & Description
Inter-agency Committee for the Elimination of the Worst Forms of Child Labor and Protection of the Adolescent Worker (CIETI)	Coordinates efforts to combat the worst forms of child labor. Chaired by MOL, includes 13 government agencies and representatives from trade unions, business associations, and civil society organizations. (2) Oversees 32 department-level CIETIs throughout the country, each comprising municipal-level committees. (52) Held several sessions during the reporting period, including one in October to identify geographic "hot spots" with children active in child labor, including its worst forms. (53,54)
National Inter-agency Committee for the Prevention and Eradication of Child Commercial Sexual Exploitation	Coordinates and implements efforts to combat the commercial sexual exploitation of children. Led by MOL and comprises 15 government agencies. (2) The government did not provide information on activities taken under this coordinating body in 2019 for inclusion in this report.
Colombian Institute for Family Well-Being (ICBF)	Operates Mobile Teams for Comprehensive Protection Child Labor (EMPIs) 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. (4,12) Serves as Administrator of the Fund Against Sexual Exploitation of Children and Adolescents. (55) Processes child labor complaints, operates hotlines to report child labor cases, and provides social services to children engaged in or at risk of child labor. (1,4) ICBF also has a National System of Family Well-Being, which promotes inter-agency coordination to protect children's rights including rights related to child labor, and designs, implements, monitors, and evaluates policies related to childhood and adolescence. (2,56) In 2019, the number of EMPIs under ICBF was reduced to 44 teams throughout the whole country, down from 58 reported in 2018. (57) The EMPIs increased the number of awareness-raising campaigns to prevent child labor in the Putumayo and Cartagena regions, where they provided services to migrant Venezuelan and Ecuadorian populations. (58,59)
Inter-agency Committee to Combat Trafficking in Persons	Leads and coordinates efforts among government agencies to combat human trafficking. Created by Law 985, chaired by the Ministry of the Interior (MOI), and comprises 16 government entities and 6 permanent invitees, including private sector and international organizations. (25) During the reporting period, the committee conducted 20 anti-trafficking in person trainings. MOI met in both September and December with more than 35 civil society organizations to evaluate weaknesses and goals of the government's national anti-trafficking strategy and establish indicators to measure performance under a forthcoming strategy, slated to run through 2022. (4,60,61,62) MOI also continued to lead the hotline that reports and tracks cases of human trafficking, and facilitated access to social services for victims. (36)

‡The government has other coordinating mechanisms that may have addressed child labor issues or had an impact on child labor. (81-83,85,86)

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.

Table 9, Key Policies Related to Child Labor, lists the country's key policies, providing a description of each policy's objectives and any developments in implementation that occurred during the reporting period. The table note identifies policies that were approved during the reporting period and indicates 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.

V. GOVERNMENT POLICIES ON CHILD LABOR

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

Table 9. Key Policies Related to Child Labor

Policy	Description
National Policy Guidelines to Prevent and Eradicate Child Labor and Protect the Adolescent Worker (2017–2027)	Aims to address child labor in the agriculture sector, develop child labor prevention strategies, improve the quality and coverage of child protection services, protect adolescent workers from hazardous work, create strategies to address child labor in domestic work, and establish evaluation and monitoring mechanisms to assess progress. (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. (72,73,74) Under the cooperative agreement, ICBF trained 1,003 officials in agencies in the National System of Family Welfare on the National Policy Guidelines to Prevent and Eradicate Child Labor and Protect the Adolescent Worker. (4) In 2019, ICBF also worked in partnership with MOL under these guidelines to build the capacity of local committees to prevent child labor (CIETIs) at the department and municipal levels, which resulted in the development of local action plans to combat child labor. (4) In addition, MOL held 75 technical workshops and trainings, which included capacity building related to the 2018 revision of the hazardous occupations prohibited to children. These workshops and trainings were attended by 1,320 CIETI and other officials, as well as civil society representatives, from 537 municipalities in 29 departments. (4) Under the Progressive Plan for the Social Protection and Defense of Rights for Rural Workers, the government conducted various outreach activities during the reporting period, including socializing the National Policy Guidelines to Eradicate and Prevent Child Labor and Protect the Adolescent Worker across 17 municipalities with workshops and radio and social media outreach. (4)
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 non-state armed groups. (1,75) Focuses on the comprehensive welfare and development of children and adolescents, recognizing them as rights-bearing subjects and integral to national development. (1,75) In 2019, under this policy, ICBF began implementing the Strategy for the Prevention of Specific Risks, which involved undertaking actions to prevent the recruitment and use of children for illicit activities and commercial sexual exploitation. (4)

- † Policy was approved during the reporting period.
- ‡ The government had other policies that may have addressed child labor issues or had an impact on child labor. (6,98–100)

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2019, the government funded and participated in programs that include the goal of eliminating or preventing child labor (Table 10). However, civil society organizations agree that these programs remain insufficient to fully address child labor.

Table 10. Key Social Programs to Address Child Labor

Program	Description
Campaigns Against Child Labor†	ICBF-led campaigns to increase coordination among ICBF, Child Protection Police, MOL, and municipal authorities on child labor issues, and to promote education about the risks of hazardous work. (83) In 2019, the government began a campaign, "Working for the Children*": to end child labor in shopping markets. (84) In November, program leaders began public awareness efforts in banana, grain, and fishing markets in the city of Barranquilla, where 180 children joined the program and were returned to school, and their parents were educated on child labor laws. (84) The ICBF produced extensive online resources to educate children on child labor, inform youth on their rights, and the general public on how to report child labor. (85) ICBF also continued the use of Mobile Teams for Comprehensive Protection Child Labor (EMPIs), which, between January and October 2019, conducted 1,389 day-long awareness-raising programs to prevent child labor in 176 municipalities across the country and identified 2,466 children engaged in child labor. (4,86) ICBF worked with families and local authorities to remove these children from child labor. (4) EMPIs also implemented the "One Hour Against Child Labor" program in 152 educational institutions nationwide to train teachers and students on child labor issues. (4)

In 2019, the National Police implemented "Open Your Eyes" ("Abre Tus Ojos"), a public awareness and child protection program to combat child labor and promote attendance in the educational system for children who may be involved in street work. (10) The Colombian Network Against Child Labor (*Red Colombia Contra el Trabajo Infantil*) also continued its work throughout the reporting period, including by collaborating with MOL on activities dedicated to the protection of legal adolescent work. (10) Despite these efforts, research indicates that existing social programs are insufficient to address the scope of the worst forms of child labor problem in Colombia. (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 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 – 2019
Enforcement	Ensure that all labor inspectors have sufficient resources, especially in rural areas, to perform inspections.	2009 – 2019
	Increase the number of labor inspectors to meet the ILO's technical advice.	2009 – 2019
	Publish information on labor law enforcement efforts, including the number of inspections conducted, child labor violations found, and penalties imposed that were collected for child labor violations.	2009 – 2019
	Publish information on the number of child labor violations found, whether labor inspectors receive training on new laws and refresher courses, and whether new criminal investigators receive initial training.	2018 - 2019

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. (41)

SIGNIFICANT ADVANCEMENT

For a country to be assessed as having significantly advanced efforts in 2019, 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 2018 report.

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;
- Taken active measures to ensure that children are not inappropriately incarcerated, penalized, or physically harmed for unlawful acts as a direct result of being a victim of the worst forms of child labor;
- Taken active measures to investigate, prosecute, convict, and sentence public officials who participate in or facilitate the worst forms of child labor;
- Made a good faith effort to collect and publish labor and criminal law enforcement data; and
- Directly funded a significant social program that includes the goal of eliminating child labor or addressing the root causes of the problem, such as lack of educational opportunities, poverty, or discrimination.

MODERATE ADVANCEMENT

A country moderately advanced its efforts in eliminating the worst forms of child labor in 2019 if it made meaningful efforts during the reporting period in some relevant areas covering laws and regulations, enforcement, coordination, policies, and social programs, which may have included taking the suggested actions recommended in 2018.

MINIMAL ADVANCEMENT

Three types of countries made minimal advancement in efforts to eliminate the worst forms of child labor in 2019. 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 2018.

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 2019. 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 2018, and had a policy or demonstrated a practice of being complicit in the use of forced child labor in more than isolated incidents in 2019.
- **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 2018, but had a policy or demonstrated a practice of being complicit in the use of forced child labor in more than isolated incidents in 2019.

NO ASSESSMENT

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

TDA Country Assessments, by Assessment

COUNTRY	REGION	2019 ASSESSMENT LEVEL
SIGNIFICANT ADVANCEMENT		
Argentina	LAC	Significant Advancement
Colombia	LAC	Significant Advancement
Costa Rica	LAC	Significant Advancement
Ecuador	LAC	Significant Advancement
Guatemala	LAC	Significant Advancement
Namibia	AF	Significant Advancement
Paraguay	LAC	Significant Advancement
Peru	LAC	Significant Advancement
MODERATE ADVANCEMENT		
Albania	EUR	Moderate Advancement
Algeria	MENA	Moderate Advancement
Angola	AF	Moderate Advancement
Bangladesh	IP	Moderate Advancement
Belize	LAC	Moderate Advancement
Benin	AF	Moderate Advancement
Bhutan	IP	Moderate Advancement
Bolivia	LAC	Moderate Advancement
Bosnia and Herzegovina	EUR	Moderate Advancement
Brazil	LAC	Moderate Advancement
Burundi	AF	Moderate Advancement
Cabo Verde	AF	Moderate Advancement
Cameroon	AF	Moderate Advancement
Central African Republic	AF	Moderate Advancement
Chad	AF	Moderate Advancement
Chile	LAC	Moderate Advancement
Christmas Island	IP	Moderate Advancement
Cocos (Keeling) Islands	IP	Moderate Advancement
Comoros	AF	Moderate Advancement
Congo, Republic of the	AF	Moderate Advancement
Côte d'Ivoire	AF	Moderate Advancement
Djibouti	AF	Moderate Advancement
Dominican Republic	LAC	Moderate Advancement

COUNTRY	REGION	2019 ASSESSMENT LEVEL
MODERATE ADVANCEMENT (Continued)		
Egypt	MENA	Moderate Advancement
El Salvador	LAC	Moderate Advancement
Eswatini	AF	Moderate Advancement
Ethiopia	AF	Moderate Advancement
Fiji	IP	Moderate Advancement
Gambia, The	AF	Moderate Advancement
Georgia	EUR	Moderate Advancement
Guyana	LAC	Moderate Advancement
Honduras	LAC	Moderate Advancement
India	IP	Moderate Advancement
Indonesia	IP	Moderate Advancement
Jamaica	LAC	Moderate Advancement
Jordan	MENA	Moderate Advancement
Kazakhstan	IP	Moderate Advancement
Kenya	AF	Moderate Advancement
Kosovo	EUR	Moderate Advancement
Lebanon	MENA	Moderate Advancement
Lesotho	AF	Moderate Advancement
Madagascar	AF	Moderate Advancement
Malawi	AF	Moderate Advancement
Mali	AF	Moderate Advancement
Montenegro	EUR	Moderate Advancement
Mozambique	AF	Moderate Advancement
Nepal	IP	Moderate Advancement
Niger	AF	Moderate Advancement
Norfolk Island	IP	Moderate Advancement
North Macedonia	EUR	Moderate Advancement
Oman	MENA	Moderate Advancement
Pakistan	IP	Moderate Advancement
Panama	LAC	Moderate Advancement
Philippines	IP	Moderate Advancement
Rwanda	AF	Moderate Advancement
Saint Lucia	LAC	Moderate Advancement
Senegal	AF	Moderate Advancement
Serbia	EUR	Moderate Advancement

COUNTRY	REGION	2019 ASSESSMENT LEVEL
MODERATE ADVANCEMENT (Continued)		
Sierra Leone	AF	Moderate Advancement
Sri Lanka	IP	Moderate Advancement
Suriname	LAC	Moderate Advancement
Thailand	IP	Moderate Advancement
Tunisia	MENA	Moderate Advancement
Tuvalu	IP	Moderate Advancement
Uzbekistan	IP	Moderate Advancement
Zambia	AF	Moderate Advancement
Zimbabwe	AF	Moderate Advancement
MINIMAL ADVANCEMENT		
Botswana	AF	Minimal Advancement
Burkina Faso	AF	Minimal Advancement
Cook Islands	IP	Minimal Advancement
Dominica	LAC	Minimal Advancement
Falkland Islands (Islas Malvinas)	EUR	Minimal Advancement
Ghana	AF	Minimal Advancement
Guinea	AF	Minimal Advancement
Guinea-Bissau	AF	Minimal Advancement
Haiti	LAC	Minimal Advancement
Kiribati	IP	Minimal Advancement
Liberia	AF	Minimal Advancement
Maldives	IP	Minimal Advancement
Mauritius	AF	Minimal Advancement
Morocco	MENA	Minimal Advancement
Nicaragua	LAC	Minimal Advancement
Nigeria	AF	Minimal Advancement
Papua New Guinea	IP	Minimal Advancement
Saint Helena, Ascensión, and Tristán da Cunha	EUR	Minimal Advancement
Saint Vincent and the Grenadines	LAC	Minimal Advancement
Samoa	IP	Minimal Advancement
São Tomé and Príncipe	AF	Minimal Advancement
Solomon Islands	IP	Minimal Advancement
South Africa	AF	Minimal Advancement
Togo	AF	Minimal Advancement

COUNTRY	REGION	2019 ASSESSMENT LEVEL
MINIMAL ADVANCEMENT (Continued)		
Vanuatu	IP	Minimal Advancement
West Bank and the Gaza Strip	MENA	Minimal Advancement
Western Sahara	MENA	Minimal Advancement
MINIMAL ADVANCEMENT EFFORTS MADE BUT REGRESSION IN LAW/POLICY/PRACTICE THAT DELAYED ADVANCEMENT		
Cambodia	IP	Minimal Advancement – Efforts Made but Regression in Practice that Delayed Advancement
Kyrgyz Republic	IP	Minimal Advancement – Efforts Made but Regression in Law that Delayed Advancement
Timor-Leste	IP	Minimal Advancement – Efforts Made but Regression in Practice that Delayed Advancement
Uganda	AF	Minimal Advancement – Efforts Made but Regression in Practice that Delayed Advancement
Ukraine	EUR	Minimal Advancement – Efforts Made but Regression in Law that Delayed Advancement
MINIMAL ADVANCEMENT EFFORTS MADE BUT CONTINUED LAW/POLICY/PRACTICE THAT DELAYED ADVANCEMENT		
Armenia	EUR	Minimal Advancement – Efforts Made but Continued Law that Delayed Advancement
Azerbaijan	EUR	Minimal Advancement – Efforts Made but Continued Law that Delayed Advancement
Gabon	AF	Minimal Advancement – Efforts Made but Continued Practice that Delayed Advancement
Iraq	MENA	Minimal Advancement – Efforts Made but Continued Practice that Delayed Advancement
Mauritania	AF	Minimal Advancement – Efforts Made but Continued Policy and Practice that Delayed Advancement
Moldova	EUR	Minimal Advancement – Efforts Made but Continued Law and Practice that Delayed Advancement
Mongolia	IP	Minimal Advancement – Efforts Made but Continued Law that Delayed Advancement
Somalia	AF	Minimal Advancement – Efforts Made but Continued Practices that Delayed Advancement
Tanzania	AF	Minimal Advancement – Efforts Made but Continued Practice that Delayed Advancement
Tonga	IP	Minimal Advancement – Efforts Made but Continued Practice that Delayed Advancement
Yemen	MENA	Minimal Advancement – Efforts Made but Continued Practice that Delayed Advancement

COUNTRY	REGION	2019 ASSESSMENT LEVEL
NO ADVANCEMENT		
Anguilla	EUR	No Advancement
British Virgin Islands	EUR	No Advancement
Grenada	LAC	No Advancement
Montserrat	EUR	No Advancement
Niue	IP	No Advancement
Tokelau	IP	No Advancement
NO ADVANCEMENT – EFFORTS MADE BUT COMPLICIT IN FORCED CHILD LABOR		
Afghanistan	IP	No Advancement – Efforts Made but Complicit in Forced Child Labor
Burma	IP	No Advancement – Efforts Made but Complicit in Forced Child Labor
Congo, Democratic Republic of the	AF	No Advancement – Efforts Made but Complicit in Forced Child Labor
Eritrea	AF	No Advancement – Efforts Made but Complicit in Forced Child Labor
South Sudan	AF	No Advancement – Efforts Made but Complicit in Forced Child Labor
NO ASSESSMENT		
Mexico	LAC	No Assessment
Wallis and Futuna	EUR	No Assessment

Comparisons in TDA Assessments From 2018 to 2019, by Country

COUNTRY	REGION	2018 ASSESSMENT LEVEL	2019 ASSESSMENT LEVEL
Afghanistan	IP	No Advancement – Efforts Made but Complicit in Forced Child Labor	No Advancement – Efforts Made but Complicit in Forced Child Labor
Albania	EUR	Moderate Advancement	Moderate Advancement
Algeria	MENA	Moderate Advancement	Moderate Advancement
Angola	AF	Moderate Advancement	Moderate Advancement
Anguilla	EUR	Minimal Advancement	No Advancement
Argentina	LAC	Significant Advancement	Significant Advancement
Armenia	EUR	Minimal Advancement – Efforts Made but Continued Law that Delayed Advancement	Minimal Advancement – Efforts Made but Continued Law that Delayed Advancement
Azerbaijan	EUR	Minimal Advancement – Efforts Made but Continued Law that Delayed Advancement	Minimal Advancement – Efforts Made but Continued Law that Delayed Advancement
Bangladesh	IP	Moderate Advancement	Moderate Advancement
Belize	LAC	Moderate Advancement	Moderate Advancement
Benin	AF	Moderate Advancement	Moderate Advancement
Bhutan	IP	Minimal Advancement	Moderate Advancement
Bolivia	LAC	Moderate Advancement	Moderate Advancement
Bosnia and Herzegovina	EUR	Moderate Advancement	Moderate Advancement
Botswana	AF	Minimal Advancement	Minimal Advancement
Brazil	LAC	Moderate Advancement	Moderate Advancement
British Virgin Islands	EUR	No Advancement	No Advancement
Burkina Faso	AF	Moderate Advancement	Minimal 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	Minimal Advancement	Moderate Advancement
Cabo Verde	AF	Moderate Advancement	Moderate Advancement
Cambodia	IP	Moderate Advancement	Minimal Advancement – Efforts Made but Regression in Practice that Delayed Advancement
Cameroon	AF	Moderate Advancement	Moderate Advancement
Central African Republic	AF	Moderate Advancement	Moderate Advancement

COUNTRY	REGION	2018 ASSESSMENT LEVEL	2019 ASSESSMENT LEVEL
Chad	AF	Moderate Advancement	Moderate Advancement
Chile	LAC	Moderate Advancement	Moderate Advancement
Christmas Island	IP	No Advancement	Moderate Advancement
Cocos (Keeling) Islands	IP	No Advancement	Moderate Advancement
Colombia	LAC	Significant Advancement	Significant Advancement
Comoros	AF	Moderate Advancement	Moderate Advancement
Congo, Democratic Republic of the	AF	Minimal Advancement – Efforts Made but Continued Practice that Delayed Advancement	No Advancement – Efforts Made but Complicit in Forced Child Labor
Congo, Republic of the	AF	Minimal Advancement	Moderate Advancement
Cook Islands	IP	Moderate Advancement	Minimal Advancement
Costa Rica	LAC	Significant Advancement	Significant Advancement
Côte d'Ivoire	AF	Significant Advancement	Moderate Advancement
Djibouti	AF	Minimal Advancement	Moderate Advancement
Dominica	LAC	Minimal Advancement	Minimal Advancement
Dominican Republic	LAC	Moderate Advancement	Moderate Advancement
Ecuador	LAC	Significant Advancement	Significant Advancement
Egypt	MENA	Moderate Advancement	Moderate Advancement
El Salvador	LAC	Significant Advancement	Moderate Advancement
Eritrea	AF	No Advancement – Efforts Made but Complicit in Forced Child Labor	No Advancement – Efforts Made but Complicit in Forced Child Labor
Eswatini	AF	Moderate Advancement	Moderate Advancement
Ethiopia	AF	Moderate Advancement	Moderate Advancement
Falkland Islands (Islas Malvinas)	EUR	Minimal Advancement	Minimal Advancement
Fiji	IP	Moderate Advancement	Moderate Advancement
Gabon	AF	Minimal Advancement – Efforts Made but Regression in Practice that Delayed Advancement	Minimal Advancement – Efforts Made but Continued Practice that Delayed Advancement
Gambia, The	AF	Moderate Advancement	Moderate Advancement
Georgia	EUR	Moderate Advancement	Moderate Advancement
Ghana	AF	Moderate Advancement	Minimal Advancement
Grenada	LAC	No Advancement	No Advancement
Guatemala	LAC	Significant Advancement	Significant Advancement

COUNTRY	REGION	2018 ASSESSMENT LEVEL	2019 ASSESSMENT LEVEL
Guinea	AF	Minimal Advancement	Minimal Advancement
Guinea-Bissau	AF	Moderate Advancement	Minimal Advancement
Guyana	LAC	Moderate Advancement	Moderate Advancement
Haiti	LAC	Minimal Advancement	Minimal Advancement
Honduras	LAC	Moderate Advancement	Moderate Advancement
India	IP	Significant Advancement	Moderate Advancement
Indonesia	IP	Moderate Advancement	Moderate Advancement
Iraq	MENA	Minimal Advancement – Efforts Made but Continued Practice that Delayed Advancement	Minimal Advancement – Efforts Made but Continued Practice that Delayed Advancement
Jamaica	LAC	Moderate Advancement	Moderate Advancement
Jordan	MENA	Moderate Advancement	Moderate Advancement
Kazakhstan	IP	Minimal Advancement	Moderate Advancement
Kenya	AF	Minimal Advancement	Moderate Advancement
Kiribati	IP	Minimal Advancement	Minimal Advancement
Kosovo	EUR	Moderate Advancement	Moderate Advancement
Kyrgyz Republic	IP	Minimal Advancement	Minimal Advancement – Efforts Made but Regression in Law that Delayed Advancement
Lebanon	MENA	Moderate Advancement	Moderate Advancement
Lesotho	AF	Moderate Advancement	Moderate Advancement
Liberia	AF	Minimal Advancement	Minimal Advancement
Madagascar	AF	Moderate Advancement	Moderate Advancement
Malawi	AF	Moderate Advancement	Moderate Advancement
Maldives	IP	Minimal Advancement	Minimal Advancement
Mali	AF	Moderate Advancement	Moderate 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	Minimal Advancement
Mexico	LAC	N/A	No Assessment
Moldova	EUR	Minimal Advancement – Efforts Made but Regression in 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 Practice that Delayed Advancement	Minimal Advancement – Efforts Made but Continued Law that Delayed Advancement
Montenegro	EUR	Moderate Advancement	Moderate Advancement

COUNTRY	REGION	2018 ASSESSMENT LEVEL	2019 ASSESSMENT LEVEL
Montserrat	EUR	Minimal Advancement	No Advancement
Morocco	MENA	Moderate Advancement	Minimal Advancement
Mozambique	AF	Moderate Advancement	Moderate Advancement
Namibia	AF	Moderate Advancement	Significant Advancement
Nepal	IP	Moderate Advancement	Moderate Advancement
Nicaragua	LAC	Minimal Advancement	Minimal Advancement
Niger	AF	Moderate Advancement	Moderate Advancement
Nigeria	AF	Moderate Advancement	Minimal Advancement
Niue	IP	Minimal Advancement	No Advancement
Norfolk Island	IP	No Advancement	Moderate Advancement
North Macedonia	EUR	Moderate Advancement	Moderate Advancement
Oman	MENA	Moderate Advancement	Moderate Advancement
Pakistan	IP	Moderate Advancement	Moderate Advancement
Panama	LAC	Moderate Advancement	Moderate Advancement
Papua New Guinea	IP	Minimal Advancement	Minimal Advancement
Paraguay	LAC	Significant Advancement	Significant Advancement
Peru	LAC	Significant Advancement	Significant Advancement
Philippines	IP	Moderate Advancement	Moderate Advancement
Rwanda	AF	Significant Advancement	Moderate Advancement
Saint Helena, Ascension, and Tristán da Cunha	EUR	Significant Advancement	Minimal Advancement
Saint Lucia	LAC	Moderate Advancement	Moderate Advancement
Saint Vincent and the Grenadines	LAC	Minimal Advancement	Minimal Advancement
Samoa	IP	Moderate Advancement	Minimal Advancement
São Tomé and Príncipe	AF	Minimal Advancement	Minimal Advancement
Senegal	AF	Moderate Advancement	Moderate Advancement
Serbia	EUR	Significant Advancement	Moderate Advancement
Sierra Leone	AF	Minimal Advancement – Efforts Made but Continued Policy that Delayed Advancement	Moderate Advancement
Solomon Islands	IP	Minimal Advancement	Minimal Advancement

COUNTRY	REGION	2018 ASSESSMENT LEVEL	2019 ASSESSMENT LEVEL
Somalia	AF	Minimal Advancement – Efforts Made but Continued Practices that Delayed Advancement	Minimal Advancement – Efforts Made but Continued Practices that Delayed Advancement
South Africa	AF	Minimal Advancement	Minimal Advancement
South Sudan	AF	No Advancement – Efforts Made but Complicit in Forced Child Labor	No Advancement – Efforts Made but Complicit in Forced Child Labor
Sri Lanka	IP	Moderate Advancement	Moderate Advancement
Suriname	LAC	Moderate Advancement	Moderate Advancement
Tanzania	AF	Minimal Advancement – Efforts Made but Continued Practice that Delayed Advancement	Minimal Advancement – Efforts Made but Continued Practice that Delayed Advancement
Thailand	IP	Moderate Advancement	Moderate Advancement
Timor-Leste	IP	Minimal Advancement	Minimal Advancement – Efforts Made but Regression in Practice that Delayed Advancement
Togo	AF	Moderate Advancement	Minimal Advancement
Tokelau	IP	Minimal Advancement	No Advancement
Tonga	IP	Minimal Advancement – Efforts Made but Continued Law that Delayed Advancement	Minimal Advancement – Efforts Made but Continued Practice that Delayed Advancement
Tunisia	MENA	Significant Advancement	Moderate Advancement
Tuvalu	IP	Minimal Advancement	Moderate Advancement
Uganda	AF	Moderate Advancement	Minimal Advancement – Efforts Made but Regression in Practice that Delayed Advancement
Ukraine	EUR	Moderate Advancement	Minimal Advancement – Efforts Made but Regression in Law that Delayed Advancement
Uzbekistan	IP	Moderate Advancement	Moderate Advancement
Vanuatu	IP	Minimal Advancement	Minimal Advancement
Wallis and Futuna	EUR	No Assessment	No Assessment
West Bank and the Gaza Strip	MENA	Minimal Advancement	Minimal Advancement
Western Sahara	MENA	Moderate Advancement	Minimal Advancement
Yemen	MENA	Minimal Advancement – Efforts Made but Regression in Practice that Delayed Advancement	Minimal Advancement – Efforts Made but Continued Practice that Delayed Advancement
Zambia	AF	Moderate Advancement	Moderate Advancement
Zimbabwe	AF	Moderate Advancement	Moderate Advancement

TDA Laws and Ratifications, by Country

COUNTRY	REGION	2019 ASSESSMENT	ILO C. 138	ILO C. 182	CRC	CRC OPTIONAL PROTOCOLS		PALERMO PROTOCOL	MIN. AGE FOR WORK	EDUCATION	
						CRC-CSEC	CRC-AC			COMPULSORY EDUCATION AGE	FREE PUBLIC EDUCATION
Afghanistan	IP	No Advancement – Efforts Made but Complicit in Forced Child Labor	Yes	Yes	Yes	Yes	Yes	Yes	15		Yes
Albania	EUR	Moderate Advancement	Yes	Yes	Yes	Yes	Yes	Yes	16		Yes
Algeria	MENA	Moderate Advancement	Yes	Yes	Yes	Yes	Yes	Yes	16		Yes
Angola	AF	Moderate Advancement	Yes	Yes	Yes	Yes	Yes	Yes	14		Yes
Anguilla	EUR	No Advancement	No	No	Yes	No	No	No	12		Yes
Argentina	LAC	Significant Advancement	Yes	Yes	Yes	Yes	Yes	Yes	16		Yes
Armenia	EUR	Minimal Advancement – Efforts Made but Continued Law that Delayed Advancement	Yes	Yes	Yes	Yes	Yes	Yes	16		Yes
Azerbaijan	EUR	Minimal Advancement – Efforts Made but Continued Law that Delayed Advancement	Yes	Yes	Yes	Yes	Yes	Yes	15		Yes
Bangladesh	IP	Moderate Advancement	No	Yes	Yes	Yes	Yes	Yes	14		Yes
Belize	LAC	Moderate Advancement	Yes	Yes	Yes	Yes	Yes	Yes	12		Yes
Benin	AF	Moderate Advancement	Yes	Yes	Yes	Yes	Yes	Yes	14		Yes
Bhutan	IP	Moderate Advancement	N/A	N/A	Yes	Yes	Yes	No	13	N/A	Yes
Bolivia	LAC	Moderate Advancement	Yes	Yes	Yes	Yes	Yes	Yes	14		Yes
Bosnia and Herzegovina	EUR	Moderate Advancement	Yes	Yes	Yes	Yes	Yes	Yes	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		Yes

COUNTRY	REGION	2019 ASSESSMENT	ILO C. 138	ILO C. 182	CRC	CRC OPTIONAL PROTOCOLS		PALERMO PROTOCOL	MIN. AGE FOR WORK	EDUCATION	
						CRC-CSEC	CRC-AC			COMPULSORY EDUCATION AGE	FREE PUBLIC EDUCATION
British Virgin Islands	EUR	No Advancement	No	No	Yes	No	No	No	16	17	Yes
Burkina Faso	AF	Minimal Advancement	Yes	Yes	Yes	Yes	Yes	Yes	16	16	Yes
Burma	IP	No Advancement – Efforts Made but Complicit in Forced Child Labor	Yes	Yes	Yes	Yes	Yes	Yes	14	10	Yes
Burundi	AF	Moderate Advancement	Yes	Yes	Yes	Yes	Yes	Yes	16	12	Yes
Cabo Verde	AF	Moderate Advancement	Yes	Yes	Yes	Yes	Yes	Yes	15	15	Yes
Cambodia	IP	Minimal Advancement – Efforts Made but Regression in Practice that Delayed Advancement	Yes	Yes	Yes	Yes	Yes	Yes	15	N/A	Yes
Cameroon	AF	Moderate Advancement	Yes	Yes	Yes	No	Yes	Yes	14	12	No
Central African Republic	AF	Moderate Advancement	Yes	Yes	Yes	Yes	Yes	Yes	14	15	Yes
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	Moderate Advancement	No	Yes	Yes	Yes	Yes	Yes	15	17.5	Yes
Cocos (Keeling) Island	IP	Moderate Advancement	No	Yes	Yes	Yes	Yes	Yes	15	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	12	No
Congo, Democratic Republic of the	AF	No Advancement – Efforts Made but Complicit in Forced Child Labor	Yes	Yes	Yes	Yes	Yes	Yes	16	12	Yes

COUNTRY	REGION	2019 ASSESSMENT	ILO C. 138	ILO C. 182	CRC	CRC OPTIONAL PROTOCOLS		PALERMO PROTOCOL	MIN. AGE FOR WORK	EDUCATION	
						CRC-CSEC	CRC-AC			COMPULSORY EDUCATION AGE	FREE PUBLIC EDUCATION
Congo, Republic of the	AF	Moderate Advancement	Yes	Yes	Yes	Yes	Yes	No	16		Yes
Cook Islands	IP	Minimal Advancement	No	Yes	Yes	No	No	No	16		Yes
Costa Rica	LAC	Significant Advancement	Yes	Yes	Yes	Yes	Yes	Yes	15		Yes
Côte d'Ivoire	AF	Moderate Advancement	Yes	Yes	Yes	Yes	Yes	Yes	16		Yes
Djibouti	AF	Moderate Advancement	Yes	Yes	Yes	Yes	Yes	Yes	16		Yes
Dominica	LAC	Minimal Advancement	Yes	Yes	Yes	Yes	Yes	Yes	16		Yes
Dominican Republic	LAC	Moderate Advancement	Yes	Yes	Yes	Yes	Yes	Yes	14		Yes
Ecuador	LAC	Significant Advancement	Yes	Yes	Yes	Yes	Yes	Yes	15		Yes
Egypt	MENA	Moderate Advancement	Yes	Yes	Yes	Yes	Yes	Yes	15		Yes
El Salvador	LAC	Moderate Advancement	Yes	Yes	Yes	Yes	Yes	Yes	14		Yes
Eritrea	AF	No Advancement – Efforts Made but Complicit in Forced Child Labor	Yes	Yes	Yes	Yes	Yes	Yes	14		No
Eswatini	AF	Moderate Advancement	Yes	Yes	Yes	Yes	Yes	Yes	15	12/13	No
Ethiopia	AF	Moderate Advancement	Yes	Yes	Yes	Yes	Yes	Yes	15	N/A	No
Falkland Islands (Islas Malvinas)	EUR	Minimal Advancement	No	Yes	Yes	No	No	No	14		Yes
Fiji	IP	Moderate Advancement	Yes	Yes	Yes	No	No	Yes	15		Yes
Gabon	AF	Moderate Advancement	Yes	Yes	Yes	Yes	Yes	Yes	16		Yes
Gambia, The	AF	Minimal Advancement – Efforts Made but Continued Practice that Delayed Advancement	Yes	Yes	Yes	Yes	Yes	Yes	16		Yes
Georgia	EUR	Moderate Advancement	Yes	Yes	Yes	Yes	Yes	Yes	16		Yes
Ghana	AF	Minimal Advancement	Yes	Yes	Yes	No	Yes	Yes	15		Yes

COUNTRY	REGION	2019 ASSESSMENT	ILO C. 138	ILO C. 182	CRC	CRC OPTIONAL PROTOCOLS		PALERMO PROTOCOL	MIN. AGE FOR WORK	EDUCATION	
						CRC-CSEC	CRC-AC			COMPULSORY EDUCATION AGE	FREE PUBLIC EDUCATION
Grenada	LAC	No Advancement	Yes	Yes	Yes	Yes	Yes	Yes	16	16	Yes
Guatemala	LAC	Significant Advancement	Yes	Yes	Yes	Yes	Yes	Yes	15	15	Yes
Guinea	AF	Minimal Advancement	Yes	Yes	Yes	Yes	Yes	Yes	16	16	No
Guinea-Bissau	AF	Minimal Advancement	Yes	Yes	Yes	Yes	Yes	Yes	14	15	No
Guyana	LAC	Moderate Advancement	Yes	Yes	Yes	Yes	Yes	Yes	15	15	Yes
Haiti	LAC	Minimal Advancement	Yes	Yes	Yes	Yes	Yes	Yes	16	15	Yes
Honduras	LAC	Moderate Advancement	Yes	Yes	Yes	Yes	Yes	Yes	14	17	Yes
India	IP	Moderate Advancement	Yes	Yes	Yes	Yes	Yes	Yes	14	15	Yes
Indonesia	IP	Moderate Advancement	Yes	Yes	Yes	Yes	Yes	Yes	15	15	Yes
Iraq	MENA	Minimal Advancement - Efforts Made but Continued Practice that Delayed Advancement	Yes	Yes	Yes	Yes	Yes	Yes	15	12	Yes
Jamaica	LAC	Moderate Advancement	Yes	Yes	Yes	Yes	Yes	Yes	15	16	Yes
Jordan	MENA	Moderate Advancement	Yes	Yes	Yes	Yes	Yes	Yes	16	16	Yes
Kazakhstan	IP	Moderate Advancement	Yes	Yes	Yes	Yes	Yes	Yes	16	17	Yes
Kenya	AF	Moderate Advancement	Yes	Yes	Yes	No	Yes	Yes	17	14	Yes
Kiribati	IP	Minimal Advancement	Yes	Yes	Yes	Yes	Yes	Yes	14	15	Yes
Kosovo	EUR	Moderate Advancement	N/A	N/A	N/A	N/A	N/A	N/A	15	15	Yes
Kyrgyz Republic	IP	Minimal Advancement - Efforts Made but Regression in Law that Delayed Advancement	Yes	Yes	Yes	Yes	Yes	Yes	16	15	Yes
Lebanon	MENA	Moderate Advancement	Yes	Yes	Yes	Yes	Yes	Yes	14	15	Yes
Lesotho	AF	Moderate Advancement	Yes	Yes	Yes	Yes	Yes	Yes	15	13	Yes
Liberia	AF	Minimal Advancement	No	Yes	Yes	No	Yes	Yes	N/A	14	Yes
Madagascar	AF	Moderate Advancement	Yes	Yes	Yes	Yes	Yes	Yes	16	16	Yes

COUNTRY	REGION	2019 ASSESSMENT	ILO C. 138	ILO C. 182	CRC	CRC OPTIONAL PROTOCOLS		PALERMO PROTOCOL	MIN. AGE FOR WORK	EDUCATION	
						CRC-CSEC	CRC-AC			COMPULSORY EDUCATION AGE	FREE PUBLIC EDUCATION
Malawi	AF	Moderate Advancement	Yes	Yes	Yes	Yes	Yes	Yes	14	18	Yes
Maldives	IP	Minimal Advancement	Yes	Yes	Yes	Yes	Yes	Yes	16	16	Yes
Mali	AF	Moderate Advancement	Yes	Yes	Yes	Yes	Yes	Yes	15	15	Yes
Mauritania	AF	Minimal Advancement - Efforts Made but Continued Policy and Practice that Delayed Advancement	Yes	Yes	Yes	Yes	No	Yes	16	14	Yes
Mauritius	AF	Minimal Advancement	Yes	Yes	Yes	Yes	Yes	Yes	16	16	Yes
Mexico	LAC	No Assessment	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	Minimal Advancement - Efforts Made but Continued Law that Delayed Advancement	Yes	Yes	Yes	Yes	Yes	Yes	16	16	Yes
Montenegro	EUR	Moderate Advancement	Yes	Yes	Yes	Yes	Yes	Yes	15	15	Yes
Montserrat	EUR	No Advancement	No	No	No	No	No	No	16	16	Yes
Morocco	MENA	Minimal 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	Significant Advancement	Yes	Yes	Yes	Yes	Yes	Yes	14	14	Yes
Nepal	IP	Moderate Advancement	Yes	Yes	Yes	Yes	No	No	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	Minimal Advancement	Yes	Yes	Yes	Yes	Yes	Yes	12	15	Yes
Niue	IP	No Advancement	No	No	Yes	No	No	No	N/A	16	Yes

COUNTRY	REGION	2019 ASSESSMENT	ILO C. 138	ILO C. 182	CRC	CRC OPTIONAL PROTOCOLS		PALERMO PROTOCOL	MIN. AGE FOR WORK	EDUCATION	
						CRC-CSEC	CRC-AC			COMPULSORY EDUCATION AGE	FREE PUBLIC EDUCATION
Norfolk Island	IP	Moderate Advancement	No	Yes	Yes	Yes	Yes	Yes	N/A	17	Yes
North Macedonia	EUR	Moderate Advancement	Yes	Yes	Yes	Yes	Yes	Yes	15	16	Yes
Oman	MENA	Moderate Advancement	Yes	Yes	Yes	Yes	Yes	Yes	16	16	Yes
Pakistan	IP	Moderate Advancement	Yes	Yes	Yes	Yes	No	No	14	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	Significant Advancement	Yes	Yes	Yes	Yes	Yes	Yes	14	17	Yes
Peru	LAC	Significant Advancement	Yes	Yes	Yes	Yes	Yes	Yes	14	17	Yes
Philippines	IP	Moderate Advancement	Yes	Yes	Yes	Yes	Yes	Yes	15	18	Yes
Rwanda	AF	Moderate Advancement	Yes	Yes	Yes	Yes	Yes	Yes	16	12	No
Saint Helena, Ascension, and Tristan da Cunha	EUR	Minimal Advancement									
Saint Lucia	LAC	Moderate Advancement	No	Yes	Yes	No	No	No	16	16	Yes
Saint Vincent and the Grenadines	LAC	Minimal Advancement		Yes	Yes	Yes	Yes	Yes	14	16	Yes
Samoa	IP	Minimal Advancement	Yes	Yes	Yes	Yes	Yes	No	15	16	No
São Tomé and Príncipe	AF	Minimal Advancement	Yes	Yes	Yes	No	No	Yes	15	15	Yes
Senegal	AF	Moderate Advancement	Yes	Yes	Yes	Yes	Yes	Yes	15	16	Yes
Serbia	EUR	Moderate Advancement	Yes	Yes	Yes	Yes	Yes	Yes	15	15	Yes
Sierra Leone	AF	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	REGION	2019 ASSESSMENT	ILO C. 138	ILO C. 182	CRC	CRC OPTIONAL PROTOCOLS		PALERMO PROTOCOL	MIN. AGE FOR WORK	EDUCATION	
						CRC-CSEC	CRC-AC			COMPULSORY EDUCATION AGE	FREE PUBLIC EDUCATION
Somalia	AF	Minimal Advancement - Efforts Made but Continued Practices that Delayed Advancement	No	Yes	Yes	No	No	No	15	14	Yes
South Africa	AF	Minimal Advancement	Yes	Yes	Yes	Yes	Yes	Yes	15	15	No
South Sudan	AF	No Advancement - Efforts Made but Complicit in Forced Child Labor	Yes	Yes	Yes	Yes	Yes	No	14	13	Yes
Sri Lanka	IP	Moderate Advancement	Yes	Yes	Yes	Yes	Yes	Yes	14	16	Yes
Suriname	LAC	Moderate Advancement	Yes	Yes	Yes	No	No	Yes	16	12	Yes
Tanzania	AF	Minimal Advancement - Efforts Made but Continued Practice that Delayed Advancement	Yes	Yes	Yes	Yes	Yes	Yes	14	14	No
Thailand	IP	Moderate Advancement	Yes	Yes	Yes	Yes	Yes	Yes	15	16	Yes
Timor-Leste	IP	Minimal Advancement - Efforts Made but Regression in Practice that Delayed Advancement	No	Yes	Yes	Yes	Yes	Yes	15	16	Yes
Togo	AF	Minimal Advancement	Yes	Yes	Yes	Yes	Yes	Yes	15	15	Yes
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	Moderate Advancement	No	Yes	Yes	No	No	No	15	15	No
Uganda	AF	Minimal Advancement - Efforts Made but Regression in Practice that Delayed Advancement	Yes	Yes	Yes	Yes	Yes	No	16	13	No

COUNTRY	REGION	2019 ASSESSMENT	ILO C. 138	ILO C. 182	CRC	CRC OPTIONAL PROTOCOLS		PALERMO PROTOCOL	MIN. AGE FOR WORK	EDUCATION	
						CRC-CSEC	CRC-AC			COMPULSORY EDUCATION AGE	FREE PUBLIC EDUCATION
Ukraine	EUR	Minimal Advancement - Efforts Made but Regression in Law that Delayed Advancement	Yes	Yes	Yes	Yes	Yes	Yes	16	17	Yes
Uzbekistan	IP	Moderate Advancement	Yes	Yes	Yes	Yes	Yes	Yes	16	18	Yes
Vanuatu	IP	Minimal Advancement	Yes	Yes	Yes	Yes	Yes	No	14	N/A	No
Wallis and Futuna	EUR	No Assessment	Yes	Yes	Yes	Yes	Yes	Yes	16	16	Yes
West Bank and the Gaza Strip	MENA	Minimal Advancement	N/A	N/A	Yes	Yes	Yes	Yes	15	16	Yes
Western Sahara	MENA	Minimal Advancement	Yes	Yes	Yes	Yes	Yes	Yes	15	16	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	Yes	Yes	15	N/A	Yes
Zimbabwe	AF	Moderate Advancement	Yes	Yes	Yes	Yes	Yes	Yes	16	12	No



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GoodWeave works with carpet, home textile and apparel producing communities in South Asia to ensure that children have access to education. Afghanistan. 2012.

Appendix 7

Reference Materials – Key Concepts and Definitions

Children's Work and Education Statistics: Sources and Definitions

In this report, 98 countries include a statistical table (Table 1, Statistics on Children's Work and Education) with data on the percentage of working children, school attendance rate, percentage of children who combine school and work, and/or primary completion rate. For a smaller set of profiles, a chart lists the percentages of children who work by sector.

This appendix provides definitions and descriptions of the sources for these data and some of the strengths and weakness inherent in these data. In a few cases, more current sources of data may be available than the ones used in this report; however, the most reliable, standardized sources available to date are used to allow for cross-country comparisons. Because reliable child labor surveys are not available for many countries, in some cases, USDOL uses statistics from child labor surveys that are more than 10 years old (data from 2009). If data did not exist from the sources described below, if no other reliable and publicly available source of data exists for a country, or if data exists but has not been analyzed to allow for cross-country comparisons, this report concludes that the statistics are “unavailable.”

Working Children

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

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

Definition

The term “working children” describes children engaged in any productive activity for at least 1 hour during the reference period. Productive activity includes market production and certain types of non-market production, principally the production of goods and services for own use. The work that children perform may be in the formal or informal economy, inside or outside family settings, or for pay or profit. This includes children working in domestic service outside the child's own household for an employer, paid or unpaid. This definition is in accordance with the Resolution to Amend the 18th ICLS Resolution Concerning Statistics of Child Labour, adopted by the 20th International Conference of Labour Statisticians in 2018, and the report ILO Global Estimates of Child Labour: Results and Trends, 2012–2016. (27; 29) The 20th ICLS introduced changes to the definition of working children to align that definition with internationally accepted definitions of work for adults. The new definition classifies working children as those engaged in any activity to produce goods or to provide services for use by others or for own use. In summary, the new definition includes 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 survey instruments are currently being redesigned 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 SIMPOC surveys; (2) UNICEF’s Multiple Indicator Cluster Surveys (MICS); (3) national Labor Force Surveys (LFS); and (4) other national and regional household surveys, including Demographic and Health Surveys (DHS). (38)

According to the ILO researchers, typical surveys on children’s work do not collect sufficiently detailed information on children’s activities to accurately measure economic activity. (39) 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 that countries can use a narrower definition of children’s work that excludes such services, as long as the definition used is clearly specified. (40) This resolution is contributing to the

collection of more comparable data on children’s involvement in non-market activities.

In analyzing the data from the above-mentioned surveys, the ILO attempted to apply a standard definition of children’s work, although UNICEF’s MICS and ILO’s SIMPOC reports, for example, each use a different definition of work. As of the writing of this report, MICS reports include household chores in their definition of work, while SIMPOC reports do not. To the extent possible, the ILO applied a common definition of work to the micro-data described. To date, this has resulted in the individual analysis of more than 208 data sets. While every attempt was made to present a standardized child work statistic, differences across the surveys have the potential to affect the comparability of statistics across countries and across years. Some of these differences are explained in greater detail here; however, in general, they include differing age groups, questionnaire content and wording, purpose of the survey, sample design, non-sampling errors, and the year of data collection.

In general, data are presented for children ages 5 to 14; 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 to measure the labor force participation of adults – may affect estimates of children’s work. (41) Additionally, sample design may affect the survey results. For example, children’s work is often clustered geographically; SIMPOC surveys are designed to capture children’s work in such geographic areas. As a result, estimates of working children vary across surveys that do not

use the same sample design. (42) The ILO and UNICEF continue to investigate the effects of these survey differences on estimates of children's work.

As noted, some country profiles also include the sector in which children reportedly work. For some surveys, the sector of work was not reported by the entire sample of working children. Therefore, the distribution of children working by sector – agriculture, industry, and services – represents children with non-missing data for the sector of work. Additional information on the sectors of work reported in the chart appear in Table 1.

Percentage of Children Attending School

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

Percentage of Children Combining Work and School

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

Primary Completion Rate

This report uses the “gross intake ratio to the last grade of primary education” as a proxy measure for primary completion. This ratio is the total number of new entrants in the last grade of primary education, regardless of age, expressed as a percentage of the

population at the theoretical entrance age to the last grade of primary education. A high ratio indicates a high degree of current primary education completion. The calculation includes all new entrants to the last grade, regardless of age. Therefore, the ratio can exceed 100 percent, due to over- 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 1, 2020, 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 2020. All population-based indicators, including the gross intake ratio to the last grade of primary education, for all years are re-calculated using these latest estimates. For some countries and years, when the new UNDP population estimates are found to be inconsistent with education data, related indicators are removed. All updates made to UNESCO data on the gross intake ratio to the last grade of primary education are reflected in the primary completion rate statistic included in this report.

Labor Law Enforcement: Sources and Definitions

Labor Force Calculation

This report uses data from the CIA World Factbook, which lists the most recent estimates for countries'

total labor force. This number is used to calculate a “sufficient number” of labor inspectors based on the country’s level of development, as determined by the UN. (43)

Country Classification

For analyses, the Development Policy and Analysis Division of the Department of Economic and Social Affairs of the United Nations Secretariat (UN/DESA) classifies all countries of the world into one of four broad categories: (a) developed economies, (b) economies in transition, (c) developing economies, and (d) least developed countries. The composition of these groupings is intended to reflect basic economic country conditions. Several countries, in particular the economies in transition, have characteristics that could place them in more than one category; however, for analyses, the groupings have been made mutually exclusive. This is decided upon by the UN Economic and Social Council and, ultimately, by the General Assembly deciding on the list of the least developed countries based on recommendations made by the Committee for Development Policy. The basic criteria for inclusion require that certain thresholds be met for per capita gross national income, a human assets index, and an economic vulnerability index. For the Findings on the Worst Forms of Child Labor report, “developed economies” equate to the ILO’s classification of “industrial market economies,” “economies in transition” to “transition economies,” “developing economies” to “industrializing economies,” and “the least developed countries” equate to “less developed countries.” Countries that appear on both “developing countries” and “least developed countries” lists are considered “least developed countries” for calculating a “sufficient number” of labor inspectors. (44)

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. (45)

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. (46)

Glossary of Other Terms

Basic Education

Article 7(c) of ILO C. 182 requires countries to “ensure access to free basic education.” According to the International Standard Classification of Education, “basic education” corresponds to the first 9 years of formal schooling and comprises primary and lower secondary education. Primary education is considered to be the first stage of basic education and covers 6 years of full-time schooling, with the legal age of entrance normally being no younger than 5 years or older than 7 years. Primary education is designed to give pupils a sound basis in reading, writing, and

mathematics, along with an elementary understanding of other subjects, such as history, geography, natural science, social science, religion, art, and music. Lower secondary education is more subject-focused and requires specialized teachers. It corresponds to about 3 years of schooling. Basic education also can include various non-formal and informal public and private educational activities offered to meet the defined basic learning needs of groups of people of all ages.

Article 13 of the 1966 International Covenant on Economic, Social and Cultural Rights indicates that primary education should be compulsory and free to all. Secondary education, including technical and vocational education, should be available and accessible to all, and free education should be progressively introduced. Article 28 of the 1989 Convention on the Rights of the Child affirms the right of the child to education and the state's duty to ensure that primary education is free and compulsory. (30; 47-50)

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). (51)

Bonded labor typically occurs when a person who needs a loan and has no security to offer, pledges his or her labor, or that of someone under his or her control, as security for a loan. In some cases, the interest on the loan may be so high that it cannot be paid. In others, it may be deemed that the bonded individual's work repays the interest on the loan but not the principal. Thus, the loan is inherited and perpetuated, and becomes an inter-generational debt. (4; 52)

Bonded labor is prohibited as one of the worst forms of child labor in ILO C. 182. (30)

Child Domestic Worker

A “child domestic worker” works in third-party private households under an employment relationship. Child domestic workers engage in various tasks that include cleaning, cooking, gardening, collecting water, and caring for children and the elderly. Child domestic workers sometimes have live-in arrangements, whereby they live in their employer's household and work in exchange for room, board, and sometimes education. Child domestic workers are vulnerable to the worst forms of child labor, including sexual, physical, and verbal abuse, in large part because they often depend on their employers for basic needs and work in locations hidden from public view. (53; 54)

Child Labor Elimination Projects

Since 1995, USDOL has funded 338 projects in 99 countries. USDOL currently oversees more than \$238 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. (55)

Child Trafficking

The Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children (Palermo Protocol) provides a definition of “human trafficking” for children that states “the recruitment, transportation, transfer, harbouring or receipt of a child for the purpose of exploitation shall be considered ‘trafficking in persons’ even if this does not involve any of the means set forth in subparagraph (a) of this Article.” Therefore, there does not need to be abuse of power, control, coercion, or fraud present to constitute child trafficking, as the definition for adults requires. The Palermo Protocol provides a commonly accepted definition of “human trafficking” in Article 3(a) that trafficking in persons means “the

recruitment, transportation, transfer, harbouring or receipt of persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability, or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation. Exploitation shall include, at a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labor or services, slavery or practices similar to slavery, servitude or the removal of organs.” (56)

The trafficking of children is prohibited as a worst form of child labor in ILO C. 182, Article 3(a). (30)

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.” (57; 58; 59) The remuneration dynamic distinguishes CSEC from the sexual abuse of a child, which does not include commercial gain; however, sexual exploitation also includes abuse. The definition of CSEC includes these activities:

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

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

ILO C. 182, Article 3(b), prohibits using, procuring, or offering a child for prostitution or for the production of pornography or for pornographic performances. (30)

Compulsory Education Age

The age up to which children and youth are legally required to attend school. (47)

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.” (60)

Hazardous Work

Article 3(d) of ILO C. 182 sets forth the following as a worst form of child labor: “work which, by its nature or the circumstances in which it is carried out, is likely to harm the health, safety or morals of children.” This is colloquially referred to as “hazardous work.” Countries must determine which types of work are considered to be hazardous work by law or regulation. ILO R. 190 includes options for consideration in determining which types of work are hazardous.

Illicit Activities

ILO C. 182, Article 3(c), prohibits “the use, procuring or offering of a child for illicit activities, in particular for the production and trafficking of drugs.” Illicit activities in this context can include crimes; however, the activity need not be illegal to be considered illicit. (30) 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.” (61; 62)

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. (61)

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” or “ultra-hazardous” informal settings likely face increased risk of exploitation, including injury. Additionally, because businesses in the informal sector are not usually included in official statistics, children working in informal sector enterprises may not be counted in labor force activity rates. (63; 64)

Light Work

This report uses the definition of “light work” as established in ILO C. 138, Minimum Age for Admission to Employment. Under Article 7(1) of the Convention, “National laws or regulations may permit the employment or work of persons 13 to 15 years of age on light work which is – (a) not likely to be harmful to their health or development; and (b) not such as to prejudice their attendance at school, their participation in vocational orientation or training programmes approved by the competent authority or their capacity to benefit from the instruction received.” Countries that have specified a minimum legal working age of 14 may permit the employment or work of persons ages 12 to 14 in light work as defined in Article 7(1). Countries 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. (34)

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. (52)

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. (52)

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). (65)

Optional Protocol to the Convention on the Rights of the Child on the Sale of Children, Child Prostitution and Child Pornography

This optional UN protocol, adopted in 2000, addresses and commits ratifying countries to take action against the commercial sexual exploitation of children, which is a worst form of child labor as defined in ILO C. 182, Article 3(b). (66)

Poverty Reduction Strategy Paper

This document is written by the government of a developing country with the participation of civil society to serve as the basis for concessional lending

from the World Bank and 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. (67)

Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention Against Transnational Organized Crime (Palermo Protocol)

The Palermo Protocol supplements the United Nations Convention Against Transnational Organized Crime and covers the trafficking of children, also delineated as a worst form of child labor under ILO C. 182, Article 3(a). (56) 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. (68)

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. (69)

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. (30; 34; 68)

Unpaid Household Services

For this report, the term “unpaid household services” by children refers to the domestic and personal services a child performs within the child's own household, under the following conditions: (a) for long hours; (b) in an unhealthy environment, including equipment or heavy loads; or (c) in dangerous locations. (29)



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Smiling children in the playground of an elementary school in the rainforest village of Nueva Libertad, Ecuador. Nueva Libertad, Ecuador. October 15, 2010.

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. (92)

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

the countries included in this report. (116) Data also were gathered through site visits to certain countries covered in this report, and included the collection of additional documents and key informant interviews.

Analysis of Information

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

Nature of the information

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

Date of the information

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

In the case of child labor statistics, however, certain factors contribute to less frequent generation of new data. Because government and other efforts to address exploitative child labor take time to have an impact on national-level rates of child labor, children's involvement in such activities does not change dramatically from year to year. Child labor surveys are carried out infrequently, in part, because the child labor picture does not change frequently, although the number of surveys have increased recently. To present an overall picture of children's work in as many countries as possible, ILAB used statistics that are, in some cases, more than 10 years old (from 2009) as of the writing of this report. For more information on the statistics used in this report, see Appendix 7.

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

Source of the information

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

Extent of the corroboration

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

Limitations

While data on the worst forms of child labor and information about government efforts to provide

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

Due to an inability to travel to each country covered in the report, 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 2019 in a single paragraph, beginning with a statement identifying the assessment level assigned to the country for 2019. 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'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.

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

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

performances. For illicit activities, ILAB assessed whether laws criminally prohibit the using, procuring, and offering of a child in the production and trafficking of drugs.

ILAB assessed whether a country has created a hazardous work list and whether the types of hazardous work prohibited are comprehensive, based on whether there is evidence that children engage in work where, according to ILO R. 190, the work may be hazardous. Because the standards on the minimum age for work in ILO C. 138 provide a foundation for protections against the worst forms of child labor, ILAB used the standards embodied in that convention to assess each country's minimum age for admission to work and the age up to which education is compulsory. (46) ILO C. 138 establishes that countries should set a minimum age of 15 for work, or age 14 for countries with less-developed economies where the country has specified an age of 14 upon ratification of the convention. For countries that permit children to engage in light work, the profile also indicates whether the country has set a minimum age of 13 for light work, or age 12 for less-developed economies, and whether legislation related to light work determines permitted activities, and the number of hours per week and the conditions under which light work may be conducted.

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

Section III: Enforcement of Laws on Child Labor

The third section of the country profiles addresses the second and third criteria included in the TDA Conference Committee report, concerning whether the country has “adequate laws and regulations for the implementation and enforcement of such measures,” and 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. (45)

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

- Established criminal investigation systems.
- Provided sufficient funding and resources to enforce the worst forms of child labor laws and regulations.

- Provided sufficient training for investigators, including initial training for new employees, training on new laws related to 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.” (62) 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. (30) 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.” (i) 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 which benefits from U.S. trade preferences to eliminate the worst forms of child labor.

Research Question Guiding Country Assessments

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

Scope of Country Assessment

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

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

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

a country has implemented its commitments to eliminate the worst forms of child labor.” That determination is reserved for the President.

Method for Determining a Country Assessment

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

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

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

Appendix 9

TDA Guidance Questions

Assessment Level

TDA Conference Report Criterion:

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

Guidance Questions

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

Prevalence and Sectoral Distribution of Child Labor

Guidance Questions

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

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

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

Legal Framework for the Worst Forms of Child Labor

TDA Conference Report Criterion:

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

Guidance Questions

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

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

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

Enforcement of Laws on the Worst Forms of Child Labor

TDA Conference Report Criteria:

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

In this section of the country profiles, ILAB analyzes whether, or to what degree, a country has defined enforcement agency roles, conducted routine and

unannounced inspections, and investigated and addressed complaints related to allegations of the worst forms of child labor. The analysis is based on the following guidance questions.

Guidance Questions

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

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

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

Coordination of Government Efforts on the Worst Forms of Child Labor

TDA Conference Report Criterion:

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

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

Guidance Questions

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

Government Policies on the Worst Forms of Child Labor

TDA Conference Report Criterion:

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

Guidance Questions

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

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

Social Programs to Address Child Labor

TDA Conference Report Criterion:

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

Guidance Questions

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

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

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School children play in their village in the Lira district of northern Uganda.
Lira, Uganda. May 3, 2012.



Country Profiles

NO ADVANCEMENT – EFFORTS MADE BUT COMPLICIT IN FORCED CHILD LABOR

In 2019, Afghanistan is receiving an assessment of no advancement. Despite initiatives to address child labor, Afghanistan is receiving an assessment of no advancement because government officials, particularly officers of the Afghan Local Police and Afghan National Police, were complicit in the use of commercial sexual exploitation of boys through the practice of bacha bazi, a practice that remains widespread throughout the country. The government failed to prosecute any government officials in bacha bazi cases in 2019, but convicted two civilians and indicted at least four others. During the reporting period, media reported allegations by human rights activists that at least 165 boys were sexually exploited at three public high schools in Logar Province, with the perpetrators video recording some of the acts for blackmail purposes. The activists' research found evidence of involvement of dozens of educators, including teachers and principals. At the end of 2019, government investigators reported that while they uncovered evidence of child sexual assault in Logar, they had found no link between the abuse and educators in the Logar public school system. Two human rights activists who exposed the Logar network, however, were detained by the National Directorate of Security, physically mistreated, and subsequently fled the country with their families after receiving death threats. Although the government failed to prosecute Afghan Local Police or Afghan National Police officers implicated in bacha bazi crimes, it took a number of steps to combat bacha bazi and other forms of child labor and child trafficking, including establishing a National Child Protection Commission. However, children in Afghanistan engage in the worst forms of child labor, including in armed conflict and forced labor in the production of bricks and carpets, each sometimes the result of human trafficking. Afghanistan's labor inspectorate is not authorized to impose penalties for child labor violations, and the government lacks sufficient programs to eliminate the worst forms of child labor. In addition, Afghan law does not sufficiently criminalize forced labor, debt bondage, or commercial sexual exploitation of girls.



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I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Afghanistan engage in the worst forms of child labor, including in armed conflict and forced labor in the production of bricks and carpets, each sometimes the result of human trafficking. (1-5) Table 1 provides key indicators on children's work and education in Afghanistan.

Table 1. Statistics on Children's Work and Education

Children	Age	Percent
Working (% and population)	5 to 14	7.5 (673,949)
Attending School (%)	5 to 14	41.8
Combining Work and School (%)	7 to 14	4.6
Primary Completion Rate (%)		85.6

Source for primary completion rate: Data from 2018, published by UNESCO Institute for Statistics, 2020. (6)

Source for all other data: International Labor Organization's analysis of statistics from Multiple Indicator Cluster Survey 4 (MICS 4), 2010-2011. (7)

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

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

Sector/Industry	Activity
Agriculture	Farming, including harvesting poppies (5,8-12)
	Herding (5,9,11-13)
Industry	Carpet weaving† (5,9,13-15)
	Construction, including gravelling, paving, and painting (5,9,12,13,16,17)
	Coal, gold, and salt mining† (18-22)
	Brickmaking (5,12-14,23,24)
	Working in metal workshops, including in the production of doors, windows, and water tanks (12,14,25,26)
	Working as tinsmiths and welders† (12,13,15)
Services	Domestic work (11,15,27,28)
	Transporting water and goods, including across international borders (9,29)
	Street work, including peddling, vending, shoe shining, carrying goods, and begging (9,12,15,30,31)
	Collecting garbage† (12,15,16,30,32)
	Washing cars (9,12,13)
	Selling goods in stores (12,13,25)
	Collecting and selling firewood (9,12,29,33)
	Repairing automobiles (12,16,34)
	Tailoring in garment workshops (12,24)
	Pushing loads on a wheelbarrow (<i>krachiwani</i>) (12,13,35)
	Working as waiters in restaurants (12,13,36)
Categorical Worst Forms of Child Labor‡	Recruitment of children by non-state armed groups for use in armed conflict (37,38)
	Forced recruitment of children by state armed groups for use in armed conflict (38)
	Use in illicit activities, including in the production and trafficking of drugs, and pickpocketing (4,5,12,26,30,36,39-42)
	Domestic work as a result of human trafficking (4,27)
	Commercial sexual exploitation, sometimes as a result of human trafficking (4,12,43-46)
	Forced labor in begging and in the production of bricks and carpets, and for use as assistant truck drivers, each sometimes as a result of human trafficking (1,2,4,14,15,26,36,47-49)

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

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

Boys across the country are subject to commercial sexual exploitation through the practice of *bacha bazi*, which typically entails keeping a male or transgendered child for the purpose of sexual gratification. Although *bacha bazi* is illegal, it is defended by some as a cultural practice. The perpetrators include police commanders, military members, tribal leaders, warlords, members of organized crime groups, clergy, and other men, typically with some authority or financial influence, who conspire to make boys available for sex. (50,51) In some cases, these boys may also be forced to serve tea or dance at parties. (52,53) According to the Afghanistan Independent Human Rights Commission (AIHRC), the practice exists in all provinces of the country. (4,54,55) Orphans, runaways, school dropouts, and other marginalized youth are particularly at risk. Some boys are often sold into the practice by their families, while others are abducted from the street, including by police officers. (44,45,55) Members of the Afghan National Police, the Afghan Local Police, the Afghan National Army, and the Afghan Border Police, especially checkpoint commanders, exploit boys for *bacha bazi*. (57) Some victims are boys who work for government officials as tea servers or errand boys, but are also subjected to rape or other forms of sexual assault. (4,36,44,45,47,50,54-56) NGOs reported that Afghan security forces and pro-government militias—some of whom may have received direct financial support from the government—recruited boys specifically for use in *bacha bazi*. (4)

Minors complained that some teachers and principals pressured them to perform commercial sex acts to pass exams; physical evidence to support such claims, including audio and video recordings, came to light during the reporting period. (4) 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

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bringing cases forward to law enforcement or seeking care. Some child victims also reported authorities forced them to have sex in exchange for pursuing their cases, or raped them and sent them to detention centers when they tried to report their abusers. (57)

In November 2019, media outlets reported at least 165 cases of the sexual abuse of boys at 3 schools by teachers, school managers, and local authorities in Logar Province. (42,52,53,58) Numerous videos of these sexual assaults were posted on social media. (42) Some boys were banished by their families, while families of other boys fled the region. (42,52) Two human rights activists who had researched the Logar abuse and made some of their findings public were taken into custody by the National Directorate of Security and released only after making video statements under duress in which they stated that their investigation and reporting had been incomplete and incorrect. (52,53,59,60) The activists subsequently received death threats and fled Afghanistan. (61)

Afghan children are victims of human trafficking both domestically and internationally. Some Afghan nationals overseas have subjected Afghan boys to *bacha bazi* in, for example, Germany, Hungary, North Macedonia, and Serbia. (62) Furthermore, Afghan boys are used for forced labor in agriculture and construction abroad, and girls are used for commercial sexual exploitation and domestic work in destination countries, primarily Iran and Pakistan. (4) In Afghanistan, children were subjected to human trafficking to settle their family's debt, sometimes as a result of their parents' drug addiction, by being forced to produce bricks and illicit drugs. (2,4,37) Many Afghan girls are subjected to forced marriage in exchange for money for their families. (63) In addition, traffickers in Iran exploit Afghan children in forced labor as beggars and street vendors and forced criminality, including drug trafficking and smuggling of fuel and tobacco. (4) There were widespread reports of child laborers being subjected to sexual violence within Afghanistan. (12,13,16,30) Girls from Iran, Pakistan, and China were subject of human trafficking to Afghanistan for the purpose of commercial sexual exploitation. (63)

Widespread violence and lack of economic opportunities lead some Afghan children to leave Afghanistan. (64-68) Some children went to Iran specifically to engage in child labor. (69,70) According to the UN, some Afghan refugee children in Iran engaged in child labor and did not attend school. (27) The Iranian government and the Islamic Revolutionary Guards Corps continued to coerce Afghan children as young as age 12 to fight in Iranian-led and -funded Shia militias deployed to Syria by threatening them with arrest and deportation to Afghanistan. (4) Boys, especially those traveling unaccompanied, were particularly vulnerable to human trafficking. (47,70,71) Some Afghan boys were subjected to commercial sexual exploitation in Greece after paying high fees to be smuggled into the country. (4,47,71)

Armed groups and Afghan police recruited children for engagement in combat and security operations, including 58 by the Taliban, 3 by the Afghan National Police, and 1 each by the Afghan Local Police and a pro-government militia. (38) Low rates of birth registration and the falsification of identity documents contribute to the problem by making it difficult to determine a recruit's age. (70,72) Observers reported that some officials accepted bribes to produce false identity documents that indicated the recipient boys were older than age 18. (47) Nevertheless, the Child Protection Units at Afghan National Police recruitment centers reportedly prevented the recruitment of 439 children in 2019. (73)

In 2019, approximately 505,000 undocumented Afghans returned or were deported to Afghanistan: 485,000 from Iran and just under 20,000 from Pakistan. (74) Many returnees and deportees were unaccompanied minors. (4) Some deportee children are subject to sexual and physical violence or forced labor while in deportation process camps, particularly in Iran. (37,75) Many unaccompanied minor returnees faced similar problems. (76,77) An indeterminate number of children also returned from Europe, including those whose asylum applications had been rejected. (78-80) Such children are vulnerable to recruitment by armed groups and traffickers. These children have difficulties enrolling in school because they lack the necessary identity documents. (4,15,36,79) In 2018, 66 percent of undocumented returnee children did not attend school. Many of them were particularly

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vulnerable to child labor, including debt bondage in brick factories. (27,48,81-84) Some individuals who facilitate repatriation take returnees to brick factories and keep them in debt bondage to repay their transportation costs. (50) International organizations noted that traffickers specifically targeted these returnees for forced labor upon return to Afghanistan. (4)







Afghanistan suffered both drought and flooding, causing the internal displacement of approximately 296,000 individuals in 2019. (85,86) An additional 436,000 individuals were newly internally displaced persons (IDPs) due to the armed conflict. (85) Many of these IDPs were food insecure and resorted to child labor or selling children as a way of settling debt. (36,86-89) Child labor is particularly prevalent among urban IDPs, and these children are vulnerable to recruitment by armed groups. (17,36)

In 2019, UNICEF estimated that 3.7 million school-age children were out of school in the country, 60 percent of whom are girls. (90) Barriers to education for children included displacement of populations due to conflict, the use of schools as military bases, attacks on schools, living long distances from schools, school-related fees, lack of security, and lack of identity documentation. (17,91-93) Girls faced additional barriers to education including parents unwilling to allow them to attend school, lack of hygiene facilities, shortage of female teachers, and sexual harassment on the way to and from school. (15,91,93) In addition, schools do not provide sufficient services to children with disabilities and some nomad, or kuchi, children did not attend school because they traveled to tend livestock. (27)

II. LEGAL FRAMEWORK FOR CHILD LABOR

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

Table 3. Ratification of International Conventions on Child Labor

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

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

Table 4. Laws and Regulations on Child Labor

Standard	Meets International Standards	Age	Legislation
Minimum Age for Work	No	15	Article 13 of the Labor Law (94)
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 (94,96,103)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		List of Prohibited Jobs for Child Laborers; Article 613 of the Penal Code (95,96)
Prohibition of Forced Labor	No		Article 4 of the Labor Law; Article 37 of the Law on the Elimination of Violence Against Women (94,96-98)

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

Standard	Meets International Standards	Age	Legislation
Prohibition of Child Trafficking	Yes		Articles 510–512 of the Penal Code (96)
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 (96,98)
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 (95, 99)
Minimum Age for Voluntary State Military Recruitment	Yes	18	Article 605–608 of the Penal Code (96)
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 (96)
Compulsory Education Age	Yes	15‡	Article 17 of the Education Law; Article 609 of the Penal Code (96,100)
Free Public Education	Yes		Article 17 of the Education Law (100)

* No conscription (101)

‡ Age calculated based on available information (102)

The Afghan Labour Law’s minimum age provision prohibits those under age 18, 15 for “light work,” from being “recruited as a worker.” However, the law defines “worker” as a person who is “recruited based on a definite contract,” meaning that the minimum age provision does not apply to those in informal employment Afghan law does not sufficiently criminalize forced labor or debt bondage.

Although the Penal Code explicitly prohibits and sets penalties for the use of male or transgender children for *bacha bazi*, Afghan law does not prohibit the use of girls for prostitution and pornographic performances. (27,96) Additionally, the legal framework does not adequately criminalize the use of children for the production of pornography. (96,98)

A Law on Protection of Child Rights was adopted and entered into force in 2019. The law reiterates some of the existing protections for children, such as the minimum age for hazardous work and protection of children from being exploited in begging. (103)

III. ENFORCEMENT OF LAWS ON CHILD LABOR

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

Table 5. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
Child Protection Action Network (CPAN)	Operates as a coalition of government agencies, NGOs, and community and religious leaders. Receives complaints of child labor; investigates such cases, and refers them to NGO and government shelters that provide social services, and coordinate and provide case management. (36,104) 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. (36)
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. (36)
Ministry of the Interior	Enforces laws related to child trafficking, the use of children in illicit activities, and child sexual exploitation. (36)
National Directorate of Security	Identifies human trafficking victims and refers these cases to the Ministry of the Interior. (36)
Attorney General’s Office (AGO)	Investigates and prosecutes human trafficking, abduction, and sexual exploitation cases. (36)

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Labor Law Enforcement

In 2019, labor law enforcement agencies in Afghanistan took actions to combat child labor (Table 6). However, gaps exist within the authority of MoLSA that may hinder adequate labor law enforcement, including penalty assessment authorization.

Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2018	2019
Labor Inspectorate Funding	Unknown (36)	Unknown (5)
Number of Labor Inspectors	21 (36)	Unknown (5)
Inspectorate Authorized to Assess Penalties	No (36)	No (5)
Initial Training for New Labor Inspectors	No (36)	No (5)
Training on New Laws Related to Child Labor	Unknown (36)	Unknown (5)
Refresher Courses Provided	Unknown (36)	Unknown (5)
Number of Labor Inspections Conducted	Unknown (36)	Unknown (5)
Number Conducted at Worksite	Unknown (36)	Unknown (5)
Number of Child Labor Violations Found	Unknown (36)	Unknown (5)
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	Unknown (36)	Unknown (5)
Routine Inspections Targeted	Unknown (36)	Unknown (5)
Unannounced Inspections Permitted	Yes (36)	Yes (5)
Unannounced Inspections Conducted	Yes (36)	Unknown (5)
Complaint Mechanism Exists	Yes (36)	Yes (5)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	No (36)	No (5)

The Child Protection Action Network, of which MoLSA is a component, can respond to complaints of child labor, investigate cases, and issue warnings or refer criminal cases to the Attorney General's Office (AGO). However, a person wishing to file a complaint must specify the legal statutes for labor violations in writing, making it unlikely that citizens would be able to do so. (104,107)

In 2019, the government did not report the number of labor inspectors; however, as of December 2018, MoLSA had 27 inspector positions, 21 of which were filled. (5,36) The number of labor inspectors is likely insufficient for the size of Afghanistan's workforce, which includes more than 7.9 million workers. (108) According to the ILO's technical advice of a ratio approaching 1 inspector for every 40,000 workers in less developed economies, Afghanistan would employ about 200 labor inspectors. (105,109,110) Government officials, NGOs, and UNICEF acknowledge that the number of labor inspectors is insufficient. (105) Moreover, sources indicate that labor inspections take place only in the capital, Kabul. (5)

Business owners are not required to allow unannounced inspections. (105) Based on available information, MoLSA inspects only public organizations, such as government ministries, that are registered with MoLSA, but not private businesses or worksites within the informal sector. (27,36,104) Many forms of child labor, however, occur in the informal sector. (12) Government officials and other stakeholders stated that the government lacked resources, including training, for enforcement of child labor laws. (36)

Criminal Law Enforcement

In 2019, criminal law enforcement agencies in Afghanistan took actions to combat child labor (Table 7). However, gaps exist within the operations of the criminal enforcement agencies that may hinder adequate criminal law enforcement, including training for criminal investigators.

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Table 7. Criminal Law Enforcement Efforts Related to Child Labor

Overview of Criminal Law Enforcement	2018	2019
Initial Training for New Criminal Investigators	Unknown (36)	Unknown (5)
Training on New Laws Related to the Worst Forms of Child Labor	Unknown (36)	Unknown (5)
Refresher Courses Provided	Yes (75)	No (111)
Number of Investigations	Unknown (36)	15 (111)
Number of Violations Found	Unknown (36)	17 (111)
Number of Prosecutions Initiated	0 (36)	10 (111)
Number of Convictions	0 (36)	4 (111)
Imposed Penalties for Violations Related to The Worst Forms of Child Labor	N/A	2 (112)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (75)	Yes (37)

In response to allegations in November 2019 of widespread sexual exploitation of children at schools in Logar Province, the Attorney General’s Office (AGO) sent an investigative committee to Logar; the probe was ongoing at the end of 2019. By the end of the reporting period, two suspects had been referred to the court. (73) However, the government did not prosecute any government officials for *bacha bazi* crimes, despite the fact that police and other officials were heavily implicated in the practice. (4,36,47,51,55,75,113) Observers noted that perpetrators of *bacha bazi* often paid bribes to law enforcement, prosecutors, or judges who protected them from prosecution. (4) The AIHRC, Parliament, the Ministry of Education, and the Logar provincial government also conducted fact-finding missions in response to the allegations. (24) The AIHRC received nine videos of sexual abuse, although many more had already been shared with the media. (24,53,58) Shortly after, the AIHRC issued a summary report stating that the sexual abuse was not limited to schools, but was also occurring in work places of child laborers, particularly at brick kilns and in garment workshops. (113) AGO investigators did not publicly state any nexus between the sexual assaults on high school boys in Logar and Logar educators, despite reports of heavy involvement. However, the AIHRC in its summary report on Logar pointed to “some school officials and teachers” involved in the abuse. (24,61,73,113)

Moreover, victims of human trafficking were routinely prosecuted and convicted of crimes. (75,114) 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 to appropriate victim support services. (4,38,47,115,116) The government arrested, detained, and prosecuted for terrorism-related crimes some children younger than age 12 who had been forcibly recruited by non-state armed groups. NGOs reported that authorities housed some child trafficking victims in juvenile detention centers, sometimes for several years. (4) Such children are considered criminals even after being transferred to rehabilitation centers. (55) The UN reported that some of these children were subjected to torture and ill treatment. (116,117)

Although information was unavailable for 2019, government officials had previously stated that they lacked equipment and transportation to carry out investigations. (118) Based on available information, security agencies and the Ministry of Justice did not have a reciprocal referral mechanism to ensure that child victims of human trafficking and other worst forms of child labor receive social services. (36) However, during the reporting period, the Ministry of Interior conducted four training sessions with a major focus on human trafficking for 590 law enforcement officials, and an international NGO conducted trainings in which Ministry of Interior officials participated. (111)

IV. COORDINATION OF GOVERNMENT EFFORTS ON CHILD LABOR

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

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

Coordinating Body	Role & Description
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. Met for the first time in 2019. Participants include representatives from the AGO, the Afghanistan Independent Human Rights Commission (AIHRC), the Ministry of Education, and other bodies. (73,119) Includes an inter-ministerial technical committee, chaired by the MOLSA Minister, to ensure that the Child Act is operational at the provincial and district levels. (73)
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. (27,97) The Commission, designed to meet quarterly, met only once in 2019 and focused on <i>bacha bazi</i> . (37) The Commission stated that ministries did not provide detailed enforcement information, making it difficult for the Commission to issue reports. (120)
Inter-Ministerial Steering Committee on Children and Armed Conflict	Coordinates efforts to eliminate the recruitment and use of child soldiers. Led by the Ministry of Foreign Affairs and monitored by the UN and NGOs. (27)

* 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 may hinder efforts to address child labor, including implementation.

Table 9. Key Policies Related to Child Labor

Policy	Description
National Labor Policy	Includes objectives to eliminate the worst forms of child labor, such as those involving hazardous activities; pass legislation prohibiting child labor; and effectively enforce child labor laws. (121) 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. (124) 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	Commits to protect children from recruitment and sexual exploitation in the armed forces, and provides services to children rescued from engagement in armed conflict. Assigns the Ministry of Defense and the Afghan National Police with monitoring that children’s rights are safeguarded and coordinating with CPAN chapters and AIHRC. (125) In 2019, over 439 children were prevented from joining the Afghan National Police. (38)
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) In September 2019, MoLSA partnered with the International Bureau for Children’s Rights and UNICEF to draft a National Child Protection Policy and strengthen the capacity of MoLSA’s Child Protection Secretariat. (5)

† Policy was approved during the reporting period.

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2019, the government funded and participated in programs that include the goal of preventing child labor (Table 10). However, gaps exist in these social programs, including adequacy to address the problem in all sectors.

Table 10. Key Social Programs to Address Child Labor

Program	Description
Child Protection Units (CPUs) of the Afghan National Police†	Units located within Afghan National Police recruitment centers to ensure that children are not recruited to join armed conflict. CPUs did not oversee Afghan Local Police and the government did not have sufficient CPU reporting channels to identify children, prevent them from joining the security forces, and provide shelter, services, and family reintegration. (126,127) Despite insufficient reporting channels between CPUS and the government, CPUs prevented the recruitment of at least 439 children. (73)
Juvenile Rehabilitation Center†	Center in Kabul that provides educational, social and psychological support, and vocational training to children who were previously engaged in armed conflict. (128,129) The shelter was operational in 2019. (111)

† Program is funded by the Government of Afghanistan.

In 2019, the Ministry of Public Health conducted approximately 1,300 meetings, workshops, and awareness raising campaigns for about 55,000 local and provincial government officials. Similarly, the Ministry of Hajj and

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Religious Affairs distributed pamphlets on human trafficking to about 54,000 individuals during Friday sermons in areas not controlled by the Taliban. (111)

There is no evidence of programs designed specifically to prevent and eliminate child labor in all relevant sectors, such as agriculture or the production of bricks. Moreover, the government acknowledged the dearth of shelters and government resources for victims of human trafficking. At times, the government placed child trafficking victims in orphanages, and some orphanages subjected children to human trafficking. (4) Some boys who are victims of human trafficking were arrested, and some were sent to juvenile rehabilitation centers due to the lack of shelters. (50, 130)

VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE CHILD LABOR

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

Table 11. Suggested Government Actions to Eliminate Child Labor

Area	Suggested Action	Year(s) Suggested
Legal Framework	Ensure that the minimum age for work applies to all children, including those engaged in informal employment.	2019
	Ensure that forced labor and debt bondage are criminally prohibited.	2015 – 2019
	Ensure 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 – 2019
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 – 2019
	Track and publish information on labor inspections, including labor inspectorate funding, number of labor inspectors, number and type of child labor inspections, and number of violations found.	2015 – 2019
	Authorize the labor inspectorate to assess penalties for violations of Afghan law.	2015 – 2019
	Ensure that labor inspectors and criminal investigators receive training on child labor.	2011 – 2019
	Increase the number of labor inspectors to meet the ILO's technical advice and ensure inspections are conducted throughout the country and in all sectors.	2011 – 2019
	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 – 2019
	Ensure that the labor inspectorate conducts inspections in private businesses and the informal sector.	2014 – 2019
	Ensure that labor inspectors and criminal investigators are available and receive resources, including equipment and transportation, to enforce criminal child labor laws.	2012 – 2019
	Prosecute and convict individuals, particularly government officials, who use children for engagement in the worst forms of child labor, including <i>bacha bazi</i> and child soldiering.	2018 – 2019
	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 detained or subjected to mistreatment or torture.	2014 – 2019
Coordination	Ensure all coordinating bodies are able to carry out their intended mandates, including by ensuring that detailed enforcement data are reported to appropriate coordination bodies and that meetings are held at the mandated intervals.	2017 – 2019
Government Policies	Implement the National Labor Policy and the National Strategy for Children at Risk.	2016 – 2019
Social Programs	Institute a birth registration campaign so that age is documented and children can register for school.	2015 – 2019
	Institute programs to increase access to education and to improve security in schools, especially for girls.	2014 – 2019
	Institute programs to address child labor in all relevant sectors, such as agriculture and bonded child labor in brick kilns.	2009 – 2019
	Provide financial support to open shelters for victims of human trafficking and to ensure that sufficient shelter services are available for male child trafficking victims.	2010 – 2019

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In 2019, Albania made a moderate advancement in efforts to eliminate the worst forms of child labor. The National Council for the Rights and Protection of the Child approved Decision of the Council of Ministers No. 704, which provides guidance to institutions responsible for identifying children working in violation of the law and referring cases to social protection services, and enacted the National Action Plan for the Protection of Children from Economic Exploitation, including those in street situations, 2019-2021. Furthermore, the General Prosecutor ordered the creation of the Development Center of Criminal Justice for Minors, which employs four part-time prosecutors and one judicial police officer to oversee cases related to the Justice Criminal Code for Minors. However, children in Albania engage in the worst forms of child labor, including in forced begging and mining, including of chromium. Children also engage in commercial sexual exploitation, sometimes as a result of human trafficking. The law does not explicitly prohibit using, procuring, or offering children for illicit activities. In addition, the labor inspectorate needs to be strengthened so it can conduct inspections in all sectors in which child labor is known to occur.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

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

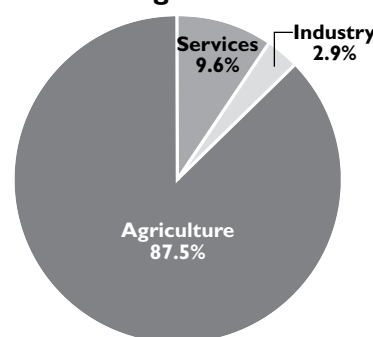
Table 1. Statistics on Children's Work and Education

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 (%)		101.5

Source for primary completion rate: Data from 2018, published by UNESCO Institute for Statistics, 2020. (5)

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

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



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

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

Sector/Industry	Activity
Agriculture	Farming, activities unknown (2,4)
Industry	Mining,† including chromium (4,6-15)
	Construction, activities unknown (1,16)
	Working in the textile, garment, and footwear sectors (2,7,17-20)
	Processing fish (18)
Services	Begging (3,7,17,18,21,22)
	Street work, including vending, washing vehicles, busking, and shining shoes (7,21-24)
	Collecting recyclable materials on the street and in landfills (3,7,18,21,22)
	Working in wholesale and retail trade (1,17)
	Working in hotels and restaurants (1,7)
	Working in call centers (7,16)

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

Sector/Industry	Activity
Categorical Worst Forms of Child Labor [‡]	Use in illicit activities, including burglary, drug trafficking, and harvesting and processing cannabis (2,3,7,15,18,21,22)
	Commercial sexual exploitation, sometimes as a result of human trafficking (2,3,7,13,15,18,21,26)
	Forced begging, sometimes as a result of human trafficking (2,3,7,15,18,21,23,24,26,27)

[†] 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.







Some Roma and Balkan Egyptian children participate in street begging or the collection of recyclables to contribute to family income. (4,28) Children are also trafficked domestically and abroad to some EU countries for commercial sexual exploitation and forced labor. (4) 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. (4,11,12) Internal child trafficking and forced begging have continued in recent years, particularly during the tourist season. (29) Albania lacks recent, comprehensive data on child labor, including in the agriculture and construction sectors.

Although Albania allows children without a birth certificate to enroll in public schools, some children from Roma and Balkan Egyptian families and refugees may face obstacles in obtaining birth certificates, which may affect their access to social services and education. (4,30) Some Roma and Balkan Egyptian children also experienced discrimination in schools and were placed in separate classrooms and faced other hurdles to accessing education, such as a lack of access to reliable transportation. (2,4,30,31) Some migrant and refugee children from Syria, Algeria, and Libya faced difficulties accessing education due to language barriers. (4) Children with disabilities also continue to experience discrimination and other hurdles to accessing inclusive education. (4,32) Children not in school are more vulnerable to the worst forms of child labor.

II. LEGAL FRAMEWORK FOR CHILD LABOR

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

Table 3. Ratification of International Conventions on Child Labor

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

The government has established laws and regulations related to child labor (Table 4). However, gaps exist in Albania’s legal framework to adequately protect children from the worst forms of child labor, including the lack of prohibitions for using children in illicit activities.

Table 4. Laws and Regulations on Child Labor

Standard	Meets International Standards	Age	Legislation
Minimum Age for Work	Yes	16	Article 98 of the Code of Labor; Article 24 of the Law for the Protection of the Rights of the Child (30,31)
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 (30,31)
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 (30,32-34)
Prohibition of Forced Labor	Yes		Article 8 of the Code of Labor; Article 124/b of the Criminal Code (30,35)
Prohibition of Child Trafficking	Yes		Article 128/b of the Criminal Code (35)
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 (31,35)
Prohibition of Using Children in Illicit Activities	No		Article 129 of the Criminal Code; Articles 24–25 of the Law for the Protection of the Rights of the Child (31,35)
Minimum Age for Voluntary State Military Recruitment	Yes		Article 9 of the Law on Military Service (36)
Prohibition of Compulsory Recruitment of Children by (State) Military	N/A*		Article 9 of the Law on Military Service (36)
Prohibition of Military Recruitment by Non-state Armed Groups	Yes		Article 28 of the Law for the Protection of the Rights of the Child (31)
Compulsory Education Age	Yes	16	Article 22 of the Law on Pre-University Education System (37)
Free Public Education	Yes		Article 57 of the Constitution of the Republic of Albania; Article 5 of the Law on Pre-University Education System (37,38)

* No conscription (36)

On March 13, 2019, the Decision of the Council of Ministers (DCM) No. 129 was passed, which sets forth the procedures to identify, assist, and refer children who have been economically exploited. (4,39) The National Council for the Rights and Protection of the Child also created the 2019-2021 National Action Plan for the Protection of Children from Economic Exploitation, including those in street situations, and approved DCM No. 704, which provides guidance to institutions designated as being responsible for protecting children's rights related to identifying children working in violation of the labor law and referring identified cases to social assistance services. (4)

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. The law also does not criminally prohibit the use of children for prostitution.

III. ENFORCEMENT OF LAWS ON CHILD LABOR

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

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Table 5. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
Ministry of Finance, Economy, and Labor	Enforces laws related to child labor and hazardous work and monitors the quality of social services provided by the State Labor Inspectorate. Receives, documents, and responds to child labor complaints through the State Social Services Agency. (4) Child Protection Units (CPUs) are the responsible agencies at the local level. (4) The number of CPUs increased from 235 in 2018 to 237 in 2019. (2,4)
Ministry of Interior	Enforces all laws, including laws related to the worst forms of child labor through protection officers. (7,17) Coordinates each of the illicit human trafficking sections in the country's 12 Regional Police Directorates through the General Directorate of State Police. (2,4) Establishes the government's policy on combating human trafficking through the State Committee Against Trafficking in Persons, chaired by the Interior Minister. (40)
Office of the Prosecutor General	Investigates and prosecutes child trafficking cases through the Serious Crimes Prosecution Office. (4) In July 2019, the General Prosecutor ordered the creation of the Development Center of Criminal Justice for Minors, which employs four part-time prosecutors and one judicial police officer to engage with cases related to the Justice Criminal Code for Minors. The center has produced three documents on the rights of children in conflict with the law and child victims of crimes, in addition to a list of steps to be taken by prosecutors and judicial police when dealing with cases involving minors. (29)
Child Protection Units (CPUs)	Identify at-risk children, conduct an initial evaluation of each case at the municipal level, and refer children to appropriate social services. (41) Coordinate the assistance of an ad hoc technical group with social services, police, health, education, justice, and NGOs. (4) Every municipality or administrative unit with at least 3,000 children is required to have at least 1 CPU. (7)

Labor Law Enforcement

In 2019, labor law enforcement agencies in Albania took actions to combat child labor (Table 6). However, gaps exist within the operations of the Ministry of Finance, Economy, and Labor that may hinder adequate labor law enforcement, including financial resource allocation.

Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2018	2019
Labor Inspectorate Funding	\$1,804,272 (2)	\$1,766,831 (4)
Number of Labor Inspectors	112 (2,16)	118 (4)
Inspectorate Authorized to Assess Penalties	Yes (2)	Yes (4)
Initial Training for New Labor Inspectors	Yes (2)	Yes (4)
Training on New Laws Related to Child Labor	Yes (2)	Yes (4)
Refresher Courses Provided	No (2)	Yes (4)
Number of Labor Inspections Conducted	10,805 (4)	11,036 (4)
Number Conducted at Worksite	10,805 (4)	11,036 (4)
Number of Child Labor Violations Found	13 (2,16)	115 (4)
Number of Child Labor Violations for Which Penalties Were Imposed	0 (4)	22 (4)
Number of Child Labor Penalties Imposed that Were Collected	0 (2)	0 (4)
Routine Inspections Conducted	Yes (2)	Yes (4)
Routine Inspections Targeted	Yes (2)	Yes (4)
Unannounced Inspections Permitted	Yes (2)	Yes (4)
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)

‡ Data are from January 2019 to December 2019.

The State Inspectorate for Labor and Social Services (SLISS) extended its inspection plan to include inspections of 182 agricultural entities in 2019. (4,42) During the summer, inspections increased in tourist areas to account for the high number of children working in the hospitality industry. (4,17) The SLISS can inspect all registered private entities but cannot inspect private homes, private farms, or unregistered businesses. (2,4,17)

In 2019, all inspectors received training on implementing procedures for the identification, immediate assistance, and referral of economically exploited children, including children in street situations. (4,43) The SLISS noted that

its 2019 budget did not cover an adequate amount of vehicles for inspectors to reach inspection sites. (4,16,43) According to the SLISS, the number of labor inspectors was insufficient, given that only six percent of workplaces were inspected in 2019. (4)

Criminal Law Enforcement

In 2019, criminal law enforcement agencies in Albania took actions to combat child labor (Table 7). However, gaps exist within the operations of criminal enforcement agencies that may hinder adequate criminal law enforcement, including allocating human resources.

Table 7. Criminal Law Enforcement Efforts Related to Child Labor

Overview of Criminal Law Enforcement	2018	2019
Initial Training for New Criminal Investigators	Yes (2)	Yes (4)
Training on New Laws Related to the Worst Forms of Child Labor	Yes (2)	Yes (4)
Refresher Courses Provided	Yes (2)	Yes (4)
Number of Investigations	17 (2)	26 (4)
Number of Violations Found	41 (2)	22 (4)
Number of Prosecutions Initiated	43 (2)	19 (4)
Number of Convictions	5 (28)	9 (4)
Imposed Penalties for Violations Related to The Worst Forms of Child Labor	15 (28)	Unknown (4)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (2)	Yes (4)

During the reporting period, police officers from the Illicit Trafficking Police, State Police, and Border Police received trainings on child protection and trafficking in persons. (4) In addition, due to recent changes in juvenile justice law, the State Police organized a 2-week session on crimes involving minors; 25 police officers attended. (4) The government also transferred trafficking in persons cases involving organized crime to district courts from the Serious Crimes Court as a result of justice reforms. (28) The government did not provide data on imposed penalties for violations related to the worst forms of child labor for inclusion in this report.

If a child is trafficked for labor exploitation, the agency identifying the child refers the child to the police and state social services and then to an anti-trafficking shelter. (4) The case may also be referred to local Child Protection Units, which can then connect the child to social services. (2,41,42) Sources reported that border police did not consistently identify human trafficking victims from Kosovo and failed to identify migrants or other potential victims. (13,15,44) In addition, gaps exist in the screening of minors, including of children traveling to and from neighboring countries. (13,15,44,45)

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

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

Coordinating Body	Role & Description
State Agency for Rights and Protection of Children	Oversees implementation of the government's child rights protection policies, including monitoring the National Action Plan for the Identification and Protection of Children in Street Situations. (17,18) Manages cases of at-risk children and refers them to appropriate social services. (41) Sanctions those who fail to protect children from violence and exploitation. (41) Coordinates local and central structures on health, security, and education of children. (2) In April 2019, the agency organized a conference to introduce legal changes in the field of children's rights to child protection officers and social services directors from 61 municipalities. The conference also included representatives from NGOs, in addition to officials from the Ministry of Health and Social Protection, the Ministry of Justice, and the Ministry of the Interior.

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

Coordinating Body	Role & Description
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. (18) Leads data collection and report writing for the National Database for Human Trafficking Victims/Potential Victims. (18) Runs the Closed Case Task Force with the Serious Crimes Prosecution Office and Albanian State Police. (23) Collaborates with regional counterparts to adopt standard protocol in anti-trafficking efforts. (4) In 2019, ONAC identified 67 children as victims of trafficking or those at-risk. (4) During the reporting period, ONAC organized 8 trainings for its employees across its 12 regional directorates on child labor and forced labor concepts, complaint filing, and victim referral; approximately 600 employees attended these trainings. In October 2019, ONAC collaborated with its counterpart in North Macedonia to draft and adopt standard operating procedures to guide the identification, referral, and provision of assistance to victims of trafficking and those at risk, with a specific focus on children. ONAC is also drafting similar procedures with its Greek counterpart. (4)
Ad-Hoc Cross-Sectorial Technical Groups (CTGs)	Address child protection cases in municipalities with more than 30,000 children. CTGs include representatives from the police, social services, education, health, justice, and NGOs. (2) Council of Ministers Decision 353 defines the roles and responsibilities of CTGs regarding strengthening local-level coordination. (2,46) In 2019, participated in three training sessions for social workers from state social services and NGOs about the public and non-public entities that work in the field of children's rights. (29)
National Referral Mechanism (NRM)	Coordinates the identification, protection, referral, and rehabilitation of trafficking victims between government and civil society organizations. (47) Chaired by the Ministry of the Interior's ONAC vis-à-vis an agreement signed by 13 government agencies. (2,47,48) In 2019, the NRM held four meetings focusing on the implementation of standard operating procedures to identify and refer victims and potential victims of trafficking. (44)

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

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 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. (4) Guarantees the rights and protection of economically exploited children, including children in street situations. (2,4) Aims to prevent the use of children for profit and enhances services and enforcement of legislation. (2,4) Defines the responsibilities of institutions involved in child protection, including children working in mining, in street situations, and in other situations that violate the law. (4) During the reporting period, the State Agency for the Protection and the Rights of Children provided assistance to the Municipality of Bulqiza to draft and approve the local plan for the protection of children from economic exploitation in conjunction with the local police, the Mayor of Bulqiza, and the Ministries of Education and Labor. (4)
National Action Plan for Combating Trafficking in Persons (2018–2020)	Ensures the identification of and referral for the protection of child victims and potential victims of human trafficking in accordance with standard operating procedures. (2,50) 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 forced labor. (2,44,50) In 2019, the government implemented actions to promote the return and reintegration of juvenile and adult victims and potential victims of trafficking, while also reducing the risk of being re-victimized. (4)
The Albanian National Agenda for Children's Rights (2017–2020)	Aims to protect and promote children's rights by supporting physical and psychosocial development, and the social inclusion of children. (51) Objectives include improving children's access to services and enhancing legal and institutional mechanisms for child protection. (7,51) 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. (7,23) In early 2019, a conference on child protection workers (CPWs) was held with the goal of strengthening coordination among CPW professionals. (28)
National Action Plan for the Social-Economic Reintegration of Women and Girl Victims of Trafficking (2018–2020)	Increases resources available to victims and attempts to reintegrate female trafficking victims by providing education and social services to combat future forced labor and human trafficking. (55) Part of the Strategy for Combating Trafficking in Persons Action Plan. (18) During the reporting period, ONAC organized 14 meetings to educate women and girls on the risks of trafficking and exploitation. In addition, the National Employment Service organized a roundtable on promoting employment services focusing on the integration of girls and women. (29)

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

Policy	Description
National Action Plan for Roma and Balkan Egyptian Community Reintegration (2016–2020)	Aims to provide Roma and Balkan Egyptian children with full access to education, reduce discrimination, enhance social inclusion, and promote intercultural dialogue between different actors in the community. (43,52,57) In October 2019, the State Social Services Directorate organized six awareness-raising activities for the Roma and Balkan Egyptian communities throughout the country, including a session to educate 30 children about trafficking in persons. (29)

† Policy was approved during the reporting period.

‡ The government had other policies that may have addressed child labor issues or had an impact on child labor. (2,44,58)

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2019, the government funded and participated in programs that include the goal of eliminating or preventing child labor (Table 10). However, gaps exist in these social programs, including the adequacy of programs to address the problem in all sectors.

Table 10. Key Social Programs to Address Child Labor

Program	Description
Program of Cooperation for Sustainable Development (2017–2021)	UN program that aims to increase access to education for vulnerable children and improve protections for child victims of human trafficking. (59) Research was unable to determine whether activities were undertaken to implement the program during the reporting period.
Human Trafficking Shelters	The National Shelter Coalition† comprises one state-run and three NGO-run shelters for potential victims of trafficking. (3,4,29) During the reporting period, 43 children were referred to the shelters. (29) In April 2019, ONAC and the National Shelter Coalition established an advisory board for victims of trafficking and potential victims of trafficking. (4)
National Emergency Transition Center†	Government-run center that aims to provide vulnerable families with housing, health care, psychosocial and educational services, legal assistance, and employment placement aid. (2) During the reporting period, the National Emergency Transition Center and the State Social Service organized awareness events for its inhabitants in conjunction with the International Day Against Child Labor and the International Day for the Prevention of Child Abuse. (4)
Child Allowance Program (Ndihma Ekonomike)†	\$46 million government-funded cash transfer program that provides an allowance for families receiving economic aid through the Law on Social Assistance and Services. (2) In 2019, the government continued to pay monthly benefits to several categories of eligible recipients, including families with school-aged children and victims of trafficking. (60)
Hotline for Potential Victims of Trafficking	Operated by the State Police Directorate's Command Center to assist potential victims of human trafficking. (29) In 2019, 11 calls were received. ONAC and NGO partners continued to promote the hotline throughout the reporting period. (29)

† 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. (44,61)

During the reporting period, police occasionally referred street children or unaccompanied minors to human trafficking shelters and contacted their parents. (28) Research indicates that there is a lack of shelters for street children who are not victims of human trafficking. Some state- and NGO-run services were available for children who were forced to beg. Research also found no evidence that programs were carried out to assist children scavenging chromium. (2,7,26,48,62) In addition, programs did not specifically target all types of human trafficking. A lack of financial and human resources and issues of decentralization of social funds from the central government to municipalities were also cited as gaps in the efficient implementation of social programs. (2,43,44,62)

In 2019, the Government of Albania maintained its status as a Pathfinder Country for Alliance 8.7 to expedite the implementation of the Sustainable Development Goals related to eliminating child labor and human trafficking by 2025. (2,4,63) Activities include tracking child labor data, organizing workshops, and developing strategies to eliminate child labor. (2,4,63)

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VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE CHILD LABOR

Based on the reporting above, suggested actions are identified that would advance the elimination of child labor in 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 – 2019
	Ensure that the use of children in prostitution is criminally prohibited.	2019
	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 – 2019
	Strengthen and promote the labor complaint referral mechanism so that the general public can report cases of child labor.	2017 – 2019
	Provide the labor inspectorate with resources for vehicles to conduct inspections.	2019
	Publish information on the number of penalties imposed on the worst forms of child labor.	2018
	Ensure that border police officers properly screen minors, including children from Kosovo and migrants, and properly implement standard operating procedures to identify victims of child trafficking.	2016 – 2019
Coordination	Ensure proper coordination between the State Inspectorate for Labor and Social Services and the Albanian State Police.	2019
Government Policies	Ensure that the government implements the National Action Plan for the Protection of Children from Economic Exploitation.	2019
Social Programs	Conduct research to further identify children's activities in agriculture and construction to inform policies and programs.	2013 – 2019
	Provide adequate transportation for Roma and Balkan Egyptian children who live in communities far from schools.	2011 – 2019
	Ensure that barriers to education, including discrimination against Roma and Balkan Egyptian children and children with disabilities, are removed.	2013 – 2019
	Provide language translation for migrant and refugee children to facilitate school access.	2018 – 2019
	Increase the number of shelters for victims of the worst forms of child labor, and in particular, for children living and working in the street.	2017 – 2019
	Institute programs to assist children who are victims of human trafficking and those who are used in scavenging chromium.	2014 – 2019
	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 – 2019

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In 2019, Algeria made a moderate advancement in efforts to eliminate the worst forms of child labor. The government trained criminal law enforcement officers of the Directorate General for National Security and the National Gendarmerie, and provided specialized training to the Brigades for the Protection of Minors on issues of child labor. The National Authority for the Protection and Promotion of Children also trained judges on the protection of children during judicial proceedings and members of the Algerian media on the protection and promotion of children's rights. In addition, the government led child labor awareness-raising efforts on national television and online. However, children in Algeria engage in the worst forms of child labor, including in commercial sexual exploitation and forced begging, each sometimes as a result of human trafficking. Children also perform dangerous tasks in street vending and begging. The government has not sufficiently prohibited the use of children in illicit activities or determined by national law or regulation the types of work that are hazardous for children to perform. Furthermore, the government lacks a sufficient number of labor inspectors to ensure that child labor laws are enforced in all geographic areas.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

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

Table 1. Statistics on Children's Work and Education

Children	Age	Percent
Working (% and population)	5 to 14	6.7 (413,729)
Attending School (%)	5 to 14	92.3
Combining Work and School (%)	7 to 14	7.2
Primary Completion Rate (%)		105.1

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

Source for all other data: International Labor Organization's analysis of statistics from Multiple Indicator Cluster Survey 4 (MICS 4), 2012–2013. (5)

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

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

Sector/Industry	Activity
Agriculture	Farming, including harvesting olives (6-9)
Industry	Construction, activities unknown (1,6,8,10)
Services	Street work, including vending, collecting plastics, and begging (1,2,6,9,11-14)
	Domestic work (1,10)
	Working in small workshops and businesses, including mechanics' shops (7,9,10)
Categorical Worst Forms of Child Labor‡	Commercial sexual exploitation, sometimes as a result of human trafficking (1,6,13)
	Use in illicit activities, including drug trafficking (8)
	Forced begging, sometimes as a result of human trafficking (10,11,13)
	Forced domestic work, including drawing water from wells, sometimes as a result of human trafficking (13)

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

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Evidence suggests that children, primarily unaccompanied Sub-Saharan migrants, are subjected to commercial sexual exploitation and forced domestic work. (1,9,15,16) Evidence also suggests 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, exposing them to dangerous and hazardous conditions. (9,10,17-19) Research could not find a current and comprehensive study on the activities and scope of the child labor situation in Algeria.

The Algerian public education system is free and open to all children, regardless of ethnicity and nationality. Non-Algerian children must provide documentation of grade level or sit for testing to determine their level. (9,10,20) There are no laws or regulations that prevent access to school, although there are reports of isolated cases of migrant children without valid documentation being denied enrollment and reported to authorities. (9) Many children with disabilities do not have the opportunity to access mainstream education because of social stigma, the relatively low number of teachers with specialized training, the lack of a transportation system for children with disabilities, and the limited accessibility of school buildings. In addition, recent reporting has noted an estimated 300,000 children remain outside formal schooling and 500,000 high school-age children are at risk of dropping out due to pressures stemming from barriers to education. (9,21) Barriers to education, including those placed on migrant children and children with disabilities, result in absence from school and increased vulnerability to child labor. (9,16-18,20)

II. LEGAL FRAMEWORK FOR CHILD LABOR

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

Table 3. Ratification of International Conventions on Child Labor

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

The government has established laws and regulations related to child labor (Table 4). However, gaps exist in Algeria’s legal framework to adequately protect children from the worst forms of child labor, including the lack of increased penalties for, or categorization as a separate crime, of the involvement of children in either the production or trafficking of drugs.

Table 4. Laws and Regulations on Child Labor

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

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

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

The Labor Code prohibits anyone under age 19 from working at night and anyone under age 18 from performing work that is harmful to their health, safety, or morals. (22) 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 2019. (19) Furthermore, research uncovered no additional information on efforts to revise the Labor Code during the reporting period. (1,2,9,22,28) Algerian law does not provide increased penalties for, or categorize as a separate crime, the involvement of children in either the production or trafficking of drugs. (24)

III. ENFORCEMENT OF LAWS ON CHILD LABOR

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

Table 5. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
Ministry of Labor, Employment, and Social Security (MTESS)	Enforces labor laws, including laws related to child labor, through its General Labor Inspectorate; issues citations noting violations of labor laws; and refers violations to the Ministry of Justice. (2,20) Supervises the application of laws and regulations related to labor relations, working conditions, and worker safety. (8) Shares child labor reports with the Ministry of National Solidarity, Family, and the Condition of Women to ensure follow up with social services. (8,11)
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. (19)
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 of 300 police officers, specializing in the protection of children. Maintains hotline to report child abuse and missing children, and may conduct investigations on child labor violations, as directed by the Ministry of Justice. (8,13,17-19,29)
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. (18) 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. (11,18,29-31) Maintains a website (ppgn.mdn.dz) where individuals can file complaints. (18)
Ministry of Justice	Prosecutes child exploitation cases, including those related to non-compliance with labor laws, through its Office of Criminal Affairs and Amnesty Procedures, which is the lead enforcement agency for human trafficking issues. (30)

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Labor Law Enforcement

In 2019, labor law enforcement agencies in Algeria took actions to combat child labor (Table 6). However, gaps exist within the operations of the MTESS that may hinder adequate labor law enforcement, including the insufficient number of labor inspectors relative to the size of Algeria's workforce.

Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2018	2019
Labor Inspectorate Funding	\$15,900,000 (9)	\$15,300,000 (18)
Number of Labor Inspectors	645 (9)	645 (18)
Inspectorate Authorized to Assess Penalties	Yes (32)	Yes (18)
Initial Training for New Labor Inspectors	Yes (9)	Yes (18)
Training on New Laws Related to Child Labor	N/A (9)	N/A (18)
Refresher Courses Provided	Yes (9)	Yes (18)
Number of Labor Inspections Conducted	254,453 (9)	124,698(18)
Number Conducted at Worksite	176,254 (9)	Unknown (18)
Number of Child Labor Violations Found	4 (9)	Unknown (18)
Number of Child Labor Violations for Which Penalties Were Imposed	4 (9)	Unknown (18)
Number of Child Labor Penalties Imposed that Were Collected	Unknown (9)	Unknown (18)
Routine Inspections Conducted	Yes (9)	Yes (18)
Routine Inspections Targeted	Yes (32)	Yes (18)
Unannounced Inspections Permitted	Yes (9)	Yes (18)
Unannounced Inspections Conducted	Yes (9)	Yes (18)
Complaint Mechanism Exists	Yes (9)	Yes (18)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (9)	Yes (18)

In 2019, the ILO conducted a workshop in partnership with the government for approximately 30 Algerian labor inspectors. The 3-day workshop focused on the rights of workers, including laws concerning child labor. (18) The government reported conducting 124,698 total labor inspections in 2019, both in the formal and informal sectors and inspecting sectors suspected of child labor including agriculture, construction, informal street markets, and restaurants. Inspectors can and will inspect unmarked work sites, such as houses or informal construction sites, often with a police escort. (18)

The number of labor inspectors is likely insufficient for the size of Algeria's workforce, which includes more than 11.8 million workers. According to the ILO's technical advice of a ratio approaching 1 inspector for every 15,000 workers in developing economies, Algeria would employ about 788 inspectors, notably in all geographic areas of the country, both urban and rural. (9,33,34) Labor inspections in Algeria focus mainly on the formal economy; visits to the informal sector generally involve work to formalize an enterprise. (9,35) The government did not provide certain information on its labor law enforcement efforts for inclusion in this report, including the number of labor inspections conducted at worksites, number of child labor violations found, number of child labor violations for which penalties were imposed, and number of child labor penalties imposed that were collected. Although the exact number of child labor violations for which penalties were imposed is unknown, the government reported that the figure is fewer than 10. (18)

Criminal Law Enforcement

In 2019, criminal law enforcement agencies in Algeria took actions to combat child labor (Table 7). However, gaps exist within the operations of the criminal enforcement agencies that may hinder adequate criminal law enforcement, including the lack of published information on the number of violations found related to criminal law enforcement efforts related to child labor.

Table 7. Criminal Law Enforcement Efforts Related to Child Labor

Overview of Criminal Law Enforcement	2018	2019
Initial Training for New Criminal Investigators	Yes (9)	Yes (18)
Training on New Laws Related to the Worst Forms of Child Labor	N/A (9)	N/A (18)
Refresher Courses Provided	Yes (9)	Yes (18)
Number of Investigations	Unknown (9)	23 (18)
Number of Violations Found	Unknown (9)	Unknown (18)
Number of Prosecutions Initiated	108 (9)	32 [‡] (18)
Number of Convictions	98 (9)	27 [‡] (18)
Imposed Penalties for Violations Related to The Worst Forms of Child Labor	Unknown (35)	0 (18)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (9)	Yes (18)

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

In the first half of 2019, the government prosecuted 32 cases, 16 related to child labor broadly and 16 related to child begging specifically. Over the same period, the government reported 27 convictions, 8 related to child labor broadly and 19 related to child begging in particular. (3, 18) Thirty Directorate General for National Security (DGSN) officers received training on trafficking in persons issues, including those related to children, and another 100 DGSN chiefs received training from the United Nations Entity for Gender Equality and the Empowerment of Women related to sexual violence and family issues, including those related to children. (18, 19) Gendarme officers received training on criminal and human rights issues related to children; and the National Authority for the Protection and Promotion of Children (ONPPE) provided specialized training to the Brigades for the Protection of Minors. (18) The government has an ad hoc practice in place for law enforcement personnel to refer potential victims of human trafficking to the prosecutor and to social services, as needed. (3, 8, 10, 13, 19, 29) Although the government reported conducting 23 investigations, the government did not provide for inclusion in this report certain information on its criminal law enforcement efforts, including the number of violations found. (18, 19)

IV. COORDINATION OF GOVERNMENT EFFORTS ON CHILD LABOR

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

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

Coordinating Body	Role & Description
National Authority for the Protection and Promotion of Children (ONPPE)	Protects and promotes children's rights and advocates for children in danger of economic exploitation. Acts as a liaison between the Ministry of Justice and members of the public alleging violations of children's rights, and oversees efforts of the National Commission for the Prevention of and Fight Against Child Labor. (1, 8, 9, 29, 36, 37) Runs a national hotline and website to field questions and complaints about the mistreatment of children, with an average of more than 2,000 calls daily; however, in 2019, only 1,332 calls were related to actual infringements of child rights. (9, 38) In 2019, ONPPE conducted training sessions for judges on the protection of children and the involvement of children in judicial proceedings; workshops for governmental ministries; and training for members of the Algerian media on the protection and promotion of the rights of children. (18)
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. (8, 36, 39, 40) In 2019, the Committee worked to raise awareness on human trafficking and sponsored training sessions for law enforcement and judicial personnel. Committee members are seeking to pass a comprehensive anti-trafficking in persons law in early 2020 to strengthen existing laws, and continues to work on that task. (18, 19)

The MTESS continues to lead the National Commission for the Prevention of and Fight Against Child Labor, which coordinates government labor activities and includes the National Labor Union and relevant NGOs. However, the ONPPE has expanded its role as the main hub of all issues concerning child protection, including issues of child labor. (18, 19)

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V. GOVERNMENT POLICIES ON CHILD LABOR

The government has established policies related to child labor (Table 9). However, policy gaps exist that hinder efforts to address child labor, including no evidence of a policy regarding other worst forms of child labor beyond the government's policy related to trafficking in persons.

Table 9. Key Policies Related to Child Labor

Policy	Description
National Action Plan for the Prevention of and Fight Against Trafficking in Persons	Aims to prevent and reduce human trafficking by raising awareness, strengthening legislation, prosecuting human trafficking crimes, improving the provision of protective services to victims, and increasing collaboration with national and international NGOs. (8,13) In 2019, the National Committee for the Prevention of and Fight Against Trafficking in Persons organized a Day of Awareness for civil society figures on the role of civil society in combating child trafficking, while the National Gendarmerie trained all officers on criminal and human rights issues related to children. (18)

Although the Government of Algeria has adopted the National Action Plan for the Prevention of and Fight Against Trafficking in Persons, research found no evidence of a policy regarding the worst forms of child labor and no continued work on developing a national action plan or plans specific to begging.

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2019, the government funded and participated in programs that include the goal of eliminating or preventing child labor (Table 10). However, gaps exist in these social programs, including the adequacy of programs to address the full scope of the problem.

Table 10. Key Social Programs to Address Child Labor

Program	Description
Child Labor Awareness Campaign†	Efforts made through ONPPE and other government agencies to raise awareness about child labor. (18,36) In 2019, the government organized awareness-raising events, including through ONPPE's website and the Chaîne 3 television channel, and trained at least 24 journalists on issues related to child labor. The Ministry of Solidarity, Family, and the Condition of Women also had a communication plan for each of the country's 48 <i>wilayas</i> (regions) on child-related messaging. (18,19)
Children Assistance Facilities‡	Facilities that provide support for children, namely orphans and children in dangerous situations who are taken into custody by the state. In 2019, these centers continued to operate. (18)

† 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. (10,12,18,36)

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 – 2019
	Determine the types of hazardous work prohibited for children under age 18, in consultation with employers' and workers' organizations.	2009 – 2019
	Ensure that the law criminally prohibits the recruitment of children under age 18 by non-state armed groups.	2016 – 2019

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

Area	Suggested Action	Year(s) Suggested
Enforcement	Publish information on the labor law enforcement of child labor laws, including the number of labor inspections conducted at worksites, violations found, child labor violations for which penalties were imposed, and penalties imposed that were collected.	2009 – 2019
	Increase the number of labor inspectors in accordance with the ILO's technical advice and ensure that child labor laws are enforced in all geographic areas, as well as in the informal sector.	2009 – 2019
	Publish information on the criminal enforcement of child labor laws, including the number of criminal violations found.	2019
Government Policies	Adopt a policy that includes all relevant worst forms of child labor, such as commercial sexual exploitation, forced begging, and street work.	2015 – 2019
Social Programs	Research and publish information on children involved in child labor, or at risk of being involved; specify these activities and publish information to inform policies.	2014 – 2019
	Take measures to remove barriers to accessing education, namely transportation and accessibility to schools, particularly for migrant children and children with disabilities.	2015 – 2019
	Expand existing programs to address the scope of the child labor problem, including the commercial sexual exploitation of children, forced begging, and street work.	2016 – 2019
	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 – 2019

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In 2019, Angola made a moderate advancement in efforts to eliminate the worst forms of child labor. The government approved the Law on Trafficking Victims Protection, which provides comprehensive protections for human trafficking victims, including specific measures for the protection of children. In addition, the government convicted 15 individuals of child trafficking crimes, and the Ministry of Social Action, Family, and the Promotion of Women conducted several national awareness-raising campaigns regarding the worst forms of child labor. The government also approved its first National Action Plan to Prevent and Combat Trafficking in Persons, and began opening registry offices in maternity wards throughout all 18 provinces to facilitate birth registrations. However, children in Angola engage in the worst forms of child labor, including in commercial sexual exploitation, sometimes as a result of human trafficking. Children also perform dangerous tasks in construction. Although Angola made meaningful efforts in all relevant areas during the reporting period, prohibitions against the commercial sexual exploitation of children do not meet international standards because they do not prohibit the procuring or offering of a child for the production of pornography or the use, procuring, or offering of a child for pornographic performances. In addition, there are not enough labor inspectors to provide sufficient coverage of the workforce, and social programs do not target all sectors in which children work.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Angola engage in the worst forms of child labor, including in commercial sexual exploitation, sometimes as a result of human trafficking. (1-4) Children also perform dangerous tasks in construction. (1,5) The 2015–2016 Survey on Multiple Health Indicators found that 23 percent of children, ages 5 to 17, engage in child labor. The percentage of children engaged in child labor is higher in rural areas compared to urban areas; Cuanza Sul and Cuando Cubango provinces have the highest percentage of child laborers. (6) Table 1 provides key indicators on children’s work and education in Angola.

Table 1. Statistics on Children’s Work and Education

Children	Age	Percent
Working (% and population)	5 to 14	15.1 (1,246,354)
Attending School (%)	5 to 14	69.4
Combining Work and School (%)	7 to 14	13.6
Primary Completion Rate (%)		46.2

Source for primary completion rate: Data from 2011, published by UNESCO Institute for Statistics, 2020. (7)

Source for all other data: International Labor Organization’s analysis of statistics from Demographic and Health Survey (DHS), 2015–2016. (8)

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

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

Sector/Industry	Activity
Agriculture	Farming, including plowing, planting, and picking tomatoes, harvesting vegetables, and the production of rice (1,5,9,10)
	Fishing, including artisanal fishing, and cleaning fish for deep freezing or sun drying (1,11,12)
	Cattle herding (1,4)
	Production of charcoal (13)
Industry	Artisanal diamond mining (1,4)
	Mining coal (1)

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

Sector/Industry	Activity
Industry	Construction, including making and transporting bricks† (1,5)
	Slaughtering animals,† including cattle, goats, and pigs (14)
Services	Street work, including vending, car washing, shoe shining, and transporting heavy loads† (1,5,9,10)
	Domestic work (1)
Categorical Worst Forms of Child Labor‡	Commercial sexual exploitation, sometimes as a result of human trafficking (1-4)
	Forced labor, including in agriculture, construction, artisanal diamond mining, and domestic work, each sometimes as a result of human trafficking (4,9,15)
	Use in illicit activities, including for the transport of illicit goods across the border of Angola and Namibia (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.

Undocumented Congolese migrant children enter Angola for work in diamond-mining districts, and some experience conditions of forced labor or commercial sexual exploitation in mining camps. (4) Girls as young as age 12 are trafficked from Kasai Occidental in the Democratic Republic of the Congo to Angola for forced labor and commercial sexual exploitation. Angolan boys are taken to Namibia and forced to herd cattle or work as couriers to transport illicit goods. (4) Reports also indicate that some adults force children younger than age 12 to commit crimes because children cannot be criminally prosecuted. (16)







In 2019, the National Association of Street Vendors reported that nearly 50 percent of street vendors in the country are children under the age of 18. These children are vulnerable to exploitative conditions, including commercial sexual exploitation. (17)

Education is free up to the ninth grade; however, families often face difficulty in paying informal school fees, such as for textbooks or fees paid to education officials. (18) Additional barriers to education for children include lack of classrooms and teachers and poor infrastructure. (19-22) Although the government only permits children without a birth certificate to attend school up to the sixth grade, programs to improve the rate of birth registration were conducted in all 18 provinces during the reporting year. (23)

II. LEGAL FRAMEWORK FOR CHILD LABOR

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

Table 3. Ratification of International Conventions on Child Labor

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

The government has established laws and regulations related to child labor (Table 4). However, gaps exist in Angola’s legal framework to adequately protect children from the worst forms of child labor, including the prohibition of the commercial sexual exploitation of children.

Table 4. Laws and Regulations on Child Labor

Standard	Meets International Standards	Age	Legislation
Minimum Age for Work	Yes	14	Article 254 of the Labor Law (24)
Minimum Age for Hazardous Work	Yes	18	Articles 3(21) and 256 of the Labor Law (24)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Article 256 of the Labor Law; Hazardous Work List (24,25)
Prohibition of Forced Labor	Yes		Articles 18–19 and 23 of the Money Laundering Law (26)
Prohibition of Child Trafficking	Yes		Articles 19 and 23 of the Money Laundering Law (26)
Prohibition of Commercial Sexual Exploitation of Children	No		Articles 19 and 22–23 of the Money Laundering Law; Articles 197–200 of the Penal Code (26,27)
Prohibition of Using Children in Illicit Activities	Yes		Articles 4 and 7 of the Drug Trafficking Law (28)
Minimum Age for Voluntary State Military Recruitment	Yes	18	Article 11 of the Military Service Law (29)
Prohibition of Compulsory Recruitment of Children by (State) Military	Yes		Article 2 of the Military Service Law (29)
Prohibition of Military Recruitment by Non-state Armed Groups	No		Article 381 of the Penal Code (27)
Compulsory Education Age	Yes	14	Articles 12, 27, and 31 of the Basic Law of the Education System (30)
Free Public Education	Yes		Article 11 of the Basic Law of the Education System (30)

During the reporting period, the Government of Angola drafted a Trafficking Victims Protection law aimed at providing comprehensive protections for human trafficking victims.(16) The law includes specific measures for the protection of minor victims, including strengthening efforts to locate their families, ensuring access to education, providing victims with government legal representation, and facilitating social reintegration. The law was promulgated in January 2020. (16,31)

The Penal Code, approved in January 2019, criminalizes the use of children for the production of pornography; however, this legislation does not meet international standards because it does not prohibit the procuring or offering of a child for the production of pornography, or the use, procuring, or offering of a child for pornographic performances. (27) Although the list of hazardous activities and occupations identifies 57 activities prohibited for children, the legislation does not include diamond mining, a sector in which there is evidence of work conducted underground. (25)

III. ENFORCEMENT OF LAWS ON CHILD LABOR

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

Table 5. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
Ministry of Public Administration, Labor, and Social Security (MAPTSS)	Enforces laws against child labor. Fines employers or sends cases to the Ministry of Interior, through the Criminal Investigations Services, for further investigation, and to the Ministry of Justice and Human Rights for prosecution. (1) Employs labor inspectors in all 18 provinces to carry out inspections and joint operations with social services providers. (32)
National Children's Institute (INAC)	Receives complaints about cases of child exploitation, including child labor. Conducts inspections and responds to reports of child labor. (33)
Ministry of Interior's National Police	Enforces criminal laws, and conducts operations and investigations related to the worst forms of child labor. (1) Through its Criminal Investigation Services, collaborates with the Juvenile Court on child labor, child trafficking, commercial sexual exploitation, and illicit recruitment investigations. (34)

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

Organization/Agency	Role
Ministry of Justice and Human Rights	Investigates and prosecutes cases of the worst forms of child labor. (1)

Labor Law Enforcement

In 2019, labor law enforcement agencies in Angola took actions to combat child labor (Table 6). However, gaps exist within the operations of the MAPTSS that may hinder adequate labor law enforcement, including the allocation of financial and human resources.

Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2018	2019
Labor Inspectorate Funding	Unknown (34)	\$210,000 (1)
Number of Labor Inspectors	117 (34)	132 (1)
Inspectorate Authorized to Assess Penalties	Yes (34)	Yes (1)
Initial Training for New Labor Inspectors	Yes (34)	Yes (1)
Training on New Laws Related to Child Labor	Yes (34)	Yes (1)
Refresher Courses Provided	Yes (34)	Yes (1)
Number of Labor Inspections Conducted	4,871 (34)	5,461 (1)
Number Conducted at Worksite	Unknown (34)	4,935 (1)
Number of Child Labor Violations Found	395 (12,35)	11 (1)
Number of Child Labor Violations for Which Penalties Were Imposed	Unknown (34)	Unknown (1)
Number of Child Labor Penalties Imposed that Were Collected	Unknown (34)	Unknown (1)
Routine Inspections Conducted	Yes (34)	Yes (1)
Routine Inspections Targeted	Yes (34)	Yes (1)
Unannounced Inspections Permitted	Yes (34)	Yes (1)
Unannounced Inspections Conducted	Yes (34)	Yes (1)
Complaint Mechanism Exists	Yes (34)	Yes (1)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (34)	Yes (1)

The 11 child labor violations reported by the government during the reporting year are currently under investigation. (1) In addition, research found that the National Children's Institute (INAC) registered over 700 cases of hazardous child labor during the first 3 months in 2019. (36)

Although the number of labor inspectors increased by 15 during the reporting period, the reported number of labor inspectors is likely insufficient for the size of Angola's workforce, which includes approximately 12.51 million workers. According to the ILO's technical advice of a ratio approaching 1 inspector for every 40,000 workers in less developed economies, Angola would employ about 313 labor inspectors. (1,37-39) Moreover, the MAPTSS indicated that the budget allocated for labor inspections was insufficient to conduct inspections in sectors in which child labor is known to occur. (1)

Inspectors from the MAPTSS work with 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. (1)

Criminal Law Enforcement

In 2019, criminal law enforcement agencies in Angola took actions to combat child labor (Table 7). However, gaps exist within the operations of the criminal enforcement agencies that may hinder adequate criminal law enforcement, including the sufficient training of inspectors.

Table 7. Criminal Law Enforcement Efforts Related to Child Labor

Overview of Criminal Law Enforcement	2018	2019
Initial Training for New Criminal Investigators	Yes (34)	Yes (1)
Training on New Laws Related to the Worst Forms of Child Labor	N/A (34)	N/A (1)
Refresher Courses Provided	Yes (34)	Yes (1)
Number of Investigations	9 (40)	10 (16)
Number of Violations Found	5 (41)	Unknown
Number of Prosecutions Initiated	5 (41)	Unknown
Number of Convictions	9 (41)	Unknown
Imposed Penalties for Violations Related to The Worst Forms of Child Labor	Yes (40)	Yes (16)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (34)	Yes (1)

The government did not provide disaggregated data on the number of violations or convictions found for the worst forms of child labor; however, research indicates that there were more than 70 cases of child trafficking registered during the first 6 months of 2019, with 15 secured convictions. (42) In addition, the government secured six trafficking in persons convictions in the Province of Cunene, including a sex trafficking case involving a 16-year-old female victim, for which the perpetrator received a 1-year sentence. The government also reported the prosecution of 26 individuals for human trafficking crimes, although it is unknown how many of these cases involved children. (16)

Angola's provinces have standard operating procedures that are used to inform INAC and MASFAMU officials whenever victims of the worst forms of child labor are identified. Both agencies use a network of 114 counseling and housing shelters to support victims and provide them with social services. (16) Child trafficking victims are also referred to the Ministry of Assistance and Social Reintegration shelters before a determination is made regarding their reintegration with their families or guardians. (1) During the reporting period, the government implemented IOM-recommended procedures on the proactive identification of human trafficking victims, using two separate manuals that were widely distributed and adapted specifically to law enforcement officials and civil society organizations. (16) Each manual includes procedures on the interviewing of potential victims and the screening of vulnerable groups, and how to assess risk, refer victims to social services, and care for victims. (16)

Although training for criminal investigators is an ongoing process for new and established employees, reports indicate that during the reporting period, training was insufficient, particularly training for investigators located outside the capital and in remote areas across the country. (1)

IV. COORDINATION OF GOVERNMENT EFFORTS ON CHILD LABOR

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

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

Coordinating Body	Role & Description
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. (1) In 2019, completed a draft of the National Action Plan to Prevent and Combat Trafficking in Persons. Conducted two training workshops in preparation for the Plan, and secured funding in the fiscal year's budget. (16)
National Council for Social Action	Promotes and defends children's rights through social consultation and monitoring of public policies. Led by the Ministry of Social Action, Family, and the Advancement of Women (MASFAMU). (43,44) Active in 2019, and met periodically to address objectives of the National Action Plan to Eradicate Child Labor. (13)

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

Coordinating Body	Role & Description
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. (1) In 2019, conducted awareness-raising campaigns to sensitize the public on the worst forms of child labor, including through the broadcast of television shows and national roadshows, specifically targeting rural populations. (1)
INAC	Coordinates child protective services. Works with MASFAMU to provide shelter and helps with family reintegration for children found in child labor situations. (1) In 2019, conducted numerous public awareness campaigns and distributed thousands of brochures in schools, children's shelters, and bus stations. (16)

Despite the existence of the Commission to Combat Trafficking in Persons, the government faces challenges aggregating and synthesizing data on human trafficking cases. (40) In addition, research shows that there is no specific coordinating mechanism dedicated solely to addressing issues related to the worst forms of child labor that are outside the scope of human trafficking.

V. GOVERNMENT POLICIES ON CHILD LABOR

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

Table 9. Key Policies Related to Child Labor

Policy	Description
National Action Plan to Eradicate Child Labor (2018–2022)	Aims to eliminate child labor by strengthening the rights of children, increasing access to education, and mapping areas and types of child labor found across the country to better inform relevant policies to combat child labor. (45) In 2019, MAPTSS and MASFAMU conducted workshops and trained provincial and regional labor inspectors on policy objectives. (13)
Plan of Action and Intervention Against the Sexual and Commercial Exploitation of Children	Aims to protect and defend the rights of child victims of sexual and economic exploitation, including by providing rehabilitation. (45,46) Research was unable to determine whether activities were undertaken to implement the Plan of Action and Intervention Against the Sexual and Commercial Exploitation of Children during the reporting period.
National Action Plan on Preventing and Combating Trafficking in Persons†	Outlines Angola's strategy to address human trafficking, including domestic human trafficking. The 5-year plan commits to specific activities designed to improve the prevention, protection, and prosecution components involved in combating human trafficking. (47) Plan was published in February 2020. (47)

† Policy was approved during the reporting period.

‡ The government had other policies that may have addressed child labor issues or had an impact on child labor. (21)

Although the National Action Plan to Eradicate Child Labor was implemented by the MAPTSS and the MASFAMU during the reporting period, reports indicate that lack of resources hindered the government's ability to pursue many of the Plan's objectives. (1)

VI. Social Programs to Address Child Labor

In 2019, the government funded and participated in programs that include the goal of eliminating or preventing child labor (Table 10). However, gaps exist in these social programs, including the adequacy of programs to address the full scope of the problem.

Table 10. Key Social Programs to Address Child Labor

Program	Description
Social Protection Programs‡	National network of child support centers implemented by the government in coordination with NGOs, offering meals, shelter, basic education, and family reunification services to victims of crime, including child trafficking victims. MASFAMU and the Organization of Angolan Women operate 52 children's shelters that assist victims of child trafficking. (1) In 2019, assisted 34 child trafficking victims, including 20 children in Zaire province, 8 children in Bié province, and 6 children in Luanda province. All 20 child victims in Zaire province were still receiving assistance at the end of the reporting period while authorities worked to reconnect them with their families. (16)

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

Program	Description
Birth Registration and Justice for Children†	Government-run program making birth registration free for all Angolan citizens. (48) In 2019, the government began opening registry offices in maternities throughout all 18 provinces to facilitate birth registration, and authorized midwives to produce temporary certificates. In addition, the Ministry of Justice and Human Rights also announced a mobile campaign in specific pilot areas aimed at registering all Angolans by the end of 2022. (16,49)
UNICEF Country Program (2015–2019)	UNICEF program, in coordination with the government, designed to plan and implement education and child protection-focused interventions. (50) Ran a child helpline, in collaboration with the Angolan government, in Luanda Province. (51) During the reporting period, collaborated with another NGO and INAC to set up a child protection hotline that will tie into the national child hotline. (1)
National Institutes of Job and Professional Training†	Government-funded centers that provide vocational training programs for youth so that they have the skills to enter the formal labor market. Active in 2019. (1)
Mobile Schools and Free Meals for Children†	Ministry of Education program that provides education in mobile schools to migrant children who work with their parents in cattle herding. Specifically targets children at the highest risk of involvement in child labor in southern Angola. (1) Supports some mobile schools with kitchens, facilitating the free school meals program. Active in 2019. (1)

† Program is funded by the Government of Angola.

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

VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE CHILD LABOR

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

Table 11. Suggested Government Actions to Eliminate Child Labor

Area	Suggested Action	Year(s) Suggested
Legal Framework	Ensure that the legal framework prohibits the procuring and offering of children for the production of pornography, and the use, procuring, and offering of a child for pornographic performances.	2018 – 2019
	Ensure that the law prohibits hazardous occupations or activities for children in all relevant sectors in Angola, including diamond mining.	2011 – 2019
	Ensure that the law criminally prohibits the recruitment of children under age 18 by non-state armed groups.	2016 – 2019
Enforcement	Publish information regarding the number of child labor violations for which penalties were imposed and collected.	2011 – 2019
	Increase the number of labor inspectors to meet the ILO's technical advice.	2009 – 2019
	Ensure that the Ministry of Public Administration, Labor, and Social Security receives adequate resources to conduct inspections in sectors in which child labor is known to occur.	2019
	Increase training for criminal investigators, including training of investigators outside the capital and in remote areas across Angola.	2019
	Publish information regarding the number of violations found, prosecutions initiated, convictions achieved, and penalties imposed for violations related to the worst forms of child labor.	2019
Coordination	Establish coordinating mechanisms to combat all worst forms of child labor, including those that occur outside the context of human trafficking.	2016 – 2019
	Increase the capacity to aggregate and synthesize data on human trafficking cases.	2018 – 2019
Government Policies	Ensure that the National Action Plan to Combat Child Labor has sufficient funds for implementation.	2018 – 2019
	Ensure that the Plan of Action and Intervention Against the Sexual and Commercial Exploitation of Children is effectively implemented.	2014 – 2019
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 – 2019
	Institute programs that target children engaged in commercial sexual exploitation and forced labor, and expand existing programs to address the scope of the child labor problem.	2010 – 2019

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Although research found no evidence that child labor exists in Anguilla, in 2019 the government made no advancement in efforts to prevent the worst forms of child labor. The law does not prohibit the involvement of children in illicit activities, including the production and trafficking of drugs. In addition, the minimum ages for work and hazardous work do not meet international standards and Anguilla lacks a list of prohibited hazardous occupations and activities for children.

I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Research found no evidence that child labor exists in Anguilla. (1-3) Table 1 provides one key indicator on children’s education in Anguilla. Data on other key indicators on children’s work are not available from the sources used in this report. (2,4)

Table 1. Statistics on Children’s Work and Education

Children	Age	Percent
Primary Completion Rate (%)		119.5







Source for primary completion rate: Data from 2011, published by UNESCO Institute for Statistics, 2020. (4)
All other data were unavailable from International Labor Organization’s analysis, 2020. (2)

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

II. LEGAL FRAMEWORK FOR CHILD LABOR

British Overseas Territories (BOTs) are under the jurisdiction and sovereignty of the United Kingdom (UK), but they are not constitutionally part of the UK. They are self-governing, except in the areas of foreign affairs and defense. (5) Domestic UK law does not generally apply unless explicitly extended to BOTs. (5) Under Article 35(4) of the ILO Constitution, when the UK ratifies a Convention, the Territory must consider if it will accept the Convention. If the Convention is accepted, it is considered applicable to that territory. (5) The following Conventions have been extended to Anguilla. Anguilla has accepted one of them (Table 2). (5)

Table 2. Ratification of International Conventions on Child Labor

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

The Government of Anguilla has established laws and regulations related to child labor (Table 3). However, gaps exist in Anguilla’s legal framework to adequately protect children from the worst forms of child labor, including the minimum age for work.

NO ADVANCEMENT

Table 3. Laws and Regulations on Child Labor

Standard	Meets International Standards	Age	Legislation
Minimum Age for Work	No	12	Articles 1 and 3–4 of the Employment of Women, Young Persons and Children Act; Articles 1–2 of the Employment of Children (Restriction) Act (6,7)
Minimum Age for Hazardous Work	No	14	Articles 1 and 3–4 of the Employment of Women, Young Persons and Children Act; Articles 1–2 of the Employment of Children (Restriction) Act (6,7)
Identification of Hazardous Occupations or Activities Prohibited for Children	No		Article 6 of the Employment of Women, Young Persons and Children Act (6)
Prohibition of Forced Labor	Yes		Chapter 1, Section 4 of the Constitution Order; Article 242 Criminal Code (8,9)
Prohibition of Child Trafficking	Yes		Article 244 of the Criminal Code (8)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Article 244 of the Criminal Code (8)
Prohibition of Using Children in Illicit Activities	No		
Minimum Age for Voluntary State Military Recruitment	N/A†		
Prohibition of Compulsory Recruitment of Children by (State) Military	N/A*†		
Prohibition of Military Recruitment by Non-state Armed Groups	No		
Compulsory Education Age	Yes	17	Article 117 of the Education Act (10)
Free Public Education	Yes		Article 106 of the Education Act (10)

* No conscription (11)

† No standing military (11)

The minimum work age of 12 does not meet international standards. The minimum age of 14 for hazardous work also does not meet international standards as it only applies to industrial undertakings, transportation of passengers or goods by roads or rail, and work on ships. (6,7) However, there is a prohibition of night work for children under age 16 in manufacturing of raw sugar, and a prohibition of night work in other industrial undertakings for children under age 18. (6) In addition, Anguilla does not prohibit the use of children in illicit activities, including the production and trafficking of drugs. (8,12,13) 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. (7,10)

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 UK government has established relevant institutional mechanisms for the enforcement of laws and regulations on child labor in Anguilla (Table 4).

Table 4. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
Department of Labor of the Ministry of Finance, Economic Development, Investments, and Tourism	Enforces child labor laws through the Labor Commissioner, pursuant to the Employment of Children (Restriction) Act. (7,14)
Department of Social Development of the Ministry of Social Development	Safeguards the well-being of children and investigates reports of child abuse. (15)
Royal Anguilla Police Force	Investigates child protection cases. (15,16)

IV. COORDINATION OF GOVERNMENT EFFORTS ON CHILD LABOR

As there is no evidence of a problem, there appears to be no need for mechanisms to coordinate efforts to address child labor. However, the Government of Anguilla has established a mechanism to coordinate its efforts to address child labor (Table 5).

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

Coordinating Body	Role & Description
Ministry of Social Development	Implements child protection efforts and ensures that Anguilla complies with the Conventions on the Rights of the Child. (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. However, the Government of Anguilla has established the Child Protection National Action Plan, Safeguarding and Child Protection Protocols and Procedures, and an Inter-Agency Child Protection Protocol. (17-19) All of these policies may contribute to the prevention of 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 Anguilla has established the Safeguarding Children in Anguilla Project and the Child Safeguarding in the Overseas Territories Regional Project, which may contribute to the prevention of child labor. (20)

VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE CHILD LABOR

Based on the reporting above, suggested actions are identified that would advance the continued prevention of child labor in Anguilla (Table 6).

Table 6. Suggested Government Actions to Eliminate Child Labor

Area	Suggested Action	Year(s) Suggested
Legal Framework	Ensure that the law establishes age 15 as the minimum age for work in all sectors.	2016 – 2019
	Establish age 18 as the minimum age for all hazardous work.	2011 – 2019
	Determine the types of hazardous work prohibited for children, in consultation with employers' and workers' organizations.	2017 – 2019
	Ensure the law prohibits the use of children in illicit activities, including drug trafficking and production.	2014 – 2019
	Ensure that the law criminally prohibits the recruitment of children under age 18 by non-state armed groups.	2016 – 2019
	Raise the minimum age for work to the age up to which education is compulsory.	2018 – 2019
Social Programs	Collect and publish data on the extent and nature of child labor to inform policies and programs.	2017 – 2019

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In 2019, Argentina made a significant advancement in efforts to eliminate the worst forms of child labor. During the reporting period, the government issued two regulations to strengthen inspection procedures with respect to child labor and unauthorized adolescent work. Argentine courts continued to render indictments and convictions for child sexual exploitation and child trafficking cases, and the Special Prosecutor's Office for Human Trafficking and Exploitation provided training to prosecutors, defenders, judicial officials, and university students. The Superintendent of Labor Risks also collaborated with the International Labor Organization and youth advocacy groups to adopt a new National Action Plan to Improve the Safety and Health at Work of Adolescents and Youth. In addition, the former Secretariat of Labor, Employment, and Social Security, which now has the title of Ministry, partnered with the Tucuman Ministry of Production, civil society, and the private sector to develop an agricultural child labor monitoring system, which is being piloted in blueberry and yerba mate plantations in Tucuman and Misiones. However, children in Argentina engage in the worst forms of child labor, including in commercial sexual exploitation, sometimes as a result of human trafficking, and in illicit activities, including the sale and distribution of drugs. Children also perform dangerous tasks in agriculture. Moreover, the government does not publish complete information about its labor and criminal law enforcement efforts.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Argentina engage in the worst forms of child labor, including in commercial sexual exploitation, sometimes as a result of human trafficking, and in illicit activities, such as the transport, sale, and distribution of drugs. (1-3) Children also perform dangerous tasks in agriculture.(3) In November 2018, the Secretariat of Labor published the final report of the first nationally representative survey of child labor in Argentina. (4,5) It concluded that there were 371,771 working children between the ages of 5 and 15. (5) However, raw data from the government's Survey of Child and Adolescent Activities (EANNA) have not been made publicly available for analysis.

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 (%)		Unavailable

Primary completion rate was unavailable from UNESCO Institute for Statistics, 2020. (6)

Source for all other data: International Labor Organization's analysis of statistics from Encuentra de Actividades de Ninas, Ninos y Adolescentes, 2016-17. (7)

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

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

Sector/Industry	Activity
Agriculture	Harvesting blueberries,† carrots,† cotton,† garlic,† grapes,† olives,† onions,† potatoes,† strawberries,† and tomatoes† (3,8-13)
	Harvesting yerba mate (stimulant plant)† and tobacco†(8,14-21)
Industry	Production of garments (1,22,23)

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

Sector/Industry	Activity
Industry	Production of bricks† and wooden crates (1,3,8,24-28)
	Construction,† activities unknown (8,26)
Services	Street begging† and performing,† windshield washing,† handing out flyers or promotional materials, and guarding parked cars (8,29,30)
	Refuse collection, recycling, and garbage scavenging† (3,5,8,11,31)
	Caregiving, including caring for other children, the elderly, or infirmed people (8)
	Working and cooking in food service (8)
	Domestic servitude, including cleaning, laundry, and ironing (5,8)
	Yard work, including cutting lawns and pruning trees (8)
Categorical Worst Forms of Child Labor‡	Commercial sexual exploitation, including use in the production of pornography, sometimes as a result of human trafficking (4,8,24,32,33)
	Forced labor in the production of garments (1,8,32,34)
	Use in illicit activities, including transporting, selling and distributing drugs (2,8,35,36)
	Forced labor in domestic work (1,8)

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

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

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. (21) Children as young as age 5 help their parents harvest yerba mate, sometimes carrying heavy loads. (21) In Salta and Jujuy, children harvest tobacco. (19,37)





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. (1,3,38) Bolivian children and children of Bolivian immigrants in Argentina engage in child labor in agriculture, production of bricks, and domestic service, and in forced child labor in the production of garments. (1,3,8,28,32,34,39) Reports also indicate that Paraguayan children are victims of human trafficking for the purpose of commercial sexual exploitation in Argentina. (1,33,40) Although the prevalence of the problem is unknown, reports indicate that sex traffickers exploit minors participating in domestic youth sports clubs. (41)

In Argentina, education is compulsory until age 18. However, reports indicate that many children, including those who are ages 16 and 17, drop out of school. (42,43) These children are not eligible for youth employment programs, including most apprenticeships, because the minimum age to qualify for those programs is age 18. (43,44) Because of this, children who drop out of school are likely to engage in jobs in the informal sector. (43) A government program titled “I will attend” (*Assistire*) that aims to prevent children from dropping out of high school added 150 schools in 2019. (3)

II. LEGAL FRAMEWORK FOR CHILD LABOR

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

Table 3. Ratification of International Conventions on Child Labor

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

The government has established laws and regulations related to child labor (Table 4). However, gaps exist in Argentina's legal framework to adequately protect children from the worst forms of child labor, including a gap between the minimum age for work and the compulsory education age.

Table 4. Laws and Regulations on Child Labor

Standard	Meets International Standards	Age	Legislation
Minimum Age for Work	Yes	16	Articles 2, 7, and 17 of the Prohibition of Child Labor and Protection of Adolescent Work Law; Article 9 of the Special Code on Contracting Domestic Workers; Article 25 of the Child and Adolescent Rights Protection Law; Articles 54–55 of the Law on Agrarian Work (45-48)
Minimum Age for Hazardous Work	Yes	18	Article 10 of the Prohibition of Child Labor and Protection of Adolescent Work Law; Articles 176 and 191 of the Law on Labor Contracts; Article 62 of the Law on Agrarian Work (47-49)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Article 1 of Executive Decree 1117/2016 on Dangerous Work (50)
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 (45,51,52)
Prohibition of Child Trafficking	Yes		Articles 1 and 25–26 of the Modifications to the Prevention of and Sanction Against Trafficking in Persons and Assistance to Victims Law; Article 9 of the Child and Adolescent Rights Protection Law (45,52)
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 (52-54)
Prohibition of Using Children in Illicit Activities	Yes		Article 11 of the Possession and Trafficking of Drugs Law (55)
Minimum Age for Voluntary State Military Recruitment	Yes	18	Article 8 of the Voluntary Military Service Law (56)
Prohibition of Compulsory Recruitment of Children by (State) Military	Yes*		Article 19 of the Voluntary Military Service Law (56)
Prohibition of Military Recruitment by Non-state Armed Groups	Yes		Article 10 of Law No. 26.200 (57)
Compulsory Education Age	Yes	18	Articles 16 and 29 of the National Education Law; Article 2 of the Law on Early Education (58-60)
Free Public Education	Yes		Articles 15–16 of the Child and Adolescent Rights Protection Law (45)

* No conscription (61)

During the reporting period, the government issued two new regulations on procedures related to working children: Resolutions 425/2019 and 1725/2019. Resolution 425/2019 requires labor inspectors to issue citations to employers when a child younger than 16 is found working on the premises and Resolution 1725/2019 requires labor inspectors to fill out a special declaration when child workers of 16 and 17 years of age are working on the premises. (3) The regulations also mandate the National Directorate of Labor Inspection and Social Security to design and implement training for labor inspectors and other agents linked to labor inspection activities. (3) Although the former Secretariat of Labor worked with the ILO in 2018 to update Argentina's list of hazardous work, the Argentine government did not formally adopt or promulgate the proposed updates in 2019. (1,3) The minimum age for work is lower than the compulsory education age, which may encourage children to leave school before the completion of compulsory education. (49-52,62-64)

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III. ENFORCEMENT OF LAWS ON CHILD LABOR

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

Table 5. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
Ministry of Labor, Employment, and Social Security	Created by the new Argentine government, which was sworn in on December 10, 2019, which restructured the cabinet creating a new Ministry of Labor, Employment and Social Security that inherited the responsibilities of the former Secretariat of Labor, Employment, and Social Security. Continues the enforcement efforts of the former Labor Secretariat in coordination with provincial-level labor authorities in each of Argentina's 23 provinces and the City of Buenos Aires. (3) Enforces child labor laws in part through its Coordinating Body for the Prevention of Child Labor and Regulation of Adolescent Work (COODITIA) and collaborates with the National Registry of Rural Workers and Employers (RENATRE) in enforcing child labor laws in the agricultural sector. (4,64) In addition, maintains a national hotline through which labor violations can be reported and leads the Network of Businesses Against Child Labor (<i>Red de Empresas contra el Trabajo Infantil</i>), a network of companies promoting best practices in the private sector to combat child labor. (4,5,36,65,66) Labor inspectors are tasked with enforcing laws related to child labor as part of the Ministry of labor's broader enforcement strategy, the National Plan for the Regularization of Labor (<i>Plan Nacional de Regularización del Trabajo</i> [PNRT]). (3,43-46,56-58) 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. (3)
Ministry of Justice and Human Rights	Manages Line 145, the anonymous national hotline that allows the public to report suspected human trafficking cases, and assists in responding to these calls with the Rescue Program Office (<i>Oficina de Programa de Rescate</i>). (63,64) From January through the end of August 2019, this hotline registered 1,340 complaints. (1) Through its Office for the Rescue and Care of Trafficking Victims, provides emergency legal and other assistance to victims of labor and sex trafficking, including child victims. (64) 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. (40,65,67)
National Directorate of Criminal Intelligence, Human Trafficking Unit	Improves the ability of the Ministry of Security and federal police forces to collect information and investigate trafficking in persons. (63)
Federal and National Immigration Police	The Federal Police conduct human trafficking investigations through the Trafficking in Persons Division. (69) The National Immigration Police, directed by the National Immigration Directorate, oversee the rights of migrants and assist in investigating cases of transnational human trafficking. (3)
Federal Administration of Public Revenue	Ensures employer compliance with national laws, assists in workplace and labor-related inspections, and initiates prosecutions of labor violations through the Penal Section of its Social Security Directorate. (70)

Labor Law Enforcement

In 2019, labor law enforcement agencies in Argentina took actions to combat child labor (Table 6). However, gaps exist within the operations of the Ministry of Labor 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	2018	2019
Labor Inspectorate Funding	Unknown (4)	Unknown (3)
Number of Labor Inspectors	395 (71)	315 (3)
Inspectorate Authorized to Assess Penalties	Yes (4)	Yes (3)
Initial Training for New Labor Inspectors	Yes (4)	Yes (3)
Training on New Laws Related to Child Labor	Yes (4)	Yes (3)
Refresher Courses Provided	Yes (4)	Yes (3)
Number of Labor Inspections Conducted	177,734 (4)	141,422 (3)
Number Conducted at Worksite	177,734 (4)	141,422 (3)
Number of Child Labor Violations Found	21 (4)	13 (3)
Number of Child Labor Violations for Which Penalties Were Imposed	Unknown (4)	Unknown (3)
Number of Child Labor Penalties Imposed that Were Collected	Unknown (4)	Unknown (3)

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

Overview of Labor Law Enforcement	2018	2019
Routine Inspections Conducted	Yes (4)	Yes (3)
Routine Inspections Targeted	Yes (4)	Yes (3)
Unannounced Inspections Permitted	Yes (4)	Yes (3)
Unannounced Inspections Conducted	Yes (4)	Yes (3)
Complaint Mechanism Exists	Yes (4)	Yes (3)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (4)	Yes (3)

Between April and November 2019, the Ministry of Labor hosted several online and digital video conference labor inspector trainings focused on addressing child labor and adolescent work issues. The Ministry of Labor also hosted a classroom training on “law and operational aspects of inspections of child labor and adolescent work and signs of labor exploitation” for labor inspectors from Jujuy Province. (3)

However, the number of labor inspectors is likely insufficient for the size of Argentina’s workforce, which includes approximately 17.7 million workers. According to the ILO’s technical advice of a ratio approaching 1 inspector for every 15,000 workers in industrializing economies, Argentina would employ about 1,200 labor inspectors. (72) 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. (3,4) Moreover, the government does not publish labor enforcement data on the total number of child labor violations identified or penalties imposed. (4)

During the reporting period, the Ministry of Labor identified 13 child labor violations, 10 in the service or commerce sectors, 2 in agriculture, and 1 in the food service industry. These violations involved children working in the provinces of Santa Cruz, Santiago del Estero, and Chubut, as well as in the City of Buenos Aires. (3) The Ministry of Labor did not provide further information regarding referrals to social services in response to these child labor violations. (3) The Ministry of Labor requires inspectors to refer victims of child labor to the Provincial Commission for the Eradication of Child Labor for social services assistance. (3) The Ministry of Labor’s inspection protocol mandates that federal labor inspectors notify the relevant provincial child protection authorities after detecting a child labor violation. (3,4) Labor inspectors are also required to file a criminal complaint with the provincial courts of the relevant jurisdiction for any child labor violation detected. (3,4,8) The Ministry of Labor 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) National authorities were unable to provide information about the budget for labor inspections or investigations. (3)

Criminal Law Enforcement

In 2019, criminal law enforcement agencies in Argentina took actions to combat child labor (Table 7). However, gaps exist within the operations of the criminal enforcement agencies that may hinder adequate criminal law enforcement, including allocating human resources.

Table 7. Criminal Law Enforcement Efforts Related to Child Labor

Overview of Criminal Law Enforcement	2018	2019
Initial Training for New Criminal Investigators	Yes (4)	Yes (3)
Training on New Laws Related to the Worst Forms of Child Labor	Yes (4)	Yes (3)
Refresher Courses Provided	Yes (4)	Yes (3)
Number of Investigations	Unknown (4)	Unknown (3)
Number of Violations Found	Unknown (4)	29 (3)
Number of Prosecutions Initiated	8 (4)	Unknown (3)
Number of Convictions	10 (4)	5 (3)
Imposed Penalties for Violations Related to The Worst Forms of Child Labor	Yes (4)	Yes (3)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (4)	Yes (3)

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During 2019, the Special Prosecutor’s Office for Human Trafficking and Exploitation (PROTEX) reported five convictions for sex trafficking of minors involving the cities of Santa Fe, Corrientes, Comodoro Rivadavia, Tucuman, and Jujuy. PROTEX was, however, unable to provide information on the penalties imposed as a result of these convictions. (3) Argentine courts secured indictments in four child labor trafficking cases involving rural activities and both domestic and commercial work. The victims, six boys and three girls, were Argentine. (3) Argentine courts handed down indictments in two sex trafficking cases involving 12 girls. (3) Although the government was unable to report the total number of child labor investigations, the database at the General Prosecutors Office indicated that Argentina had started 157 human trafficking investigations, 29 of which involved children or adolescents. Although the government was unable to provide the total number of child labor prosecutions initiated, PROTEX reported that federal courts started prosecutions against 87 individuals, 50 men and 37 women, for trafficking-related offenses involving minors. (3) In May 2019, PROTEX reported providing training for prosecutors, defenders, and judicial officials on human trafficking in the framework of an International Conference on Childhood and Human Rights in La Plata, Buenos Aires Province. Also in May, PROTEX provided training on “Human Trafficking and Illicit Smuggling of Migrants” for university students at the University of Buenos Aires. (3) In June 2019, PROTEX conducted a training titled “Human Trafficking in Social Media” at the Special School for Integral Training of Adolescents and Youth With Disabilities. In July 2019, the Trafficking in Persons Executive Committee hosted the workshop “Tools for the Detection of Trafficking in Persons Crimes, Exploitation, and Child Pornography” for inspectors, supervisors, and other relevant officials in the General Director of Schools in Mendoza Province. (3)

Argentine law enforcement authorities report a lack of funding and resources. (4) UNHCR identified the need for the government to build the capacity of its judiciary and police to investigate cases of human trafficking and commercial sexual exploitation, including those involving children, and recommended that the government increase funding for shelters and assistance to girl victims of human trafficking and commercial sexual exploitation. (73) The Argentine government did not report investigating the use of children for illegal activities, such as drug trafficking, despite reports that this practice occurs. Moreover, the government does not publish criminal enforcement data on the total number of child labor violations identified or penalties imposed. (4)

IV. COORDINATION OF GOVERNMENT EFFORTS ON CHILD LABOR

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

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

Coordinating Body	Role & Description
National Commission for the Eradication of Child Labor (CONAETI)	Housed in the Ministry (formerly Secretariat) of Labor, Employment, and Social Security, coordinates national efforts to monitor and eliminate child labor and implement the National Plan for the Prevention and Eradication of Child Labor. (74-77) Led by the Secretariat of Promotion, Protection, and Technological Change and comprises 16 government agencies, representatives from UNICEF, ILO, industry associations, and labor unions. In 2019, organized a workshop on the Project for the Prevention and Eradication of Child Labor and Protection of Adolescent Labor. Participants discussed child and adolescent work in the forestry, citrus, tobacco, and yerba mate sectors. (3) During the reporting period, collaborated with the Chubut Province Commission for the Eradication of Child Labor on the first Provincial Awareness Day for the Prevention and Eradication of Child Labor at the National University of Patagonia in 2019. More than 100 teachers, health workers, labor inspectors, social workers, legislators, and government officials participated. (3) In 2019, incorporated 5 officials representing 24 Provincial Commissions for the Eradication of Child Labor (COPRETI), one per region. (3,77-80) Held the annual national COPRETI conference in July and hosted officials from the 24 provincial COPRETI for training and exchanges regarding best practices, and increasing coordination activities between national and provincial authorities. (3) Consisting of representatives from government agencies, NGOs, labor unions, and religions institutions, COPRETI coordinate efforts to prevent and eliminate child labor at the provincial level, including through municipal level roundtables. In 2019, COPRETI held trainings, outreach activities, and regional and local meetings. (3,78-80)

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

Coordinating Body	Role & Description
Coordination of Child Labor Eradication and Adolescent Work Protection Policies (Ministry of Labor)*	Established in 2019 and housed in the Ministry (formerly Secretariat) of Labor, executes the policies established in the Third National Action Plan for the Prevention and Eradication of Child Labor and the Regulation of Adolescent Work. During 2019, hosted training sessions on child labor throughout the country, led information campaigns, encouraged regional meetings, and implemented virtual training sessions for public officials. (3)
COODITIA	Housed in the Ministry of Labor, implements audits to detect child labor and irregular adolescent labor, trains inspectors on auditing and monitoring child and adolescent work, promotes the creation of special inspection units, and provides technical assistance and advice to inspectors. (4) For the last two years, it has continued to conduct the above activities to fortify labor inspections to combat labor trafficking of children and adolescents.
Child and Adolescent Labor Monitoring Office	Conducts qualitative and quantitative research on child and adolescent labor to provide policy analysis and inform programming to eradicate child labor and regulate adolescent labor. (75,78,82) In 2019, collaborated with the UN Economic Commission for Latin America and the Caribbean and ILO to produce the “Child Labor Risk Identification Model,” which provided detailed information on geographic areas in Argentina with greater risk for child labor. (3)
<i>Programa Andares</i> (Coordinating Unit for Children and Adolescents in Danger of Commercial Sexual Exploitation)	Provides guidance to relevant institutions; runs workshops and research programs on commercial sexual exploitation; and assists children, adolescents, and their families. Part of the Ministry of Justice and Human Rights. (66,83) In 2019, continued to support research and workshops to address child commercial sexual exploitation, and to provide assistance to victims and their families. (3)

Civil society groups report 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. (88)

V. GOVERNMENT POLICIES ON CHILD LABOR

The government has established policies related to child labor (Table 9). However, policy gaps exist that hinder efforts to address child labor, including a lack of information on activities taken under each policy during the reporting period.

Table 9. Key Policies Related to Child Labor

Policy	Description
Third National Plan for the Prevention and Eradication of Child Labor and the Regulation of Adolescent Work (2018–2022)	Aims to prevent and eliminate child labor, including its worst forms, and to regulate adolescent work. Promotes the dissemination of information on child labor, strengthens COPRETI and creates local roundtables on child labor, promotes families’ livelihoods, strengthens the labor inspectorate, fosters civil society engagement on child labor issues, provides for a more inclusive educational system, raises awareness of the safety and health implications of child labor, and promotes institutional and legislative strengthening for child labor issues. (8,89-92) During the reporting period, the National Action Plan to Improve the Safety and Health at Work of Adolescents and Youth was adopted, helping to implement goals 5 and 6 of this Third National Action Plan. (3)
National Action Plan to Improve the Safety and Health at Work of Adolescents and Youth (2020–2022)†	Adopted in 2019, aims to coordinate the following actions: (1) improve statistics and research, (2) promote compliance and inspections, (3) encourage the incorporation of occupational safety and health in education and vocational training, and (4) develop networks and awareness and promotion activities. (93,94) In addition to the Ministry of Labor, other partners to this program include the Super Intendency of Labor Risks, the Argentine Industrial Union, the General Confederation of Labor, and the National Youth Institute. (3)
Strategic Framework for Cooperation Between Argentina and the UN System for Development (2016–2020)	Establishes development priorities for Argentina as agreed upon by the government and the agencies comprising the UN System for Development in Argentina. Comprises five areas for cooperation, including the expansion of social protection support and the promotion of inclusive and sustainable economic growth, which prioritizes the prevention and elimination of child labor and forced labor, and the protection of adolescent workers. (95) The government did not provide information on activities taken under this policy in 2019 for inclusion in this report.
Inter-Agency Agreement for Prevention of Child Labor and Protection of the Adolescent Worker	Collaborative agreement between the Ministry of Labor and the Ministry of Education to integrate child labor prevention and protection of adolescent workers in curricula and teacher training courses. (8,96) The government did not provide information on activities taken under this policy in 2019 for inclusion in this report.

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

Policy	Description
Biennial National Plan Against Human Trafficking and Exploitation, and for Protection and Assistance of Victims (TIP Action Plan 2018–2020)	Approved by the Federal Council to Fight Human Trafficking and to Protect and Assist Victims. (1,97) Focuses on prevention, prosecution, and protection of human trafficking victims and incorporates an institutional goal of fortifying inter-agency coordination, including by establishing a unified database on human trafficking victims. (1) The Federal Council coordinates the plan's implementation and includes NGO representation in its meetings. In November 2019, the government published a report on the progress of the plan, indicating that 59 percent of it has been implemented. (1) The report highlighted the creation of the direct victim assistance fund and the launch of the Registry System for Assistance to Victims of Trafficking in Argentina, which aims to consolidate information on victims assistance to improve services both in the provinces and nationally. The government did not allocate a special budget for the Trafficking in Persons Action Plan. (1)

† 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. (99,100)

During the reporting period, Argentina put forward a UN General Assembly Resolution to declare 2021 as the International Year for the Elimination of Child Labor, which was adopted unanimously. (3) In 2019, the Misiones Province Ministry of Labor and Employment and the Municipality of Obera signed an agreement with the Eliminating Child Labor in Tobacco-growing Foundation to collaborate in the fight against child labor. (3)

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2019, the government funded and participated in programs that include the goal of eliminating or preventing child labor (Table 10). However, gaps exist in these social programs, including adequacy 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. (8,78) The government did not provide information on activities undertaken for this social program in 2019 for inclusion in this report.
RENATRE Awareness-Raising Campaigns†	RENATRE campaigns that raise awareness of child labor in agriculture and inform families and children of the right to education. (101,102) The government did not provide information on activities undertaken for this social program in 2019 for inclusion in this report.
Ministry (formerly Secretariat) of Labor, Employment, and Social Security–CONAETI Programs†	CONAETI/Network of Businesses Against Child Labor campaigns that make businesses and the general public aware of child labor in sourcing and supply chains. (24,87) In 2019, the Ministry of Labor, together with ILO, carried out an initiative to generate knowledge, public policies, and best practices to raise awareness about child labor in rural areas of Argentina in the framework of the National Plan for the Prevention and Eradication of Child Labor and Protection of Adolescent Labor (2018–2022) through the project “Offside: marking the court!” (103) In July 2019, the Santa Fe Provincial Commission for the Eradication of Child Labor coordinated with CONAETI and ILO to host its first “Offside!” project workshop to prevent and eradicate agricultural child labor, with the participation of government, business, and union representatives. (3) Good Harvest Day Care and Future Programs provide child care and recreational activities to children up to age 9. They are part of COPRETI/Network of Businesses Against Child Labor programs to reduce child labor in crop production, for which work is often performed by entire families. (4,8,104) The government did not provide information on activities undertaken for the Good Harvest Day Care and Future Programs in 2019 for inclusion in this report.
National Campaign Against Child Labor in Brickmaking†	Developed in 2017 by the Ministry of Labor and the Argentine Brick Workers Union. (105) 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. (105,106) The government did not provide information on activities undertaken for this social program in 2019 for inclusion in this report.

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) (2016–2021), \$3 million project implemented by <i>Centro de Desarrollo y Autogestión</i> (DyA); Promoting Apprenticeship as a Path for Youth Employment in Argentina, Costa Rica, and Kenya through Global Apprenticeships Network (GAN) National Networks (2016–2019), \$2.9 million project; SafeYouth@Work Project: Building a Generation of Safe and Healthy Workers (2014–2019), \$11 million global project implemented by ILO; Multi-Stakeholder Strategy for Child Labor Elimination in Agriculture in Argentina (2019–2021), \$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, \$2.5 million project implemented by ILO. Measurement, Awareness-Raising, and Policy Engagement (MAPI6), \$140,000 global project implemented by ILO to improve the knowledge base on child labor, forced labor, and human trafficking. In 2019, implementation of the Risk Model began in Argentina to develop local child labor maps at the municipality level for each of the country’s 23 provinces. Additional information is available on the USDOL website.

† 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. (4,8,11,24,28,67,110,111)

In 2019, the Ministry of Production and Labor partnered with the Tucuman Ministry of Production, civil society, and the private sector to develop an agricultural child labor monitoring system, which they are piloting in blueberry and yerba mate plantations in Tucuman and Misiones. (112) Research found no evidence of social programs that specifically target children engaged in street begging and performing, windshield washing, and guarding parked cars.

VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE CHILD LABOR

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

Table 11. Suggested Government Actions to Eliminate Child Labor

Area	Suggested Action	Year(s) Suggested
Legal Framework	Raise the minimum age for work to the age up to which education is compulsory.	2018 – 2019
Enforcement	Publish federal and provincial information on the level of funding allocated to the labor inspectorate.	2015 – 2019
	Increase the number of labor inspectors responsible for enforcing laws on child labor to meet the ILO’s technical advice.	2015 – 2019
	Publish information on the total number of federal and provincial inspectors responsible for enforcing labor laws nationwide, the number of child labor violations identified and for which penalties were imposed, and the number of child labor penalties imposed that were collected.	2017 – 2019
	Publish federal and provincial information on the total number of children removed from child labor nationwide, including whether they received appropriate protective services.	2014 – 2019
	Publish federal and provincial information on the number of criminal investigations found, the number and severity of penalties imposed as a result of child labor convictions, number of prosecutions initiated, and the adequacy of the budget and resources available to agencies responsible for enforcing criminal laws on the worst forms of child labor.	2014 – 2019
	Investigate the use of children for illegal activities, such as drug trafficking.	2018 – 2019
	Strengthen the capacity of Argentina’s judiciary and policy to investigate child trafficking and commercial sexual exploitation cases.	2019
Coordination	Improve government coordination in the provision of services to victims of all forms of child labor, including for children subjected to commercial sexual exploitation.	2017 – 2019
Government Policies	Publish information on activities taken under key policies to address child labor, forced labor, and human trafficking.	2018 – 2019
	Allocate a special budget for the Biennial National Plan Against Human Trafficking and Exploitation, and for Protection and Assistance of Victims, to ensure its implementation.	2018 – 2019
Social Programs	Publish information on activities taken under social programs to address child labor, forced labor, and human trafficking.	2019

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

Area	Suggested Action	Year(s) Suggested
Social Programs	Develop specific programs that target child labor in sectors in which child labor is prevalent, including street begging and performing, windshield washing, and guarding of parked cars, and increase funding for shelters and assistance for girl victims of human trafficking.	2018 – 2019
	Extend youth apprenticeship programs to children ages 16 and 17, while ensuring these programs allow children to complete their compulsory schooling.	2015 – 2019

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MINIMAL ADVANCEMENT – EFFORTS MADE BUT CONTINUED LAW THAT DELAYED ADVANCEMENT

In 2019, Armenia made a minimal advancement in efforts to eliminate the worst forms of child labor. Article 33 of the Labor Code was amended to fully authorize the Health and Labor Inspection Body to enforce labor laws, including those related to child labor, beginning in July 2021. Article 33 will empower the Health and Labor Inspection Body to issue penalties for violations and conduct inspections in sectors for which inspection checklists have been approved. In addition, that agency conducted activities to raise awareness about child labor laws. However, despite new initiatives to address child labor, Armenia is receiving an assessment of minimal advancement because it continued to implement a regression in law that delayed advancement in eliminating the worst forms of child labor. Armenia has lacked a functioning labor inspectorate since the 2014 repeal of Article 34 of the Labor Code, which previously established the government’s authority to implement labor legislation and collective agreements. Since that time, the government has lacked a mechanism to monitor, inspect, and enforce child labor laws, including a mechanism with the authority to conduct unannounced inspections. The Health and Labor Inspection Body will not be empowered to perform these functions until its new mandate under Article 33 of the Labor Code enters into force in 2021. Children in Armenia engage in the worst forms of child labor, including in commercial sexual exploitation, sometimes as a result of human trafficking. Children also engage in child labor in agriculture. The government’s delay in approving the National Action Plan Against Trafficking in Persons impeded coordination efforts to combat human trafficking. In addition, no government programs exist to aid children engaged in child labor in agriculture.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Armenia engage in the worst forms of child labor, including in commercial sexual exploitation, sometimes as a result of human trafficking. (1-5) Children also engage in child labor in agriculture. (1,2,6-12) Table 1 provides key indicators on children’s work and education in Armenia.

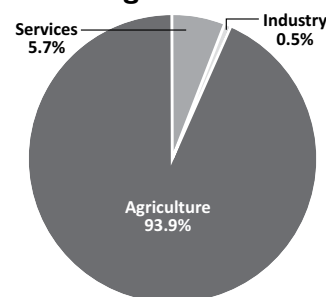
Table 1. Statistics on Children’s Work and Education

Children	Age	Percent
Attending School (%)	5 to 14	95.4
Combining Work and School (%)	7 to 14	8.6
Primary Completion Rate (%)		89.9

Source for primary completion rate: Data from 2018 published by UNESCO Institute for Statistics, 2020. (13)

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

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



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

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

Sector/Industry	Activity
Agriculture	Farming, including planting and harvesting potatoes (1,6-11)
	Raising livestock, including cattle breeding, cattle herding, and sheepherding (1,6,8,9,16)
Industry	Construction, activities unknown (8,9,11,17)
Services	Vehicle maintenance (1,9,11)
	Selling food (9)
	Street work, including vending, gathering scrap metal, selling flowers, and begging (1,6,8,11,17)
	Working in shops (8,9)
	Dancing in clubs (1,8)
Categorical Worst Forms of Child Labor‡	Commercial sexual exploitation, sometimes as a result of human trafficking (1-5)
	Forced begging, sometimes as a result of human trafficking (1,5)

‡ 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. (18,19) However, reports indicate that significant numbers of children, including some below the age of 14, leave school to work in informal sectors in agriculture and construction, and increasing numbers of children are engaged in begging. (12,17)







Although Article 38 of the Constitution of Armenia and Article 6 of the Law of the Republic of Armenia on Education guarantee free universal education, children from ethnic minority and low-income families continue to have reduced access to education. (20-22) 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. (10) Reports also indicate that in rural areas, families may keep girls out of school because of cultural expectations or due to concerns about severe gender imbalance in classrooms. (12,23)

In addition, 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. (22,24,25) However, NGOs report that children with disabilities still face difficulty accessing mainstream education due to inaccessible school buildings and a lack of special teachers and other specialists, especially for students with mental disabilities. (25,26) Although the government has reduced institutionalization of children in recent years, nearly 2,400 children remain in government boarding schools, orphanages, and special education institutions. (27,28) These children are more likely to experience physical and psychological violence and are at a higher risk of becoming victims of human trafficking. (5,27) Children living in these institutions are reportedly also vulnerable to exploitation in child labor, including labor within the institutions. (29,30)

II. LEGAL FRAMEWORK FOR CHILD LABOR

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

Table 3. Ratification of International Conventions on Child Labor

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

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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	Yes	16	Articles 15 and 17 of the Labor Code; Article 57 of the Constitution; Article 41.6 of the Administrative Violations Code (20,31,32)
Minimum Age for Hazardous Work	Yes	18	Article 257 of the Labor Code (31)
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 (31,33)
Prohibition of Forced Labor	Yes		Article 57 of the Constitution; Article 3 of the Labor Code; Articles 132 and 132.2 of the Criminal Code (20,31,34)
Prohibition of Child Trafficking	Yes		Articles 132 and 132.2 of the Criminal Code (34)
Prohibition of Commercial Sexual Exploitation of Children	No		Articles 132.2, 166, and 261–263 of the Criminal Code (34)
Prohibition of Using Children in Illicit Activities	Yes		Articles 63, 165, and 166.1 of the Criminal Code (34)
Minimum Age for Voluntary State Military Recruitment	Yes	16‡	Law on Military Service and Status of the Military Servant; Article 11 of the Law on Conscription; Government Decree No. 525-N of April 26, 2012 (35-38)
Prohibition of Compulsory Recruitment of Children by (State) Military	Yes		Article 11 of the Law on Conscription (36)
Prohibition of Military Recruitment by Non-state Armed Groups	No		Article 29 of the Law on the Rights of the Child; Articles 165 and 224 of the Criminal Code (34,39)
Compulsory Education Age	Yes	19	Article 18 of the Law on Education (22)
Free Public Education	Yes		Article 38 of the Constitution; Article 6 of the Law on Education (20,22)

‡ Age calculated based on available information (37)

In 2019, the Administrative Violations Code was amended to significantly increase penalties for hiring children under age 16. (32,40)

The Labor Code allows for children ages 14 and 15 to work restricted hours with the permission of a parent or guardian, but does not list specific activities that constitute light work. (31) In addition, the Constitution, Criminal Code, and Labor Code prohibit forced labor, but enforcement of this prohibition may be hindered by the lack of a definition of “forced labor” in Armenian law. (20,31,34,41)

The laws criminalizing commercial sexual exploitation of children are insufficient because the crime of involving a child in prostitution does not clearly criminalize the users (clients) of prostitution involving children. (34,66)

III. ENFORCEMENT OF LAWS ON CHILD LABOR

The government has established institutional mechanisms for the enforcement of laws and regulations on child labor (Table 5). However, the absence of worksite inspections conducted at the national level in Armenia may impede the enforcement of child labor laws.

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MINIMAL ADVANCEMENT – EFFORTS MADE BUT CONTINUED LAW THAT DELAYED ADVANCEMENT

Table 5. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
Health and Labor Inspection Body (HLIB)	Enforces limited range of labor laws for persons up to age 18, and for pregnant or breastfeeding women and workers with children under their care. In 2018, the Health Inspection Body was reorganized and renamed the Health and Labor Inspection Body (HLIB). (11,42)
Police	Enforce anti-human trafficking laws and conduct preliminary investigations of alleged trafficking in persons cases. Every regional police unit throughout the country has a designated officer whose portfolio includes human trafficking. (43) All cases suspected to be human trafficking are referred to the anti-trafficking unit within the Department to Fight against Crimes against Human Beings and Property of the National Police. (38,43)
General Department of Criminal Intelligence within the Police	Enforces laws against the worst forms of child labor and refers identified crimes to the Investigative Committee for further investigation. (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. (38,43-45)
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. (44,45)
Police Hotline	Receives complaints related to human trafficking and migration issues. (5,43,46)

As part of a broader inspection reform agenda, Armenia’s labor inspectorate was abolished in 2013 and the responsibility for conducting labor inspections was transferred to the new State Health Inspectorate, created the same year. (47) In 2014, legislative changes repealed Article 34 of the Labor Code, which had previously established the government’s authority to implement labor legislation and collective agreements. (48) In 2015, subsequent changes to legislation regulating labor inspections left the State Health Inspectorate unable to conduct labor inspections. (41,49) In 2017, continued inspection reform led to the dissolution of the State Health Inspectorate and the creation of the Health Inspection Body, which was tasked with monitoring occupational safety and health standards for employees, along with monitoring a variety of public health standards. (50) In 2018, a law on the State Bodies of Governance Systems came into force changing the Health Inspection Body to the Health and Labor Inspection Body (HLIB). (51)

In 2019, Article 33 of the Labor Code was amended to empower HLIB to issue penalties for violations and conduct inspections in sectors for which inspection checklists have been approved. However, this amendment will not enter into force until July 2021. (52) In the meantime, the HLIB has the ability to launch administrative procedures in response to complaints, including child labor complaints, but these procedures do not involve inspections or site visits. Penalties can only be issued in limited instances, such as situations posing an immediate threat to life and safety. (43) HLIB is only empowered to conduct planned inspections and must inform employers of an upcoming inspection three business days in advance. (18,43,53) Armenian legislation limits the questions inspectors can ask to a legally pre-determined checklist of issues, and checklists including questions related to child labor have not yet been approved for all industries. (18,43) Because additional legislation and regulations need to be approved and enter into force for the HLIB to begin conducting labor inspections, including for child labor violations, HLIB was unable to enforce child labor laws in Armenia in 2019. (43,54,52)

Labor Law Enforcement

In 2019, the absence of worksite inspections conducted at the national level in Armenia may have impeded the enforcement of child labor laws (Table 6).

Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2018	2019
Labor Inspectorate Funding	Unknown	Unknown
Number of Labor Inspectors	23 (11)	23 (40,43)
Inspectorate Authorized to Assess Penalties	Yes (11)	Yes (43)

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

Overview of Labor Law Enforcement	2018	2019
Initial Training for New Labor Inspectors	Unknown	Unknown
Training on New Laws Related to Child Labor	Unknown	No (40)
Refresher Courses Provided	Unknown	No (40)
Number of Labor Inspections Conducted	0 (11)	0 (40,43)
Number Conducted at Worksite	0 (11)	0 (43)
Number of Child Labor Violations Found	0 (11)	2 (40)
Number of Child Labor Violations for Which Penalties Were Imposed	0 (11)	0 (43)
Number of Child Labor Penalties Imposed that Were Collected	0 (11)	0 (43)
Routine Inspections Conducted	No (11)	No (43)
Routine Inspections Targeted	No (11)	No (43)
Unannounced Inspections Permitted	No (11)	No (40,43)
Unannounced Inspections Conducted	No (11)	No (43)
Complaint Mechanism Exists	Yes (11)	Yes (43)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	No (11)	Unknown

In 2019, HLIB had 23 labor inspectors, 15 of whom were civil servants and 8 of whom were contractors. (40,43) The number of labor inspectors is likely insufficient for the size of Armenia’s workforce, which includes more than 1.5 million workers. According to the ILO’s technical advice of a ratio approaching 1 inspector for every 20,000 workers in transition economies, Armenia would employ about 75 labor inspectors. (55,56) In addition, officials have expressed concern that inspectors hired as contractors, rather than civil servants, may not receive sufficient training to adequately enforce child labor laws. (57) In December 2019, the governing council of HLIB approved a staff list that included 30 inspector positions. Furthermore, HLIB reported that it plans to increase the number of inspectors to 80 by July 2021 to implement the expanded inspection mandate that will come into force at that time. (43,52)

During the reporting period, HLIB conducted training seminars on child labor laws for representatives from supermarkets in Yerevan and Armavir, provided informational materials on child labor to communities in Ararat and Armavir provinces during harvest season, and carried out awareness-raising outreach on occupational health and safety (OSH) regulations related to hazardous child labor. (43) In August, the government approved a methodology for developing risk-based inspections, and government officials indicated that they are in the process of drafting and approving industry-specific inspection checklists pursuant to this methodology. These checklists will enable HLIB to conduct on-site inspections to detect labor violations, including those related to child labor. (40,43) Several draft checklists related to OSH, including one that covered prohibitions against hazardous child labor in mining, were published for public comment this year. (43,58) Although HLIB did not conduct any inspections during the reporting period, it identified two violations of minimum age laws through administrative procedures. (40) HLIB also launched a new website that enables complaint submissions via e-mail and established a new mechanism for responding to complaints that are received. (43,28)

Criminal Law Enforcement

In 2019, criminal law enforcement agencies in Armenia took actions to combat child labor (Table 7). However, gaps exist within the operations of the criminal enforcement agencies that may hinder adequate criminal law enforcement, including investigation planning.

Table 7. Criminal Law Enforcement Efforts Related to Child Labor

Overview of Criminal Law Enforcement	2018	2019
Initial Training for New Criminal Investigators	Unknown	Unknown
Training on New Laws Related to the Worst Forms of Child Labor	Unknown	Yes (40)
Refresher Courses Provided	Unknown	Yes (40)
Number of Investigations	1 (11)	2 (43)
Number of Violations Found	0 (11)	2 (43,46)
Number of Prosecutions Initiated	1 (11)	1 (40)

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

Overview of Criminal Law Enforcement	2018	2019
Number of Convictions	0 (11)	0 (40)
Imposed Penalties for Violations Related to the Worst Forms of Child Labor	Unknown	No (40)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (11)	Yes (46)

During the reporting period, the police investigated six criminal cases on suspicion of labor trafficking, one of which involved a minor. This case was dropped due to a determination that a crime had not been committed. (43) Two potential sex trafficking cases were investigated, one of which involved commercial sexual exploitation of a minor. This case was referred for prosecution, and further investigation is ongoing as part of the pre-trial process. (40,43) The government also reported one minor who was a victim of labor trafficking. (46)

The Ministry of Justice provided training on human trafficking and forced labor to 540 penitentiary staff, 54 judge candidates, 86 investigator candidates, and 96 prosecutor candidates. Three investigators from the Investigative Committee participated in an international training on human trafficking and sexual abuse of children. (40,46) The police provided training on human trafficking to 146 police officers and offered training to officers on child exploitation. (40,46)

Law enforcement officials may not receive sufficient specialized training on interviewing victims of child trafficking, which in some cases can prevent local investigators from collecting sufficient evidence to build a prosecutable case. (1,5) Although the Criminal Procedural Code includes provisions to protect witnesses and minimize victim re-traumatization, the government may not employ these measures in all trafficking cases, including those involving minors. (46)

IV. COORDINATION OF GOVERNMENT EFFORTS ON CHILD LABOR

The government has established mechanisms to coordinate its efforts to address child labor (Table 8). However, gaps exist that hinder the effective coordination of efforts to address child labor, including 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. (54,46) The Ministerial Council to Combat Human Trafficking was largely inactive during the reporting period due to the government's delay in approving the National Action Plan (2019–2021), which would have otherwise determined the Ministerial Council's activities during the reporting period. (46)
Inter-Agency Working Group Against Trafficking in Persons	Advises, organizes, and implements decisions made by the Ministerial Council to Combat Human Trafficking. Chaired by the Ministry of Labor and Social Affairs. (43,54) The Inter-Agency Working Group Against Trafficking in Persons was largely inactive during the reporting period due to the government's delay in approving the National Action Plan (2019–2021), which would have otherwise determined the Working Group's activities during the reporting period. (46)

Although Armenia has the Ministerial Council to Combat Human Trafficking to coordinate efforts to address child trafficking, it does not have coordinating mechanisms to address other forms of child labor, including street work, the services sector, and agriculture. (17)

V. GOVERNMENT POLICIES ON CHILD LABOR

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

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Table 9. Key Policies Related to Child Labor

Policy	Description
National Strategy for Child Rights Protection	Includes an Action Plan for 2017–2021 that calls for the development and introduction of oversight and monitoring mechanisms to prevent the involvement of children in the worst forms of child labor. (24) The government continued to implement this action plan during 2019. (40)
2019 Annual Program on Protection of Children's Rights	Aims to provide social protection for vulnerable children. (11,59)
Concept on Combating Violence Against Children	Defines government priorities for combating violence against children and outlines a list of related activities. Addresses labor exploitation of children, especially in rural communities, and commercial sexual exploitation of children, especially child trafficking. (45)

In 2019, the National Assembly approved an amendment to Armenia's 2014 Law on Identification and Assistance to Victims of Human Trafficking and Exploitation that enables the provision of one-time monetary assistance to child trafficking in persons victims through their legal guardians. (60)

Although the government drafted a new National Action Plan (NAP) Against Trafficking in Persons (2019-2021) in 2018, approval of this plan was delayed prior to and during the reporting period. As a result, this NAP was not approved and did not enter into force in 2019. (28) The period of the draft NAP was amended to 2020–2022 and was adopted in 2020. (46) Research was unable to determine whether activities were undertaken during the reporting period to implement the Concept on Combating Violence Against Children or the Annual Program on Protection of Children's Rights.

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2019, the government funded and participated in programs that include the goal of eliminating or preventing child labor (Table 10). However, gaps exist in these social programs, including the adequacy of programs to address the problem in all sectors.

Table 10. Key Social Programs to Address Child Labor

Program	Description
Family Benefits Program†	Poverty-mitigation program for families with children. Families receive a monthly payment based on their financial situation, the number of children in the family, and the geographical location of their home. (61) In 2019, the government continued to provide payments under this program and increased the amounts some categories of families receive. (62)
UNICEF Country Program for 2016–2020	Seeks to improve child protection systems, including through expanding programs for children in extreme poverty, improving social integration of children with disabilities, and developing a victim-witness protection system. (63) This program continued to be active during the reporting period. (64)
Shelter for Victims of Human Trafficking‡	Government-funded shelters operated in partnership with NGOs that provide medical, psychological, social, and legal services to victims of human trafficking and access to education for children. (3) In 2019, the government also operated a second shelter in Yerevan. (46,60) However, at the end of 2019 this second shelter closed due to funding limitations, leaving one shelter operational. (28)

† 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. (61)

Although the Government of Armenia has implemented programs to address child labor, research found no evidence that it has carried out programs to assist children engaged in child labor in street work or in agriculture.

During the reporting period, the Ministry of Education, Science, Culture and Sports approved a program to reimburse students and teachers for travel costs to school to facilitate access to education in remote regions. (40)

Analyses of the Family Benefits Program indicated that a lack of information about the program may reduce participation rates among poor and extremely poor families. (17,65)

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VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE CHILD LABOR

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

Table 11. Suggested Government Actions to Eliminate Child Labor

Area	Suggested Action	Year(s) Suggested
Legal Framework	Ensure that Armenian law specifies the types of light work acceptable for children ages 14 to 15.	2014 – 2019
	Facilitate enforcement of labor law by codifying a definition of forced labor.	2016 – 2019
	Criminally prohibit and penalize the use of a child for prostitution.	2019
	Ensure that the law criminally prohibits the recruitment of children under age 18 by non-state armed groups.	2018 – 2019
Enforcement	Ensure that the Health and Labor Inspection Body is empowered to conduct unannounced inspections, including in response to complaints, and can issue penalties for any child labor violations detected.	2017 – 2019
	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
	Publish information on the Health and Labor Inspection Body's labor inspectorate funding.	2017 – 2019
	Ensure a referral mechanism exists between labor authorities and social services.	2019
	Strengthen labor inspection by increasing the number of labor inspectors to meet the ILO's technical advice and ensuring that labor inspectors are civil servants rather than contractors.	2017 – 2019
	Protect children by providing law enforcement officials with specialized training on interviewing victims of child trafficking.	2018 – 2019
	Implement existing witness protection mechanisms to protect victims of child trafficking who cooperate with law enforcement.	2011 – 2019
Coordination	Establish coordinating mechanisms to combat child labor, including all its worst forms.	2009 – 2019
Government Policies	Publish information about activities undertaken to implement policies related to child labor, including the Concept on Combating Violence Against Children, and the Annual Program on Protection of Children's Rights.	2016 – 2019
Social Programs	Improve understanding of child labor issues in Armenia by regularly collecting and maintaining data on child labor.	2019
	Ensure that all children, including children in remote areas, those from low-income families and families that travel for seasonal labor, and those belonging to ethnic minorities, have equal access to education.	2010 – 2019
	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 – 2019
	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 teachers and other specialists for students with mental disabilities.	2014 – 2019
	Implement programs to address child labor in street work and in agriculture.	2009 – 2019
	Publicize information about the Family Benefits Program to encourage participation by eligible families with children.	2018 – 2019

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In 2019, Azerbaijan made a minimal advancement in efforts to eliminate the worst forms of child labor. The government implemented a number of measures to improve access to education for disabled students, including upgrading school infrastructure, raising awareness for parents on inclusive services, and training school directors and teachers in inclusive methods. In addition, the government conducted research on child labor in three cities and five districts. However, despite new initiatives to address child labor, Azerbaijan is receiving an assessment of minimal advancement because it continued to implement a regression in law that delayed advancement in eliminating the worst forms of child labor. In 2017, the government extended



a moratorium on labor inspections, including worksite inspections, until 2021. While inspectors can respond to complaints, the lack of proactive or onsite inspection mechanisms may leave potential violations of child labor laws undetected in workplaces. Children in Azerbaijan engage in the worst forms of child labor, including in commercial sexual exploitation and forced begging. Children also engage in child labor in agriculture. Legal protections only apply to workers with written employment contracts, leaving self-employed children and children working outside of formal employment relationships vulnerable to exploitation. Furthermore, coordinating bodies, including the State Committee on Family, Women, and Children's Affairs, lack the capacity and clear legal authority to effectively carry out their mandates. In addition, government programs to address child labor in agriculture may be insufficient to address the extent of the problem.

I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Azerbaijan engage in the worst forms of child labor, including in commercial sexual exploitation and forced begging. Children also engage in child labor in agriculture. (I-10) Table 1 provides key indicators on children's work and education in Azerbaijan.

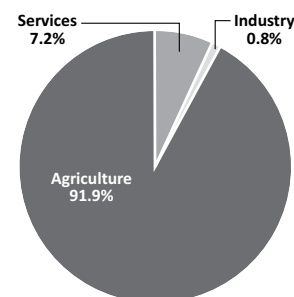
Table 1. Statistics on Children's Work and Education

Children	Age	Percent
Working (% and population)	5 to 14	4.5 (70,034)
Attending School (%)	6 to 14	94.3
Combining Work and School (%)	7 to 14	4.9
Primary Completion Rate (%)		100.2

Source for primary completion rate: Data from 2018, published by UNESCO Institute for Statistics, 2020. (11)

Source for all other data: International Labor Organization's analysis of statistics from the Child Labor Survey, 2005. (12)

Figure 1. Working Children by Sector, Ages 7-14



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

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

Sector/Industry	Activity
Agriculture	Farming, including production of cotton, tea, and tobacco† (1,4-10) Harvesting potatoes (13)
Industry	Construction, activities unknown (14)
Services	Street work, including begging, vending, carrying luggage, and gathering scrap metal (1,3,13,15) Washing and repairing cars (5,6,14,16)

Azerbaijan

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

Sector/Industry	Activity
Categorical Worst Forms of Child Labor†	Commercial sexual exploitation, sometimes as a result of human trafficking (1-5) Forced begging (1-5,10,16)

† 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.

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. (1,4,10) As was the case in 2018, in 2019, children under age 15 worked alongside their parents picking cotton to augment family incomes. However, the prevalence of child labor in cotton harvesting is unknown. (4,17-19)

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. Currently, priority crops include cotton, tobacco, sugar beets, hazelnuts, tomatoes, and other fruits and vegetables. (4) 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. (20-23,24,25) 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. (19,25)




Children in Azerbaijan are subjected to sexual exploitation domestically. (1,2,26) Street children, many of whom become homeless after they are released from government-run orphanages and correctional facilities, and children from marginalized communities are particularly vulnerable to human trafficking. (1,2,26,27) Children living in border towns and economically depressed rural communities are also especially vulnerable to human trafficking. (1,2,28)

Although Article 5 of the Education Law guarantees free universal education, undocumented children and children with disabilities face difficulty accessing education. Children without identification documents are ineligible to enroll in school, which affects 35 to 40 percent of children referred annually to shelters for minors. (4) 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. (4) Children with disabilities face 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 and children from the Roma ethnic community. (1,29,30) In addition, children in rural areas have low rates of school attendance. (1) 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).

Table 3. Ratification of International Conventions on Child Labor

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

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The government has established laws and regulations related to child labor (Table 4). However, gaps exist in Azerbaijan’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 Labor Code (31)
Minimum Age for Hazardous Work	Yes	18	Article 250 of the Labor Code (31)
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 (31-33)
Prohibition of Forced Labor	Yes		Article 35 of the Constitution; Article 144-2 of the Criminal Code (34,35)
Prohibition of Child Trafficking	Yes		The Law on Trafficking in Persons; Articles 144-1 and 144-3 of the Criminal Code (35,36)
Prohibition of Commercial Sexual Exploitation of Children	No		Article 171 of the Criminal Code (35)
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 (33,35)
Minimum Age for Voluntary State Military Recruitment	Yes	19	Article 36 of the Law on Military Obligation and Military Service (37)
Prohibition of Compulsory Recruitment of Children by (State) Military	Yes		Articles 2–3, and 12 of the Law on Military Obligation and Military Service (37)
Prohibition of Military Recruitment by Non-state Armed Groups	No		
Compulsory Education Age	Yes	15	Articles 5 and 19 of the Education Law (38)
Free Public Education	Yes		Article 5 of the Education Law; Article 22 of the Law on the Rights of the Child (33,38)

Azerbaijan’s Labor Code applies only to workers with written employment contracts. (31,39) In 2014, the government established both administrative and criminal penalties for employing people without an employment agreement, and it has also implemented administrative requirements that employers register all employment contracts in an electronic database. (31,35) Although these provisions strengthened protections for working children by attempting to ensure that all working children are employed under a contract, self-employed children and children working outside formal employment relationships, especially children performing work on the streets and child beggars, remain unprotected. (7,39,40)

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, procuring, or offering of a child for the production of pornography or pornographic performances. (35)

III. ENFORCEMENT OF LAWS ON CHILD LABOR

The government has established institutional mechanisms for the enforcement of laws and regulations on child labor (Table 5). However, the absence of worksite inspections conducted at the national level in Azerbaijan may impede the enforcement of child labor laws.

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Table 5. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
Ministry of Labor and Social Protection of Population (MLSPP)	Enforces labor laws related to the worst forms of child labor through the State Labor Inspection Service. (1,39)
Ministry of Internal Affairs (MOIA)	Functions as the central executive agency responsible for public security and the prevention of criminal offenses, including child trafficking and begging. (1,39) Through the Anti-Trafficking Division, enforces human trafficking laws, investigates human trafficking violations, and enforces criminal laws related to the use of children in illicit activities. (1,3) Refers children who are victims of human trafficking to social services for assistance with school enrollment, participation in recreational activities, and procurement of proper documentation. (1)
National Referral Mechanism for Trafficking in Persons	Refers victims of human trafficking to the relevant authorities to ensure the protection of their rights. (41,42) Refers human trafficking cases to the Anti-Trafficking Division for prosecution. (1)

During the reporting period, sources reported a lack of coordination between law enforcement agencies. (1,2,4)

Labor Law Enforcement

In 2019, 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	2018	2019
Labor Inspectorate Funding	Unknown (1)	Unknown
Number of Labor Inspectors	232 (1)	177 (43)
Inspectorate Authorized to Assess Penalties	Yes (1,44)	Yes (45,46)
Initial Training for New Labor Inspectors	Yes (1)	Yes (10)
Training on New Laws Related to Child Labor	Yes (1)	N/A
Refresher Courses Provided	Yes (1)	Yes
Number of Labor Inspections Conducted	0 (1)	0 (45,46)
Number Conducted at Worksite	0 (1)	0 (45,46)
Number of Child Labor Violations Found	5 (1)	9 (10)
Number of Child Labor Violations for Which Penalties Were Imposed	0 (1)	9 (10)
Number of Child Labor Penalties Imposed that Were Collected	0 (1)	Unknown
Routine Inspections Conducted	No (1)	No (45,46)
Routine Inspections Targeted	No (1)	No (45,46)
Unannounced Inspections Permitted	No (1,44)	No (45,46)
Unannounced Inspections Conducted	No (1)	No (45,46)
Complaint Mechanism Exists	Yes (1,44)	Yes (45-47)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (39)	Yes (39)

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. (1,46-48) Although the State Labor Inspection Service (SLIS) is still able to receive and respond to complaints, this response cannot include onsite inspections. Instead, the SLIS investigates complaints by requesting information from the employer in question and, if necessary, relevant employees. (45,46,48) On the basis of the information received, inspectors 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. (46) The SLIS is also able to detect potential minimum age violations by monitoring an electronic database of labor contracts, but is not currently empowered to impose penalties related to violations detected in this manner. However, the government has drafted a law that, once enacted, will enable labor inspectors to impose penalties for violations identified based on electronic labor contracts. (46)

The number of labor inspectors is likely insufficient for the size of Azerbaijan's workforce, which includes more than 5 million workers. According to the ILO's technical advice of a ratio approaching 1 inspector for

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every 20,000 workers in transition economies, Azerbaijan would employ about 256 labor inspectors. (49,50) Government officials also assess the number of inspectors as insufficient to fully enforce child labor laws in Azerbaijan. (51)

In 2019, the SLIS received a total of 8,512 complaints, of which approximately 35 percent were referred from other government entities, such as the Ministry of Internal Affairs (MOIA) and the Azerbaijan Service and Assessment Network, which monitors electronic work agreements in the construction sector. (45,46) The SLIS identified 625 total violations of labor laws. The SLIS imposed penalties in 556 of these cases, totaling approximately \$531,235 (903,100 *manat*). Courts imposed penalties in 69 cases, totaling approximately \$700,588 (1,191,000 *manat*). (43,45) Labor inspectors identified seven child labor violations involving a total of nine children, all of whom were working below the minimum age for work. Two children were working in transportation, two in car repair, one in retail, and one in catering. (10,47) The SLIS assessed approximately \$682 (1,160 *manat*) in fines for each of the violations detected in transportation, car repair, and retail. (10) The SLIS assessed a penalty of approximately \$1,765 (3,000 *manat*) for the violation detected in catering, based on a determination that the child involved was working under hazardous conditions. (52,53)

Criminal Law Enforcement

In 2019, criminal law enforcement agencies in Azerbaijan took actions to combat child labor (Table 7). However, gaps exist within the operations of the criminal enforcement agencies that may hinder adequate criminal law enforcement, including investigation planning.

Table 7. Criminal Law Enforcement Efforts Related to Child Labor

Overview of Criminal Law Enforcement	2018	2019
Initial Training for New Criminal Investigators	Yes (1)	Yes (10)
Training on New Laws Related to the Worst Forms of Child Labor	Yes (1)	N/A
Refresher Courses Provided	Unknown (1)	Yes (15,27)
Number of Investigations	1,500 (1)	Unknown
Number of Violations Found	450 (1)	3 (4)
Number of Prosecutions Initiated	0 (1)	8 (4)
Number of Convictions	0 (1)	1 (4)
Imposed Penalties for Violations Related to The Worst Forms of Child Labor	No (26)	Yes (4)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (1)	Yes (42)

In 2019, police identified one case of forced child begging and one case of child commercial sexual exploitation, both of which were referred for prosecution. (4,27) One case of forced child begging that MOIA identified in 2018 and referred for prosecution culminated in a conviction in December 2019. The perpetrator was sentenced to 7.5 years' imprisonment. (4) In addition, MOIA completed an initial investigation of a forced begging case that an NGO referred to law enforcement in 2018. This case is now pending before the Baku Court on Grave Crimes. (42) Although MOIA officials indicated that all five cases of child commercial sexual exploitation that law enforcement agencies identified in 2018 were referred for prosecution, the status of these cases is unknown. (4)

During the reporting period, officers from the Anti-Trafficking Division within MOIA attended 37 domestic and 14 international trainings on trafficking in persons. The Ministry of Justice organized trainings on trafficking that were attended by 29 judges, 9 lawyers, 7 prosecutors, and 8 MOIA officials. (27)

Parents forcing children to beg or engage in street work is typically treated as a family issue, rather than a criminal offense. As a result, these cases 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 criminal investigation and prosecution. (1,27,42) NGOs also report that police decline to investigate the majority of forced begging cases referred to them, and that children identified in child labor resume work almost immediately after being identified by law enforcement officials. (4,29,51) In addition, child labor law enforcement efforts are concentrated in Baku, with few investigations being undertaken outside the capital. (26)

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IV. COORDINATION OF GOVERNMENT EFFORTS ON CHILD LABOR

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

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

Coordinating Body	Role & Description
Commission on Juvenile Issues and Protection of Minors' Rights	Coordinates policies at the national level to protect children from the worst forms of child labor. (4) 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. The national Commission on Juvenile Issues and Protection of Minors' Rights met twice in 2019. (4)
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. (4) Research was unable to determine whether this coordinating body was active during the reporting period.
State Committee on Family, Women, and Children's Affairs (SFWCA)	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. (4) In 2019, conducted research on child labor in three cities and five districts to inform coordination of policy efforts. (4,15) Also provided trainings on child labor to police officers and local officials in four districts, as well as Baku city. (15,27)

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. Sources report that the efficacy of the State Committee on Family, Women, and Children's Affairs (SFWCA) as a coordinating body is limited. (4,51) The SFWCA's staff members have reported that they lack the legal authority to give instructions to other government organizations about child labor and child welfare matters, which limits the SFWCA's ability to harmonize policies across the different agencies. (51) Although the SFWCA 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. (4)

V. GOVERNMENT POLICIES ON CHILD LABOR

The government has established policies related to child labor (Table 9). However, policy gaps exist that hinder efforts to address child labor, including covering all worst forms of child labor.

Table 9. Key Policies Related to Child Labor

Policy	Description
State Program on Azerbaijani Youth (2017–2021)	Guides government policy on youth development, and includes a provision on increasing awareness of trafficking in persons risks among youth. (54) In 2019, as part of this policy the Ministry of Youth and Sport organized youth trainings on sustainable development goals and human rights. (55)
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. (56) In 2019, the SFWCA piloted a child labor survey methodology while conducting research on child labor in three cities and five districts. (15)
State Program for the Development of Inclusive Education for Children with Disabilities (2018–2024)	Aims to create inclusive education for children with disabilities. Currently piloting regional resource centers in nine regions to train teachers in inclusive methods. (4,39) In 2019, upgraded school infrastructure to accommodate disabled students, conducted awareness-raising to make parents aware of inclusive education services, and trained 305 school directors and 5,000 teachers on inclusive education methods. (4)

Although the government has adopted the State Program on Azerbaijani Youth that contains a mandate to raise awareness of human trafficking, research found no evidence of a policy on other worst forms of child labor, including forced begging or hazardous child labor in agriculture. Furthermore, although the government drafted a new National Action Plan in 2018 to Combat Trafficking in Human Beings (2019–2023), this policy was pending approval by the Cabinet of Ministers during the reporting period and did not enter into force until 2020. (4,62) The draft National Action Plan (2019–2023) incorporated international recommendations and suggestions from

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Azerbaijani counter-trafficking NGOs, and specified implementing and coordinating bodies for individual action items. However, it lacked clear indicators of the source and amount of funding to implement the plan’s associated programs, which could result in a lack of funding necessary for full implementation. (4,57)

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2019, the government funded and participated in programs that include the goal of eliminating or preventing child labor (Table 10). However, gaps exist in these social programs, including with funding.

Table 10. Key Social Programs to Address Child Labor

Program	Description
Decent Work Country Program (2016–2020)	Aims to promote decent employment opportunities and improve social protection and labor administration mechanisms. Includes a focus on youth employment. (58) In 2019, labor inspectors and other staff from MLSPP participated in an ILO conference on best practices for labor inspection. (59)
Social Shelter and Rehabilitation Center for Minors†	MLSPP-run shelter for vulnerable children, including street children. Located in Baku. (4,39) In 2019, continued to operate and provided children with assistance accessing education and receiving identity documents. (4)
Victims Assistance Centers‡	Provides direct social services and social services referrals to victims of human trafficking, including children. Funded by MLSPP. (46) In 2019, continued to operate Victims Assistance Centers in Baku and Goychay, in addition to three regional offices in other areas of the country. Held training courses in schools and municipalities on human trafficking and conducted events at border crossings to raise awareness about trafficking in persons. (27,46) Assisted 85 victims in 2019, including one child who received psychological support. (43)
Targeted Social Assistance Program†	MLSPP-run program that provides cash transfers to families. (1) Although this program continued to provide benefits to families in 2019, limited reports suggest that informal administrative fees may prevent eligible families from accessing benefits. (19)
MOIA Identification Document Program†	Provides identification documents to undocumented minors who may be street children or victims of human trafficking. (51) Research was unable to determine whether activities were undertaken to implement the program 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. (2,39)

In 2019, the Ministry of Agriculture incorporated information on preventing child labor in agriculture into trainings given to farmers. The Ministry of Agriculture also took steps to prevent child labor in the cotton harvest, including by promoting the use of mechanical harvesters and by issuing instructions to local authorities to prohibit labor exploitation in the harvest. (60) However, research was unable to determine whether the scope of these efforts was sufficient to address the extent of the problem.

In 2019, the Council on State Support to Non-Governmental Organizations allocated 57,000 *manat* (approximately \$33,500) to NGO-run shelters for human trafficking victims and substantially increased funding for these NGOs for projects related to human trafficking prevention and victim assistance. (27,42) However, the level of government support for these NGO-run shelters is inconsistent. (2) Directors of these shelters note that the unpredictable nature of funding prevents long-term planning and capacity building of shelters. (2,54,61) Therefore, child victims have limited access to facilities that offer specialized care. (51) One NGO-run shelter that provides such services does not receive consistent government funding, and most of its staff worked on a voluntary basis due to the lack of government funding and an inability to receive foreign assistance caused by government restrictions. (2,54,61)

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 Azerbaijan (Table 11).

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Table 11. Suggested Government Actions to Eliminate Child Labor

Area	Suggested Action	Year(s) Suggested
Legal Framework	Ensure that all 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 – 2019
	Criminally prohibit the recruitment of children under age 18 by non-state armed groups.	2016 – 2019
	Criminally prohibit the use of children for prostitution and the use, procuring, and offering of children for the production of pornography and pornographic performances.	2019
Enforcement	Resume routine, targeted, and unannounced labor inspections, including in response to complaints, to ensure that child labor laws are enforced.	2016 – 2019
	Ensure that there is an adequate number of labor inspectors based on the ILO's technical advice.	2016 – 2019
	Publish information on the labor inspectorate's operations, including funding levels and the number of penalties collected specifically for child labor violations.	2015 – 2019
	Publish information on the number of investigations criminal enforcement agencies conducted related to the worst forms of child labor.	2019
	Investigate and levy criminal charges, as appropriate, in all potential cases of forced child begging referred to the police.	2019
	Ensure that children are sent to social centers or other services, as appropriate, so they do not return to child labor.	2018 – 2019
	Ensure that labor law enforcement conducts sufficient child labor investigations outside Baku.	2018 – 2019
Coordination	Ensure that forcing children to beg is enforced as a criminal offense.	2018 – 2019
	Increase coordination between law enforcement agencies to enforce child labor laws.	2018 – 2019
	Ensure that coordinating mechanisms to research and combat child labor, including the national-level Commission on Juvenile Issues and Protection of Minors' Rights and the State Committee on Family, Women, and Children's Affairs, are empowered to effectively coordinate implementation of child-related policies across different agencies and levels within government.	2016 – 2019
Government Policies	Ensure that all coordinating bodies, including the National Coordinator and Interagency Commission to Combat Trafficking in Human Beings, are active and undertake efforts to fulfill mandates.	2019
	Adopt a policy that addresses all relevant worst forms of child labor, such as forced begging and hazardous work in agriculture.	2016 – 2019
	Ensure that the National Action Plan on Combating Trafficking in Human Beings receives the funding necessary for full implementation of associated programs.	2014 – 2019
Social Programs	Revise policies on priority crops that mandate production targets to help prevent child labor in agriculture.	2019
	Collect and publish data on the extent and nature of child labor to inform policies and programs.	2013 – 2019
	Ensure that undocumented children are able to access education.	2019
	Ensure that children from marginalized groups and children with disabilities have equal access to education.	2016 – 2019
	Ensure activities are undertaken to implement social programs for vulnerable children and families and that all eligible families are able to access benefits under these programs.	2019
	Expand programs to address child labor in agriculture to address the extent of the problem.	2009 – 2019
	Ensure that NGO-run shelters for victims of human trafficking are sufficiently and consistently funded to provide adequate services to victims.	2015 – 2019

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In 2019, Bangladesh made a moderate advancement in efforts to eliminate the worst forms of child labor. The government acceded to the Palermo Protocol on Trafficking in Persons and, through its programs in 2019, removed over 1,000 working children from 558 factories, provided education for 1,254 street children, and rehabilitated 3,501 children. Since 2017, government programs have removed 90,000 children from hazardous labor conditions, and over 35,000 children from exploitative work. Within 15 ministries responsible for children in some way, the government of Bangladesh increased its spending on children by 17 percent between the 2017-2018 and 2018-2019 fiscal years. However, children in Bangladesh engage in the worst forms of child labor, including forced child labor in the production of dried fish and bricks. Children also perform dangerous tasks in garment and leather goods supply chains. Moreover, the Bangladesh Labor Act does not apply to the informal sector, where most child labor in Bangladesh occurs, and hazardous work prohibitions are not comprehensive. Additionally, labor inspectors are not authorized to assess penalties and, when courts do impose them, the fines are too low to deter child labor law violations.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Bangladesh engage in the worst forms of child labor, including forced child labor in the production of dried fish and bricks. (1,2) Children also perform dangerous tasks in the production of garments and leather goods. (2-5) Table 1 provides key indicators on children's work and education in Bangladesh.

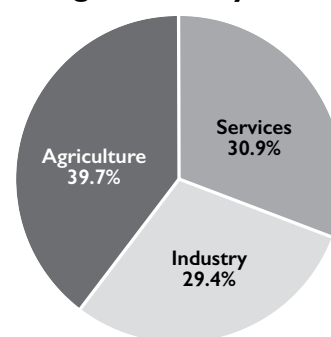
Table 1. Statistics on Children's Work and Education

Children	Age	Percent
Working (% and population)	5 to 14	4.3 (1,326,411)
Attending School (%)	5 to 14	89.4
Combining Work and School (%)	7 to 14	1.9
Primary Completion Rate (%)		67.8

Source for primary completion rate: Data from 2010, published by UNESCO Institute for Statistics, 2020. (6)

Source for all other data: International Labor Organization's analysis of statistics from Labour Force Survey (LFS), 2013. (7)

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



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

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

Sector/Industry	Activity
Agriculture	Harvesting and processing crops, including tobacco, raising poultry, grazing cattle, and harvesting tea leaves (2,8-12)
	Fishing and drying and processing fish (1,2,8,10,11,13-15)
	Harvesting and processing shrimp (2,11)
Industry	Producing garments, textiles, and jute textiles (16-22)
	Producing leather,† leather goods, and footwear† (2,23-30)

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

Sector/Industry	Activity
Industry	Manufacturing bricks,† glass,† hand-rolled cigarettes (bidis),† matches,† soap,† furniture (steel),† aluminum products,† and metal products (2,8,11,31-35)
	Ship breaking† and battery recycling† (2,29,36-38)
	Construction† and breaking bricks† and stones† (8,10,11)
Services	Domestic work (2,10,11,14,39-42)
	Garbage sorting and recycling (43)
	Working in transportation, including ticket tacking, welding, pulling rickshaws, driving, and repairing automobiles† (2,8,10,14,25,42-45)
	Working in tea shops and retail shops (8,10,14)
Categorical Worst Forms of Child Labor‡	Use in illicit activities, including smuggling and selling drugs (2,11,46,47)
	Forced begging (2,14,46)
	Forced labor in the drying of fish and the production of bricks (1,2,13-15)
	Commercial sexual exploitation, sometimes as a result of human trafficking (2,14,48-51)
	Forced domestic work, sometimes as a result of human trafficking (2,10,11,14,46,52,53)

† 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 prevalence of child labor in Bangladesh’s formal sector has decreased as Bangladesh’s economy has grown. The Bangladesh Bureau of Statistics estimates that there are 1.28 million children working in hazardous sectors. (111) The government of Bangladesh declared the formal garment sector and shrimp sector are free from child labor, but acknowledge additional resources are required to address child labor in all sectors. (111) However, many children in Bangladesh engage in dangerous work in informal manufacturing sectors and the dried fish industry. (2-5,13,39) According to the Bangladesh Bureau of Statistics, over 85% of the economy is informal. (43) In the dried fish industry, children work all day without protective gear and are exposed to the insecticide DDT, salt, and the sun. (13) In the shipbreaking sector, children are exposed to toxic materials such as asbestos and work in dangerous conditions without personal protective equipment, and often at night. (38) The few older children who still work in tanneries lack protective equipment and experience continuous exposure to heavy metals, formaldehyde, and other hazardous substances. (3,4) 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. (16,27)

Reports of violence against child workers in various sectors, including in domestic work, have also been documented. (2,21,42,54,55) In 2018, a survey by an international organization found more than 400,000 children in domestic work in Bangladesh. Across Bangladesh, street children are coerced into criminality or forced to beg, and begging ringmasters sometimes maim children to increase earnings. (43) Children are forced, especially in border areas, to produce and transport drugs, especially “yaba” tablets (methamphetamine). (56)

Nearly 400,000 Rohingya children are living in refugee camps in Bangladesh following the Burmese military’s ethnic cleansing operations in 2017. Children residing in the camps are vulnerable to commercial sexual exploitation and forced labor. (14,46,57-59) Rohingya girls are trafficked from the refugee camps for commercial sexual exploitation in Bangladesh, India, and Nepal. In some cases, girls are promised jobs in domestic service but are instead forced into commercial sexual exploitation. (14,28) Foreigners create demand for child sex tourism, including exploitation of Rohingya girls near Cox’s Bazar. (56) Some girls are forced into domestic service, sometimes as a result of human trafficking, and are abused by their employers. (46,52,53) 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. (46,60) Rohingya boys typically work in construction, fishing, and shops. (14,53) Rohingya children are further sold into bonded labor in the fish drying industry by their parents, primarily in the city of Cox’s Bazar. Bonded laborers work to pay off their parents’ debt over a nine month fishing season. (14,15)

Children throughout Bangladesh are sexually exploited through the country’s legal and illegal brothels, and child commercial sexual exploitation remained widespread. False promises of work are used to lure poor women and children into sex trafficking and fabricate exorbitant debts the women, and girls as young as 10, must work to repay. (56) Children fleeing abusive child marriages are especially vulnerable to being sold to brothels for commercial sexual exploitation. Some children of sex workers are put to work in brothels and made to take steroids to appear older. (56)




Although the 2010 National Education Policy raised the age of compulsory education from fifth grade (age 10) to eighth grade (age 14), the new compulsory education scheme is not enforceable until the legal framework is amended to reflect the revised policy. (61) In order to accommodate the larger number of students receiving compulsory education, Bangladesh is building new schools to accommodate students. In the 2018-2019 fiscal year, Bangladesh upgraded 764 schools, constructed 77 new schools, built 10,039 classrooms, installed sanitation facilities in 2,920 schools, and installed tube wells in 750 schools. (43) While poverty was the most common reason children did not attend school, as 31% of families depend on child labor for needed additional income, inadequate access to education remains a concern. (43)

While Rohingya refugee children are not permitted to attend school in Bangladesh, including in private educational institutions, due to their lack of documentation, the government has permitted international organizations, such as UNICEF, UNESCO, and UNHCR, to provide some basic education services to primary school-aged Rohingya children, and hundreds of learning centers were created. (43,62,63) According to UNICEF, 90 percent of children aged 4 to 14 years in the refugee camps have access to learning centers and non-formal education. However, aid groups are barred from teaching the Bangla language, using Bangladesh’s educational curriculum, and providing accredited education to refugees. (43) In 2019, the government of Bangladesh agreed to allow international partners to implement the Myanmar Curriculum Pilot. The pilot, scheduled to start in 2020 with 10,000 children, would allow children to follow Burma’s educational curriculum with the goal of preparing for their return in the future. The pilot will teach children the Burmese language, which they are not allowed to learn in Burma/Myanmar. (43) Limited access to education makes refugee children more vulnerable to labor exploitation. (2,64)

II. LEGAL FRAMEWORK FOR CHILD LABOR

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

Table 3. Ratification of International Conventions on Child Labor

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

In 2019, the government acceded to the Palermo Protocol on Trafficking in Persons. (65)

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.

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Table 4. Laws and Regulations on Child Labor

Standard	Meets International Standards	Age	Legislation
Minimum Age for Work	No	14	Section 34 of the Bangladesh Labor Act (66)
Minimum Age for Hazardous Work	Yes	18	Sections 39–42 of the Bangladesh Labor Act (66)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Sections 39–42 of the Bangladesh Labor Act; Statutory Regulatory Order Number 65 (66,67)
Prohibition of Forced Labor	Yes		Sections 370 and 374 of the Penal Code; Sections 3, 6, and 9 of the Prevention and Suppression of Human Trafficking Act (68,69)
Prohibition of Child Trafficking	Yes		Sections 3 and 6 of the Prevention and Suppression of Human Trafficking Act; Section 6 of the Suppression of Violence Against Women and Children Act (69,70)
Prohibition of Commercial Sexual Exploitation of Children	No		Sections 372–373 of the Penal Code; Sections 78 and 80 of the Children's Act; Sections 3 and 6 of the Prevention and Suppression of Human Trafficking Act; Section 8 of the Pornography Control Act (68,69,71,72)
Prohibition of Using Children in Illicit Activities	No		Section 79 of the Children's Act (71)
Minimum Age for Voluntary State Military Recruitment	No	16	Army and Air Force Regulations titles unknown (112,113,114)
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 of the People's Republic of Bangladesh (74)
Compulsory Education Age	No	10	Section 2 of the Primary Education (Compulsory) Act (73)
Free Public Education	Yes		Article 17 of the Constitution (74)

* No conscription (75)

Minimum age protections in the Bangladesh Labor Act do not cover children working in the informal sector, where most child labor in Bangladesh occurs, which includes domestic work, street work, and work on small agricultural farms. (66,76,77) In addition, the types of hazardous work prohibited for children do not cover garment production and drying fish; both are areas of work in which there is evidence that children work in unsafe and unhealthy environments for long periods of time. (1,2,5,13,67)

Bangladesh prohibits, but does not criminalize, the use of children in pornographic performances and in the production of drugs. (69,71,78) Sources indicate that the minimum age for recruitment in the Army is 17 and requires parental consent in addition to birth documents verifying age. (113) Army recruitment and training take one year, ensuring that recruits reach the age of 18 before entering regular duty. (112) The minimum age for recruitment in the Air Force is 16. (114) However, there are no laws that set the minimum age of voluntary recruitment by the state armed forces. Additionally, although the Constitution prohibits the formation of non-state armed groups, the legal framework does not criminally prohibit the recruitment of children by non-state armed groups. (74,79)

III. ENFORCEMENT OF LAWS ON CHILD LABOR

The government has established institutional mechanisms for the enforcement of laws and regulations on child labor (Table 5). However, gaps exist within the operations of the Department of Inspection for Factories and Establishments (DIFE) that may hinder adequate enforcement of their child labor laws.

Table 5. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
Department of Inspection for Factories and Establishments (DIFE)	Enforces labor laws, including those relating to child labor and hazardous work. (80) DIFE is within the Ministry of Labor and Employment (MOLE). (81)
Bangladesh Police	Enforce Penal Code provisions protecting children from forced labor and commercial sexual exploitation. (2) In the case of the Trafficking in Persons Monitoring Cell, investigates cases of human trafficking and enforces the Prevention and Suppression of Human Trafficking Act's anti-trafficking provisions. (82)
Bangladesh Labor Court	Prosecutes labor law violations, including those related to child labor, and imposes fines or sanctions against employers. (83) In 2019, Bangladesh established three new labor courts. (43)
Child Protection Networks	Responds to violations against children, including child labor. Comprised of officials from various agencies with mandates to protect children, prosecute violations, monitor interventions, and develop referral mechanisms at the district and sub-district levels between law enforcement and social welfare services. (77) Reporting indicates that Child Protection Networks, intended to be a referral mechanism between law enforcement and social services, are not operating due to a lack of funds. (84)

Labor Law Enforcement

In 2019, labor law enforcement agencies in Bangladesh took actions to combat child labor (Table 6). However, gaps exist within the operations of the Department of Inspections for Factories and Establishments that may hinder adequate labor law enforcement, including a shortage of inspectors.

Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2018	2019
Labor Inspectorate Funding	\$3,700,000 (85)	\$4,140,000 (85)
Number of Labor Inspectors	319 (85)	302 (85)
Inspectorate Authorized to Assess Penalties	No (83)	No (2)
Initial Training for New Labor Inspectors	Yes (76)	Yes (2)
Training on New Laws Related to Child Labor	Yes (86)	N/A
Refresher Courses Provided	Yes (85)	Yes (85)
Number of Labor Inspections Conducted	42,866 (85)	42,703 (85)
Number Conducted at Worksite	42,866 (86)	42,703 (85)
Number of Child Labor Violations Found	1,234 (86)	1,426 (85)
Number of Child Labor Violations for Which Penalties Were Imposed	16 (84)	42 (85)
Number of Child Labor Penalties Imposed that Were Collected	16 (85)	42 (85)
Routine Inspections Conducted	Unknown (76)	Yes (85)
Routine Inspections Targeted	Yes (76)	Yes (85)
Unannounced Inspections Permitted	Yes (76)	Yes (85)
Unannounced Inspections Conducted	Yes (76)	Yes (85)
Complaint Mechanism Exists	Yes (76)	Yes (2)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	No (76)	Yes (43)

The Department of Inspection for Factories and Establishments (DIFE) only conducts labor inspections in the formal sector according to an inspection road map and plan. In addition to normal inspections, labor inspectors are authorized to conduct special visits for a number of reasons, including suspected child labor and night work. (85) In 2019, DIFE removed 1,021 working children from 558 factories. (85) However, it is reported that children are moved to night shifts to evade inspectors, indicating that the frequency of night inspections is insufficient. (38) DIFE also lacks the authorization to impose penalties and conduct unannounced inspections in Bangladesh's Export Processing Zones. (43) In addition, the current penalty of \$63 for a child labor law violation and the low rate of penalties imposed is inadequate to act as a deterrent. (77)

The number of labor inspectors is likely insufficient for the size of Bangladesh's workforce, which includes more than 66 million workers. According to the ILO's technical advice of a ratio approaching 1 inspector

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for every 40,000 workers in less developed economies, Bangladesh would employ about 1,666 labor inspectors. (2,87-89) Reports indicate that DIFE is insufficiently funded and has not filled its 575 approved labor inspector positions. (90) Additionally, recruitment of inspectors suffers from a lack of incentives to join the department. (43)

Criminal Law Enforcement

In 2019, criminal law enforcement agencies in Bangladesh took actions to combat child labor (Table 7). However, gaps exist within the operations of the Bangladesh Police that may hinder adequate criminal law enforcement, including insufficient funding.

Table 7. Criminal Law Enforcement Efforts Related to Child Labor

Overview of Criminal Law Enforcement	2018	2019
Initial Training for New Criminal Investigators	Yes (76)	Yes (2)
Training on New Laws Related to the Worst Forms of Child Labor	N/A	N/A
Refresher Courses Provided	Yes (76)	Yes (85)
Number of Investigations	Unknown (76)	Unknown (2)
Number of Violations Found	Unknown (76)	Unknown (2)
Number of Prosecutions Initiated	Unknown (76)	Unknown (2)
Number of Convictions	Unknown (76)	Unknown (2)
Imposed Penalties for Violations Related to The Worst Forms of Child Labor	Unknown (86,91)	Unknown (2)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Unknown (76)	Yes (43)

In 2019, the Bangladesh Army and Rapid Action Battalion were deployed to assist in identifying and investigating violations related to the possible trafficking of Rohingya refugees, a population with children vulnerable to child labor and commercial sexual exploitation. (14,91,92) However, sources indicate that some border guards, police, and military members are involved in facilitating the trafficking of children, including into prostitution. In registered brothels, some police accepted bribes to not check documentation that workers were older than 18 and to procure falsified documents for workers, some as young as ten years old. (56) In particular, in 2018 two border guards were accused of raping two girls after they refused to engage in commercial sex while a third border guard stood watch. (56,110) The guards' commanding officer dismissed the allegations as "rumors" and NGO personnel were prevented from visiting the girls in the hospital. (14) In January 2019, Rapid Action Battalion units arrested an Armed Police Battalion officer on charges of forcing two 12-year old girls into prostitution. (14,50) However, the government subsequently denied the case. (56)

Border guards, police, and coast guards received training during the reporting period. In addition, new police posts were established. (85) However, the Trafficking in Persons Monitoring Cell reportedly lacks the necessary funds and staff to adequately address cases of child trafficking. (93) Reporting also indicates that Child Protection Networks, intended to be a referral mechanism between law enforcement and social services, are not operating due to a lack of funds. (84) The government also did not provide information on the number of investigations, violations found, prosecutions initiated, convictions, or penalties imposed for violations related to the worst forms of child labor for inclusion in this report.

IV. COORDINATION OF GOVERNMENT EFFORTS ON CHILD LABOR

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

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

Coordinating Body	Role & Description
National Child Labor Welfare Council	Coordinates efforts undertaken by the government to guide, coordinate, and monitor the implementation of the National Plan of Action on the Elimination of Child Labor. Chaired by MOLE, it is comprised of officials representing relevant government ministries, international organizations, child advocacy groups, and employer and worker organizations. (94) In 2019, organized meetings at the divisional, district, and sub-district levels. (85)
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 bimonthly meetings. (82) Oversees district counter-trafficking committees, which manage counter-trafficking committees for sub-districts and smaller administrative units. (82) In 2019, some of the 555 district and sub-district level counter-trafficking committees allocated funding for coordination and victim support while others did not function. (14)
Rescue, Recovery, Repatriation, and Integration Task Force, MOHA	Coordinates efforts by the governments of Bangladesh and India to rescue, recover, repatriate, and reintegrate victims of human trafficking, particularly women and children, between the two countries. Liaises with various ministries, government departments, NGOs, and international organizations that assist trafficked children. (14,60,95) In 2019, the task force repatriated over 100 Bangladeshi nationals. (96) However, the government lacks the capacity to track its citizens abroad, case management systems have not been developed, and the process to repatriate human trafficking victims is lengthy. (95,96)

V. GOVERNMENT POLICIES ON CHILD LABOR

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

Table 9. Key Policies Related to Child Labor

Policy	Description
National Plan of Action on the Elimination of Child Labor (2012–2021)	Identifies strategies for developing institutional capacity, increasing access to education and health services, raising social awareness, strengthening law enforcement, and creating prevention and reintegration programs. (64) In 2019, the MOLE formed a National Child Labor Monitoring Core Committee. The Committee makes regular visits to sectors with a high risk for child labor and educates the employers on not using child labor. The committee held its first meeting on July 7, 2019 and visited tanneries in Savar on July 20 and November 20, 2019. (85) Also during the reporting period, MOLE broadcast an awareness raising program on 30 private television channels. The Ministry of Women and Children Affairs assisted 700 children through Child Development Centers and rehabilitated 972 street children. (43)
Seventh Five Year Plan (2016–2020)	Includes the elimination of the worst forms of child labor, with a focus on child domestic workers and other vulnerable groups. Sets out actions to be taken by the government, including forming a policy for children working in the formal sector; providing assistance to street children to protect them from exploitation, coordinating with stakeholders for effective rehabilitation, increasing working children's access to formal and non-formal learning, and providing livelihood support to poor households with children. (97) During the reporting period, 1,250 street children were brought into schooling. (43)
Domestic Workers Protection and Welfare Policy	Sets the minimum age for domestic work at 14 years; all children under 18 require parental permission to engage in domestic work. (98) However, the policy is not legally enforceable until the legal framework is amended to reflect the revised policy. (99) In 2019, the government formed a Central Monitoring Cell on Domestic Workers to monitor implementation of the policy and two awareness-raising workshops were conducted in Khulna and Barishal. (85)
National Plan of Action for Prevention and Suppression of Human Trafficking (2018–2022)	Establishes a plan to build government capacity to address trafficking in persons and provide economic and social safety nets for victims and vulnerable populations, particularly children. (100,101) In 2019, the government took steps to implement the plan including creating 2,866 new Bangladesh Police posts, organizing training courses for police, border guards, and coast guard officials; and establishing a 24/7 legal advice hotline. It rehabilitated or reintegrated 3,501 children, and referred 2,677 children to legal aid, and 4,204 children to government, private, and NGO services. (43,85)

The government has a National Education Policy that sets the compulsory age for free education through eighth grade (age 14). In 2019, the government supported education through constructing new classrooms, providing textbooks, training teachers, and providing stipends and meals to students in need. (85) However, the government has yet to include child labor elimination and prevention strategies into the National Education Policy. (61)

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VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2019, the government funded and participated in programs that include the goal of eliminating or preventing child labor (Table 10). However, issues exist in these social programs, including lack of adequate programs to address the full scope of the problem.

Table 10. Key Social Programs to Address Child Labor

Program	Description
Elimination of Hazardous Child Labor, Phase IV (2018–2021)†	A \$35 million Government of Bangladesh-funded, 3-year project implemented by the Ministry of Labor and Employment. 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. (43,86,102) In 2019, although implementation of the program was delayed, selection of NGOs to support the program continued. (85)
Child Labor Improvements in Bangladesh (CLIMB) (2017–2021)	USDOL-funded project implemented by Winrock International that aims to build the capacity of civil society to more effectively detect and combat forced child labor and other labor abuses in the dried fish sector in Bangladesh. In 2019, the program included research on forced child labor in the dried fish industry in Cox's Bazar. (103) Additional information is available on the USDOL website.
Accelerating Protection for Children (2017–2021)†	Project funded by the government and UNICEF and implemented by the Ministry of Women and Children Affairs to assist children engaged in exploitative work. (85) Since July 2017 through the reporting period, the project removed 35,454 child laborers from exploitative work, provided them with stipends, and reached 167,500 people with awareness raising activities on child marriage, child labor, and child torture. (85)
Enabling Environment for Child Rights†	Ministry of Women and Children's Affairs program, supported by UNICEF, which rehabilitates street children engaged in child labor and enrolls them in school. (104,105) Active in 2019. (106)
Child Help Line 1098†	Ministry of Social Work-implemented and UNICEF-supported 24-hour emergency hotline. Connects children vulnerable to violence, abuse, and exploitation with social protection services. (107) The hotline receives approximately 80,000 calls a year and was accessible from anywhere in the country. (43) Active in 2019. (106)

† Program is funded by the Government of Bangladesh.

‡ The government had other social programs that may have included the goal of eliminating or preventing child labor. (108,109)

During the reporting period, with technical and financial support from UNICEF, the Bangladesh Bureau of Statistics conducted the Bangladesh Multiple Indicator Cluster Survey (MICS), which includes child labor statistics. The Government of Bangladesh is expected to release the data in 2020. (2) In addition, the Ministry of Labor and Employment is expected to conduct a national survey on child labor by 2021. (2)

Within 15 ministries responsible for children in some way, the government of Bangladesh increased its spending on children by 17 percent between the 2017-2018 and 2018-2019 fiscal years. Although the government has implemented 91 action programs to eliminate hazardous child labor, research found that the scope of these programs is insufficient to fully address the extent of the child labor problem, including in tanneries, the informal garment sector, and the dried fish industry. (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).

Table 11. Suggested Government Actions to Eliminate Child Labor

Area	Suggested Action	Year(s) Suggested
Legal Framework	Amend the national law to reflect the amended Domestic Workers Protection and Welfare policy.	2018 – 2019
	Extend the law's minimum age protections to children working in the informal sector, including in domestic work, on the streets, and in small-scale agriculture.	2009 – 2019
	Ensure that the types of hazardous work prohibited for children are comprehensive, in particular by including garment production and fish drying.	2016 – 2019
	Establish criminal prohibitions on the use of children for pornographic performances.	2015 – 2019
	Establish criminal prohibitions on the use of children in illicit activities, particularly in the production of drugs.	2015 – 2019

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

Area	Suggested Action	Year(s) Suggested
Legal Framework	Establish age 16 as the minimum age for voluntary recruitment by the state military, with safeguards for voluntariness.	2016 – 2019
	Establish criminal prohibitions on the recruitment of children under age 18 by non-state armed groups.	2016 – 2019
	Ensure that education is compulsory through eighth grade and is consistent with the minimum age for work.	2012 – 2019
Enforcement	Ensure enforcement of citations and penalties for labor law violations, including authorizing the labor inspectorate to assess penalties for child labor law violations and increasing penalties for child labor law violations to be an adequate deterrent.	2014 – 2019
	Significantly increase the number of labor inspectors to meet the ILO's technical advice.	2009 – 2019
	Ensure that labor inspections are conducted with sufficient frequency during night shifts.	2013 – 2019
	Create mechanisms for labor and criminal law enforcement to refer children involved in child labor to appropriate legal and social services and create a mechanism for screening children removed from factories for signs of human trafficking.	2013 – 2019
	Ensure that law enforcement personnel are investigated, prosecuted, and convicted for offenses related to the worst forms of child labor, including the commercial sexual exploitation of children.	2019
	Publish information related to criminal law enforcement, including the number of investigations, violations found, prosecutions initiated, convictions, and penalties imposed for violations related to the worst forms of child labor.	2012 – 2019
	Provide police with sufficient resources to enforce violations involving human trafficking, forced labor, and the commercial sexual exploitation of children.	2014 – 2019
	Ensure that Child Protection Networks are sufficiently funded to provide a functional referral mechanism between law enforcement and social services.	2016 – 2019
Coordination	Adequately coordinate with India's Rescue, Recovery, Repatriation, and Integration Task Force to ensure the timely repatriation of human trafficking victims.	2018 – 2019
	Ensure that counter-trafficking committees are funded and are able to function.	2019
Government Policies	Integrate child labor elimination and prevention strategies into the National Education Policy.	2014 – 2019
Social Programs	Provide sufficient education services for Rohingya refugee children and remove other barriers to their school attendance.	2017 – 2019
	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 – 2019

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In 2019, Belize made a moderate advancement in efforts to eliminate the worst forms of child labor. The government established a Child Labor Secretariat and Inspectorate to identify, coordinate, and report on child labor cases, and created a program to conduct targeted child labor inspections. During the reporting period, the National Child Labor Committee met regularly and began updating their 2009 National Child Labor Policy by adding additional protections for children. The government also continued to fund a cash assistance program to prevent the commercial sexual exploitation of children. However, children in Belize engage in the worst forms of child labor, including in commercial sexual exploitation, sometimes as a result of human trafficking. Children also perform dangerous tasks in agriculture and construction. The country's minimum age for work is 12 and does not meet international standards. In addition, the country lacks prohibitions against the use of children in illicit activities and does not appear to have programs to address child labor in agriculture, except in the sugar industry.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

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

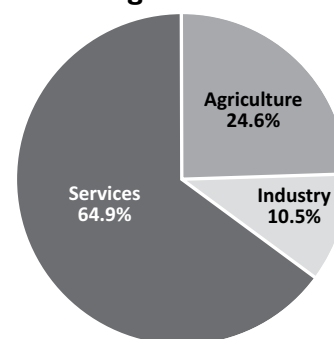
Table 1. Statistics on Children's Work and Education

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 2018, published by UNESCO Institute for Statistics, 2020. (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 (2,3,6-11)
	Fishing, including for fish, lobster, and conch (2,3,6,7)
	Butchering or raising livestock, including poultry and cattle (6,7)
Industry	Construction, carpentry, masonry, wood carving, carrying heavy loads, and using power tools (2,3,6,7)
	Quarrying, including operating stone crushers (3,7,8)
Services	Street and retail vending (3,7)
	Yard work, including using lawnmowers, weed-eaters, and machetes (6,7,12)
	Sewing (7)
	Working and cooking in food service, including using large mixers and grills (2,6,7)
	Work in tourist sector, including in food and alcohol service and hospitality, and as tour guides, maintenance personnel, and security guards (2,3)

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

Sector/Industry	Activity
Services	Auto repair (6,7)
	Welding (7)
	Pumping gas (6)
Categorical Worst Forms of Child Labor‡	Commercial sexual exploitation, sometimes as a result of human trafficking (2,3,8,13-15)
	Use in illicit activities, including trafficking of drugs and weapons (2,7,16)

‡ 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 new Child Labor Secretariat and Inspectorate, the last known data available is from a 2010 study on child activity funded by the ILO. (2,3) However, reports suggest that children in rural areas work in the agriculture and fishing industries, and children in urban areas work in the construction and tourist industries. Children work on family-owned farms and accompany adults to employment sites to assist in planting and harvesting. (2)

Among Belize’s ethnic groups, Mennonites had the highest percentage of child labor with approximately 9.5 percent of Mennonite children engaged in child labor. (3,6,7,12) Non-Mennonite children are also engaged in child labor on Mennonite-owned land. (9) Children working on Mennonite land often use dangerous tools like machetes, tractors, and plows, and work long hours in the sun without proper hydration. (9,12) Limited reporting also indicates that boys working mainly in Mennonite communities may be involved in operating heavy machinery and flying small airplanes to spray crops. (2,3)

Children in Belize are also engaged in child labor in diving and fishing for fish, lobster, and conch. Many of these children cannot swim or may be involved in swimming at extreme depths, and have been injured working with dangerous tools such as anchors, fish traps, chipping hammers, and spears. (2,7)







Government officials indicate that Belize has a reputation as being a destination for child sexual exploitation, with reports of children being trafficked in areas frequented by tourists or seasonal workers, such as San Pedro, Punta Gorda, and Belize City. (2,3,14,15,17) Girls from impoverished communities and LGBTI children are particularly vulnerable to commercial sexual exploitation and labor trafficking in Belize. (15-18) In 2019, there were reports of girls in Punta Gorda being exploited by family members and made to engage in sexual relationships with foreign tourists, including U.S. nationals, who would reward the families financially. (2,3) Anecdotal reports also indicate that boys from Belize City and San Pedro were recruited to transport and sell drugs and firearms and commit murders as part of gang warfare. (2,3,7,12,16)

Primary and secondary education is tuition free in Belize up to age 14, but children’s access to education is sometimes hindered by the cost of school fees, textbooks, uniforms, and meals. (2,3,16,19,20) In 2019, approximately 60 percent of children benefited from a secondary school subsidy of \$150 per year toward education expenses. (3) Still, some Spanish-speaking children face language barriers at schools that provide instruction only in English. (9) In addition, Belize lacks qualified teachers, basic supplies, and facilities to educate children. (2,3,7)

II. LEGAL FRAMEWORK FOR CHILD LABOR

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

Table 3. Ratification of International Conventions on Child Labor

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

The government has established laws and regulations related to child labor (Table 4). However, gaps exist in Belize's legal framework to adequately protect children from the worst forms of child labor, including the minimum age for work and hazardous work.

Table 4. Laws and Regulations on Child Labor

Standard	Meets International Standards	Age	Legislation
Minimum Age for Work	No	12	Articles 54, 164, and 169 of the Labor Act; Articles 2–3 of the Shops Act (19,21)
Minimum Age for Hazardous Work	No	14	Articles 2 and 7 of the Families and Children Act; Articles 54 and 169 of the Labor Act (19,20)
Identification of Hazardous Occupations or Activities Prohibited for Children	No		
Prohibition of Forced Labor	Yes		Article 8 of the Constitution; Articles 157–158 of the Labor Act (19,22)
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, and 13–14 of the Trafficking in Persons (Prohibition) Act; Articles 2–9 of the Commercial Sexual Exploitation of Children (Prohibition) Act; Articles 49–51 of the Criminal Code (23-25)
Prohibition of Using Children in Illicit Activities	No		
Minimum Age for Voluntary State Military Recruitment	Yes	18	Article 16 of the Defence 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)

* No conscription (26)

Throughout 2019, the Government of Belize deliberated on proposals to amend 22 sections of the labor legislation, in the context of child labor. The proposed amendments to existing legislation were one result of the Country Level Engagement and Assistance to Reduce Child Labor II (CLEAR II) project, which was launched in cooperation with USDOL in 2018. (3) In 2018, the project's Legislative Review Committee drafted a hazardous work and light work list and is proposing extending the compulsory education age to age 16, but legislative delays have impeded the government's efforts to enact and amend this or other legislation addressing child labor concerns. (2,3)

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Belizean law does not conform to international standards because it sets the minimum age for employment at age 12. (19) However, the minimum legal age for work in wholesale or retail trade, or business, is age 14. (21) Belizean law is also inconsistent with international standards on hazardous work. Children under age 14 are prohibited from working in industrial undertakings—including activities such as mining, manufacturing, and construction—but children over age 14 are explicitly permitted to work in those types of activities. (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. (19,20) A list of hazardous work prohibited for all children has not been adopted as law. (29-31) Furthermore, Belizean law is inconsistent with international standards on light work, because the types of light work permissible for children have not yet been identified. (19,31)

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. (23,29) Research could not determine whether laws prohibit the use of children in specific illicit activities, including the production and trafficking of drugs. (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 the Ministry of Labor, Local Government, and Rural Development and other relevant ministries that may hinder adequate enforcement of their child labor laws.

Table 5. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
Ministry of Labor, Local Government, and Rural Development	Identifies cases and enforces laws related to child labor and hazardous child labor through its Labor Department. (8,13) In 2019, the Labor Department established a Child Labor Secretariat and Inspectorate enabling criminal authorities and social services to reciprocally refer children found in child labor. (3)
Belize Police Department (BPD)	Investigates cases of commercial sexual exploitation and human trafficking through Sexual Offense and Family Violence Units. (3)
Ministry of Education, Youth, Sports, and Culture	Investigates truancy offenses in schools and issues fines for these violations. (34)
Office of the Director of Public Prosecution	Prosecutes criminal offenses, including cases of commercial sexual exploitation and human trafficking. (35)
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 relating to child labor and enables criminal authorities and social services to reciprocally refer children found in child labor. (3) After the situation has been assessed, relevant agencies get involved, such as the Department of Human Services (DHS) and the BPD. In 2019, created targeted child labor inspection program with support from the CLEAR II program to conduct inspections focusing on identifying child labor, child labor education, training, tracking, and coordination with pertinent agencies. (3)
Ministry of Human Development and Social Transformation, Department of Human Services (DHS)	Receives referrals for child labor cases; trains immigration officials, labor inspectors, and the BPD in making referrals; and handles human trafficking cases. (36) Provides victims with welfare services, including medical and social services and counseling assistance. (8,37)

* Agency responsible for child labor enforcement was created during the reporting period.

Labor Law Enforcement

In 2019, labor law enforcement agencies in Belize took actions to combat child labor (Table 6). However, gaps exist within the operations of the Ministry of Labor that may hinder adequate labor law enforcement, including insufficient inspections and penalties to deter child labor violations.

Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2018	2019
Labor Inspectorate Funding	Unknown (2)	Unknown (3)
Number of Labor Inspectors	25 (2)	25 (3)
Inspectorate Authorized to Assess Penalties	Yes (2)	Yes (3)
Initial Training for New Labor Inspectors	N/A (2)	N/A (3)
Training on New Laws Related to Child Labor	N/A (2)	N/A (3)
Refresher Courses Provided	Yes (2)	Yes (3)
Number of Labor Inspections Conducted	970 (2)	1,020 (3)
Number Conducted at Worksite	970 (2)	1,020 (3)
Number of Child Labor Violations Found	25 (2)	0 (3)
Number of Child Labor Violations for Which Penalties Were Imposed	0 (2)	0 (3)
Number of Child Labor Penalties Imposed that Were Collected	0 (2)	0 (3)
Routine Inspections Conducted	Yes (2)	Yes (3)
Routine Inspections Targeted	Yes (2)	Yes (3)
Unannounced Inspections Permitted	Yes (2)	Yes (3)
Unannounced Inspections Conducted	Yes (2)	Yes (3)
Complaint Mechanism Exists	Yes (2)	Yes (3)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (2)	Yes (3)

In 2019, the Labor Department coordinated with different government agencies to conduct child labor-specific inspections in San Pedro Town, as well as Orange Walk, Cayo, and Belize districts. In addition, all 25 inspectors received training under the CLEAR II Project, which ended in June 2019. It is unknown whether similar training can take place in 2020. (3)

The government does not publish information regarding labor inspectorate funding. However, government officials indicate that the level of funding is insufficient and that the inspectorate has a need for more vehicles, fuel, and inspectors. (2) Although the Labor Department is required to visit every business at least once a year, it usually falls short of this goal due to a lack of resources. (2,7) Labor inspectors are able to assess penalties, but the current fine for child labor infractions is only \$13.50. Thus, inspections and penalties may be insufficient to deter child labor violations in Belize. (2,38) Training is provided to new inspectors; however, funding is insufficient to address the inspectorate's full need for refresher training on existing laws throughout the year. (2)

Child labor complaints can be submitted to the Labor Department, the Belize Police Department, or the Department of Human Services. Limited reporting from local NGOs and the private sector indicates that it is difficult to follow up on the status of complaints made. (2)

Criminal Law Enforcement

In 2019, criminal law enforcement agencies in Belize took actions to combat child labor (Table 7). However, gaps exist within the operations of the criminal enforcement agencies that may hinder adequate criminal law enforcement, including training for criminal investigators.

Table 7. Criminal Law Enforcement Efforts Related to Child Labor

Overview of Criminal Law Enforcement	2018	2019
Initial Training for New Criminal Investigators	No (2)	No (3)
Training on New Laws Related to the Worst Forms of Child Labor	N/A (2)	N/A (3)
Refresher Courses Provided	No (2)	Yes (3,39)
Number of Investigations	Unknown (2)	4 (1)
Number of Violations Found	0 (2)	0 (3)

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

Overview of Criminal Law Enforcement	2018	2019
Number of Prosecutions Initiated	0 (2)	0 (3)
Number of Convictions	0 (2)	0 (3)
Imposed Penalties for Violations Related to The Worst Forms of Child Labor	No (1)	No (3)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (2)	Yes (3)

In 2019, Belize continued its trend of increasing emphasis on trafficking in persons. It focused its efforts in the areas of public outreach and public awareness, education and training, capacity building for police and investigative officers, and improving its responses on migrants who have been victims of human trafficking. (14) During the reporting period, the Ministry of Labor established a full time Child Labor Secretariat and Inspectorate. (3) The Human Trafficking Institute also continued to train prosecutors, judges, and justices to increase the capacity of the legal system to effectively prosecute human trafficking crimes. In 2019, the police initiated seven new sex trafficking cases, four of which involve minors. (14)

Despite these efforts, there have been only two human trafficking convictions in Belize since 2005, only one of which involved a minor, and although the country’s laws allow for the imprisonment of violators, human trafficking cases are often dismissed by lower courts. (1,40) Belize lacks official statistics on child sex tourism, and criminal investigators and police officers and labor inspectors lacked sufficient resources—such as vehicles, fuel, office supplies, and adequate training—to investigate violations of criminal law, including the worst forms of child labor. (1,12)

IV. COORDINATION OF GOVERNMENT EFFORTS ON CHILD LABOR

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

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

Coordinating Body	Role & Description
National Child Labor Committee (NCLC)	Coordinates efforts among ministries to combat child labor and implement the National Child Labor Policy. Led by the Ministry of Labor and 14 government and civil society members. (41,42) The Child Labor Secretariat and Inspectorate serves as the Secretary for NCLC. In 2019, the committee held at least 10 regular meetings related to child labor and began review of the 2009 National Child Labor Policy for amendments to incorporate child protections. (3) The NCLC distinguishes between children engaged in work that is beneficial to their development and those engaged in the worst forms of child labor. (39,43)
Anti-Trafficking in Persons Council	Identifies and rescues human trafficking victims, trains law enforcement officials, and educates the public about the commercial sexual exploitation of children. Led by the Vice Minister of Human Development and Social Transformation; includes 12 other government agencies and civil society organizations. (44) In 2019, the Council provided human trafficking training to BPD’s Special Branch Basic Intelligence Unit. The training allowed 21 participants to develop and enhance their intelligence-gathering capacity to improve human trafficking investigation and case development. (14) During the reporting period, DHS also partnered with the Council to continue implementation of the Regional Strategy for the Comprehensive Care of Trafficking Victims and the Regional Protocol for the Repatriation of Trafficking Victims. (3)
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. (37) Implements the National Results Framework for Children and Adolescents 2017–2030, also referred to as the Children’s Agenda. (10,45,46) In 2019, began engagement and collaboration with the Child Labor Secretariat and Inspectorate on special assignments and projects. (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 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. (47,48) Aims to strengthen government institutions and services and to train labor officers. (42,48) During the reporting year, the NCLC began review of the 2009 National Child Labor Policy for amendments to incorporate child protections. (3)
CARE Model	Coordinates the protection, care, and monitoring of sexually exploited and trafficked children. Outlines the role of DHS and the BPD in receiving allegations of commercial sexual exploitation of children and referring children to services. (3) In 2019, the DHS and the BPD continued to collaborate to implement the CARE Model. (3)
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. (10,45,46) Raises awareness of the role of families in promoting early childhood education. (46) Research was unable to determine what activities took place to implement the National Results Framework for Children and Adolescents during the reporting year.

‡ The government had other policies that may have addressed child labor issues or had an impact on child labor. (18)

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2019, the government funded and participated in programs that include the goal of eliminating or preventing child labor (Table 10). However, gaps exist in these social programs, including the adequacy to address the full scope of the problem in all sectors.

Table 10. Key Social Programs to Address Child Labor

Program	Description
Country Level Engagement and Assistance to Reduce Child Labor II (CLEAR II)	\$7 million, USDOL-funded project, implemented by Winrock International and partners Verité and Lawyers Without Borders in seven countries to build local and national capacity of governments to address child labor. (2) The project formally ended in 2019, though not all of the recommendations or draft legislation arising from it have been fully implemented. In 2019, created an unnamed targeted child labor inspection program. (3) Additional information is available on the USDOL website.
Building Opportunities for Our Social Transformation	Conditional cash transfer program established in 2011. Continues to be implemented in Belize City, in the areas with the highest reported incidents of child sexual exploitation. (3) Provides small cash assistance to poor households subject to specific conditions, such as minimum school attendance of 85 percent. In 2019, the government provided \$1.75 million to about 13,000 Belizeans across the country. (3) The program seeks to prevent the commercial sexual exploitation of children by wealthy men who pay families for access to vulnerable children. (3)

‡ The government had other social programs that may have included the goal of eliminating or preventing child labor. (13,49)

Research found no evidence of government programs to combat commercial sexual exploitation of children or assist children working in agriculture, fisheries, or construction. During the reporting year, Belize continued to implement a public awareness campaign on child sex tourism, which includes public service announcements and billboards at the international airport and border crossings. (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 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 – 2019
	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 – 2019
	Ensure that the law prohibits all forms of commercial sexual exploitation of children ages 16 and 17.	2013 – 2019

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

Area	Suggested Action	Year(s) Suggested
Legal Framework	Ensure that laws prohibit the use of children in specific illicit activities, such as the production and trafficking of drugs.	2013 – 2019
	Ensure that the law criminally prohibits the recruitment of children under age 18 into non-state armed groups.	2016 – 2019
Enforcement	Publish complete information on enforcement efforts to combat child labor, including labor inspectorate funding and the number of criminal investigations.	2015 – 2019
	Ensure that law enforcement agencies have sufficient resources, including vehicles, fuel, and inspectors, to conduct labor inspections and criminal investigations, especially in rural areas and in areas in which children are more vulnerable.	2009 – 2019
	Ensure that the level of inspections and penalties are sufficient to deter child labor law violations.	2018 – 2019
	Provide refresher training to inspectors and criminal investigators, including on the worst forms of child labor, and ensure that funding is sufficient to implement adequate training systems.	2018 – 2019
	Prosecute and impose criminal penalties for the worst forms of child labor, and ensure that courts hear and try human trafficking cases.	2017 – 2019
	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 – 2019
Social Programs	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 – 2019
	Implement programs to address commercial sexual exploitation of children and programs to assist children working in agriculture, fisheries, or construction.	2019

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



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Benin engage in the worst forms of child labor, including in the production of cotton and crushed granite, each sometimes as a result of human trafficking. Children also perform dangerous tasks in domestic work and street vending. (1-3) Table 1 provides key indicators on children's work and education in Benin.

Table 1. Statistics on Children's Work and Education

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

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

Source for all other data: International Labor Organization's analysis of statistics from Demographic and Health Survey (DHS), 2011–2012. (5)

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

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

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

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

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

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




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

The government continued the Administrative Census for the Identification of the Population (RAVIP) which will help issue biometric identity cards with a unique identification number. In 2019, RAVIP retroactively registered the births of more than 1 million children over the age of 1 and aided in registering the births of 3,543 children who were younger than age 1. (3) Although the Government of Benin has implemented programs to protect children from human trafficking and participated in programs focused on child labor in quarrying and mining, research was unable to determine whether the government implements programs to assist children engaged in other worst forms of child labor, including in domestic work, commercial sexual exploitation, or agriculture. (13)

II. LEGAL FRAMEWORK FOR CHILD LABOR

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

Table 3. Ratification of International Conventions on Child Labor

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

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

Table 4. Laws and Regulations on Child Labor

Standard	Meets International Standards	Age	Legislation
Minimum Age for Work	Yes	14	Article 166 of the Labor Code; Article 210 of the Child Code (26,27)
Minimum Age for Hazardous Work	Yes	18	Article 1 of the Hazardous Occupations List (28)

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

Standard	Meets International Standards	Age	Legislation
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Hazardous Occupations List (28)
Prohibition of Forced Labor	Yes		Articles 3 and 303 of the Labor Code; Article 4 of the Law Relating to the Transportation and Trafficking of Minors; Article 212 of the Child Code (26,27,29)
Prohibition of Child Trafficking	Yes		Articles 3 and 303 of the Labor Code; Articles 2-4, 6, 18, and 22 of the Law Relating to the Transportation and Trafficking of Minors; Articles 212 and 352–353 of the Child Code; Articles 499–501 and 504 of the Penal Code (26,27,29,30)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Article 3 of the Law on the Prevention and Repression of Violence Against Women; Article 4 of the Law Relating to the Transportation and Trafficking of Minors; Articles 212 and 378 of the Child Code; Article 504 of the Penal Code (27,29-31)
Prohibition of Using Children in Illicit Activities	Yes		Article 212 of the Child Code; Article 4 of the Law Relating to the Transportation and Trafficking of Minors (27,29)
Minimum Age for Voluntary State Military Recruitment	Yes	18	Article 6 of Law 2005-43 (32)
Prohibition of Compulsory Recruitment of Children by (State) Military	Yes		Article 6 of Law 2005-43; Title II, Article 32 of the Constitution (19,32)
Prohibition of Military Recruitment by Non-state Armed Groups	Yes		Articles 2 and 4 of the Law Relating to the Transportation and Trafficking of Minors (29)
Compulsory Education Age	Yes	16	Article 24 of Act N° 2003-17; Article 4 of the Law on the Prevention and Repression of Violence Against Women (31,33)
Free Public Education	Yes		Article 13 of the Constitution; Article 114 of the Child Code (19,27)

In 2019, the Departments of Atlantique and Zou issued decrees prohibiting minors from going to bars and brothels in an attempt to eliminate the use of child labor in those establishments. (3) As the minimum age for work is lower than the compulsory education age, children may be encouraged to leave school before the completion of compulsory education. (3,34) In addition, Article 22 of the Law Relating to the Transportation and Trafficking of Minors prescribes insufficient penalties, especially in comparison to punishments for other serious crimes, such as rape. (17,29)

III. ENFORCEMENT OF LAWS ON CHILD LABOR

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

Table 5. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
Ministry of Labor and Civil Service (MOLCS)	Enforces child labor laws and investigates labor code infractions, including those related to child labor. (13,35) Refers cases of child labor to Social Promotion Centers. (25)
Ministry of Social Affairs and Microfinance	Offers social assistance and social support services to vulnerable populations. Through its Office of Family, Childhood, and Adolescence, provides assistance to trafficking victims by means of 85 Social Promotion Centers across the country. (7,14,25) Through the Family and Child Monitoring Office, maintains a database on child trafficking. (14)
Ministry of the Interior	Enforces criminal laws related to the protection of minors, including the worst forms of child labor, through the Central Office for the Protection of Minors (OCPM) under the Criminal Police Department. (17,36) Through OCPM, maintains a child trafficking database to track and process child trafficking cases. OCPM continues to expand local offices throughout the country and provide police with specific training for addressing abuses of children. (3) Through its <i>Brigade des Moeurs</i> (vice squad), addresses human trafficking for sexual exploitation. (3,36)

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

Labor Law Enforcement

In 2019, labor law enforcement agencies in Benin took actions to combat child labor (Table 6). However, gaps exist within the operations of the MOLCS that may hinder adequate labor law enforcement, including an insufficient number of labor inspectors.

Table 6. Labor Law Enforcement Efforts Related to Child Labor

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

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

Criminal Law Enforcement

In 2019, criminal law enforcement agencies in Benin took actions to combat child labor (Table 7). However, gaps exist within the operations of the criminal enforcement agencies that may hinder adequate criminal law enforcement, including training for criminal investigators.

Table 7. Criminal Law Enforcement Efforts Related to Child Labor

Overview of Criminal Law Enforcement	2018	2019
Initial Training for New Criminal Investigators	Unknown (37)	Unknown (3)
Training on New Laws Related to the Worst Forms of Child Labor	Yes (8)	Yes (3)
Refresher Courses Provided	No (8)	Yes (25,36)
Number of Investigations	188 (14)	2 (3)
Number of Violations Found	Unknown (8)	Unknown (3)
Number of Prosecutions Initiated	44 (38)	Unknown (3)
Number of Convictions	11 (41)	2 (3)
Imposed Penalties for Violations Related to The Worst Forms of Child Labor	Unknown (8)	Unknown (3)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (8)	No (3)

Whereas in previous years, there was a mechanism for criminal law enforcement to refer cases of the worst forms of child labor for social services, this year that mechanism was not operational as the government was transitioning to a new referral mechanism. (3,25) The government did not provide information for inclusion in this report on its criminal law enforcement efforts regarding the number of violations found, prosecutions initiated, or the number of penalties imposed for the worst forms of child labor. (3)

IV. COORDINATION OF GOVERNMENT EFFORTS ON CHILD LABOR

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

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

Coordinating Body	Role & Description
National Executive Committee to Combat Child Labor “ <i>Comité Directeur National de Lutte contre le Travail des Enfants</i> ” (CDN)	Coordinates efforts to address child labor and falls under the jurisdiction of the Ministry of Labor and Civil Service. Delegates from the ILO, UNICEF, trade unions, local NGOs, and governmental ministries sit in on the CDN. In August 2019, held a 3-day session attended by 40 officials from the government, NGOs, trade unions, and employers’ associations to assess the implementation of the National Action Plan to Fight Trafficking in Persons. (3)
Inter-Ministerial Task Force to Combat Trafficking in Persons	Coordinates government efforts to address trafficking in persons through five committees: prosecution, prevention and protection, statistics, intellectual, and policy. Led by the Ministry of Planning and Development and includes the membership of key ministries and NGOs. This task force met on an ad hoc basis in 2019. (36)

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

V. GOVERNMENT POLICIES ON CHILD LABOR

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

Table 9. Key Policies Related to Child Labor

Policy	Description
National Action Plan for the Elimination of the Worst Forms of Child Labor (2019–2023)†	Aims to reduce the worst forms of child labor in Benin by 70 percent by the end of 2023. Targets six focus areas: strengthening the legislative and institutional framework related to child labor; information, awareness, and social mobilization; education and training; victim monitoring; protection and referral; inspection and repression; and institutional mechanisms; and monitoring and evaluation of the plan. (3)

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

Policy	Description
Action Plan to Eradicate Child Exploitation in Markets	Aims to eliminate the worst forms of child labor in the major marketplaces in Benin, including Dantokpa in Cotonou, Ouando in Porto-Novo, and Arzeke in Parakou. Strengthens child labor laws, raises awareness of child labor in markets, and creates social programs for children rescued from labor exploitation in the targeted markets. (3) In 2019, the government continued its inspection program in the main local open space markets in Dantokpa in Cotonou, Ouando in Porto-Novo, and Arzeke in Parakou. (3) Extended inspections to workshops, bars, restaurants, and other places where children were targeted. Inspections were coupled with educational sessions in which the government educated 1,272 craftsmen on the laws and policies to prevent child labor in Benin. (3)
Cooperative Agreement to Combat Cross-Border Trafficking†	Signed a tripartite cooperative agreement on December 23, 2019, between Benin, Burkina Faso, and Togo to protect migrant children and victims of trans-border human trafficking. Under the agreement, the three countries commit to cooperate and assist each other in the investigation of human trafficking offences. (3)
National Action Plan to Fight Trafficking in Persons (2019–2025)†	The government developed a National Policy with accompanying National Action Plan to Fight Trafficking in Persons. (41)

† Policy was approved during the reporting period.

‡ The government had other policies that may have addressed child labor issues or had an impact on child labor. (21)

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

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2019, the government funded and participated in programs that include the goal of eliminating or preventing child labor (Table 10). However, gaps exist in these social programs, including the adequacy of programs to address the full scope of the problem.

Table 10. Key Social Programs to Address Child Labor

Program	Description
Government-Funded Shelters‡	Social Promotion Centers (CPSs) provide food, shelter, education, and vocational training to vulnerable children, including victims of labor exploitation, in 85 centers. During the reporting period, CPSs conducted 225 anti-trafficking education campaigns. (3) The Office for the Protection of Minors (OCPM) also operates an interim care facility for human trafficking survivors before their placement in a long-term shelter. (3,7) In 2019, the OCPM reported it had provided temporary shelter and assistance to 1,387 children. (3)
Government-Funded Re-Training Centers‡	MOLCS, with the assistance of UNICEF, maintains a vocational school program to train survivors of child trafficking in a trade. (48) Research was unable to determine whether activities were undertaken to implement the vocational school program during the reporting period.
Integrated National School Feeding Program (2017–2021)†	\$87 million Government of Benin-funded program that is managed by the World Food Program and aims to reach 3,000 schools in Benin. (51) In his 2019 end-of-the-year speech, President Patrice Talon stated that the program benefited 800,000 children and equipped 51 percent of nursery and primary schools in Benin with canteens. (3)
McGovern-Dole International Food for Education and Child Nutrition Program (2018–2022)	\$19 million U.S. Department of Agriculture-funded project implemented by Catholic Relief Services in the Alibori and Borgou regions. Aims to improve literacy and attendance of school-aged children, improve the health and dietary practices of students, and increase government capacity and ownership of school meal programs. (52)

† Program is funded by the Government of Benin.

‡ The government had other social programs that may have included the goal of eliminating or preventing child labor. (13,53-55)

Although the Government of Benin has implemented programs to protect children from human trafficking and participated in programs focused on child labor in quarrying and mining, research was unable to determine whether the government implements programs to assist children engaged in other worst forms of child labor, including in domestic work, commercial sexual exploitation, or agriculture.

VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE CHILD LABOR

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

Table 11. Suggested Government Actions to Eliminate Child Labor

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

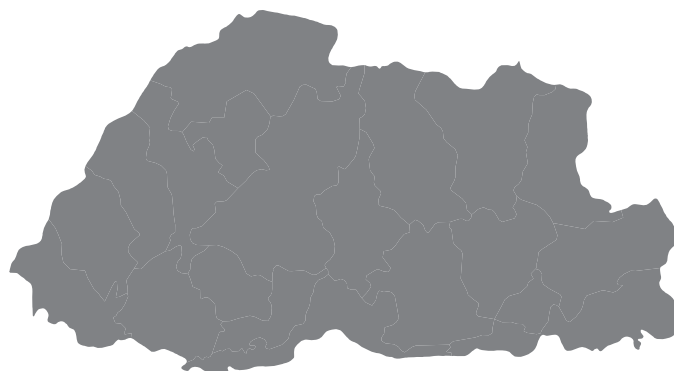
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In 2019, Bhutan made a moderate advancement in efforts to eliminate the worst forms of child labor. The government charged one defendant with child trafficking for the purpose of forced labor and adopted the Standard Operating Procedure for Multi-Sectoral Response to Address Trafficking in Persons in Bhutan, which defines the roles and responsibilities of each government agency in preventing and responding to trafficking in persons. In addition, the government hired 11 additional labor inspectors. However, although research is limited, there is evidence that children in Bhutan engage in the worst forms of child labor, including in forced domestic work and commercial sexual exploitation, each sometimes as a result of human trafficking. Bhutan's minimum age for work is inconsistent with international standards and education is not compulsory. In addition, the government has not adopted a national policy to address child labor, including its worst forms.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Although research is limited, there is evidence that children in Bhutan engage in the worst forms of child labor, including in forced domestic work and commercial sexual exploitation, each sometimes as a result of human trafficking. (1-3) Table 1 provides key indicators on children's work and education in Bhutan.

Table 1. Statistics on Children's Work and Education

Children	Age	Percent
Working (% and population)	5 to 14	3.8 (6,338)
Attending School (%)	5 to 14	84.7
Combining Work and School (%)	7 to 14	3.3
Primary Completion Rate (%)		100.0

Source for primary completion rate: Data from 2017, published by UNESCO Institute for Statistics, 2020. (4)

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

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

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

Sector/Industry	Activity
Agriculture	Farming, activities unknown (2,6,7)
Industry	Construction,† activities unknown (8)
Services	Domestic work (2,6,7)
	Work in hospitality services (2,7)
Categorical Worst Forms of Child Labor‡	Forced domestic work, sometimes as a result of human trafficking (3)
	Forced labor in karaoke bars, sometimes as a result of human trafficking (3)
	Commercial sexual exploitation, sometimes as a result of human trafficking (1)
	Use in illicit activities, including the smuggling of tobacco (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.

There is a lack of current data on child labor in Bhutan. To date, no national survey on child labor has been conducted.

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Media outlets have reported instances of child labor within Bhutan’s restaurants and automobile workshop industries, some of which had indicators of forced labor. Traffickers have also exploited Indian child domestic workers in Bhutan. (10)

The government provides a minimum of 11 years of free education to all Bhutanese citizens and has committed to increasing free education by an additional 2 years. However, children living in remote villages, children of nomadic communities and migrant populations, and children with disabilities face significant difficulties in accessing public schools. (2,6,7,11,12) Additionally, Bhutan’s stateless children lack access to documentation necessary to attend school, making them more vulnerable to child labor and trafficking. (10)

II. LEGAL FRAMEWORK FOR CHILD LABOR

Bhutan has ratified some key international conventions concerning child labor (Table 3).

Table 3. Ratification of International Conventions on Child Labor

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

The government has established laws and regulations related to child labor (Table 4). However, gaps exist in Bhutan’s legal framework to adequately protect children from the worst forms of child labor, including the minimum age for work.

Table 4. Laws and Regulations on Child Labor

Standard	Meets International Standards	Age	Legislation
Minimum Age for Work	No	13	Sections 170–171 of the Labor and Employment Act; Section 7 of the Regulation on Acceptable Forms of Child Labor (13,14)
Minimum Age for Hazardous Work	Yes	18	Sections 170–171 of the Labor and Employment Act (13)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Section 9(e) of the Labor and Employment Act; Section 9 of the Regulation on Acceptable Forms of Child Labor (13,14)
Prohibition of Forced Labor	Yes		Sections 6 and 9(a) of the Labor and Employment Act; Sections 154, 227, and 379 of the Penal Code; Section 221 of the Child Care and Protection Act (13,15,16)
Prohibition of Child Trafficking	No		Section 9(a) of the Labor and Employment Act; Sections 221 and 224 of the Child Care and Protection Act; Sections 227, 379, and 380 of the Penal Code (13,15,16)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Section 9(b) of the Labor and Employment Act; Sections 222–224 of the Child Care and Protection Act; Sections 225 and 375–380 of the Penal Code (13,15,16)
Prohibition of Using Children in Illicit Activities	Yes		Section 9(c) of the Labor and Employment Act; Sections 216 and 220 of the Child Care and Protection Act (13,15)
Minimum Age for Voluntary State Military Recruitment	Yes	18	Defense Service Rules and Regulations (17)
Prohibition of Compulsory Recruitment of Children by (State) Military	N/A*		

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

Standard	Meets International Standards	Age	Legislation
Prohibition of Military Recruitment by Non-state Armed Groups	Yes		Section 9(a) of the Labor and Employment Act (13)
Compulsory Education Age	No		
Free Public Education	Yes		Article 9.16 of the Constitution of the Kingdom of Bhutan (18)

* No conscription (17)

The minimum age for work is not compliant with international standards because the Labor and Employment Act allows children under age 14 to work. (13) In addition, Bhutan has no compulsory age for education, which may increase the risk of children's involvement in child labor. (19)

Bhutan's criminal prohibitions against child trafficking do not adhere to international standards because Bhutan's laws require proof of use of force, fraud, or coercion to criminalize child trafficking. (13,15) However, the Bhutanese Parliament is in the process of amending trafficking legislation to make it consistent with international standards. (10)

Although the Government of Bhutan reports that the minimum age for voluntary recruitment into Bhutan's military is age 18, a public version of the Defense Service Rules and Regulations was not available. (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).

Table 5. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
Department of Labor, Ministry of Labor and Human Resources (MOLHR)	Investigates child labor complaints and ensures that employers comply with child labor laws. Refers cases involving the worst forms of child labor to the police. (2,7)
Royal Bhutan Police	Investigates and enforces criminal laws relating to the worst forms of child labor. (2,7) Includes 3 Women and Child Protection Units and 10 Women and Child Protection Desks to enforce laws protecting women and children. (7,20) Refers abused and exploited children to child welfare officers and the National Commission for Women and Children. (2,16)
Child Welfare Officers	Protect and assist children in difficult circumstances, including children abused and exploited for illegal purposes. (2,7,16)
Child Justice Court	Adjudicates cases involving child labor. (2,16)

Labor Law Enforcement

In 2019, labor law enforcement agencies in Bhutan took actions to combat child labor (Table 6). However, gaps exist within the operations of the MOLHR that may hinder adequate labor law enforcement, including inadequate resources.

Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2018	2019
Labor Inspectorate Funding	Unknown (7)	Unknown (2)
Number of Labor Inspectors	24 (7)	35 (2)
Inspectorate Authorized to Assess Penalties	Yes (7)	Yes (2)
Initial Training for New Labor Inspectors	Unknown (7)	Yes (2)
Training on New Laws Related to Child Labor	N/A	N/A
Refresher Courses Provided	Unknown (7)	Unknown (2)
Number of Labor Inspections Conducted	2,256 (7)	2,711 (2)

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

Overview of Labor Law Enforcement	2018	2019
Number Conducted at Worksite	2,256 (7)	2,711 (2)
Number of Child Labor Violations Found	0 (7)	0 (2)
Number of Child Labor Violations for Which Penalties Were Imposed	0 (7)	0 (2)
Number of Child Labor Penalties Imposed that Were Collected	0 (7)	0 (2)
Routine Inspections Conducted	Yes (7)	Yes (2)
Routine Inspections Targeted	Yes (7)	Yes (2)
Unannounced Inspections Permitted	Yes (21)	Yes (2)
Unannounced Inspections Conducted	Yes (7)	Yes (2)
Complaint Mechanism Exists	Yes (7)	Yes (2)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (7)	Yes (2)

The government did not provide information on its labor inspectorate funding or whether refresher courses were provided to labor inspectors. (2)

During the reporting period, the government increased the number of labor inspectors from 24 to 35. According to a Bhutan government official, although all new labor inspectors received initial training, additional training is needed. (2) Also in 2019, a total of 2,711 labor inspections were conducted, a 20.2 percent increase from 2018. (2) The highest number of inspections were conducted in the service sector, followed by hotels and restaurants. A total of 150 improvement notices and 12 penalty memoranda were issued based on inspections; however, no child labor violations were reported as data was not disaggregated by child labor offenses. (2) Department of Labor officials acknowledged that limited financial and human resources place constraints on the number of inspections conducted and inspectors employed. (2)

Criminal Law Enforcement

In 2019, criminal law enforcement agencies in Bhutan took actions to combat child labor (Table 7). However, gaps exist within the operations of the criminal enforcement agencies that may hinder adequate criminal law enforcement, including a lack of data on training for criminal investigators.

Table 7. Criminal Law Enforcement Efforts Related to Child Labor

Overview of Criminal Law Enforcement	2018	2019
Initial Training for New Criminal Investigators	Unknown (7)	Unknown (2)
Training on New Laws Related to the Worst Forms of Child Labor	N/A	N/A
Refresher Courses Provided	Unknown (7)	Unknown (2)
Number of Investigations	Unknown (7)	Unknown (2)
Number of Violations Found	Unknown (7)	2 (2)
Number of Prosecutions Initiated	Unknown (7)	1 (2)
Number of Convictions	Unknown (7)	2 (2)
Imposed Penalties for Violations Related to The Worst Forms of Child Labor	Unknown (7)	Unknown (2)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (7)	Yes (2)

In 2019, a woman who brought a child to Bhutan from India as a domestic worker was found guilty of illegal transportation of a child. The woman was fined and ordered to pay compensation to the child's family. (2) The Attorney General's Office has appealed the case to the High Court for reinstatement of human trafficking and child abuse charges. In a separate case, a man charged in August 2018 with employing a minor in a karaoke bar was convicted on January 6, 2020. (2,10,22)

Also during the reporting period, 82 law enforcement officers and 95 prosecutors attended training on implementing the Government of Bhutan's new Trafficking in Persons Standard Operating Procedure. (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 mandate implementation.

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 MOLHR and comprised of representatives from the government, international organizations, civil society, and the private sector. (23,24) Research was unable to determine whether the Child Labor Task Force undertook activities during the reporting period.
National Commission for Women and Children	Coordinates the implementation of laws and policies that promote and protect the rights of women and children. Comprises a chairperson at the cabinet level and high-level officials who represent relevant government agencies, NGOs, and the private sector. (25) In 2019, established the Dzongkhag Women and Children Committee, a district-level committee, which held a meeting and conducted an awareness program on issues faced by women and children with district leaders. (2)
Trafficking in Persons Special Task Force*	Coordinates anti-trafficking in persons efforts, including monitoring human trafficking trends in Bhutan and advising national policy on human trafficking. Headed by the Department of Law and Order, with participation from other relevant government agencies and civil society organizations. (2)

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

In 2019, the government adopted the Standard Operating Procedure for Multi-Sectoral Response to Address Trafficking in Persons in Bhutan, which defines the roles and responsibilities of each government agency in preventing and responding to trafficking in persons. The Standard Operating Procedure was developed by Bhutan's Department of Law and Order in coordination with UNODC, U.S. Department of State's Trafficking in Persons Office, and Bhutan's law enforcement and social services agencies. (2,10)

V. GOVERNMENT POLICIES ON CHILD LABOR

Research found no evidence that the government has established policies to address child labor. Additionally, while the government may have had policies that indirectly impact child labor, research did not find child labor elimination and prevention strategies to have been integrated into these policies. (2)

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2019, the government funded and participated in programs that may contribute to the prevention or elimination of child labor (Table 9). However, gaps exist in these social programs, including adequacy to address the problem in all sectors.

Table 9. Key Social Programs to Address Child Labor

Program	Description
Shelters for Vulnerable Women and Children†	Includes Project Hope, a National Commission for Women and Children program that provides residential shelters for children at risk of labor exploitation. In 2019, the project was transferred to Respect, Educate, Nurture, and Empower Women (RENEW) as part of its shelter program. RENEW, a Thimphu-based NGO that receives government funding, provides shelter, counseling, and rehabilitation for women and children who have been victims of human trafficking. (2)
Promoting Rights-Based Multi-Sectoral Responses to Prevent Trafficking in Persons in Bhutan (2019–2022)*	\$750,000 program funded by the U.S. Department of State's 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 new Standard Operating Procedure for Multi-Sectoral Response to Address Trafficking in Persons in Bhutan (TIP SOP). In 2019, UNODC and the Department of Labor held trainings for 16 journalists, 82 law enforcement officers, and 95 prosecutors on trafficking in persons and how to implement the TIP SOP, and a separate training for people going overseas to work to protect themselves from becoming victims of human trafficking. (2)

* Program was launched during the reporting period.

† Program is funded by the Government of Bhutan.

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Although the Government of Bhutan has implemented programs that target children at risk of labor exploitation, research found no evidence that these programs target children working in agriculture or domestic service, or children involved in the worst forms of child labor, including in commercial sexual exploitation and forced domestic work.

VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE CHILD LABOR

Based on the reporting above, suggested actions are identified that would advance the elimination of child labor in Bhutan (Table 10).

Table 10. Suggested Government Actions to Eliminate Child Labor

Area	Suggested Action	Year(s) Suggested
Legal Framework	Accede to the Palermo Protocol on Trafficking in Persons.	2013 – 2019
	Ensure that laws on child labor comply with the international standard for the minimum age for work.	2010 – 2019
	Make primary education compulsory and ensure that the compulsory age extends to the minimum age for employment.	2010 – 2019
	Criminally prohibit child trafficking without needing proof of the use of force, fraud, or coercion.	2018 – 2019
	Make publicly available the legal statute that prohibits the recruitment of children under age 18 into Bhutan's military.	2018 – 2019
Enforcement	Publish labor law enforcement data, including the amount of funding for the labor inspectorate, and whether new and veteran labor inspectors received refresher training.	2017 – 2019
	Ensure that the Department of Labor has the resources necessary to enforce labor laws and combat child labor.	2014 – 2019
	Ensure that labor law enforcement investigation data are disaggregated by labor violation type to better target, prevent, and eliminate child labor.	2019
	Publish information on training provided to criminal investigators, the number of investigations conducted, and the number of penalties imposed for violations related to the worst forms of child labor.	2010 – 2019
Coordination	Ensure that all coordinating bodies to combat child labor are active and able to fulfill their mandate, including the Child Labor Task Force.	2019
Government Policies	Adopt a policy to address child labor, including its worst forms.	2016 – 2019
	Integrate child labor elimination and prevention strategies into existing relevant policies.	2014 – 2019
Social Programs	Conduct a national child labor survey and publish the results.	2013 – 2019
	Implement programs to make education more accessible for children living in remote locations, children of nomadic communities and migrant populations, children with disabilities, and stateless children.	2014 – 2019
	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 – 2019

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In 2019, Bolivia made a moderate advancement in efforts to eliminate the worst forms of child labor. The Ministry of Justice trained judges and prosecuting attorneys on conducting trials in cases of human trafficking. In addition, the government carried out anti-human trafficking awareness campaigns to educate students throughout the country, and the Ombudsman's Office published an evaluation of its efforts to prevent trafficking of children and adolescents, identifying key areas for improvement. However, children in Bolivia engage in the worst forms of child labor, including in commercial sexual exploitation, sometimes as a result of human trafficking, and in mining. Children also perform dangerous tasks in agriculture, including in the production of sugarcane. Although Bolivian law requires that apprentices attend school, it does not set a minimum age for participation in apprenticeships. In addition, Article 1 of Supreme Decree No. 1875 sets the minimum age for compulsory military service at 17 years, which does not comply with international standards. During the reporting period, political crisis and the implementation of a transitional government may have affected efforts to eradicate the worst forms of child labor.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Bolivia engage in the worst forms of child labor, including in mining and commercial sexual exploitation, sometimes as a result of human trafficking. (1,2) Table 1 provides key indicators on children's work and education in Bolivia.

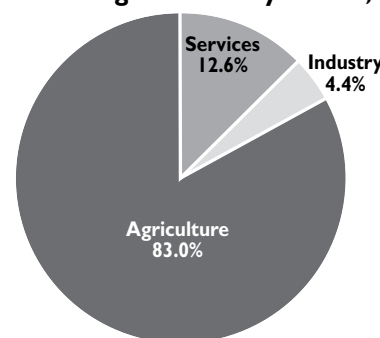
Table 1. Statistics on Children's Work and Education

Children	Age	Percent
Working (% and population)	7 to 14	10.3 (187,409)
Attending School (%)	7 to 14	98.2
Combining Work and School (%)	7 to 14	9.4
Primary Completion Rate (%)		94.8

Source for primary completion rate: Data from 2018, published by UNESCO Institute for Statistics, 2020. (3)

Source for all other data: International Labor Organization's analysis of statistics from Encuesta Continua de Hogares (ECH), 2018. (4)

Figure 1. Working Children by Sector, Ages 7-14



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

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

Sector/Industry	Activity
Agriculture	Planting and harvesting corn and peanuts (5)
	Production and harvesting of Brazil nuts/chestnuts† and sugarcane† (5,6)
	Ranching and raising cattle† and plucking chickens (2,7,8,9)
Industry	Mining† of gold, silver, tin, and zinc (1,6,10,11)
	Construction,† including heavy lifting and shoveling (2,7)
	Production of bricks† (2,6,12)

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

Sector/Industry	Activity
Services	Street vending, juggling, shoe shining, and assisting transportation operators (7,9,13-15)
	Cleaning cemeteries (grave sites) and hospitals† (6,14-16)
	Domestic work (7,17)
	Restaurant work, activities unknown; selling alcohol (6,10)
Categorical Worst Forms of Child Labor‡	Forced labor in ranching, and in the production and harvesting of Brazil nuts and sugarcane (17,18)
	Forced begging, and forced labor in mining and domestic service (2,7,8,17-19)
	Commercial sexual exploitation, sometimes as a result of human trafficking (7,20,21)
	Use in illicit activities, including robbery and producing or transporting drugs (8,17,18)

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

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

Children produce and harvest sugarcane and Brazil nuts in the Departments of Beni, Pando, Santa Cruz, and Tarija. (1) Indigenous children are particularly vulnerable to the worst forms of child labor. Some indigenous Guaraní families live in debt bondage and work on ranches, including raising cattle, in the Chaco region of Bolivia. (17) In Tarija, the sugar cane and Brazil nut harvest seasons attract over 3,000 internal migrants—many of them children—who are vulnerable to forced labor and human trafficking. (18)

The cultural practice known as *padrinazgo*, which involves rural families sending their children to urban areas to live with individuals for better access to education, social services, and food, often leads to forced labor, including in domestic work and third-party businesses. Girls, on average age 14, were found to be engaged in commercial sexual exploitation in El Alto. (7) Civil society reported 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. (7,21) Bolivian children are also subjected to commercial sexual exploitation and forced labor both within the country and abroad. (17) 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)

Bolivian law requires children to attend school up to age 17. Attendance rates for secondary education remain low in rural areas. (7,23)

In 2019, Bolivia experienced deep political crisis following the October 20 presidential and legislative elections. (24) After several weeks of protests, on November 10, then-president Evo Morales resigned over allegations that he stole the elections and he subsequently fled the country. A transitional government, endorsed by Bolivia’s Constitutional Court, assumed power several days later. (24,25) This crisis may have affected efforts to eradicate the worst forms of child labor. Under the Morales administration, Venezuelan children were denied refugee status and were therefore denied access to education, increasing their vulnerability to labor exploitation. (7)

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	✓

Table 3. Ratification of International Conventions on Child Labor (Cont.)

	Convention	Ratification
	UN CRC	✓
	UN CRC Optional Protocol on Armed Conflict	✓
	UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	✓
	Palermo Protocol on Trafficking in Persons	✓

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

Table 4. Laws and Regulations on Child Labor

Standard	Meets International Standards	Age	Legislation
Minimum Age for Work	Yes	14	Articles 8 and 58 of the General Labor Law; Article 129 of the Child and Adolescent Code; Sentence 0025/2017 of the Plurinational Constitutional Tribunal; Article 3 of Law No. 1139 (26-29)
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 (26,27)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Article 136 of the Child and Adolescent Code (27)
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 (30-32)
Prohibition of Child Trafficking	Yes		Article 15 of the Constitution; Article 34 of the Comprehensive Law against Human Trafficking and Smuggling (30,32)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Articles 34–35 of the Comprehensive Law against Human Trafficking and Smuggling (32)
Prohibition of Using Children in Illicit Activities	Yes		Article 56 of the Law on Coca and Controlled Substances (33)
Minimum Age for Voluntary State Military Recruitment	Yes	16*	Articles 1–2 of the General Directive of Pre-Military Recruitment; Articles 2 and 7 of the Law of National Military Service (34,35)
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 (30,36,37)
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 (30,38)
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 (27,30,38)

*The minimum age for combat is 18 per Article 36 of the Law of National Military Service (34)

‡ Age calculated based on available information (30,38)

Although legislation was passed in 2018 to clarify the minimum age of work in Bolivia as 14 years, 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. (27,29) The Child and Adolescent Code allows children ages 14 to 18 to work with authorization from the Offices of the Child Advocate on the conditions that the work is not precarious to the child's well-being and is not conducted for more than 8 hours a day and 40 hours a week. (29)

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Although Bolivian law requires that apprentices attend school, it does not set a minimum age for participation in apprenticeships. (26) Articles 108 and 249 of the Constitution require Bolivian males to perform compulsory military service in accordance with national law. (30) Article I of Supreme Decree No. 1875, passed in 2014, lowered the minimum age at which compulsory military service may begin from age 18, as previously established, to age 17, which does not comply with international standards. (36,37)

III. ENFORCEMENT OF LAWS ON CHILD LABOR

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

Table 5. Agencies Responsible for Child Labor Law Enforcement

Organization/ Agency	Role
Ministry of Labor (MOL)	Enforces child labor laws, in part through its Fundamental Rights Unit, which also addresses forced labor of indigenous peoples. (39) Refers cases to the Labor Courts for adjudication of penalties and unpaid wages. (8) Engages municipal Offices of the Child Advocate to ensure the protection of children's rights. (2,40) Assists in the implementation of the Child and Adolescent Code. (2,27)
Municipal Offices of the Child Advocate	Authorizes children from the age of 14 to engage in work and registers them in the government's Child and Adolescent Information System (SINNA), pursuant to the Child and Adolescent Code. Protects the rights and welfare of children, including by accompanying child labor inspectors and referring criminal child labor cases to prosecutors and for social services. (2,27)
Prosecutor's Office	Enforces criminal laws against forced labor, trafficking of children, commercial sexual exploitation, and the use of children in illicit activities at a departmental level in coordination with the Attorney General. (2,41)
Ministry of Justice and Transparency	Administers SINNA, in which municipal Offices of the Child Advocate register children ages 14 and up to work, as required by the Child and Adolescent Code. (27,29)
Attorney General's Office	Oversees all human trafficking investigations and prosecutions on a national level. (41) Through its National Coordinator's Office oversees regional prosecutors who, in conjunction with the Bolivian National Police, pursue cases of human trafficking. Maintains a database of human trafficking cases. (41)
Bolivian National Police	Maintain the Special Force in the Fight Against Crime (FELCC), which runs the Trafficking in Persons Division, made up of 15 investigative human trafficking units, as well as the Police Unit for Migratory Control and Assistance, which patrols national borders. (42-45)

Following the 2018 amendment of the Child and Adolescent Code, Municipal Offices of the Child Advocate are now responsible for registering working children ages 14 and older in the government's Child and Adolescent Information System. (2,29) Reports indicate that up to 15 percent of municipalities in Bolivia lack an Office of the Child Advocate; many more are reported to lack sufficient resources and the capacity to perform their mandate and raise awareness of children's rights and their parents' obligations under the Code. (18) This lack of institutional coverage may leave certain children particularly vulnerable to child labor. (8,42,46)

In La Paz and Santa Cruz, Child Advocate Offices reported additional barriers to implementation of the registration section of the Code. These barriers include lack of cooperation from parents to register their working children and prohibitive financial obstacles to obtain the proper paperwork required for registration. (18)

Labor Law Enforcement

In 2019, labor law enforcement agencies in Bolivia took actions to combat child labor (Table 6). However, gaps exist within the operations of MOL that may hinder adequate labor law enforcement, including the lack of proper financial resource allocation.

Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2018	2019
Labor Inspectorate Funding	Unknown (2)	\$144,665 (7)
Number of Labor Inspectors	106 (2)	102 (7)
Inspectorate Authorized to Assess Penalties	No (2)	No (7)
Initial Training for New Labor Inspectors	Yes (2)	Yes (7)
Training on New Laws Related to Child Labor	Yes (2)	N/A (7)
Refresher Courses Provided	Unknown (2)	Unknown (7)
Number of Labor Inspections Conducted	4,426 (2)	145 (7)
Number Conducted at Worksite	Unknown (2)	Unknown (7)
Number of Child Labor Violations Found	Unknown (2)	Unknown (7)
Number of Child Labor Violations for Which Penalties Were Imposed	Unknown (2)	Unknown (7)
Number of Child Labor Penalties Imposed that Were Collected	Unknown (2)	Unknown (7)
Routine Inspections Conducted	Unknown (2)	Yes (7)
Routine Inspections Targeted	Unknown (2)	Yes (7)
Unannounced Inspections Permitted	Yes (2)	Yes (7)
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)

In June 2019, the Ministry of Labor (MOL) held a press conference to reinforce that all Municipal Offices of the Child Advocate in all regions would be enforcing the new requirement that all working children ages 14 to 18 have the proper documentation, highlighting that the MOL would be coordinating inspections with the Ministry of Government and the Ministry of Justice. (47) The MOL also continued to use mobile inspection offices to augment the ability of inspectors to examine child labor issues. (7) Each mobile unit comprises two general labor inspectors and one child labor specialist who travel to mainly rural areas throughout the country to conduct unannounced inspections. (2) The mobile units also conducted workshops for students on their rights and protections as adolescent workers, including a workshop in June for 270 students. (48) However, the number of labor inspectors is likely insufficient for the size of Bolivia's workforce, which includes approximately 5.7 million workers. According to the ILO's technical advice of a ratio approaching 1 inspector for every 15,000 workers in industrializing economies, Bolivia would employ about 380 labor inspectors. (49) The MOL reported that its budget was insufficient to conduct labor inspections. (7) The MOL also reported that data was not collected on inspections as it had been in previous years due to the political unrest in 2019. The MOL also diverted resources in order to create a child labor survey (yet to be implemented) and to make the necessary legal changes to reflect the increase in working age from 12 to 14. (24)

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. (2,7) Labor inspectors lack necessary resources to enforce labor laws, especially in the Chaco region. (50)

The government reported that children removed from child labor are referred to the municipal Offices of the Child Advocate for services, but information on the number of children referred for services is not publicly available. (2,7) Rural offices of the Child Advocate in municipalities throughout the country lack proper funding, personnel, and materials. While municipalities are required to allot a certain percentage of their budget to the Child Advocate's office, this percentage has decreased over the last few years. (2)

Criminal Law Enforcement

In 2019, criminal law enforcement agencies in Bolivia took actions to combat child labor (Table 7). However, gaps exist within the operations of the criminal law enforcement agencies that may hinder adequate criminal law enforcement, including insufficient training.

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Table 7. Criminal Law Enforcement Efforts Related to Child Labor

Overview of Criminal Law Enforcement	2018	2019
Initial Training for New Criminal Investigators	Yes (2)	Unknown (7)
Training on New Laws Related to the Worst Forms of Child Labor	Yes (2)	Unknown (7)
Refresher Courses Provided	Unknown (2)	Unknown (7)
Number of Investigations	Unknown (2)	Unknown (7)
Number of Violations Found	Unknown (2)	Unknown (7)
Number of Prosecutions Initiated	52 (2)	Unknown (7)
Number of Convictions	Unknown (2)	Unknown (7)
Imposed Penalties for Violations Related to The Worst Forms of Child Labor	Yes (41)	Unknown (7)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (2)	Yes (7)

In January 2019, the Ministry of Justice held a training for 350 justice sector workers, including judges and prosecuting attorneys, regarding specialized techniques and trials of trafficking in persons. (21) The Bolivian National Police also carried out training on its Manual for Investigating Trafficking in Persons Crimes in eight cities facing high risks of human trafficking due to either size or proximity to an international border. These training sessions lasted 2 days, with the second day dedicated to operational activities that involved visiting high-risk areas like bars, discotheques, and brothels; 400 police officers from the Trafficking in Persons Division and the Special Crime-Fighting Force were trained. (21) Of the 393 cases of trafficking in persons identified in 2019, 250 were victims under age 18. (21)

Despite these efforts, 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. (18,20,50,51) Shelters maintained by departmental governments are underfunded and child victims were often cast out of shelters on the basis of fixed timelines—after spending the maximum number of days allowed—rather than an assessment of need. (20) 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. (18)

In addition, low rates of dedicated training on human trafficking hampered law enforcement efforts. The high rate of rotation among police, prosecutors, and judges—a standard practice to help combat corruption—leads to insufficient knowledge, lack of experience on human trafficking, and a judicial backlog for these types of cases. (50)

IV. COORDINATION OF GOVERNMENT EFFORTS ON CHILD LABOR

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

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

Coordinating Body	Role & Description
National Commission for the Progressive Eradication of Child Labor	Coordinates national enforcement efforts on child labor issues. Led by MOL, and includes the ministries of Justice, Education, and Planning, and several NGOs. (2)
Plurinational System for the Comprehensive Protection of Children and Adolescents	Coordinates national efforts to manage and implement the Plurinational Plan for Children and Adolescents, the Coordinating Council for Children and Adolescents, and the Congress on Children’s Rights. Evaluates and advises on national plans, public policies, reports, and budget allocation relating to children’s and adolescents’ rights. (27) In coordination with the National Institute of Statistics, monitors and updates SINNA. Led by the Ministry of Justice. (27)

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

Coordinating Body	Role & Description
Plurinational Council against Human Trafficking and Smuggling of Persons	Coordinates anti-trafficking efforts and implements national laws and policies on human trafficking and smuggling. (2,32,52) Chaired by the Minister of Justice and comprising eight ministries, the Public Advocate, and NGOs. (43) In 2019, as part of its role on the Council, the Ombudsman's Office launched an awareness-raising campaign to inform transport drivers on the importance of documentation control of children and adolescents to identify cases of trafficking in persons. (53) The Council met four times between March 2019 and February 2020. (21)
Department-Level Councils against Human Trafficking and Smuggling	Coordinates 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. (32,42,52)

In 2019, the MOL met with the Ibero-American General Secretariat in a cooperative meeting on best practices in labor issues, including the improvement of inspections, emphasizing the importance of working on the eradication of child labor, forced labor, and labor exploitation. (54) The ILO determined that the National Commission for the Progressive Eradication of Child Labor has not fulfilled its role as the central coordinating body, and its activities, while ongoing, have not resulted in any significant coordination. (2,24) Reports also indicate that some of the MOL's departmental sub-commissions on child labor have not been active, due in part to a lack of resources. (19,42)

The Comprehensive Law against Human Trafficking and Smuggling mandates that the Plurinational Council against Human Trafficking and Smuggling of Persons include NGOs. However, reports indicate that NGOs have not participated fully in this Council despite efforts to be included. (43) Reports also indicate that some Department-Level Councils against Human Trafficking and Smuggling have yet to develop department-level plans to combat human trafficking, as mandated by law. (8,32,52)

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 implementing a new national action plan.

Table 9. Key Policies Related to Child Labor

Policy	Description
Bolivian General Plan for Economic and Social Development (2016–2020)	Sets goals for economic and social development including eliminating child labor. (54) Research was unable to determine whether activities were undertaken to implement this policy during the reporting period.
National Action Plan to Combat Trafficking and Smuggling of Persons (2015–2020)	Established eight lines of action drawn from the original five core areas of the Plurinational Policy to Combat Trafficking and Smuggling of Persons, including building capacity and coordination among criminal law enforcement agencies. (20,41) Although the plan was refined in 2016, an updated version awaits approval and publication. (7) In 2019, the Ombudsman's Office (<i>Defensoria del Pueblo</i>) published a detailed report on its governmental role in preventing the trafficking of children and adolescents, identifying key areas for improvement such as documentation control in transportation. (55) The Ombudsman's Office also held its first virtual course on human trafficking in September. (56)

In 2019, on International Day Against Child Labor, the Committee for the Eradication of Prohibited Work, the Social Services Department, and civil society held a round table to discuss issues related to child labor. (9) Bolivia's national policy for addressing child labor, the National Plan for the Progressive Eradication of Child Labor (2000–2010), expired in 2010. (57)

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2019, the government funded and participated in programs that include the goal of eliminating or preventing child labor (Table 10). However, gaps exist in these social programs, including funding and adequacy of programs to address the full scope of the problem in all sectors and regions.

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Table 10. Key Social Programs to Address Child Labor

Program	Description
Juancito Pinto Subsidy Program†	Government program that provides a conditional cash transfer to all primary and some secondary school students to increase school attendance and reduce the dropout rate. In 2019, the program expanded to the region of Caracollo. (58)
Safe Terminal Program	A child sex tourism prevention campaign launched by the Bolivian government in 2018, which includes training, awareness activities, and informational workshops for officials of transport and accommodation companies in the city of La Paz. (20) 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. (20) Research was unable to determine whether activities were undertaken to implement this program during the reporting period.
Human Rights of Children Working in Sugarcane, Brazil Nuts, and Mining‡	Human Rights Ombudsman's Office program that promotes the elimination of the worst forms of child labor, along with labor and social protections for working adolescents ages 14 to 17. Program implementation continued in 2019. (24)
Bolivian Foreign Trade Institute's Triple Seal Initiative	Ministry of Labor collaboration 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. (42) The program remained active in 2019. (21)
Child Trafficking Awareness-Raising Campaigns†	Government program implemented with the Bolivian Network for the Fight Against Human Trafficking and Smuggling that conducts awareness-raising campaigns to educate the public about the Comprehensive Law against Human Trafficking and Smuggling. (40) The Ministry of Education carried out training in 2019 on preventing trafficking in persons to 70 school directors and 100 parents of local schoolchildren in towns near international borders at which the risk of child trafficking is high. (21) On July 30th for World Day Against Human Trafficking, the Bolivian National Police organized an awareness-raising march and cultural program across 4 departments involving approximately 27,000 students called "My Life Has Value, My Body Does not Have a Price—United Against Trafficking in Persons." (21) In 2019, the Ombudsman's Office carried out an anti-trafficking in persons campaign for 4,428 elementary and secondary children, created and disseminated audiovisual spots for trafficking in persons prevention campaigns for youth, and organized awareness-raising marches with students in several cities. (21,53)

† Program is funded by the Government of Bolivia.

‡ The government had other social programs that may have included the goal of eliminating or preventing child labor. (2,19,59,60)

Although Bolivia has programs that target child labor, the scope of these programs is insufficient to address the extent of the problem, particularly in the production of Brazil nuts and sugarcane, ranching and cattle raising, mining, domestic work, street work, and commercial sexual exploitation. (19) Although the *Juancito Pinto* subsidy program continues to expand and has been effective in rural areas, reports indicate that the \$29 per year subsidy is insufficient to meaningfully cover costs, such as transportation, associated with attending school in larger cities. For example, reports indicate that costs associated with attending school in La Paz's sister city, El Alto, may reach \$410 per year. (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 Bolivia (Table 11).

Table 11. Suggested Government Actions to Eliminate Child Labor

Area	Suggested Action	Year(s) Suggested
Legal Framework	Ensure that the law prohibits children under the age of 14 from participating in apprenticeships.	2010 – 2019
	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 – 2019
	Raise the minimum age for work to the age up to which education is compulsory.	2018 – 2019
Enforcement	Authorize the labor inspectorate to assess penalties for child labor, including its worst forms.	2015 – 2019
	Publish information on child labor law enforcement, including whether inspectors received refresher training, the number of inspections conducted at worksites, the number of child labor violations as a result of inspections, and the number of penalties imposed and collected.	2009 – 2019
	Increase the number of labor inspectors responsible for enforcing laws on child labor to meet the ILO's technical advice.	2013 – 2019

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

Area	Suggested Action	Year(s) Suggested
Enforcement	Provide sufficient funding to increase the Ministry of Labor's capacity to ensure the adequate enforcement of child labor laws.	2013 – 2019
	Ensure that there are systematized records or a consolidated database on the number of violations found related to child labor.	2019
	Establish and maintain in every municipality an Office of the Child Advocate with sufficient resources to ensure that legal protections are extended to all children who are permitted to work, that parents are assisted in registering their children for work, and that coordination of the provision of services to children who are removed from child labor, including its worst forms, occurs in each region.	2014 – 2019
	Ensure that Offices of the Child Advocate publicly report on the number of children authorized to work and the number of children rescued from child labor and referred for social services.	2015 – 2019
	Publish information on training for criminal investigators, including whether they receive training on the worst forms of child labor and refresher training; the number of criminal child labor investigations, violations found, prosecutions initiated, convictions, and whether penalties were imposed for violations of the worst forms of child labor.	2011 – 2019
	Ensure that victims of the worst forms of child labor and human trafficking are not cast out of shelters due to fixed timelines.	2018 – 2019
	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.	2015 – 2019
Coordination	Ensure that the National Commission for the Progressive Eradication of Child Labor fulfills its central coordinating role and develops concrete mechanisms to improve coordination among participating agencies and organizations.	2009 – 2019
	Ensure that all Ministry of Labor departmental sub-commissions designed to combat child labor convene and receive sufficient resources to carry out their functions.	2014 – 2019
	Ensure that NGOs participate in the Plurinational Council to Combat the Trafficking and Smuggling of Persons, as required by the Comprehensive Law against Human Trafficking and Smuggling.	2014 – 2019
	Ensure that all Department-Level Councils against Human Trafficking are fully operational as required by the Comprehensive Law against Human Trafficking and Smuggling.	2014 – 2019
Government Policies	Establish and implement a new National Plan for the Progressive Eradication of Child Labor.	2010 – 2019
	Ensure that all policies that address child labor are active and take actions each reporting period, including the Bolivian General Plan for Economic and Social Development.	2019
	Approve and publish an updated version of the National Action Plan to Combat Trafficking and Smuggling of Persons.	2019
Social Programs	Expand national programs, especially those targeting children in rural areas to increase secondary school attendance.	2010 – 2019
	Increase the <i>Juancito Pinto</i> subsidy to ensure that schoolchildren are able to cover the costs associated with attending school.	2014 – 2019
	Expand social programs to address the worst forms of child labor at sites in which hazardous child labor exists, particularly in the production of Brazil nuts and sugarcane, ranching and cattle raising, mining, domestic work and street work, and commercial sexual exploitation.	2009 – 2019
	Ensure that all social programs that address the worst forms of child labor are active and publish information on activities each reporting period.	2019

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In 2019, Bosnia and Herzegovina made a moderate advancement in efforts to eliminate the worst forms of child labor. The Council of Ministers adopted the 2020–2023 National Strategy to Combat Trafficking in Persons and improved victim access to social services by merging resources for domestic and foreign victims of human trafficking into one fund. The government also launched a project with the Council of Europe to prevent and combat human trafficking. However, children in Bosnia and Herzegovina engage in the worst forms of child labor, including in forced begging, sometimes as a result of human trafficking. The Anti-Trafficking Strike Force lacks coordination between prosecutors, police, and other relevant government stakeholders, and border police officers and social workers failed to properly identify unaccompanied migrant and refugee children as potential victims of human trafficking due to a lack of proper protocols. Furthermore, laws on the minimum age for work do not meet international standards because they do not apply to children who are self-employed or working outside of formal employment relationships.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Bosnia and Herzegovina (BiH) engage in the worst forms of child labor, including in forced begging, sometimes as a result of human trafficking. Children also perform dangerous tasks in street work. (1,2) Table I provides key indicators on children’s work and education in BiH. Data on some of these indicators are not available from the sources used in this report.

Table I. Statistics on Children’s Work and Education

Children	Age	Percent
Working (% and population)	5 to 14	8.9 (44,017)
Attending School (%)	5 to 14	83.7
Combining Work and School (%)	7 to 14	10.6
Primary Completion Rate (%)		Unavailable

Primary completion rate was unavailable from UNESCO Institute for Statistics, 2020. (3)

Source for all other data: International Labor Organization’s analysis of statistics from Multiple Indicator Cluster Survey 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
Services	Street work, including vending and washing car windows (5-7)
Categorical Worst Forms of Child Labor‡	Forced begging and forced domestic work, each sometimes as a result of human trafficking (1,5,10)
	Commercial sexual exploitation, sometimes as a result of human trafficking (1,5,10)
	Use in illicit activities, including for pickpocketing (5,7,10)
	Use in the production of pornography (2,7,10,11)

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

Street begging is the most common form of child labor in BiH. (1,5,10) Organized groups sometimes traffic children to lucrative locations, both domestically and internationally, in regional and European Union countries, where they are forced to beg. (1,2,12,13)

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Children in the largest minority group in BiH, the Roma, are vulnerable to the worst forms of child labor due to their difficulty in accessing education. The costs of school supplies and uniforms may be prohibitively expensive for some families. (5,7,14) 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. (5,10) Sources indicated that the government has not allocated enough financial resources for adequate implementation of inclusive education initiatives, particularly for students with disabilities. (1,2,5,10,16,17)




Schools in Republika Srpska (RS) deny the right for some Bosniak children to receive instruction in the Bosnian language, therefore these children sometimes travel long distances to the Federation of Bosnia and Herzegovina (FBiH) to receive education in their language. (16-19) In addition, discrimination persists under the “Two Schools Under One Roof” practice between Bosniaks and Croats in FBiH. This practice creates obstacles for students who wish to attend schools other than those which match their ethnic identity and also enables ethnic discrimination in schools, which can lead to absenteeism. (18,20,21)

Children with disabilities generally face barriers to access education, which may make them vulnerable to child labor. Although the number of school programs for children with disabilities is increasing, parents of such children often receive little support from the government, and many schools are unable to provide accommodations for the children’s disabilities. (16)

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	✓

BiH is a democratic republic with a bicameral parliament. Governmental responsibilities lie with the state, the two entities of BiH (the Federation of Bosnia and Herzegovina (FBiH) and Republika Srpska (RS)), and the self-governing Brčko District (BD). (16) The Government of BiH has established laws and regulations related to child labor, at the state, entity, and district levels (Table 4). However, gaps exist in BiH’s legal framework to adequately protect children from the worst forms of child labor, including the minimum age for work and the prohibition of military recruitment by non-state armed groups.

Table 4. Laws and Regulations on Child Labor

Standard	Related Entity	Meets International Standards	Age	Legislation
Minimum Age for Work	Federation of Bosnia and Herzegovina (FBiH)	No	15	Article 20 of the Labor Law of the Federation of Bosnia and Herzegovina (22)
	Republika Srpska (RS)	No	15	Articles 26–27 of the Labor Law of Republika Srpska (23)
	Brčko District (BD)	No	15	Article 10 of the Labor Law of Brčko District (24)
Minimum Age for Hazardous Work	FBiH	Yes	18	Article 57 of the Labor Law of the Federation of Bosnia and Herzegovina (22)
	RS	Yes	18	Articles 103 and 264 of the Labor Law of Republika Srpska (23)
	BD	Yes	18	Article 41 of the Labor Law of Brčko District (24)
Identification of Hazardous Occupations or Activities Prohibited for Children	FBiH	Yes		Articles 42, 57, and 171 of the Labor Law of the Federation of Bosnia and Herzegovina (22)
	RS	Yes		Articles 70, 72, 103, and 264 of the Labor Law of Republika Srpska (23)
	BD	Yes		Articles 28, 41, and 111 of the Labor Law of Brčko District (24)
Prohibition of Forced Labor	Bosnia and Herzegovina (BiH)	Yes		Articles 185–186a of the Criminal Code of Bosnia and Herzegovina; Article II of the Constitution of Bosnia and Herzegovina (25,26)
	FBiH	No		Articles 210a (2–3) of the Criminal Code of the Federation of Bosnia and Herzegovina. (27)
	RS	Yes		Article 198b of the Criminal Code of Republika Srpska (28)
	BD	Yes		Article 207 of the Criminal Code of Brčko District (29)
Prohibition of Child Trafficking	BiH	Yes		Articles 185–186a of the Criminal Code of Bosnia and Herzegovina (26)
	FBiH	Yes		Articles 210a–210b of the Criminal Code of the Federation of Bosnia and Herzegovina (27)
	RS	Yes		Article 198b of the Criminal Code of Republika Srpska (28)
	BD	Yes		Article 207 of the Criminal Code of Brčko District (29)
Prohibition of Commercial Sexual Exploitation of Children	BiH	No		Articles 186 and 187 of the Criminal Code of Bosnia and Herzegovina (26)
	FBiH	No		Articles 210–211 of the Criminal Code of the Federation of Bosnia and Herzegovina (27)
	RS	No		Articles 198 and 198b–200 of the Criminal Code of Republika Srpska (28)
	BD	No		Articles 186 and 207–209 of the Criminal Code of Brčko District (29)
Prohibition of Using Children in Illicit Activities	BiH	No		Article 195 of the Criminal Code of Bosnia and Herzegovina (26)
	FBiH	Yes		Article 219 of the Criminal Code of the Federation of Bosnia and Herzegovina (27)
	RS	Yes		Articles 198b and 224 of the Criminal Code of Republika Srpska (28)
	BD	Yes		Article 216 of the Criminal Code of Brčko District (29)
Minimum Age for Voluntary State Military Recruitment	BiH, FBiH, RS, BD	Yes	18	Article 9 of the Law on the Service in the Armed Forces of Bosnia and Herzegovina (30)
Prohibition of Compulsory Recruitment of Children by (State) Military	BiH, FBiH, RS, BD	N/A*		Article 9 of the Law on the Service in the Armed Forces of Bosnia and Herzegovina (30)
Prohibition of Military Recruitment by Non-state Armed Groups	BiH, FBiH, RS, BD	No		Article 173(e) of the Criminal Code of Bosnia and Herzegovina (26)

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

Standard	Related Entity	Meets International Standards	Age	Legislation
Compulsory Education Age	FBiH	Yes	15‡	Article 16 of the Framework Law on Primary and Secondary Education in Bosnia and Herzegovina (31)
	RS	Yes	15	Article 2 of the Law on Primary Education of Republika Srpska; Article 16 of the Framework Law on Primary and Secondary Education in Bosnia and Herzegovina (31,32)
	BD	Yes	15	Article 55 of the Law on Education in Primary and Secondary Schools in the Brčko District; Article 16 of the Framework Law on Primary and Secondary Education in Bosnia and Herzegovina (31,33)
Free Public Education	FBiH, RS, BD	Yes		Article 16 of the Framework Law on Primary and Secondary Education in Bosnia and Herzegovina (31)

* No conscription (30)

‡ Age calculated based on available information (31)

The labor laws of FBiH, RS, and BD do not conform to international standards that require all children to be protected by the minimum age to work because the labor laws do not apply to children who are self-employed or working outside of formal employment relationships. Additionally, neither of the two entities nor the Brčko District includes begging in their lists of hazardous occupations prohibited for children. (13-15) The Criminal Code in BiH fails to prohibit using children for prostitution, for the production of pornography or for pornographic performances. Although the Criminal Code in FBiH criminalizes human trafficking for forced labor, it fails to specifically outlaw forced labor, debt bondage, and slavery separately from trafficking in persons. (5,27) The Criminal Codes in FBiH and in BD do not criminally prohibit the use of children for prostitution. While the Criminal Code in RS prohibits using children who are victims of human trafficking for prostitution, for the production of pornography and for pornographic performances, there is a gap in the law for children who are not trafficking victims. Additionally, 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.

III. ENFORCEMENT OF LAWS ON CHILD LABOR

The government has established institutional mechanisms for the enforcement of laws and regulations on child labor (Table 5). However, gaps exist within the authority of the Ministries of Labor for FBiH, RS, and BD that may hinder adequate enforcement of their child labor laws.

Table 5. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Related Entity	Role
FBiH Ministry of Labor and Social Policy Federal Inspection Agency and Cantonal-Level Labor Inspectorates	FBiH	Enforce labor laws, including those on child labor, in FBiH. (5,34)
RS Ministry of Labor and Veterans Labor Inspectorate	RS	Enforces labor laws, including those on child labor, in RS. (5,34)
BD Administrative Support Department	BD	Enforces labor laws, including those on child labor, in BD. (34)
Entity and Cantonal-Level Police	BD, FBiH, RS	Enforce criminal laws against human trafficking, forced labor, prostitution, and begging. (5)
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. (5)
State Investigative and Protection Agency (SIPA) and State Border Police (SBP)	BiH	Investigates human trafficking crimes and enforces anti-trafficking laws across the entire country (SIPA). Identifies victims of human trafficking at the border (SBP). (2)
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. (2)

Labor Law Enforcement

Research did not find information on whether labor law enforcement agencies in BiH took actions to combat child labor.

Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	Related Entity	2018	2019
Labor Inspectorate Funding	FBiH/RS/BD	Unknown (5)	Unknown
Number of Labor Inspectors	FBiH	83 (5)	Unknown
	RS	43 (5)	Unknown
	BD	7 (5)	Unknown
Inspectorate Authorized to Assess Penalties	FBiH/RS/BD	Yes (22-24)	Yes (22-24)
Initial Training for New Labor Inspectors	FBiH/RS/BD	No (5)	Unknown
Training on New Laws Related to Child Labor	FBiH/RS/BD	No (5)	Unknown
Refresher Courses Provided	FBiH/RS/BD	No (5)	Unknown
Number of Labor Inspections Conducted	FBiH/RS/BD	Unknown (5)	Unknown
Number Conducted at Worksite	FBiH/RS/BD	Unknown (5)	Unknown
Number of Child Labor Violations Found	FBiH/RS/BD	0 (5)	Unknown
Number of Child Labor Violations for Which Penalties Were Imposed	FBiH/RS/BD	0 (5)	Unknown
Number of Child Labor Penalties Imposed that Were Collected	FBiH/RS/BD	0 (5)	Unknown
Routine Inspections Conducted	FBiH/RS/BD	Yes (5)	Unknown
Routine Inspections Targeted	FBiH/RS/BD	Yes (5)	Unknown
Unannounced Inspections Permitted	FBiH/RS/BD	Yes (22-24)	Yes (22-24)
Unannounced Inspections Conducted	FBiH/RS/BD	Yes (5)	Unknown
Complaint Mechanism Exists	FBiH/RS/BD	Yes (5)	Unknown
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	FBiH/RS/BD	Yes (5)	Unknown

The government did not provide information on its labor law enforcement efforts for inclusion in this report, though officials in each entity reported that labor inspectors had sufficient resources to carry out inspections in 2019. However, no labor inspectors receive training on detecting hazardous child labor in agriculture, including handling agricultural chemicals. (5,35,36) Although complaint mechanisms exist in all entities, including a mechanism for receiving online complaints, research found that BiH does not have an official system for referring children identified during labor inspections to social service providers unless they are victims or potential victims of human trafficking. (5)

Criminal Law Enforcement

In 2019, criminal law enforcement agencies in BiH took actions to combat child labor (Table 7).

Table 7. Criminal Law Enforcement Efforts Related to Child Labor

Overview of Criminal Law Enforcement	Related Entity	2018	2019
Initial Training for New Criminal Investigators	BiH/FBiH/RS/BD	Yes (5)	Unknown
Training on New Laws Related to the Worst Forms of Child Labor	BiH/FBiH/RS/BD	Yes (5)	Unknown
Refresher Courses Provided	BiH/FBiH/RS/BD	Yes (5)	Yes (2)
Number of Investigations	BiH	Unknown (5)	Unknown
	FBiH/RS/BD	12 (36)	5 (37)
Number of Violations Found	BiH/FBiH/RS/BD	11 (36)	Unknown
Number of Prosecutions Initiated	BiH	Unknown (5)	3 (37)
	FBiH/RS/BD	7 (36)	Unknown
Number of Convictions	BiH	Unknown (5)	0 (37)
	FBiH/RS/BD	3 (36)	4 (37)
Imposed Penalties for Violations Related to The Worst Forms of Child Labor	BiH/FBiH/RS/BD	1 (36)	Unknown
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	BiH/FBiH/RS/BD	Yes (5)	Yes (37)

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As in previous years, forced begging cases are pursued by entity-level police and state-level prosecutors. (2,10) Children who are detained for begging are generally referred to social service providers, which are often run by NGOs with funding from the Ministry of Security or the Ministry for Human Rights and Refugees. (2,10,11) However, law enforcement officials sometimes penalize child victims of forced begging by issuing fines against the children. (2,38)

During the reporting period, the OSCE facilitated multiple trainings on indicators of trafficking in persons, with an emphasis on irregular migrants, including unaccompanied minors, for the Border Police and regional police forces. (2) However, research indicates that law enforcement officials and social workers would benefit from additional training on identifying children used for forced labor and begging, as these cases are often classified as child negligence or Roma custom instead. (2,10) Law enforcement personnel and prosecutors sometimes impose sentences under the legal minimum, decrease the severity of the sentences, or dismiss the charges against the perpetrators altogether. (2,5,10) 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 trafficked them. (2,5)

The government did not provide information on its criminal law enforcement efforts for inclusion in this report.

IV. COORDINATION OF GOVERNMENT EFFORTS ON CHILD LABOR

The government has established mechanisms to coordinate its efforts to address child labor (Table 8). However, gaps exist that hinder the effective coordination of efforts to address child labor, including incorporation 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. (5,10,36,39) Oversees the human trafficking database, which includes data from NGOs, SIPA, SBP, and police agencies and prosecutors' offices at all levels. (10,36) Publishes data from this database in its annual report on human trafficking. (39) Oversees shelter management and monitors NGO compliance with the agreed-upon provisions on victims' assistance. (36) In 2019, the State Coordinator assisted 36 minors identified as potential victims of trafficking. (2)
Strike Force for Combating Trafficking in Persons and Organized Illegal Migration (Anti-Trafficking Strike Force)	Coordinates human trafficking investigations across government agencies. (36,39) Convenes monthly, with additional meetings scheduled as needed. (10,12,40) Chaired by the Chief State Prosecutor, includes BiH, FBiH, RS, and BD ministries and agencies. (2,5,39) In 2019, the Chief State Prosecutor reached out to more agencies in an effort to involve them in decision-making, including the BiH Border Police, and agreed to allot funding to be used to pay members a nominal participation fee. (2)
Inter-Ministerial Working Group	Monitors implementation of the National Strategy to Combat Trafficking in Persons and the National Referral Mechanism. (5,36,39) Comprises appointed representatives from the state and entity governments, including labor inspectors and elected representatives from NGOs. (5,8) During the reporting period, the Council of Ministers adopted the updated 2020-2023 National Strategy to Combat Trafficking in Persons and instructed both entity-level and cantonal governments to prepare and adopt action plans by June 2020. (2)
Regional Monitoring Teams	Facilitate anti-human trafficking coordination among state, entity, and cantonal-level institutions, as well as between NGOs and intergovernmental organizations. (39,41) Include labor inspectors. (38) In 2019, in an effort to decentralize operations and allow for more adept decision-making, agreed to expand from 4 teams to 18 teams. In addition, MOS organized trainings on protecting victims of trafficking for members of the regional monitoring teams, with an emphasis on the protection of unaccompanied minors and other vulnerable groups. (2,10)

Although the Strike Force is meant to coordinate anti-trafficking efforts across agencies, representatives from the Ministries of Labor are not included. (2,5) The BiH Prosecutor's Office assigned a new prosecutor to the Strike Force following the suspension of its former representatives; however, the FBiH Ministry of Interior failed to appoint its second member to the Strike Force. (37) In addition, the Strike Force lacked funding for a third consecutive year due to political disagreements and low levels of support across all levels of government. (2,10,36) The Strike Force also failed to consistently document its cases. (2,36)

The Council for Children did not meet during the reporting period due to a lack of funding for work and honoraria to members of the body. (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 mainstreaming issues regarding the worst forms of child labor into relevant policies.

Table 9. Key Policies Related to Child Labor

Policy	Description
National Action Plan to Counter Trafficking (2016–2019)	Ensures a permanent, comprehensive, and sustainable response to trafficking in human beings through a strengthened system of prevention, prosecution of perpetrators, and protection and assistance to victims of trafficking. Called for additional harmonization of existing criminal legislation, following the recommendations of the Council of Europe and European Union. (5,7,37) During the reporting period, the National Coordinator organized meetings throughout 2019 with representatives from all levels of government, ensuring that the Strategy including its funding mechanism was drafted and approved by consensus by all levels of BiH government. (37)
Guidelines for Work of Regional Monitoring Teams	Enhances the cooperation of monitoring team members and the National Referral Mechanism. (10,44) Includes a section on mixed migration flows, in which unaccompanied migrant children and victims of human trafficking are addressed. (10) During the reporting period, the governments established six monitoring teams in Republika Srpska, one team in Brčko District, and three teams for Tuzla, Sarajevo, and Central Bosnia Canton; seven remaining teams in the Federation were in the initial establishment phase. (37)
Protocol on Cooperation and Treatment in Cases of Unlawful Behavior at the Detriment of Children in Canton Sarajevo	Prevents begging, exploitation of children, and abuse of children in Canton Sarajevo. (45,46) Sets rules on state cooperation on victim protection and mandates the provision of physical, psychological, health, and social protection for children. (46) During the reporting period, the signatories of the Protocol collaborated on its implementation which resulted in the identification of two potential victims of trafficking. Additionally, the body established a Steering Board to more successfully work on implementation of the Protocol. (37)

‡ The government had other policies that may have addressed child labor issues or had an impact on child labor. (47)

Although the Government of BiH has adopted the National Action Plan to Counter Trafficking, research found no evidence of a policy on other forms of child labor, including forced labor or illicit activities. (2,5,7) In addition, Roma organizations and government agencies have expressed intentions to develop an action plan to combat child begging; however, the plan has not been completed. (36)

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2019, the government funded and participated in programs that include the goal of eliminating or preventing child labor (Table 10). However, gaps exist in these social programs, including a lack of adequate funding.

Table 10. Key Social Programs to Address Child Labor

Program	Description
Registration Project	UNHCR-funded project, implemented by NGO <i>Vaša Prava</i> , which promotes the registration of Roma people to increase their access to social benefits and schools. (39) Has helped 1,740 individuals register for citizenship since 2009 and continues to provide legal assistance to foreign trafficking victims. (2,12,48) Active in 2019. (2)
Daily Centers‡	Center for Social Welfare-supported and NGO-operated drop-in centers in seven locations across the country for vulnerable children, especially street children. (5,10,12) Provides direct assistance for children, including educational activities, counseling, food, and hygiene. (49) Sarajevo's Center for Social Welfare's Mobile Team also engages in daily outreach to children on the streets and to families in vulnerable communities. In 2019, the Daily Centers provided social services to the 160 potential victims of child trafficking identified by the State Prosecutor, 14 of whom had previously received assistance from the centers. (2)
Assistance for Trafficking Victims‡	Government program that allocates small grants to local NGOs for the provision of shelter and social services to victims of human trafficking, including counseling, educational assistance and job training for domestic victims, and visa and legal services for foreign victims of human trafficking. (50) In 2019, MOS and the Ministry of Human Rights and Refugees allocated \$39,942 for shelters. (2)
UNICEF Country Program (2015–2019)	UNICEF-funded program that aimed to reduce child poverty, enhance child protection and inclusive education, and create inclusive early education for Roma children, as well as to identify gaps in access to education for Roma children and children with disabilities. (51) Research was unable to determine whether the program was active during the reporting period.

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

Program	Description
Prevention and Fight Against Trafficking in Human Beings in Bosnia and Herzegovina*	Joint project by the European Union and the Council of Europe. Debuted in October 2019 and offers \$790,720 in funding over the course of 3 years to assist Bosnia and Herzegovina in its efforts to better identify victims of human trafficking and heighten public awareness of ongoing issues in the trafficking of persons. Plans to achieve goals through 12 trainings for labor inspectors, police officers, healthcare providers, and education professionals. (2)

* Program was launched during the reporting period.

† Program is funded by the Government of BiH.

Because labor inspectors do not have a mandate to inspect informal work, staff from Daily Centers are often the first to identify children engaged in hazardous street work. Sarajevo’s Mobile Team staff continues to lack sufficient resources for their work, especially reliable transportation. (35,36,49) Although most Daily Centers collaborate with local Centers for Social Welfare, Daily Centers are not institutionalized and, therefore, lack consistent financial and technical support. (35,36,53) This may limit the ability of Daily Centers to identify and assist children working on the streets; additionally, government support for outreach to street children in areas outside Sarajevo varies significantly. Although the government provides some social services for low-income families through the Center for Social Welfare, many families do not receive enough assistance to reduce their reliance on child labor, especially begging. (35,36,49)

In previous years, many domestic victims of trafficking in persons have been left without assistance because unused funds allocated for human trafficking victims are returned to the state treasury. (2,10) However, the Ministry of Security and the Ministry of Human Rights and Refugees have indicated that this issue will likely resolve once funding for domestic and foreign victims is combined into one pool. During the reporting period, the government agreed that funding dedicated to assisting both domestic and foreign victims should be merged into one fund for disbursement by the National Coordinator’s Office to ensure that the targeted populations would have access to a larger pool of resources. (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 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 – 2019
	FBiH	Criminalize forced labor, debt bondage, and slavery separately from human trafficking in FBiH’s laws.	2018 – 2019
	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 – 2019
	BiH	Ensure that the BiH law criminally prohibits using children for prostitution, production of pornography or pornographic performances.	2019
	FBiH, BD	Ensure that the laws of FBiH and of BD criminally prohibit the use of children for prostitution.	2019
	RS	Ensure that the use of children in prostitution, production of pornography and for pornographic performances is criminally prohibited separately from human trafficking.	2019
	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 – 2019
	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 – 2019

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

Area	Related Entity	Suggested Action	Year(s) Suggested
Enforcement	BD, FBiH, RS	Collect and publish information on labor and criminal law enforcement efforts, including labor inspectorate funding, number of inspections conducted, and number of prosecutions and convictions.	2015 – 2019
	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 – 2019
	BiH, BD, FBiH, RS	Create an official mechanism for referring children identified during labor inspections to social service providers.	2018 – 2019
	BD, FBiH, RS	Ensure that children are not penalized for being victims of the worst forms of child labor.	2017 – 2019
	BiH, BD, FBiH, RS	Ensure that law enforcement, judiciary officials, and social service 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 – 2019
Coordination	BiH, BD, FBiH, RS	Ensure that all relevant ministries are represented in the Anti-Trafficking Strike Force and allocate sufficient funding to enable coordination and documentation of active investigations.	2017 – 2019
	BiH	Ensure that all coordinating bodies are active and able to implement their mandates.	2019
Government Policies	BiH	Adopt a policy designed to address child labor and its worst forms, particularly forced labor and illicit activities, and include an action plan to address forced begging for the children of the Roma population.	2015 – 2019
Social Programs	BiH	Ensure that inclusive education initiatives receive adequate funding.	2009 – 2019
	BD, FBiH, RS	Ensure that all children have access to education by eliminating school-related fees, accommodating children with disabilities, and preventing discrimination of minority students.	2013 – 2019
	BD, FBiH, RS	Ensure that all children have access to birth registration or identity documentation required to enroll in school.	2011 – 2019
	FBiH, RS	Allow all Bosniak children in RS to access education in the Bosniak language and remove the “Two Schools Under One Roof” practice to eliminate discrimination in schools based on ethnicity in FBiH.	2018 – 2019
	BiH	Strengthen social protection measures by ensuring that programs such as the Daily Centers and Centers for Social Welfare receive adequate financial and technical resources to assist vulnerable families and victims of child labor.	2014 – 2019
	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 – 2019
	BiH	Ensure that the UNICEF Country Program and the UN Program and Common Budgetary Framework is active and completes its mandate.	2018 – 2019
	BiH	Ensure that government support for outreach to street children extends beyond Sarajevo.	2019

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In 2019, Botswana made a minimal advancement in efforts to eliminate the worst forms of child labor. During the year, the government conducted trainings related to countering trafficking in persons and exploitation of children. However, children in Botswana engage in the worst forms of child labor, including in commercial sexual exploitation, cattle herding, and domestic work, each sometimes as a result of human trafficking. Key gaps remain in the country's legal framework, including the lack of a minimum age for compulsory education and insufficient prohibitions for hazardous work. In addition, social programs do not always reach intended child labor victims, especially those engaged in cattle herding and domestic work.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Botswana engage in the worst forms of child labor, including in commercial sexual exploitation, cattle herding, and domestic work, each sometimes as a result of human trafficking. (1-5) Table 1 provides key indicators on children's work and education in Botswana. Data on some of these indicators are not available from the sources used in this report.

Table 1. Statistics on Children's Work and Education

Children	Age	Percent
Working (% and population)	5 to 14	Unavailable
Attending School (%)	5 to 14	Unavailable
Combining Work and School (%)	7 to 14	Unavailable
Primary Completion Rate (%)		100.7

Source for primary completion rate: Data from 2013, published by UNESCO Institute for Statistics, 2020. (6)
Data were unavailable from International Labor Organization's analysis, 2020. (7)

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

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

Sector/Industry	Activity
Agriculture	Herding cattle (1,3,5,8)
Services	Street work, including vending (8) Domestic work (3,5,8)
Categorical Worst Forms of Child Labor‡	Forced labor in herding cattle and domestic work, each sometimes as a result of human trafficking (3,5) Commercial sexual exploitation, sometimes as a result of human trafficking (1,9-12)

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

There is little published information regarding the sectors and types of activities in which children are working. Children in Botswana are victims of commercial sexual exploitation, sometimes as a result of human trafficking, and debt bondage. (5,11) Reports indicate that some children residing in the Dukwi Refugee Camp are engaged in commercial sexual exploitation as they await decisions regarding their refugee status. (8) 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. (5,11) In addition, children of San ethnic minority groups are subjected to forced labor conditions on private farms and cattle posts. (1,5,11)

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Botswana law provides for free basic education; however, the costs of books, uniforms, and other materials are prohibitive for poorer families. (13) School enrollment requires an identity document, such as a birth certificate or national identity card. The government allows all children to enroll in primary education, even without these documents; however, migrant children and children born outside of health care facilities, or whose parents did not register them at birth, may not be able to enroll in secondary schools or register for national exams. (14) Schools also often lack adequate resources for students with disabilities. (8) Moreover, pervasive physical and sexual abuse within schools, including by teachers, contribute to children leaving education early and becoming vulnerable to the worst forms of child labor. (8,15)

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 (16)
Minimum Age for Hazardous Work	Yes	18	Articles 2 and 110 of the Employment Act (16)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Articles 108 and 109 of the Employment Act (16)
Prohibition of Forced Labor	Yes		Articles 2 and 71 of the Employment Act; Articles 175 and 262 of the Penal Code; Section 114 of the Children's Act; Articles 9–10 of the Anti-Human Trafficking Act (16-19)
Prohibition of Child Trafficking	Yes		Article 175 of the Penal Code; Section 114 of the Children's Act; Articles 9–10 of the Anti-Human Trafficking Act (17-19)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Sections 25 and 57–59 of the Children's Act (17)
Prohibition of Using Children in Illicit Activities	Yes		Section 60 of the Children's Act (17)
Minimum Age for Voluntary State Military Recruitment	Yes	18	Section 17 of the Botswana Defence Force Act (20)
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 (17)
Compulsory Education Age	No		

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

Standard	Meets International Standards	Age	Legislation
Free Public Education	Yes		Section 18 of the Children's Act (17,21)

* No conscription (20)

Although the Employment Act allows children to conduct light work activities at age 14, the government has yet to determine the types of light work activities permitted for children. (13) In addition, the Employment Act prohibits night work and hazardous underground work for children, but it does not prohibit other types of hazardous work, including work with dangerous machinery, equipment, and tools. (16,22) Although the government compiled a comprehensive list of hazardous occupations, the list has yet to be approved. (23)

Despite the provision of free basic education, there is not a compulsory education age, which may increase children's vulnerability to child labor. (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 the Ministry of Employment, Labour Productivity and Skills Development (MELSD) and the Ministry of Defense, Justice, and Security (MDJS) that may hinder adequate enforcement of child labor laws.

Table 5. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
Ministry of Employment, Labour Productivity and Skills Development (MELSD)	Enforces child labor laws and conducts inspections under the Employment Act. (2,16) Facilitates coordination with local leaders and law enforcement officers. Posts labor inspectors to District Council offices to carry out their duties. (2)
District and Municipal Council Child Welfare Divisions	Enforce child labor laws at the local levels. (2)
Botswana Police Service (BPS)	Investigates cases of the worst forms of child labor, including commercial sexual exploitation of children and child trafficking. (2)
Ministry of Defense, Justice, and Security (MDJS)	Monitors suspected human trafficking cases and leads the Human Trafficking (Prohibition) Committee. (2)
Ministry of Local Government and Rural Development	Identifies vulnerable children, including those in the worst forms of child labor, and reports cases to the police through its Department of Social Protection. (25) Responds to child labor cases on referral from MELSD or the police. (8) Works with the judiciary to place vulnerable children in safe environments. (25)

Labor Law Enforcement

In 2019, labor law enforcement agencies in Botswana took actions to combat child labor (Table 6). However, gaps exist within the operations of the MELSD that may hinder adequate labor law enforcement, including the lack of authority to assess penalties.

Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2018	2019
Labor Inspectorate Funding	Unknown (2)	Unknown (8)
Number of Labor Inspectors	53 (2)	Unknown (8)
Inspectorate Authorized to Assess Penalties	No (2)	No (2)
Initial Training for New Labor Inspectors	Unknown (2)	Unknown (8)
Training on New Laws Related to Child Labor	Unknown (2)	Unknown (8)
Refresher Courses Provided	Unknown (2)	Unknown (8)
Number of Labor Inspections Conducted	2,113† (26)	Unknown (8)

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

Overview of Labor Law Enforcement	2018	2019
Number Conducted at Worksite	Unknown (2)	Unknown (8)
Number of Child Labor Violations Found	0† (2)	0 (8)
Number of Child Labor Violations for Which Penalties Were Imposed	0† (2)	0 (8)
Number of Child Labor Penalties Imposed that Were Collected	0† (2)	0 (8)
Routine Inspections Conducted	Yes (2)	Yes (8)
Routine Inspections Targeted	Yes (2)	Yes (8)
Unannounced Inspections Permitted	Yes (2)	Yes (8)
Unannounced Inspections Conducted	Yes (2)	Yes (8)
Complaint Mechanism Exists	Yes (2)	Yes (8)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (2)	Yes (8)

† Data are from April 1, 2018 to January 31, 2019.

The number of labor inspectors is likely insufficient for the size of Botswana’s workforce, which includes approximately 1,177,000 workers. (8) According to the ILO’s technical advice of a ratio approaching 1 inspector for every 15,000 workers in developing economies, Botswana would employ about 78 labor inspectors. Labor inspectors are not authorized to inspect domestic households and landowners often deny them access to families working on large farms, which hinders the inspectors’ ability to identify underage workers. (2,8) The labor inspectorate, moreover, has not conducted labor inspections in the Ghanzi District, where there are a significant number of farms and cattle posts, since 2014. (8)

The government did not provide information on the funding of its labor inspectorate, the number of labor inspectors, trainings, or the number of labor inspections conducted, including inspections conducted at worksites, for inclusion in this report. (8)

Criminal Law Enforcement

In 2019, criminal law enforcement agencies in Botswana took actions to combat child labor (Table 7). However, gaps exist within the operations of the MDJS that may hinder adequate criminal law enforcement, including investigation planning.

Table 7. Criminal Law Enforcement Efforts Related to Child Labor

Overview of Criminal Law Enforcement	2018	2019
Initial Training for New Criminal Investigators	Unknown (2)	Unknown (8)
Training on New Laws Related to the Worst Forms of Child Labor	Unknown (2)	Yes (8)
Refresher Courses Provided	Unknown (2)	Yes (8)
Number of Investigations	0 (2)	Unknown (8)
Number of Violations Found	0 (2)	0 (8)
Number of Prosecutions Initiated	0 (2)	0 (8)
Number of Convictions	0 (2)	0 (8)
Imposed Penalties for Violations Related to The Worst Forms of Child Labor	Unknown (2)	0 (8)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (2)	Yes (8)

The MELSD and the Botswana Police Service operate toll-free hotlines to report offenses, including child exploitation, but research could not find information about the number of calls related to the worst forms of child labor. (8,12)

The MDJS implemented a tool kit related to trafficking in persons, which was used for training more than 1,000 individuals on countering child exploitation. (8) In addition, the U.S. International Law Enforcement Academy provided training on human trafficking and child exploitation to nine Botswana police and immigration officers. (27)

IV. COORDINATION OF GOVERNMENT EFFORTS ON CHILD LABOR

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

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

Coordinating Body	Role & Description
Advisory Committee on Child Labor	Oversees child labor issues and reports to the government three to four times a year. Includes representatives from government agencies, various NGOs, worker federations, and employer organizations. (2) Led by MELSD, with participation from the Ministry of Local Government, Ministry of Finance, and the Office of the President. (14) Research was unable to determine actions taken by the committee during the reporting period. (8)
Child Labor Committees	Identify child laborers at the village level. Include social workers; school teachers; members of the Village Development Committees, which are local government structures; labor inspectors; and community leaders, including chiefs and priests. (2) Research was unable to determine actions taken by the committees during the reporting period. (8)
Human Trafficking (Prohibition) Committee	Provides an inter-ministerial reporting and referral mechanism for children subjected to human trafficking. (14) Led by MDJS, with representation from MELSD, BPS, the Directorate of Public Prosecutions, and ministries responsible for gender affairs, social protection, immigration, and transportation. (2,27) In 2019, the Human Trafficking (Prohibition) Committee oversaw the implementation of the Anti-Human Trafficking National Action Plan, including aligning the plan with other national programs and policies. (14)

The MDJS reported the need for technical support, training, and increased coordination among agencies to address human trafficking. It indicated that referral and rehabilitation services for victims of human trafficking are also needed. (2,12,28)

V. GOVERNMENT POLICIES ON CHILD LABOR

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

Table 9. Key Policies Related to Child Labor

Policy	Description
National Action Plan on the Elimination of the Worst Forms of Child Labor	Outlines the government's plan to address child labor through legislation and policy, and includes awareness-raising programs and training on child labor for relevant stakeholders and implementers. (2) Research could not determine whether activities were undertaken to implement the National Action Plan on the Elimination of the Worst Forms of Child Labor during the reporting period. (8)
Anti-Human Trafficking National Action Plan (2017–2020)	Outlines the government's plan to implement the Anti-Human Trafficking Act of 2015. Establishes goals to strengthen national coordination mechanisms to combat and prevent human trafficking, through public awareness and cooperation among government departments and civil society. (29) During the reporting period, the Human Trafficking (Prohibition) Committee worked to align the Anti-Human Trafficking National Action Plan with other national policies. (14)

Child labor elimination and prevention strategies are not included in some national policies, including the Education and Training Sector Strategic Plan and the Botswana National Youth Policy. (30,31)

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2019, the government funded and participated in programs that include the goal of eliminating child labor (Table 10). However, gaps exist in these social programs, including the adequacy of programs to address the full scope of the problem.

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Table 10. Key Social Programs to Address Child Labor

Program	Description
Government-Funded Programs to Combat Child Labor†	Government-funded programs that aim to prevent child labor and increase protections for vulnerable children. Includes NGO-run shelters, with financial support from the government, that cater to human trafficking victims, including children; the National School Feeding Program, which provides meals to children (grades one through seven) in all public primary schools in the country; the Remote Area Dweller Program, which provides a second meal to school children living in remote areas and children from marginalized communities; the Orphan Care Program, which provides orphans with meals and subsidizes the cost of school fees and transportation costs; and the Needy Children and Needy Students program, managed by the Ministry of Local Government and Rural Development, which provides families with free meals, toiletries, and school uniforms. (2,32) Research was unable to determine whether government-funded programs were implemented during the reporting period. (8)

† Program is funded by the Government of Botswana.

‡ The government had other social programs that may have included the goal of eliminating or preventing child labor. (33)

Although Botswana has programs that target child labor, the design and implementation of these programs are insufficient to fully address the scope of the problem, especially in commercial sexual exploitation, cattle herding, and domestic work.

There are no official government-run shelters to assist child victims of human trafficking; the government authorized and partially funds NGO-run shelters, but it does not provide its own services. (2,12)

VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE CHILD LABOR

Based on the reporting above, suggested actions are identified that would advance the elimination of child labor in 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 – 2019
	Ensure that the hazardous work list extends to work that involves dangerous machinery, equipment, and tools.	2009 – 2019
	Determine a compulsory education age consistent with the minimum age of employment.	2010 – 2019
Enforcement	Authorize labor inspectors to assess penalties for labor violations.	2016 – 2019
	Ensure that labor inspectors are authorized and able to conduct inspections at farms and domestic households.	2018 – 2019
	Ensure that labor inspections are occurring across all regions.	2019
	Publish information regarding labor law enforcement efforts, including inspectorate funding, the size of the labor inspectorate, trainings, and number of inspections, including inspections at worksites.	2016 – 2019
	Publish information on the number of complaints related to the worst forms of child labor received through the Ministry of Employment, Labour Productivity and Skills Development and the Botswana Police Service toll-free hotlines.	2019
	Publish information about the number of criminal law enforcement trainings and investigations.	2017 – 2019
Coordination	Ensure that coordinating bodies, including the Advisory Committee on Child Labor and Child Labor Committees are active and able to carry out their mandates.	2018 – 2019
	Ensure that the Ministry of Defense, Justice, and Security receives sufficient training and that there is increased coordination among agencies to address victims of human trafficking.	2017 – 2019
	Ensure that the Ministry of Defense, Justice, and Security provides rehabilitation services for human trafficking victims.	2018 – 2019
Government Policies	Ensure the implementation of key policies related to prevention and elimination of the worst forms of child labor, including the National Action Plan on the Elimination of the Worst Forms of Child Labor.	2017 – 2019
	Integrate child labor elimination and prevention strategies into relevant policies, such as the Education and Training Sector Strategic Plan, the Botswana National Youth Policy, and the National Action Plan for Youth.	2011 – 2019

Table 6. Labor Law Enforcement Efforts Related to 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 – 2019
	Enhance educational access for all children by defraying costs for uniforms and school materials.	2019
	Enhance efforts to remove educational barriers and make education accessible for all children by taking measures to address physical and sexual violence in schools, increasing resources for students with disabilities, and ensuring that children can enroll in school regardless of their ability to provide identification documents.	2019
	Ensure the implementation of existing social programs to address child labor.	2019
	Develop programs to fully address the scope of child labor in commercial sexual exploitation, domestic work, and cattle herding.	2012 – 2019
	Establish official government-run shelters to assist child victims.	2019

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In 2019, Brazil made a moderate advancement in efforts to eliminate the worst forms of child labor. The government published two updated versions of the national “Dirty List” containing information on employers that the Ministry of Economy has found to be using slave labor, including that of children. The Labor Prosecution Service and the Federal Police also signed a 3-year technical cooperation agreement to combat child labor and forced labor, with the aim of increasing both agencies’ technical capacity, while also providing access to each other’s databases for more efficient information exchange. In addition, national, state, and local governments conducted a wide range of awareness-raising campaigns throughout the year, including a national meeting on combating child labor during which participants collaborated on a coordinating agenda to better promote education and combat child labor. Moreover, the Labor Prosecutor’s Office and the Labor Inspection Unit at the Ministry of Economy promoted the Fourth National Apprenticeship Week, a program that has significantly contributed in reducing child labor in the country, and the Ministry of Social Development in Pernambuco State assisted 8,932 victims of child labor. However, children in Brazil engage in the worst forms of child labor, including in commercial sexual exploitation, sometimes as a result of human trafficking. Children also engage in child labor in agriculture, 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. In addition, there are likely not enough labor inspectors to provide sufficient coverage of the workforce, and local governments lack the capacity to fully implement and monitor the National Program to Eradicate Child Labor, the family stipend program Bolsa Família, and other social protection programs.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Brazil engage in the worst forms of child labor, including in commercial sexual exploitation, sometimes as a result of human trafficking. (1-3) Children also engage in child labor in agriculture, including in the production of coffee. (4,5) The 2016 National Household Survey, published in November 2017, estimated that 998,000 children ages 5 to 17 engaged in child labor—190,000 children ages 5 to 13, and 808,000 adolescents ages 14 to 17. (6,7) The North and Northeast regions had the highest number of child laborers, with almost half working in agriculture. (6) Table I provides key indicators on children’s work and education in Brazil. Data on some of these indicators are not available from the sources used in this report.

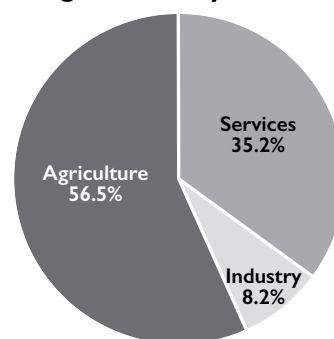
Table I. Statistics on Children’s Work and Education

Children	Age	Percent
Working (% and population)	5 to 14	2.1 (638,943)
Attending School (%)	5 to 14	98.0
Combining Work and School (%)	7 to 14	2.4
Primary Completion Rate (%)		Unavailable

Primary completion rate was unavailable from UNESCO Institute for Statistics, 2020. (8)

Source for all other data: International Labor Organization’s analysis of statistics from Pesquisa Nacional por Amostra de Domicílios (PNAD) Continua, 2015. (9)

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



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

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

Sector/Industry	Activity
Agriculture	Production of <i>açaí</i> , bananas, ceramics, citrus fruits,† cocoa, coffee, corn, cotton,† manioc, mate tea, pineapples,† rice, sisal,† soy, sugarcane,† and tobacco† (4,5,10-14)
	Cattle ranching and raising livestock, including hogs, poultry, and sheep (5,11,15,16)
	Fishing and harvesting mollusks† (5,11,17)
	Forestry, including logging,† extracting carnauba palm leaves, and producing charcoal†(5,11,18,19)
Industry	Slaughtering animals,† including for beef production (20,21)
	Processing manioc/cassava flour† and cashews† (22,23)
	Production of bricks† (24,25)
	Production of footwear† and textiles, including garments (11,15,26)
	Work in stone quarries† (27)
Services	Street work,† including vending,† washing cars,† and garbage scavenging† (28-31)
	Work in markets and fairs, including hauling fruits and vegetables and transporting heavy loads (20,31,32)
	Work in fast-food establishments (33)
	Selling alcoholic beverages† (32)
	Artistic and sports related activities and cultural work (15)
Categorical Worst Forms of Child Labor‡	Commercial sexual exploitation, including use in the production of pornography, sometimes as a result of human trafficking (1-3,28-30)
	Forced domestic work and playing in soccer clubs, each sometimes as a result of human trafficking (28,34,35)
	Forced labor in agriculture, including in the production of coffee and manioc (4,28,36,37)
	Use by gangs to perform illicit activities, including drug trafficking, sometimes as a result of human trafficking (28,32,38-40)

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

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

The overall scope and magnitude of commercial sexual exploitation of children is unknown; however, in 2018, the Federal Highway Police, in collaboration with Childhood Brazil, published a report identifying 2,487 areas along highways in the country where children are vulnerable to commercial sexual exploitation. According to this report, the states with the highest number of vulnerable areas for commercial sexual exploitation of children are Ceará, Goiás, Pará, Minas Gerais, and Paraná. (1) In addition, the Northeast region was found to have the highest number of vulnerable areas for commercial sexual exploitation of children in the country, followed by the South. (1) 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. (41)




The ILO and the Labor Prosecution Service (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 through June 2018, and aims to expose companies and hold them accountable for their child labor and forced labor violations. (42,43)

Research found that some schools, particularly those in rural areas, are overcrowded, have poor infrastructure, and lack basic resources and teachers. (28,30,44) Although birth registration documents are required for school enrollment under Brazilian law, school registration cannot be denied to children lacking proper documentation. State and municipal governments implement this law and assist vulnerable families with acquiring birth registration documents; however, occasionally there may be delays in processing school registration while children are being registered for birth certificates. (13,45) In 2016, the Senate approved draft legislation that would alter the national Education Law to remove the requirement of birth certificates for school registration. Subsequently, the draft legislation was also approved by the Education Committee in 2018, and by the Constitution, Justice and Citizenship Committee in 2019. The legislation is currently awaiting a final vote in Brazil’s Chamber of Deputies. (13,46,47)

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 child trafficking for labor exploitation.

Table 4. Laws and Regulations on Child Labor

Standard	Meets International Standards	Age	Legislation
Minimum Age for Work	Yes	16	Article 403 of the Labor Code (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, and 227–228 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)
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)

In January and October 2019, the government published two new versions of the national “Dirty List,” comprising, respectively, 202 and 190 employers found to be using slave labor by the Ministry of Economy’s Secretariat of Labor Inspection. (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)

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III. ENFORCEMENT OF LAWS ON CHILD LABOR

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

Table 5. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
Ministry of Economy	Oversees the Special Secretariat of Social Security and Labor, which is responsible for the enforcement of labor laws, including those related to child labor and forced labor. Its Labor Inspection Unit is responsible for conducting announced inspections at sites in which forced labor is suspected, including forced child labor. (13)
Labor Prosecution Service	Prosecutes child labor and forced labor violations by working with prosecutors from its National Committee to Combat Child and Adolescent Labor, an in-house body that coordinates efforts to combat child labor. Collects fines for forced labor violations and allocates funds for initiatives that address child labor and forced labor. (13,60)
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 work on interstate or international cases and maintain a database to track cases of human trafficking for sexual exploitation. (13) The Federal Highway Police help identify areas where children are at high risk of commercial sexual exploitation. (13,61)
Ministry of Justice and Public Security	Leads efforts to combat human trafficking, and oversees the operations of Advanced Posts (<i>Postos Avançados</i>) and state-run Anti-Trafficking Coordination Centers (<i>Núcleos de Enfrentamento</i>). Provides guidance to federal, state, and local government officials on referrals for victims of human trafficking, including to Anti-Trafficking Coordination Centers, Specialized Social Assistance Reference Centers, and NGOs. (13) Nine <i>Postos Avançados</i> operate throughout the country to identify human traffickers and potential victims in high-transit areas, including airports and bus stations. (13)
Special Courts for Childhood and Youth	Oversees legislative issues related to the eradication of child labor, and guarantees the fair and adequate entry of adolescents into the labor force, in compliance with the 1990 Child and Adolescent Statute. Provides protection and care to victims through court psychologists. (13,62)

Labor Law Enforcement

In 2019, labor law enforcement agencies in Brazil took actions to combat child labor (Table 6). However, gaps exist within the operations of the Ministry of Economy that may hinder adequate labor law enforcement, including human resource allocation.

Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2018	2019
Labor Inspectorate Funding	\$3,072,390 (64)	\$1,902,588 (45)
Number of Labor Inspectors	2,309 (65)	2,168 (13)
Inspectorate Authorized to Assess Penalties	Yes (65)	Yes (13)
Initial Training for New Labor Inspectors	Yes (65)	N/A (13)
Training on New Laws Related to Child Labor	Yes (65)	N/A (13)
Refresher Courses Provided	Yes (65)	Yes (13)
Number of Labor Inspections Conducted	Unknown	Unknown
Number Conducted at Worksite	Unknown	Unknown
Number of Child Labor Violations Found	13,887 (65)	11,692 (45)
Number of Child Labor Violations for Which Penalties Were Imposed	28 (45)	20 (45)
Number of Child Labor Penalties Imposed that Were Collected	28 (45)	20 (45)
Routine Inspections Conducted	Yes (65)	Yes (13)
Routine Inspections Targeted	Yes (65)	Yes (13)
Unannounced Inspections Permitted	Yes (65)	Yes (13)
Unannounced Inspections Conducted	Yes (65)	Yes (13)
Complaint Mechanism Exists	Yes (65)	Yes (13)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (65)	Yes (13)

In 2019, reports indicate that labor inspectors removed 1,040 victims of child labor, and 20 child victims of forced labor. In addition, labor inspectors and the Military Police also rescued eight workers, including two adolescents, subjected to forced labor on a cattle-raising farm in Paraná state. (13) Upon finding children in hazardous working conditions, Ministry of Economy officials immediately remove the children and return them to their families or refer them to social services providers. (65)

The number of labor inspectors is likely insufficient for the size of Brazil's workforce, which includes approximately 104.2 million workers. According to the ILO's technical advice of a ratio approaching 1 inspector for every 15,000 workers in industrializing economies, Brazil would employ about 6,947 labor inspectors. (66-68)

Criminal Law Enforcement

In 2019, criminal law enforcement agencies in Brazil took actions to combat child labor (Table 7). However, gaps exist within the operations of the criminal enforcement agencies that may hinder adequate criminal law enforcement, including holding violators of child labor laws accountable in accordance with the law.

Table 7. Criminal Law Enforcement Efforts Related to Child Labor

Overview of Criminal Law Enforcement	2018	2019
Initial Training for New Criminal Investigators	Yes (65)	Yes (13)
Training on New Laws Related to the Worst Forms of Child Labor	N/A	N/A (13)
Refresher Courses Provided	Yes (65)	Yes (13)
Number of Investigations	29 (59)	Unknown (13)
Number of Violations Found	Unknown	Unknown (13)
Number of Prosecutions Initiated	10 (59)	Unknown (13)
Number of Convictions	3 (59)	Unknown (13)
Imposed Penalties for Violations Related to The Worst Forms of Child Labor	Unknown	Unknown (13)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (65)	Yes (13)

In March and September 2019, the Ministry of Justice launched the fourth and fifth phases of Operation Light in Childhood. State Civil Police investigated the storage, distribution, and production of child pornography and crimes of sexual abuse and exploitation of children via the Internet. (13) During the fourth phase of the operation, 141 suspects were arrested in 133 cities nationwide. Most of these arrests took place in the state of São Paulo, with 61 suspects detained. (13,69) The fifth phase of the operation, which resulted in 39 arrests, was the first phase to include cooperation with regional partners, including Argentina, Chile, Paraguay, Colombia, Ecuador, Panama, Costa Rica, El Salvador, Honduras, and Guatemala. United States Immigration and Customs Enforcement also participated in the operation through several of its domestic offices, and conducted a training session for 30 police officers from the group of regional partners. (13,70)

While the government did not provide comprehensive data on the total number of criminal child labor investigations during the reporting period, the Federal Prosecution Service in the state of Pernambuco found 114 workers, including 13 minors, in forced labor conditions at three cassava flour-production factories. The Federal Police rescued an Ecuadorian girl age 16 from a sewing workshop in São Paulo in which she was found to be working long hours under degrading conditions. (13) In addition, though the number of convictions was not reported for 2019, a perpetrator was convicted for the production and distribution of child pornography, the storage of pornographic material involving children or adolescents, and the practice of sexual exploitation of children or adolescents, and received a sentence of 58 years and 8 months in prison. Despite this one stringent penalty, however, reports indicate that more commonly 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. (15,41)

In September 2019, MPT and the Federal Police signed a 3-year cooperation agreement aimed at strengthening efforts to combat slave labor and child labor. The agreement includes technical training and information exchange

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between each institutions' database. (71) The Judiciary, the Labor Prosecution Service, the Federal Police, and the state police have established databases to track cases of human trafficking for sexual exploitation, however, there is weak coordination of these data collection efforts across the country. (45,72)

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 effective coordination of efforts to address child labor, including efficacy in accomplishing mandates.

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

Coordinating Body	Role & Description
Inter-Sectoral Commission to Combat Sexual Violence Against Children and Adolescents	Monitors implementation of the National Plan to Combat Sexual Violence Against Children and Adolescents. Led by the Ministry of Justice's Special Secretariat for Human Rights (SDH). (73,74) Research was unable to determine whether any activities were undertaken by the Commission during the reporting period.
National Committee to Combat Trafficking in Persons	Led by the National Secretariat for Justice within the Ministry of Justice and Public Security. Coordinates activities to address human trafficking and advises the Ministry on public policies related to human trafficking. (41,75) Composed of seven voting members distributed among government and civil society. (41) In 2019, raised awareness on combating child labor through a national campaign. (13)
Inter-Agency Committee to Implement Strategies to Ensure the Protection of Children's and Adolescents' Rights	Coordinates the implementation of policies to protect children's and adolescents' rights, including the National Plan for the Prevention and Eradication of Child Labor and the Protection of Working Adolescents. Led by SDH. (76) In 2019, the state of São Paulo's program to eradicate child labor removed 558 children and adolescents from child labor situations throughout the state. (13)
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. (77) Includes 11 representatives from the Superior Labor Court and regional labor courts. (78) In 2019, launched an awareness-raising campaign aimed at addressing the psychological, physical, and social issues faced by victims of child labor. (13)
Anti-Trafficking Coordination Centers (Núcleos de Enfrentamento)	Coordinate activities carried out by local, state, and federal agencies to combat human trafficking. Established in 17 states and the Federal District. (13) During the reporting period, the Anti-Trafficking Coordination Center of São Paulo registered 35 cases of human trafficking, including 3 cases of child trafficking for labor and commercial sexual exploitation involving 6 victims. (41)

In 2019, the government issued a Presidential Decree, based on resource concerns, eliminating the National Committee for the Eradication of Child Labor. (13,79) Previously, the responsibility of implementing the National Plan to Prevent and Eradicate Child Labor and Protect Adolescent Workers was under the National Committee for the Eradication of Child Labor. Since the elimination of the Committee, however, the monitoring and implementation of the plan is led by several entities: the ministries of Education; Citizenship; Women, Family, and Human Rights; Justice and Public Security; Economy; the MPT; and employee associations, the ILO, and the National Forum for the Prevention of Child Labor. (13,80)

V. GOVERNMENT POLICIES ON CHILD LABOR

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

Table 9. Key Policies Related to Child Labor

Policy	Description
National Plan for the Prevention and Eradication of Child Labor and the Protection of Working Adolescents III (2019–2022)	Aims to eradicate child labor by 2025 by increasing access to quality education and pathways for adolescents of minimum working age to enroll in apprenticeship programs. (59,81) In 2019, conducted the Fourth National Apprenticeship Week, including lectures, exhibitions, and public hearings to raise awareness on the benefits of apprenticeships. (13)
National Plan to Combat Sexual Violence Against Children and Adolescents (2013–2020)	Identifies strategies to prevent the sexual exploitation of children, protect children's rights, and assist child victims. (74) In 2019, conducted several awareness-raising activities on the commercial sexual exploitation of children. (13)
National Plan to Combat Human Trafficking III (2018–2022)	Outlines the government's strategy to address human trafficking. Includes 58 objectives covering six themes: policy and information management, training, accountability, victim assistance and prevention, and public awareness-raising. (41,82) In 2019, conducted several awareness-raising campaigns. (13)

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

Policy	Description
Federal Pact for the Eradication of Forced Labor	Aims to establish a database on forced labor to share research and data, create state-level commissions to combat forced labor, and strengthen inter-agency coordination. Led by SDH, and currently signed by 23 of the 27 states. (65,83,84) In 2019, Paraná and the Federal District announced their intention to establish their own state-level commissions. (41)
National Education Plan (2014–2024)	Aims to expand access to education and improve the quality of education. Plans to allocate 10 percent of Brazil's gross domestic product to public education by 2024. (85) Research was unable to determine whether activities were undertaken to implement the National Education Plan during the reporting period.

‡ The government had other policies that may have addressed child labor issues or had an impact on child labor. (86,87)

Research found that greater resources are needed to ensure adequate implementation of the National Education Plan. (88,89)

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2019, the government funded and participated in programs that include the goal of eliminating or preventing child labor (Table 10). However, gaps exist in these social programs, including the adequacy of programs to assist child victims of human trafficking and commercial sexual exploitation.

Table 10. Key Social Programs to Address Child Labor

Program	Description
National Program to Eradicate Child Labor (<i>Programa de Erradicação do Trabalho Infantil [PETI]</i>)†	Ministry of Citizenship (MOC) social assistance program that combats child labor through awareness-raising activities, victim identification and protection, and conditional cash transfers. (90,91) To receive program benefits, family participants must ensure that children are not working and maintain at least 85 percent school attendance. (92) In 2019, assisted 8,932 children and adolescents found in child labor situations. (13)
Family Stipend (<i>Bolsa Família</i>)†	MOC program that provides families living in poverty and extreme poverty with cash transfers. (93,94) During the reporting period, 14 million families participating in <i>Bolsa Família</i> received messages addressing the dangers of child labor. (13,95)
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. (96) The results of a national census indicate that 143 centers have been opened since 2017, a number of which were opened during the reporting period. (97-99)
South-South Cooperation Projects†	Government of Brazil-funded projects implemented by ILO to combat child labor and promote South-South cooperation. (100) In 2019, the government, along with 24 representative countries, met in Lima to exchange good practices and strengthen the regional voice and collective action against child labor. (45)
USDOL-Funded Projects	USDOL-funded, \$2 million project implemented by Verité in Brazil, Colombia, and Mexico to develop tools for businesses to establish systems to prevent, detect, and combat child and forced labor in coffee supply chains. (101) For additional information, please see our website.

† Program is funded by the Government of Brazil.

‡ The government had other social programs that may have included the goal of eliminating or preventing child labor. (102-107)

During the reporting period, in light of the influx of Venezuelan refugees in the country, the state of Amazonas initiated a project to map incidents of child labor in the indigenous and non-indigenous Venezuelan population. The purpose of the project was to connect those lacking proper documentation to the appropriate social assistance services. (13) Numerous awareness-raising campaigns were conducted throughout the reporting year by national, state, and local governments, including a national meeting on combating child labor attended by students, civil society, international institutions, the justice system, State Labor Prevention and Eradication Forums, and regional educational committees. (13) During the event, a coordination plan was created through the collaboration of the participants to promote education and to strengthen efforts to combat child labor, including by increasing communication strategies with society and influencing political will. (108) Moreover, in June 2019, the Bahia State Secretariat of Justice, Human Rights, and Social Development, along with the Bahian NGO *Mãe da Terra* (Mother Earth Institute), developed a project, named “Childhood and Labor: New Intervention Alternatives,” to prevent child labor throughout the state. The project, which concluded in September, provided

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training to municipal guard officials, military police officers, community health workers, and others on the topics of diversity, childhood development, and public security. (13,109)

Because the National Program to Eradicate Child Labor is decentralized, municipal governments are responsible for implementation and monitoring, and must report back to state and federal governments. Challenges include responding to the needs of program participants, complex local contexts and geographic areas, excessive program requirements, and high staff turnover. (45) In 2019, many municipalities and states suffered from delays in funding for *Bolsa Família* due to budget issues. (45) In addition, many states reported a lack of resources to adequately assist victims of human trafficking, and research found a lack of specialized shelters for child victims of commercial sexual exploitation. (28,35)

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 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 – 2019
	Ensure that the law criminally prohibits the recruitment of children under age 18 by non-state armed groups.	2016 – 2019
	Raise the minimum age for work to the age up to which education is compulsory.	2018 – 2019
Enforcement	Publish complete labor law and criminal law enforcement data.	2012 – 2019
	Significantly increase the number of labor inspectors to meet the ILO's technical advice.	2014 – 2019
	Impose penalties for convictions related to the worst forms of child labor.	2018 – 2019
	Ensure relevant enforcement agencies are able to coordinate on their efforts to collect data on cases regarding human trafficking for sexual exploitation, and ensure that the data are disaggregated by victims' ages.	2009 – 2019
	Ensure that all violators of child labor laws, including the worst forms of child labor, are held accountable in accordance with the law.	2015 – 2019
Coordination	Ensure the Inter-Sectoral Commission to Combat Sexual Violence Against Children and Adolescents is able to carry out its intended mandate.	2019
Government Policies	Provide adequate resources to ensure that the goals outlined in the National Education Plan are achieved.	2015 – 2019
Social Programs	Remove barriers to education, including by ensuring an adequate number of trained teachers, improving school infrastructure, and taking steps to enroll children in rural areas.	2013 – 2019
	Expand the accessibility of birth registration services in remote areas and ensure that indigenous communities are aware of the benefits of birth registration.	2013 – 2019
	Support local governments in the implementation and monitoring of the National Program to Eradicate Child Labor and <i>Bolsa Família</i> .	2009 – 2019
	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 – 2019

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Although research found no evidence that child labor exists in the British Virgin Islands, in 2019 the government made no advancement in efforts to prevent the worst forms of child labor. The British Virgin Islands does not have a list of hazardous work prohibited for children and does not prohibit the use of children in illicit activities.

I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Research found no evidence that child labor exists in the British Virgin Islands. (1-3) Table I provides one key indicator on children's education in the British Virgin Islands. Data on other key indicators are not available from the sources used in this report.

Table I. Statistics on Children's Work and Education

Children	Age	Percent
Working (% and population)	5 to 14	Unavailable
Attending School (%)	5 to 14	Unavailable
Combining Work and School (%)	7 to 14	Unavailable
Primary Completion Rate (%)		95.5







Source for primary completion rate: Data from 2017, published by UNESCO Institute for Statistics, 2020. (4) All other data were unavailable from International Labor Organization's analysis, 2020. (5)

The cost of uniforms, books, and lunches prevents some children from attending school. In addition, violence in schools can deter children from attending. (2,4) Children not in school may be vulnerable to engage in child labor.

II. LEGAL FRAMEWORK FOR CHILD LABOR

British Overseas Territories (BOTs) recognize the jurisdiction and sovereignty of the United Kingdom (UK), but are not constitutionally part of the UK. They are self-governing, except in the areas of foreign affairs and defense. (1) Domestic UK law does not generally apply unless explicitly extended to the British Virgin Islands. (1) Under Article 35(4) of the ILO Constitution, when the UK ratifies a Convention, the Territory must consider if it will accept the Convention. (1) If the Convention is accepted, it is considered applicable to that territory. (1) The following Convention has been extended to the British Virgin Islands. The British Virgin Islands has accepted one of them (Table 2).

Table 2. Ratification of International Conventions on Child Labor

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

The Government of the British Virgin Islands has established laws and regulations related to child labor (Table 3). However, gaps exist in the British Virgin Islands' legal framework to adequately protect children from the worst forms of child labor, including prohibition of using children in illicit activities.

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Table 3. Laws and Regulations on Child Labor

Standard	Meets International Standards	Age	Legislation
Minimum Age for Work	Yes	16	Article 128 of the Labor Code (6)
Minimum Age for Hazardous Work	Yes	18	Article 130 of the Labor Code (6)
Identification of Hazardous Occupations or Activities Prohibited for Children	No		Articles 130 and 146 of the Labor Code (6)
Prohibition of Forced Labor	Yes		Article 14 of the Constitution Order; Section 201A of the Criminal Code; Article 130 of the Labor Code (6-8)
Prohibition of Child Trafficking	Yes		Section 201A of the Criminal Code (8)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Section 284A of the Criminal Code; Article 130 of the Labor Code (6,8)
Prohibition of Using Children in Illicit Activities	No		
Minimum Age for Voluntary State Military Recruitment	N/A†		
Prohibition of Compulsory Recruitment of Children by (State) Military	N/A*†		
Prohibition of Military Recruitment by Non-state Armed Groups	No		
Compulsory Education Age	Yes	17	Section 2b of the Education Amendment Act of 2014; Division 3, Paragraph 28 of the Education Act (9,10)
Free Public Education	Yes		Article 22 of the Constitution Order; Section 17 of the Education Act (7,9)

* No conscription (11)

† No standing military (11)

In the British Virgin Islands, the Labor Code specifies that hazardous work is to be defined by the Minister of Labor, but the Minister of Labor has not defined hazardous work for children. (1,3,12) As the minimum age for work is lower than the compulsory education age, children may be encouraged to leave school before the completion of compulsory education. (6,9,10)

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. However, in the British Virgin Islands, the UK government has established an institutional mechanism for the enforcement of labor laws (Table 4).

Table 4. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
Ministry of Labor	Enforces labor laws and collects data and statistics on violations of the Labor Code. (6)

In the British Virgin Islands, the Ministry of Labor proactively plans and conducts labor inspections. There is one labor inspector who assesses penalties for labor law violations. (3,13) The labor inspector may assess penalties for labor law violations during the initial inspection and is permitted to conduct unannounced inspections. The existence of only one labor inspector is a barrier to uncovering additional violations; however, the British Virgin Islands makes the most use of its single labor inspector by conducting annual inspections on newly established businesses and work sites or those reported by employees or other stakeholders for possible violations. (3) Most inspections occurred on the islands of Tortola and Virgin Gorda. A total of 231 inspections were conducted during the reporting period. (3) While none were specific to child labor, inspectors reported no derogatory observations on child labor. (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.

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. (14,15)

VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE CHILD LABOR

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

Table 5. Suggested Government Actions to Eliminate Child Labor

Area	Suggested Action	Year(s) Suggested
Legal Framework	Determine the types of hazardous work prohibited for children, in consultation with employers' and workers' organizations.	2012 – 2019
	Ensure that the use of children in illicit activities, including the production and trafficking of drugs, is criminally prohibited.	2015 – 2019
	Ensure that the law criminally prohibits the recruitment of children under age 18 by non-state armed groups.	2016 – 2019
	Raise the minimum age for work to the age up to which education is compulsory.	2018 – 2019
Social Programs	Collect and publish data on the extent and nature of child labor to inform policies and programs.	2019
	Ensure that all children can attend school by eliminating prohibitive school costs and violence in schools.	2018 – 2019

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In 2019, Burkina Faso made a minimal advancement in efforts to eliminate the worst forms of child labor. The government adopted a National Strategy to End the Worst Forms of Child Labor and a National Strategy for Children Protection. However, children in Burkina Faso engage in the worst forms of child labor, including farming and commercial sexual exploitation, sometimes as a result of human trafficking. Children also perform dangerous tasks in cotton harvesting. The Labor Code does not identify the activities in which children may engage in light work. The government also did not release information on its criminal and labor enforcement efforts and lacked resources for the enforcement of child labor laws.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Burkina Faso engage in the worst forms of child labor, including farming and commercial sexual exploitation, sometimes as a result of human trafficking. (1-4) Table 1 provides key indicators on children's work and education in Burkina Faso.

Table 1. Statistics on Children's Work and Education

Children	Age	Percent
Working (% and population)	5 to 14	42.1 (2,116,752)
Attending School (%)	5 to 14	41.9
Combining Work and School (%)	7 to 14	21.7
Primary Completion Rate (%)		65.5

Source for primary completion rate: Data from 2018, published by UNESCO Institute for Statistics, 2020. (5)

Source for all other data: International Labor Organization's analysis of statistics from *Enquête Démographique et de Santé et à Indicateurs Multiples, 2010*. (6)

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

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

Sector/Industry	Activity
Agriculture	Planting, weeding, and harvesting crops, including cotton (1,3,4,7,8) Raising and herding† livestock, including cattle and goats (1,9,10)
Industry	Artisanal mining† of gold, including digging† and crushing† rock, installing dynamite,† working underground,† carrying water and other heavy loads,† and using cyanide† and mercury† (4,7,8,10-18) Quarrying† and transporting heavy loads† while working to extract granite (19,20) Working in carpentry† and construction (9,10)
Services	Domestic work (2,4,9,10,21) Street work, including vending† (2,9,10,19,22)
Categorical Worst Forms of Child Labor‡	Commercial sexual exploitation, sometimes as a result of human trafficking ‡(2,4,23) Farming, including production of cotton and livestock raising, domestic work, begging, gold mining, and quarrying, each sometimes as a result of human trafficking (1,4,24) Forced begging in unregistered, thus illegal, Koranic schools (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.

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. (2,4,25-27) Child labor in artisanal gold mining is particularly acute and often exposes children to dangerous chemicals such as cyanide and mercury used in

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the gold extraction process. (1,2,7,28-30) Burkina Faso is the third-largest producer of cotton in Africa, with a reported 250,000 children involved extensively in the production of cotton, primarily on small family farms. (31) Children involved in the production of cotton are exposed to many health risks, including exposure to pesticides, injury from the use of sharp tools, animal bites, and respiratory issues due to the inhalation of cotton dust. (3) In addition, terrorist attacks and mass displacement of people in the north and east of the country resulted in an estimated 765,000 internally displaced persons by February 2020, including a large number of vulnerable children. (4,31,32) In the reporting period, nongovernmental groups recruited children to armed conflict and the government does not have a system in place to handover these children and reintegrate them into society. (33)

Although the Law Orienting the Education System mandates free education until age 16, the costs of uniforms, school-related fees, teacher shortages, and school infrastructure shortfalls in rural areas hinder children's access to education. (34,35) According to Minister of Education Ouaro as of January 30, 2020, there were 2,369 closed schools, affecting 325,245 students and 10,048 teachers with 623 damaged schools. (33) During the reporting period, the government worked with the UNHCR to deploy mobile courts to remote villages to issue birth certificates and national identity documents to qualified citizens. (32) About a quarter of children under age 5 in Burkina Faso lack a birth certificate. Birth certificates are required to attend school, so many of these children remain out of school and vulnerable to child labor. (32,36) To address the problem, the government periodically organized registration drives and issued belated birth certificates. (33)

II. LEGAL FRAMEWORK FOR CHILD LABOR

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

Table 3. Ratification of International Conventions on Child Labor

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

The government has established laws and regulations related to child labor (Table 4). However, gaps exist in Burkina Faso's legal framework to adequately protect children from the worst forms of child labor, including unspecified light work provisions.

Table 4. Laws and Regulations on Child Labor

Standard	Meets International Standards	Age	Legislation
Minimum Age for Work	Yes	16	Article 152 of the Labor Code; Order Deviating the Age of Admission to Employment (37,38)
Minimum Age for Hazardous Work	Yes	18	Articles 149–150 of the Labor Code; Article 1 of the Hazardous Work List (37,39)
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 (37-40)

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

Standard	Meets International Standards	Age	Legislation
Prohibition of Forced Labor	Yes		Articles 5 and 153 of the Labor Code; Articles 3–5 of the Law Suppressing the Sale of Children, Child Prostitution and Child Pornography; Article 1 of the Law on Combating Trafficking of Persons and Similar Practices (37,41,42)
Prohibition of Child Trafficking	Yes		Article 153 of the Labor Code; Articles 1–5 and 14–15 of the Law on Combating Trafficking of Persons and Similar Practices (37,42)
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 (37,41)
Prohibition of Using Children in Illicit Activities	Yes		Article 153 of the Labor Code (37)
Minimum Age for Voluntary State Military Recruitment	Yes	20	Article 2 of the Decree Organizing Operations Related to Convoking the Contingent (43)
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 (37)
Compulsory Education Age	Yes	16	Article 4 of the Law Orienting the Education System (35)
Free Public Education	Yes		Article 6 of the Law Orienting the Education System (35)

* No conscription (44)

The light work provisions in the Labor Code are not sufficiently specific to prevent children from involvement in child labor, because activities in which light work may be permitted are not identified in legislation. (37,38)

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 the Ministry of Public Service, Labor, and Social Security (MFPTSS) that may hinder adequate enforcement of their child labor laws.

Table 5. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
Ministry of Public Service, Labor, and Social Security (MFPTSS)	Enforces labor laws, including child labor laws and laws on the worst forms of child labor, and establishes a government policy to combat child labor. (45)
Ministry of Women, National Solidarity, and Family (MFSNF)	Removes children from exploitative child labor, provides reintegration services through its mobile unit for intervention, and works with local village surveillance committees on awareness-raising efforts through participation in joint routine inspections with MFPTSS, the lead agency on child labor law enforcement. (46) Operates a free hotline to report child abuse. Maintains civil registry offices in maternity wards to register newborn babies. (47) Uses its National Council for Childhood to oversee all policies for the survival, protection, development, and participation of children in broader policy initiatives. (48)
Ministry of Territorial Administration, Decentralization, and Interior Security (MATDSI)	Oversees criminal cases involving children and women, which are referred to the Ministry of Justice for prosecution, through its Morals Brigade in the MATDSI National Police Force. (49,50) Assists MFPTSS through joint routine inspections related to child labor in the course of actions against traffickers. (46)
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. (51)
Parliamentary Network for the Promotion of Child Rights	Trains government officials on children's rights, including child labor laws and other issues affecting children. (52)

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Labor Law Enforcement

In 2019, research found no evidence that law enforcement agencies in Burkina Faso took actions to combat child labor (Table 6).

Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2018	2019
Labor Inspectorate Funding	\$126,000 (29)	Unknown
Number of Labor Inspectors	255 (29,53)	Unknown
Inspectorate Authorized to Assess Penalties	Yes (29)	Yes (29,37)
Initial Training for New Labor Inspectors	Yes (29)	Unknown
Training on New Laws Related to Child Labor	N/A (29)	N/A
Refresher Courses Provided	Yes (29)	Unknown
Number of Labor Inspections Conducted	Unknown (29)	Unknown
Number Conducted at Worksite	Unknown (29)	Unknown
Number of Child Labor Violations Found	Unknown (29)	Unknown
Number of Child Labor Violations for Which Penalties Were Imposed	Unknown (29)	Unknown
Number of Child Labor Penalties Imposed that Were Collected	Unknown (29)	Unknown
Routine Inspections Conducted	Yes (29)	Unknown
Routine Inspections Targeted	Yes (29)	Unknown
Unannounced Inspections Permitted	Yes (29)	Yes (29,37)
Unannounced Inspections Conducted	Yes (29)	Unknown
Complaint Mechanism Exists	Yes (29)	Unknown
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (29)	Yes (4)

Research indicates 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 to ensure remediation of notices as part of labor law compliance. (27,29)

Labor inspectors collaborate on an ad hoc basis with the Ministry of Women, National Solidarity, and Family (MFSNF) to provide social services to child labor victims. (34,54) It is unknown how many cases of child labor are identified as a result of complaints made to the MFSNF hotline. (44,53) Furthermore, the MFPTSS publishes an annual report listing 12 types of labor infractions; however, none relate to child labor. (22)

Criminal Law Enforcement

In 2019, criminal law enforcement agencies in Burkina Faso took actions to combat child labor (Table 7). However, gaps exist within the operations of the criminal enforcement agencies that may hinder adequate criminal law enforcement, including inconsistent application of victim identification and referral procedures by authorities and frontline responders.

Table 7. Criminal Law Enforcement Efforts Related to Child Labor

Overview of Criminal Law Enforcement	2018	2019
Initial Training for New Criminal Investigators	Yes (29)	Unknown
Training on New Laws Related to the Worst Forms of Child Labor	N/A (29)	N/A
Refresher Courses Provided	Yes (29)	Unknown
Number of Investigations	Unknown (29)	Unknown
Number of Violations Found	Unknown (29)	Unknown
Number of Prosecutions Initiated	Unknown (29)	Unknown
Number of Convictions	Unknown (29)	Unknown
Imposed Penalties for Violations Related to the Worst Forms of Child Labor	Unknown (27)	Unknown
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (29)	Unknown

Although the government has standard victim identification and referral procedures, authorities and frontline responders do not apply them uniformly. (27,29,55) In 2019, the Ministry of Security trained 250 police officers and gendarmes on the prevention of violence against children, in particular on child trafficking, the sale of children, child prostitution, and child pornography. (4) The government does not publicly release information on its criminal law enforcement efforts.

IV. COORDINATION OF GOVERNMENT EFFORTS ON CHILD LABOR

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

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

Coordinating Body	Role & Description
National Coordination Committee for the National Action Plan to Combat the Worst Forms of Child Labor (CNC-PAN/PFTE)	Supervises, evaluates, and oversees implementation of the National Action Plan to Combat the Worst Forms of Child Labor. Chaired by the MFPTSS Directorate to Combat Child Labor and Its Worst Forms. Includes representatives from various civil society organizations, 24 government ministries, and 6 observers from donor countries and international NGOs. (10,22) Research was unable to determine whether CNC-PAN/PFTE was active during the reporting period.
MFPTSS Directorate to Combat Child Labor and its Worst Forms	Coordinates and leads interagency efforts to combat child labor, including its worst forms; collects information on child labor; and conducts awareness-raising activities. Serves as the Secretariat for CNC-PAN/PFTE. (56) Research was unable to determine whether the Directorate was active during the reporting period.
National Committee for Vigilance and Surveillance Against the Trafficking in Persons and Assimilated Practices (CNVS)	Coordinates actions at the national level to combat the worst forms of child labor, including human trafficking. Oversees Committees for Vigilance and Surveillance in each of the regions. (25) MFSNF serves as president and MATDSI is vice president. Includes representatives from MFPTSS, the Ministry of Justice, the Ministry of Women and Gender, and NGOs. (25) Research was unable to determine whether the National Committee for Vigilance and Surveillance was active during the reporting period.
Child Protection Networks	Assist CNVS with coordinating and facilitating the collection of statistical data on human trafficking, specifically the trafficking of women and children. Established by MFSNF, the Networks comprise social workers, magistrates, judges, police officers, health workers, and NGOs in 23 of the country's 45 provinces. (57) Research was unable to determine whether the Child Protection Networks were active during the reporting period.
Cooperative Agreements with other Countries*	Aim to combat cross-border trafficking in children. The government signed a cooperative agreement with Côte d'Ivoire in July 2019, and with Benin and Togo in December 2019. (4)

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

Poor coordination among ministries and a lack of resources, such as computers and electricity, continued to hamper the government's ability to coordinate efforts to fully address child trafficking. (29,30)

V. GOVERNMENT POLICIES ON CHILD LABOR

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

Table 9. Key Policies Related to Child Labor

Policy	Description
National Strategy to End the Worst Forms of Child Labor (2019–2023)†	Aims to combat the worst forms of child labor in Burkina Faso. (4)
National Strategy for Children Protection in Burkina Faso (2020–2024)†	Aims to strengthen the institutional, community, and family environment in order to ensure effective protection for children. (58)

† Policy was approved during the reporting period.

In 2019, the government adopted the National Strategy to End the Worst Forms of Child Labor (2019–2023) but research was unable to find a publicly available version of the policy. (4) In addition, the National Program of Economic and Social Development included aspects that address child labor elimination and prevention strategies, such as an objective to halve the number of street children by 2020 through the enforcement of existing law. (29,59)

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VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2019, the government funded and participated in programs that include the goal of eliminating or preventing child labor (Table 10). However, gaps exist in these social programs, including adequacy of programs to address the full scope of the problem.

Table 10. Key Social Programs to Address Child Labor

Program	Description
National Program for the Fight Against Child Labor on Artisanal Gold Mining Sites and Quarries (2015–2019)†	MFSNF program that aimed to prevent and withdraw children from working in artisanal gold mines as part of the government's efforts to eliminate child labor in mining by 2025. (25,47,54,60,61) Sought to strengthen child protection systems, improve coordination among stakeholders, and implement existing legislation. Builds on the previous project (2009–2013) that aimed to eliminate child labor in mines and quarries. (54) Approximately \$42.9 million (40 percent of the program costs) was provided by the government. (47) Research was unable to determine whether activities were undertaken to implement the National Program for the Fight Against Child Labor on Artisanal Gold Mining Sites and Quarries during the reporting period.
USDOL-Funded Programs	Country Level Engagement and Assistance to Reduce Child Labor II (CLEAR II), a capacity-building project implemented by Winrock International and partners Verité and Lawyers Without Borders. (33) Active in six countries to build local and national capacity of the governments to address child labor. In April 2019, CLEAR II held its final training. (62–64) Additional information is available on the USDOL website.
MFSNF Projects to Combat Human Trafficking†	Programs aim to combat human trafficking through the operation of transit centers that provide food, medical assistance, and counseling to child trafficking victims and children vulnerable to trafficking. (25,26,55) Transit centers aim to reintegrate victims into their communities and facilitate repatriation of foreign victims when possible. (49) The National Parenting Program assists parents in managing and educating their children to combat child trafficking. (25,57) Nationwide media campaigns to combat human trafficking provide advocacy, raise awareness, and build capacity for key actors involved in child protection issues, including child trafficking. (25,57) Watchdog and monitoring committees ensure that all cases of alleged trafficking of children are reported to the justice system by social workers. (65) Research was unable to determine whether activities were undertaken to implement these programs during the reporting period.
Campaign to Remove Street Children	Project funded by NGO MinWomen, with coordination by the Ministry of Women, Family, and Humanitarian Action, that began in August 2018 and includes outreach missions in the streets to identify and refer vulnerable children, including forced begging victims, to one of the four youth shelters established in the Somgande, Basjuy, Nongremassom, and Cissin districts of Ouagadougou. (27,29) In September 2019, conducted the second annual operation to remove children begging on the streets and provide them with psycho-social support, food, and medical assistance. As a result, 1,578 children were given support and 646 were permanently removed from the street. (4)
World Bank-Funded Projects	Includes a \$51 million Education Access and Quality Improvement Project to support the government in increasing access to preschool education in the two poorest regions and secondary education in the five poorest regions, and improve teaching and education; and a \$50 million Social Safety Net Project to provide income support to poor households and lay the foundation for a basic safety net system in Burkina Faso. (66,67) During the reporting period, the Social Safety Net Project was restructured to add additional funds and extend the closing date until 2020. (68) During the reporting period, the World Bank Education Access and Quality Improvement Project had reach 121,575 persons, above their targeted goal. The program was originally scheduled to close in 2019, but was extended to July 31, 2020. (69)

† Program is funded by the Government of Burkina Faso.

Although Burkina Faso has social programs to address the worst forms of child labor in the production of cotton and in gold mining, the scope of these programs is insufficient to fully address the extent of the problem. (2) However, the government converted some abandoned buildings into schools to allow displaced students to finish out the school year. (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 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 – 2019
Enforcement	Publish statistics on the enforcement of child labor laws, including the labor inspectorate's funding, number of inspectors, number and type of labor inspections conducted and labor violations found, and penalties imposed and collected.	2009 – 2019
	Ensure a referral mechanism between criminal authorities and social services is operational.	2019
	Ensure that labor law enforcement receives sufficient resources to fulfill their mandates, including by conducting an adequate number of inspections and following up after preliminary inspections to ensure remediation of notices to comply with labor law obligations.	2009 – 2019
	Ensure there is initial training for new labor inspectors.	2019
	Establish and publish data on a mechanism to log all calls to the government child protection hotline and track cases of child labor for referral to law enforcement or social services providers.	2015 – 2019
	Include the number of child labor infractions in the Ministry of Public Service, Labor, and Social Security annual report.	2015 – 2019
	Publish statistics on the criminal enforcement of child labor laws, including the number of investigations conducted, violations found, prosecutions initiated, convictions obtained, and penalties imposed.	2016 – 2019
	Ensure that authorities and frontline responders apply standard victim identification and referral procedures uniformly.	2016 – 2019
Coordination	Ensure that coordinating bodies receive adequate resources, such as computers and electricity, to accomplish their mandates.	2015 – 2019
	Enhance coordination and collaboration processes and procedures among ministries, law enforcement, and social services.	2019
Social Programs	Improve access to education by eliminating school-related fees and costs, and increasing the number of schools and teachers in rural areas.	2010 – 2019
	Make efforts to register children at birth to ensure access to social services, including education.	2010 – 2019
	Undertake activities to support the National Program for the Fight Against Child Labor on Artisanal Gold Mining Sites and Quarries projects and the Ministry of Women, National Solidarity, and Family projects to combat human trafficking.	2016 – 2019
	Expand existing programs to fully address child labor in the production of cotton and in gold mining.	2009 – 2019
	Ensure students are provided with adequate schools.	2019

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NO ADVANCEMENT – EFFORTS MADE BUT COMPLICIT IN FORCED CHILD LABOR

In 2019, Burma is receiving an assessment of no advancement. During the reporting period, the government enacted the Child Rights Law and established the National Committee for the Rights of the Child to institute the policies, guidelines, and measures needed to implement the law. It also ratified the United Nation’s Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict and, in April 2019, released the results of the Labor Force Survey. Furthermore, the recruitment of children into the national armed forces for use in armed conflict declined markedly in 2019, due to positive steps taken by the government to work towards fully eliminating the recruitment of children into the national military. In June 2020, the United Nations delisted the national military for the violation of use and recruitment of child soldiers from Annex 1 of the annual Secretary General’s Report on Children and Armed Conflict. Despite these commendable efforts, however, Burma is receiving an assessment of no advancement because the national armed forces continued to force civilians, including at least 197 children, to work as porters, cleaners, cooks, and agricultural laborers in the conflict areas of Kachin, Rakhine, and Shan states during the reporting period, and made no known efforts to hold criminally accountable those military personnel involved in these practices. Children in Burma engage in the worst forms of child labor, including forced recruitment and use in armed conflict by non-state armed groups and commercial sexual exploitation, sometimes as a result of human trafficking. The vulnerability of Rohingya children to the worst forms of child labor also increased as many were denied access to education through government restrictions on their movement. Penalties for recruitment and use of children by the military or for the military’s use of civilian populations for forced labor are not sufficient for the seriousness of the crime, and the government did not publish information on criminal law enforcement efforts to investigate, prosecute, and convict cases involving the worst forms of child labor. Although the government provided anecdotal information on criminal law enforcement efforts to investigate, prosecute, and convict cases involving child labor through Facebook and the national media in 2019, it did not regularly publish comprehensive statistics on its efforts to address such crimes.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Burma engage in the worst forms of child labor, including forced labor in armed conflict and commercial sexual exploitation, sometimes as a result of human trafficking. (1-3) Table I provides key indicators on children’s work and education in Burma.

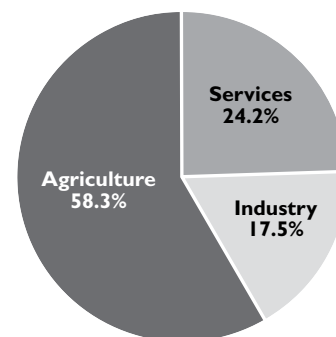
Table I. Statistics on Children’s Work and Education

Children	Age	Percent
Working (% and population)	5 to 14	3.3 (312,151)
Attending School (%)	5 to 14	86.0
Combining Work and School (%)	7 to 14	0.2
Primary Completion Rate (%)		95.4

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

Source for all other data: International Labor Organization’s analysis of statistics from Labour Force, Child Labour and School to Work Transition Survey (LF-CL-SWTS), 2015. (5)

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



Burma

NO ADVANCEMENT – EFFORTS MADE BUT COMPLICIT IN FORCED CHILD LABOR

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

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

Sector/Industry	Activity
Agriculture	Farming, including rubber, sugarcane, beans and pulses, rice, betel nut, and bamboo (1,5-10)
	Fishing and processing fish and seafood (2,5-7,11-13)
	Forestry, including on teak plantations (2,5,12)
Industry	Producing garments (14-19)
	Construction and carrying stones (1,2,5,14,15,20-22)
	Food processing (14,15)
	Brickmaking (23)
	Quarrying and mining, including for jade and rubies (2,3,5,13,24,25)
Services	Domestic work (1,2,5,13,26-28)
	Working in teashops and restaurants, including waiting tables and washing dishes (1,2,5,14,21,29)
	Vending, including in fish markets, collecting garbage and recyclables, and working in transportation (2,6,15,21,30)
Categorical Worst Forms of Child Labor‡	Forced recruitment of children by state and non-state armed groups for use in armed conflict (1,31,32)
	Forced labor in agriculture, including harvesting bamboo and producing beans, rice, rubber, sugarcane, and teak (3,8,33)
	Forced labor in manufacturing bricks and construction (3,23)
	Forced labor in domestic work, teashops, and begging (2,3,13,27,28)
	Commercial sexual exploitation, sometimes as a result of human trafficking (2,3,9,13)

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

In 2019, the UN Country Task Force for Monitoring and Reporting (CTFMR) on Grave Violations Against Children identified eight cases of recruitment and use of children under the age of 18 into the Burmese national military for combat roles. (31,34) In previous years, the national military used force and coercion to recruit children, and research indicates that these practices continued during the reporting period; however, the national military has cooperated with the UN efforts to eliminate this process, centralize recruiting, and initiate a “benefit of the doubt” policy in the recruitment process. (32,34,35) Civilian brokers with military connections sometimes facilitate the entry into the military of underage recruits, in some instances bypassing standard age verification procedures. (3,13,34,36) In prior years, children were reported as having been used on the front lines as combatants. (3,34) 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 using civilians, including children, to porter goods, cook, and clean barracks in conflict areas. (3,34) During the reporting period, research indicated that children continued to work in these types of support roles, including 197 children found to be working for low-level national military officials in Rakhine and Kachin States. (3,32,34)

The national military agreed to apply the principle of the “benefit of the doubt,” which states that when the age of a recruit cannot be definitively verified, the person is discharged. Research indicated that the national military adhered to this principle and during the reporting period it released 59 individuals whose ages could not be definitively verified. (31,34) As of April 2020, the national military had released 1,000 children, in accordance with the 2012 Joint Action Plan with the UN - which aims to end all government recruitment and use of children in its national military - including 54 children from April 1, 2019-March 31, 2020. (13,34,37,38,) The national military announced that it had taken disciplinary action against 18 military personnel, including 10 military officers and 8 non-commissioned military personnel, for recruitment of child soldiers from April 1, 2019-March 31, 2020 under Section 65 of the Defense Services Act and Defense Services Rules of 1960. Since the CTFMR was signed in 2012, the military has prosecuted and convicted 65 commissioned and non-commissioned officers for the recruitment of children into the national military. (31,34)

The Border Guard Police continued to use children to perform unspecified labor during the reporting period. (3) Children were also recruited and used in armed conflict by non-state armed groups, including the Kachin Independence Army, the Karen National Liberation Army, the Shan State Progress Party/Shan State Army, the Ta’ang National Liberation Army, and the United Wa State Army. (31,36)

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In a positive development, the UN Secretary General's Report on Children and Armed Conflict noted that due to "continued significant decrease in [the] recruitment of children into the military, ongoing prosecutions, and an agreement to continue to trace and release cases identified in previous years," the United Nations recommended that the Burmese national military be delisted for the violation of use and recruitment of child soldiers. (31,34)

Although there were no reports of child labor in the garment sector during the reporting period, the Confederation of Trade Unions of Myanmar reported that children use falsified documentation to obtain labor cards, which are needed to get work. NGOs reported that Burmese girls are trafficked to Burma's border with China for the purpose of commercial sexual exploitation. (2) There are also reports from the Myanmar Industry, Craft, and Services Union of children involved in commercial sexual exploitation along the borders of Kachin and Shan States. (2) Children living in refugee and internally displaced persons (IDP) camps are at increased vulnerability to sex and labor trafficking. (2,13)

The recruitment of young women, including girls, under false pretenses of getting a high-paying job in China only to be sold into forced marriages with indicators of sex and labor exploitation, is a common human trafficking trend in the country. (13,34) Traffickers often pose as recruiters and provide the necessary travel documents, sometimes including false birth certificates. (13) Furthermore, NGOs noted that children, in particular boys, in Shan, Karen, and Kachin States, and along the Thai-Myanmar border are used in illicit activities, including drug trafficking. (2)

Since August 2017, an estimated 728,000 people, primarily from the Rohingya minority, have fled from Burma to Bangladesh following acts of violence and ethnic cleansing perpetuated by the military in northern Rakhine State. (3,39-41) While the displacement of Rohingya people abated in 2018, conditions in Rakhine State were not conducive to the safe and voluntary return of refugees from Bangladesh in 2019. (3,40) As a result, an estimated 350,000 Rohingya children live in refugee camps in Bangladesh, at sites in which they are vulnerable to the worst forms of child labor. (13,40,42) Rohingya girls are trafficked from refugee camps for commercial sexual exploitation in Bangladesh, India, and Nepal. (3,43) In some cases, girls are promised jobs in domestic service, but are instead forced into commercial sexual exploitation. (43,44) There are also reports that some girls are forced into domestic service, sometimes as a result of human trafficking, and are abused by their employers. (44-47) Rohingya children recruited to work outside of the refugee camps, such as in shops, fishing, and transportation, are reported to be underpaid or unpaid, unable to communicate with their families, and subjected to excessive working hours. (45)

Rohingya children internally displaced by the ethnic violence in northern Rakhine State are at increased risk to the worst forms of child labor due to a lack of access to education. Approximately 129,000 people, including children, were forced to reside in IDP camps in central Rakhine State. (40,48) Government restrictions on the movement of Rohingya in these IDP camps limit children's access to basic services, including education. (32,36,40) Furthermore, schools in Rohingya villages in Maungdaw, Rathedaung, and Buthidaung townships where the 2017 ethnic cleansing occurred have not re-opened. (48,49) Meanwhile, the government expects dozens of schools for ethnic Rakhine children in these townships to remain closed for the 2020-2021 school year due to continued fighting between the national military and an ethnic-Rakhine insurgent group. This conflict has displaced nearly 70,000 people, mostly ethnic Rakhine, into IDP camps in 2019 and 2020. (48)

Rohingya children throughout Rakhine State face severe restrictions on attending school due to discriminatory government policies and practices adopted following the 2012 riots and violent clashes between ethnic Rakhine and Rohingya communities. (50) Local officials and school authorities typically ban Rohingya children from attending government schools with ethnic Rakhine children. (50,51) The government also imposed severe movement restrictions on Rohingya, making it difficult for children to access schools outside of their IDP camps, villages, or townships. (40,48,52) These restrictions particularly affect Rohingya children ages 10 to 17 because they must travel to attend middle school and high school. (51-53) Many Rohingya children also lack

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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. (2,32,54,55) Since 2018, the government has forced over 13,000 Rohingya to accept National Verification Cards in Rakhine State, including over 500 children. However, naturalized citizens are not afforded full rights like those granted to full citizens, including the ability to run for high office or form political parties. (3,32,36,48,56) In November 2019, the government finalized a new national strategy on the closure of IDP camps and the resettlement of IDPs. (13)




Rohingya children’s access to primary schools in their villages is limited due to a lack of schools, particularly in IDP camps, movement restrictions, and teacher absenteeism in Muslim villages due to security concerns. (48,57,58) Burmese law only guarantees education for Burmese citizens, and citizenship rates in Rohingya communities are extremely low. (48) In addition to Rakhine State, children throughout Burma face barriers to education, such as long distances to schools and expenses that include uniforms, books, transportation, and “extra fees” charged by teachers and schools. (1,15,25,44,59)

Refugee children and children from ethnic communities who speak different languages often face barriers in schools because the curriculum is taught in Burmese. (2,36,44) To address this specific issue, the Ministry of Education is working on an equivalency program that will allow students to sit for exams. Furthermore, there is no law that requires the school curriculum to be taught in Burmese. (2)

II. LEGAL FRAMEWORK FOR CHILD LABOR

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

Table 3. Ratification of International Conventions on Child Labor

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

On June 8, 2020, the government ratified ILO C.138, becoming the 173rd ILO member state to ratify. (60,113) The government also ratified the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict. (2,13,31,61-63) As the protocol extends to non-state armed groups, the government filed declarations under Article 3(2) and Article (4) of the protocol to allow for implementation that reflects domestic realities on the ground, namely that the government does not take responsibility for non-state armed groups’ adherence to the new protocol. (61,62)

The government has established laws and regulations related to child labor (Table 4). However, gaps exist in Burma’s legal framework to adequately protect children from the worst forms of child labor, including criminally prohibiting child trafficking consistent with international standards and comprehensively identifying the types of hazardous work prohibited for children.

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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 (64-66)
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 (66)
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 (64,65,68)
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 (66,69-71)
Prohibition of Child Trafficking	No		Chapter I, Section 3(t) and Chapter XVIII, Section 66 of the Child Rights Law; Sections 3 and 24 of the Anti-Trafficking in Persons Law; Sections 372 and 366(a) of the Penal Code (66,69,70)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Chapter I, Section 3(t)(2), Chapter XVIII, Section 66, and Chapter XXVII, Section 105(b) of the Child Rights Law; Sections 372–373 of the Penal Code (66, 70)
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 (66,72)
Minimum Age for Voluntary State Military Recruitment	Yes	18	Chapter XVII, Section 63(a–b) of the Child Rights Law; the 1974 Regulation for Persons Subject to the Defense Service Act (War Office Council Instruction 13/73) (66,73)
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 (66)
Compulsory Education Age	No	10‡	Chapter XIV, Section 48(b) of the Child Rights Law; Section 4(j) of the National Education Law (66,74)
Free Public Education	Yes		Chapter XIII, Section 46(b) of the Child Rights Law; Section 4(j) of the National Education Law (66,74)

* No conscription (75)

‡ Age calculated based on available information (67,76)

During the reporting period, the government enacted the Child Rights Law, which prohibits the recruitment of children under the age of 18 into non-state armed groups and mandates the creation of a hazardous work list to replace the existing sector-specific lists; however, its implementing regulations for the law and the new hazardous work list have yet to be promulgated. It is expected that they will be published at the same time. (2,13,55,66) In addition, the government began drafting a law in 2019 on domestic workers that will address child labor issues in that sector, including the allowable age to enter into employment as a domestic worker. (2,13,44,77)

During the reporting period, with support from IOM, the Ministry of Home Affairs and the Myanmar Police Force drafted a new anti-trafficking in persons law that is currently awaiting approval. (13) The law, if approved, removes the requirement to demonstrate force, fraud, or coercion in order to constitute a child trafficking offense, and will allow for assets and proceeds found during trafficking in persons cases to be seized. (13,78)

The 2019 Child Rights Law established age 14 as the minimum age for work with some sector-specific laws identifying activities that are prohibited for children under age 18. (65,66,68) Furthermore, the 2019 Child Rights Law raised the minimum age for hazardous work from age 16 up to age 18, putting it in compliance with international standards. (66)

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Under the 2019 Child Rights Law, Burma now meets international standards in the prohibition of commercial sexual exploitation of children. (66) However, the legal framework does not sufficiently prohibit the use of children in illicit activities, as there are no criminal penalties associated with the use, procuring, and offering of a child for the production and trafficking of drugs. (12,66,72)

Children in Burma are required to attend school only up to age 10. This standard leaves children ages 10 through 13 vulnerable to child labor since they are not required to attend school but are not legally permitted to work. (67,76)

The Occupational Safety and Health Bill was signed into law in 2019, but has yet to be implemented because the regulation bylaws are still being drafted. The bill expands the legal jurisdiction of the labor inspectorate to include additional industries, such as agriculture and construction. (77,79-81)

III. ENFORCEMENT OF LAWS ON CHILD LABOR

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

Table 5. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
Ministry of Labor, Immigration, and Population (MOLIP), Factories and General Labor Laws Inspection Department (FGLLID)	Inspects factories, shops, and establishments for child labor law violations. (64,65)
Myanmar Police Force (MPF), Anti-Trafficking in Persons Division (ATIPD)	Investigates trafficking in persons crimes and engages in human trafficking prevention efforts through its 32 regional Anti-Trafficking Task Forces. (13,83) Oversees three specialized Child Protection Units in Rangoon, Mandalay, and Naypyidaw. (83) Staffed by 465 personnel, including 408 staff and 57 commissioned officers. Operates a 24/7 hotline dedicated to reporting human trafficking cases. (13) Increased the number of offices from 22 in 2018 to 60 in 2019. (2,77) Created nine new child protection squads overseen by the Child Protection Units in Yangon, Mandalay, and Naypyidaw with special remit to address the worst forms of child labor, including handling investigations. (13,77,84) Also in 2019, conducted survivor roundtables to collect feedback from victims. (13) Provided 80 trafficking in persons trainings that reached 11,388 officers. (13)
Ministry of Defense, Committee for the Prevention of Military Recruitment of Underage Children	Sanctions perpetrators that recruit or use children in the armed forces. (85)
Ministry of Social Welfare, Relief, and Resettlement – Department of Social Welfare, Department of Rehabilitation, and Department of Disaster	<p>The Department of Social Welfare provides social services for children rescued from human trafficking and forced labor. (2,13,77,83) Responsible for implementing the child protection policy. (48,86) Offices in 100 townships. (3,13) Covers cases of juvenile justice, child soldiers, and children in armed conflict. Receives cases from the MPF. (2) During the reporting period, launched a working group to begin drafting the implementing regulations for the Child Rights Law and to draft a child protection policy, with UNICEF assisting on both tasks. (2) During the reporting period, increased the number of case managers to 188, up from 27 in 2015. (2,13)</p> <p>The Department of Rehabilitation was created in late 2018. (2) Responsible for running state-managed facilities and temporary shelters. (48,87) Covers cases of child trafficking and cases of long-term rehabilitation. (2) Provides rehabilitation services to children discharged from the military and victims of child trafficking. (2,13,77) Actively collaborates with the Ministry of Defense to verify documentation when child labor complaints are received. Expected to expand their work to non-state armed groups in 2020. (2) During the reporting period, provided rehabilitation and reintegration services for 16 cases from Thailand and 55 cases from China, all related to child trafficking. (3,84) In addition, provided rehabilitation and reintegration services in five cases of children being trafficked internally during the reporting period. (2,84) Increased the number of staff from 72 in 2018 to 202 by January 2020. Between April and December 2019, provided reintegration support to 38 former child soldiers. (13)</p> <p>The Department of Disaster provides emergency assistance for the victims of natural disasters for ensuring immediate relief. Conducts preventive measures to reduce the loss of lives and properties due to disasters, such as providing assistance to internally displaced persons – including children - due to armed conflict and social conflict. (34,48)</p>

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During the reporting period, the Central Body for the Suppression of Trafficking in Persons (CBTIP) conducted anti-trafficking awareness-raising activities that reached over 2 million people, including 34,289 students. (22,34)

In 2019, the Ministry of Social Welfare, Relief, and Resettlement, in coordination with UNICEF and Save the Children, formed a taskforce to update the country's case management systems. The taskforce established terms of reference and began drafting standard operating procedures for case management with the goal of improving and standardizing the quality of social services provided by the government. (2) The draft is expected to be completed in early 2020. (2)

To combat administrative corruption within ministries, the Anti-Corruption Commission formed Corruption Prevention Units (CPU) in 14 ministries, including the Ministry of Labor, Immigration, and Population (MOLIP) and the Ministry of Home Affairs (MOHA), to enable recipients of government services to report corruption-related complaints, including complaints related to the worst forms of child labor. (84) In addition, the Anti-Corruption Commission launched a CPU toolkit mechanism for use on mobile phone messages to recipients of government services to check the effectiveness, timeliness, and efficiency of services provided. (13)

During the reporting period, the ATIPD remained hampered by resource constraints and limited training, resulting in areas of the country continuing to lack sufficient coverage. (2,13)

In addition, the Department of Social Welfare continued to lack a sufficient number of case managers to cover the entire country. Despite an increase in the number of case managers hired during the reporting period, case managers still had to cover two or more townships, in some instances, causing delays in case management services. (2,13,34) Furthermore, the Department of Rehabilitation lacks sufficient human resources to provide reintegration support. (13)

Furthermore, the Factories and General Labor Laws Inspection Department (FGLLID) is 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, mining, and fishing – where child labor is reported to occur – outside of the purview of the FGLLID. (2)

Labor Law Enforcement

In 2019, labor law enforcement agencies in Burma took actions to combat child labor (Table 6). However, gaps exist within the operations of MOLIP that may hinder adequate child labor law enforcement, including the lack of publicly available enforcement information and an inadequate number of labor inspectors.

Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2018	2019
Labor Inspectorate Funding	Unknown (1)	Unknown (2)
Number of Labor Inspectors	163 (88)	151 (2)
Inspectorate Authorized to Assess Penalties	Yes (25)	Yes (2)
Initial Training for New Labor Inspectors	Yes (1)	Unknown (34)
Training on New Laws Related to Child Labor	N/A	Unknown (34)
Refresher Courses Provided	Yes (88)	Yes (2)
Number of Labor Inspections Conducted	45,641 (88)	44,912 (2)
Number Conducted at Worksite	Unknown	Unknown (2)
Number of Child Labor Violations Found	6 (88)	0 (2)
Number of Child Labor Violations for Which Penalties Were Imposed	Unknown (88)	N/A (2)
Number of Child Labor Penalties Imposed that Were Collected	Unknown	N/A (2)
Routine Inspections Conducted	Yes (88)	Yes (2)
Routine Inspections Targeted	Yes (88)	Yes (2)

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

Overview of Labor Law Enforcement	2018	2019
Unannounced Inspections Permitted	Yes (1)	Yes (2)
Unannounced Inspections Conducted	Yes (1)	Yes (2)
Complaint Mechanism Exists	Yes (25)	Yes (2)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	No (1)	No (2)

During the reporting period, the Factories and General Labor Laws Inspection Department (FGLLID) conducted 1,635 awareness-raising seminars on labor laws, including child labor prohibitions, for 49,786 workers. In addition, government officials from MOHA, General Administration Department, MOLIP, Ministry of Agriculture, Livestock, and Irrigations, and the Anti-Trafficking Police unit received training on coercion and forced overtime, as they relate to issues of child labor. (2,34)

Despite having the authority to conduct unannounced inspections, labor unions noted that, in practice, factory owners are often given advanced notice that an inspection will occur. In addition, research indicated that there is a greater focus on the quantity of inspections rather than the quality, with complaints that labor inspectors talk to factory owners and supervisors rather than workers. (2)

NGOs noted that funding for the labor inspectorate is insufficient to cover transportation and equipment for labor inspectors, which discourages inspections of remote establishments. (2) An NGO also noted that when a complaint is filed by a worker, inspections often are not conducted in a timely manner. (2) Research indicated that the FGLLID does not consistently enforce labor laws when a violation is found, as there were instances during the reporting period for which fines were not imposed after a company official complained about receiving a violation. (2,12) Due to capacity and resource constraints, the FGLLID also has limited data on its own labor market, including the number of factories and basic resources such as furniture for labor inspector offices. (2,89)

The number of labor inspectors is likely insufficient for the size of Burma's workforce, which includes approximately 22 million workers. According to the ILO's technical advice of a ratio approaching 1 inspector for every 40,000 workers in less developed economies, Burma would employ about 558 inspectors. (75,90,91)

The government did not provide information on its labor law enforcement efforts, including labor inspectorate funding, initial training for labor inspectors, training on new laws related to child labor, the number of labor inspections conducted at worksites, and the number of targeted routine inspections.

Criminal Law Enforcement

In 2019, criminal law enforcement agencies in Burma took actions to combat the worst forms of child labor (Table 7). However, gaps exist within the Burmese military's practices that may hinder adequate criminal law enforcement, including the lack of publicly available data on enforcement efforts.

Table 7. Criminal Law Enforcement Efforts Related to Child Labor

Overview of Criminal Law Enforcement	2018	2019
Initial Training for New Criminal Investigators	Unknown (1)	11,388 (34)
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)	72 (34)
Number of Violations Found	Unknown (1)	8 (34)
Number of Prosecutions Initiated	Unknown (1)	44 (34)
Number of Convictions	Unknown (1)	106 (34)
Imposed Penalties for Violations Related to The Worst Forms of Child Labor	Yes (92)	Yes (34)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Unknown (1)	Yes (34)

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In December 2019, 70 prosecutors from the Union Attorney General’s Office received specialized training from the U.S. Department of Justice on how to prosecute trafficking in persons cases, including child trafficking. Those trained will serve as “Trafficking in Persons Coordinators” in each of the country’s prosecutorial districts, and act as the primary point of contact on all trafficking in persons cases, including coordinating with civil society, victims, and criminal law enforcement officials on the prosecution of cases. (13,84)

During the reporting period, the government dishonorably discharged a commissioned military officer who is currently in jail awaiting trial in a civilian court for facilitating the human trafficking of a young girl to China to marry a Chinese man. (13) From April 1, 2019 through December 2019, courts reached a verdict in 66 cases involving 163 alleged human trafficking perpetrators, including 89 individuals who were convicted and sentenced to more than 10 years in prison. (34) This included the conviction and life imprisonment of seven people for trafficking seven girls in a Chinese bride trafficking scheme. (13,34)

In 2019, the UN Special Envoy to Myanmar noted that, due to the efforts of the government to utilize enhanced screening protocols of recruits, cases specifically involving recruitment and use of children in the military were reduced to single digits. (2,13) While the government continued training its personnel on age verification at recruitment centers, insufficient identity document access and security issues continued to present challenges to the full prevention of the recruitment of children. (3,34,36,83) 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. (3,34,35) 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. (2,3,93)

The government did not provide information on whether training on new laws related to the worst forms of child labor or refresher courses were provided during the reporting period. (2,34)

IV. COORDINATION OF GOVERNMENT EFFORTS ON CHILD LABOR

The government has established mechanisms to coordinate its efforts to address child labor (Table 8). However, gaps exist that hinder the effective coordination of efforts to address child labor, including 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. (66) 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. (66)
UN Country Task Force on Monitoring and Reporting (CTFMR) on Grave Violations Against Children & the Committee for the Prevention of Grave Violations Against Children in Armed Conflicts*	UN Country Task Force on Monitoring and Reporting (CTFMR) on Grave Violations Against Children coordinates with the government to end and prevent the recruitment and use of children in Burma’s armed forces. (94) Operates a hotline for reporting cases of child soldiering. (13) Co-chaired by the UN and UNICEF, members include Save the Children, World Vision, and relevant UN agencies, such as the ILO. Mandated by UN Security Council Resolution 1612 in response to children in Burma being subjected to grave violations, including the recruitment and use of children as soldiers. (2,94) During the reporting period, released results from its report covering incidents for calendar year 2018. (2) In addition, permitted by the government to directly engage with ethnic armed groups to pursue the signing of joint action plans on the use and recruitment of child soldiers. (13) Committee for the Prevention of Grave Violations Against Children in Armed Conflicts formed in January 2019 and addresses the designation of the Burmese 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. (13,77) Members include 13 Ministries. Regularly meets with the CTFMR to discuss additional measures to prevent grave violations against children in armed conflicts. (13,77)

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

Coordinating Body	Role & Description
Child Labor Coordination: National Committee on Child Labor Eradication & Technical Working Group on Child Labor	<p>National Committee on Child Labor Eradication oversees the implementation of the Myanmar Child Labour Eradication Project, which was approved by the committee in December 2018. (1,25,97) Chaired by the Vice President and consists of 37 members including representatives from 13 government ministries, the chief ministers of 10 states, the mayors of Rangoon and Mandalay, unions, and employer and civil society organizations. (2,97) Officially launched on February 5, 2018. (2,98) During its first 5 years, will focus on the worst forms of child labor. (2) During the reporting period, began work on implementing the first phase of the National Action Plan to Eliminate Child Labor, with the goal of gathering data from five target areas, reducing child labor, and implementing child labor laws. (2,99) Met twice during the reporting period. (2)</p> <p>Technical Working Group on Child Labor coordinates the implementation of ILO Convention 182, including drafting the list of hazardous work prohibited for children, developing a national plan of action against child labor, and establishing a mechanism for identifying, monitoring, and referring child labor cases. Chaired by MOLIP, consists of stakeholders from eight government ministries, employers, and civil society organizations. (12,95,96) During the reporting period, began developing a hazardous work list of activities prohibited to children. (34)</p>
Central Body for the Suppression of Trafficking in Persons	<p>Coordinates efforts to address trafficking in persons. Chaired by the Minister of Home Affairs (MOHA) and includes six government agencies and several NGOs. (13,85) Creates, implements, and maintains an annual work plan to make progress toward goals established in the 5-year National Plan of Action to Counter Trafficking in Persons (NPA). (13) 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. (13) During the reporting period, held a meeting to discuss challenges and efforts to work toward implementation of recommendations contained in the U.S. Department of State's 2019 Trafficking in Persons Report. Also drafted the 2019 Anti-Trafficking in Persons Law that is pending Cabinet approval before submission to Parliament. (13) Hosted the Seventh Myanmar Anti-Trafficking in Persons Day that featured print, radio, and television programming with anti-trafficking messaging. (13)</p>
Township Committees of the Rights of the Child	<p>Coordinate local child welfare and protection activities. Led by the Township Administrator and consists of government agencies, including the Department of Social Welfare, police, and NGOs. (1,67)</p>

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

During the reporting period, the government formed a Committee on Underage Recruitment and a Committee for the Prevention of Sexual Violation - which is overseen by the CTFMR - with the goal of establishing more robust age assessment procedures, issuing national military directives prohibiting child recruitment, and establishing standards for national military personnel conduct. (2,34) Additionally, in July 2019, the government hosted the Association of Southeast Asian Nations (ASEAN) Senior Officials Meeting on Transnational Crime, Working Group on Trafficking in Persons to work toward better coordination between regional governments to address human trafficking. (13)

Research indicates that the government continues to be hampered by limited inter-ministerial coordination across all government ministries. (13)

V. GOVERNMENT POLICIES ON CHILD LABOR

The government has established policies related to child labor (Table 9). However, policy gaps exist that hinder efforts to address child labor, including the adoption of policies that address all relevant worst forms of child labor.

Table 9. Key Policies Related to Child Labor

Policy	Description
Myanmar Child Labour Eradication Project	<p>Establishes a national plan of action to eliminate child labor, including hazardous child labor. (1) Policy was implemented during the reporting period. (34)</p>
Joint Action Plan with the UN to Prevent the Recruitment and Use of Children for Military Purposes	<p>Aims to end all government recruitment and use of children in its armed forces. Seeks to ensure the release of children under age 18 from the armed forces and facilitate their reintegration into families and communities through the CTFMR. (94) Policy was implemented during the reporting period. (34)</p>

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

Policy	Description
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. (100) Action Plan Item 4.3.6 specifically addresses eliminating child labor through education. (2,100) Policy was implemented during the reporting period. (34)
Myanmar Decent Work Country Programme (2018–2021)	Seeks to strengthen protections against child labor and forced labor by building on existing ILO programs in Burma and continuing engagement between the ILO and the government. (101) Policy was implemented during the reporting period. (34)
National Plan of Action to Combat Human Trafficking (NPA) (2017–2021)	Aims to effectively eliminate internal and cross-border trafficking in persons and to anticipate and forestall new forms of trafficking. (13,102) Third iteration of the NPA. Implemented by the Central Body for Suppression of Trafficking in Persons. (13) 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. (13,102) Policy was implemented during the reporting period. (34)

In November 2019, the government adopted the ASEAN Declaration on the Rights of Children in the Context of Migration. (2) This Declaration calls on member states to increase action to address and prevent child labor and forced labor as they relate to migration. The Ministry of Social Welfare, Relief and Resettlement in Burma and the Ministry of Social Development and Human Security in Thailand signed a Memorandum of Understanding (MOU) to begin work on a cross-border protection framework to strengthen the protection of children in migration that will complement the Declaration. (2,34) This MOU will establish functioning cross-border child protection mechanisms and frameworks, including case management standard operating procedures. (34)

Although the government has adopted a policy to end the national military's recruitment and use of child soldiers and hazardous child labor, research found no evidence of a policy on other worst forms of child labor, including armed conflict by non-state armed groups, forced child labor, or commercial sexual exploitation of children. (34)

During the reporting period, the government began drafting and negotiating MOUs with the Governments of India and Vietnam to address the issue of child trafficking. (2,13,77) The government also negotiated a child protection mechanism with the Governments of Thailand and China, which seeks to assist children affected by the risks of migration, including human trafficking and forced labor. (2,13,77)

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2019, the government funded and participated in programs that include the goal of eliminating or preventing child labor (Table 10). However, gaps exist in these social programs, including the adequacy of programs to address all worst forms of child labor.

Table 10. Key Social Programs to Address Child Labor

Program	Description
Forced Labor Complaint Mechanism	Joint government-ILO program that gives citizens a mechanism to lodge complaints of forced labor and seek remedies from the government. (103) In February 2020, a new permanent mechanism was approved and implemented by the government. Includes the ability to report cases of child labor and child soldier recruitment. (34) During the reporting period, 115 cases of child soldiers were received through the complaint mechanism; most of the complaints reported were from people who are no longer children. (104)
Hotlines	UNICEF and World Vision-operated hotlines for reporting suspected cases of child recruitment or use by Burma's military. (105) In 2019, 67 calls were received by World Vision hotline. (2)
USDOL-Funded Projects	USDOL-funded projects that 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 safe and health data, and increase youth knowledge and awareness of the hazards and risks of child labor and improve availability. Includes: the Myanmar Programme on the Elimination of Child Labour (My-PEC) Project, a \$7.75 million global project implemented by the ILO; 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 the ILO. (2,106-109) For additional information, please see the USDOL website.

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The MOLIP published the Labor Force Survey in April 2019, with data collected in 2017 in all seven states and regions, as well as the union territory, and found that 5 percent (623,000) of the total child population (12,410,000) were found to be working in child labor, and 608,000 were found to be in hazardous work conditions. (2,110) A second survey collected data from 2019 and is expected to be published in early 2020. (77) Data from this second survey was primarily collected from the Yangon, Bago, and Ayeyarwady Regions, and in Mon and Karen States. (2) The survey was done to help develop and establish a database that accurately reflects the current size and composition of the labor force in Burma, and includes information on child labor. (111)

The Forced Labor Complaints Mechanism lapsed in December 2018, but the ILO continued to receive and forward child labor complaints to the government. (2,13,41,77,89) In August 2019, the government approved a proposal to create a new government-operated complaints mechanism, and established an interim complaints mechanism while it worked with stakeholders to establish the new mechanism. The permanent mechanism was implemented in February 2020 and is able to receive complaints. (2,13,34,36,41,112) The National Tripartite Dialogue comprising members of the government, employers’ associations, and labor unions, continued to work toward labor reforms by acting as the main stakeholder consultative body regarding the establishment of a formal complaints mechanism and the creation of the hazardous work list. (2,77)

Overall, the government lacks sufficient social programs to adequately address the worst forms of child labor, including forced child labor and the commercial sexual exploitation of children. (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 Burma (Table 11).

Table 11. Suggested Government Actions to Eliminate Child Labor

Area	Suggested Action	Year(s) Suggested
Legal Framework	Finalize and implement the Occupational Safety and Health Bill regulation bylaws.	2019
	Ensure that the types of hazardous work prohibited for children are comprehensive by including all sectors and activities in which children engage in hazardous work.	2016 – 2019
	Ensure that the law does not require a demonstration of force, fraud, or coercion to constitute a child trafficking offense.	2017 – 2019
	Ensure that the law provides criminal penalties for the use, procuring, and offering of children under age 18 in illicit activities including in the production and trafficking of drugs.	2016 – 2019
	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 – 2019
	Publish the implementing regulations for the Child Rights Law and a comprehensive hazardous work list.	2019
Enforcement	Ensure that the Anti-Trafficking in Persons Division of the Myanmar Police Force has sufficient resources to hire and train officers to ensure all areas of the country are covered.	2019
	Ensure that the Ministry of Social Welfare, Relief and Resettlement has sufficient resources to provide services to victims of the worst forms of child labor, including reintegration support at the Department of Rehabilitation and increasing the number of case managers at the Department of Social Welfare.	2016 – 2019
	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
	Ensure that prior notice of unannounced inspections are not given to factory owners, inspectors conduct thorough inspections that include talking with workers, provide inspections in a timely manner, and consistently enforce labor laws when a violation is found.	2019
	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 maintaining up-to-date data on the labor market.	2019
	Increase the number of labor inspectors to meet the ILO’s technical advice.	2016 – 2019
	Publish data related to labor law enforcement, including the amount of funding for the labor inspectorate, whether initial training for labor inspectors was offered, whether there was training on new laws related to child labor, the number of inspections conducted at worksites, and the number of targeted routine inspections.	2016 – 2019

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

Area	Suggested Action	Year(s) Suggested
Enforcement	Establish a permanent referral mechanism between the labor inspectorate and social services.	2016 – 2019
	Continue to improve military oversight and monitoring of recruitment procedures to prevent the recruitment of children.	2017 – 2019
	Ensure that the penalties for the recruitment and use of children in the military are appropriate for the seriousness of the crime.	2017 – 2019
	Publish data related to criminal law enforcement, including training on new laws and refresher courses offered for investigators.	2016 – 2019
Coordination	Ensure frequent and regular communication and coordination across all government ministries related to the worst forms of child labor.	2019
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 – 2019
Social Programs	Cease the practice of compelled forced labor of civilians, including children, by the military in conflict areas.	2016 – 2019
	Remove all restrictions on Rohingya access to education, including school segregation, travel restrictions, and barriers to enroll in school.	2017 – 2019
	Develop and implement education programs that reduce physical barriers for children who live long distances from schools and eliminate prohibitive expenses for attending school.	2016 – 2019
	Ensure that conditions are safe in Rakhine State for the voluntary return of Rohingya refugees, including children in Bangladesh.	2018 – 2019
	Develop and implement programs to address all worst forms of child labor, including forced child labor, and the commercial sexual exploitation of children.	2016 – 2019
	Provide legal status to the Rohingya, including children, to decrease their vulnerability to the worst forms of child labor.	2019

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In 2019, Burundi made a moderate advancement in efforts to eliminate the worst forms of child labor. The government worked on revisions to its Labor Code to align with international standards on child labor and launched a partnership with the International Organization for Migration to improve coordination between government ministries, the National Police, and civil society organizations to address human trafficking. It also published labor inspection funding data for the first time, conducted inspections in all provinces, and continued to fund the Centers for Family Development, which provide reintegration services for victims. However, children in Burundi engage in the worst forms of child labor, including in commercial sexual exploitation, sometimes as a result of human trafficking. Children also perform dangerous tasks in gold mining. Burundi lacks a compulsory education age that is equal to the minimum age for work and the government failed to provide comprehensive criminal law enforcement data related to the worst forms of child labor. Other challenges remain, including a lack of resources to conduct labor inspections and criminal investigations; a lack of well-trained educators and infrastructure in the education sector; and insufficient social programs to address child labor.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Burundi engage in the worst forms of child labor, including in commercial sexual exploitation, sometimes as a result of human trafficking. Children also perform dangerous tasks in gold mining. (1-4) 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 (%)		63.0

Source for primary completion rate: Data from 2018, published by UNESCO Institute for Statistics, 2020. (5)

Source for all other data: International Labor Organization's analysis of statistics from Demographic and Health Survey (DHS), 2016–2017. (6)

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

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

Sector/Industry	Activity
Agriculture	Production of tea, coffee, sugarcane, cotton, palm oil, peat, potatoes, and rice (1-3,7-9)
	Fishing, including preparing materials and equipment, managing heavy fishing nets, preparing meals for fishermen, loading and unloading materials from vessels, and cleaning the vessels (1-4,7-11)
	Herding and feeding livestock (1,3,8,9)
Industry	Extracting,† washing, and transporting minerals in mines and quarries, including artisanal gold mines (1,3,7,8,12)
	Making and transporting bricks (2,3,7,9)
Services	Domestic work (2,3,8,9)
	Street vending, including selling food, newspapers, cigarettes, and used clothes and shoes (1,3,8)
	Begging (3,9,13)
	Work as help in hotels and restaurants, including cooking, dishwashing, and waiting tables (1,3,9)

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

Sector/Industry	Activity
Categorical Worst Forms of Child Labor†	Commercial sexual exploitation, sometimes as a result of human trafficking (1-4,9,12)
	Domestic work as a result of human trafficking (3,4,9,15)
	Forced labor in agriculture, mining, charcoal production, construction, street vending, and begging, each sometimes as a result of human trafficking (1,3,4,9,15)

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

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

Burundi is one of the poorest countries in the world, with more than 90 percent of its citizens engaged in subsistence agriculture, and approximately 80 percent of the workforce employed in the informal economy. (1,16,17) 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 is 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. There were no documented cases of sex tourism in Burundi during the reporting period. (20) Burundian children are trafficked within the country, often from rural areas, for domestic work and commercial sexual exploitation. (3,4,15,16,20) 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. (3) Women who offer room and board to children sometimes force the children into commercial sexual exploitation to pay expenses. (4,20) Burundian girls are also trafficked internationally for commercial sexual exploitation in Kenya, Rwanda, Uganda, the Democratic Republic of Congo, and countries in the Middle East. (4,9,20,21,22) Evidence also suggests that children are trafficked to Tanzania for work in agriculture and for domestic work. (1,4,9,17,21)

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. (3) A dearth of well-trained educators and poor infrastructure has also limited educational opportunity. For example, the lack of gender-separated bathrooms can contribute to lower attendance rates among girls. (3) Children with disabilities and mobility issues face discrimination in schools and a lack of appropriate materials and infrastructure, limiting access to education. (23) Moreover, because birth certificates are required to attend school, many unregistered children, in particular children of the Batwa ethnic group, remain out of school and vulnerable to child labor. (1,3,8,16,21)

II. LEGAL FRAMEWORK FOR CHILD LABOR

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

Table 3. Ratification of International Conventions on Child Labor

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

The government has established laws and regulations related to child labor (Table 4). However, gaps exist in Burundi’s legal framework to adequately protect children from the worst forms of child labor, including the lack of a compulsory education age equal to the minimum age for work.

Table 4. Laws and Regulations on Child Labor

Standard	Meets International Standards	Age	Legislation
Minimum Age for Work	No	16	Article 3 of the Labor Code; Article 3 of the Ministerial Ordinance to Regulate Child Labor (24,25)
Minimum Age for Hazardous Work	Yes	18	Article 13 of the Ministerial Ordinance to Regulate Child Labor (25)
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	No		Articles 4 and 10 of the Trafficking in Persons Law (26)
Prohibition of Child Trafficking	Yes		Articles 4–6 and 10 of the Trafficking in Persons Law (26,27)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Article 519 of the Penal Code; Articles 4 and 10 of the Trafficking in Persons Law (26,27)
Prohibition of Using Children in Illicit Activities	No		
Minimum Age for Voluntary State Military Recruitment	Yes	18	Article 6(c) of the National Defense Troops Law (28)
Prohibition of Compulsory Recruitment of Children by (State) Military	N/A*		
Prohibition of Military Recruitment by Non-state Armed Groups	No		Articles 198.2aa and 198.5g of the Penal Code (27)
Compulsory Education Age	No	12	Legislation title unknown (8)
Free Public Education	Yes		Article 17 of the Law on Basic and Secondary Education (29)

* No conscription (28)

The Labor Code prohibits work by children under age 16 in public and private enterprises; however, the law's minimum age protections do not apply to children outside of formal employment relationships. (24,30-31) During the reporting period, the government continued to revise the Labor Code in order to integrate international standards on the minimum age for work and the worst forms of child labor. The revision has been in process for over a year and a draft of the revisions has not yet been released. (3) After a National Labor Council draft of the code revisions was sent to the ILO for recommendations, the project was submitted to the Council of Ministers, where it currently awaits analysis. (32)

The prohibitions against hazardous work are not comprehensive, as they fail to cover agriculture, an area of work in which there is evidence of children working with dangerous machinery, equipment, and tools. (9,25) Although Burundi has a list of activities in which light work may be permitted, the minimum age of 12 for light work is not in compliance with international standards. (31,33) Burundi's laws related to forced labor are not sufficient because they do not criminally prohibit forced labor except when it results from human trafficking. (26)

Education in Burundi is not compulsory through the minimum age for work, and research did not uncover a public version of the law establishing compulsory education. (8,34) The Penal Code does not prohibit the use of children in the production and trafficking of narcotics. (27) Although the Constitution prohibits the use of children in armed conflict, the Penal Code criminalizes only the use of children under age 15 in armed conflict, leaving children between the ages of 15 and 18 vulnerable to the worst forms of child labor. (27,35) However, Burundian law does prohibit the recruitment of children under age 18 by the state armed forces, and available evidence indicates that the government continued to comply with this provision. (1,16,17)

III. ENFORCEMENT OF LAWS ON CHILD LABOR

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

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Table 5. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
Ministry of 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. (36)
Ministry of Public Security	Conducts criminal investigations on the worst forms of child labor, including forced child labor, child trafficking, and the use of children in illicit activities. (2) Through the Burundi National Police's Unit for the Protection of Minors and Morals, protects children from commercial sexual exploitation, illicit activity, and military recruitment. (1,3,9,17)
Ministry of Justice	Prosecutes cases of the worst forms of child labor through its General Prosecutor's Office. (1,3,9,12)
Ministry of National Solidarity, Human Rights, and Gender	Coordinates, monitors, and oversees children's advocacy and family services programs conducted by public and private organizations. Develops policies and national laws on the promotion and protection of children and families. (37,38) Refers cases to police officers and judicial officials for enforcement through its 89 Child Protection Committees at local levels; victims are referred to local NGOs for social services. (3,37,38)

Labor Law Enforcement

In 2019, labor law enforcement agencies in Burundi took actions to combat child labor (Table 6). However, gaps exist within the operations of the Ministry of Public Service, Labor, and Employment that may hinder adequate labor law enforcement, including an insufficient number of labor inspectors.

Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2018	2019
Labor Inspectorate Funding	Unknown (1)	\$2,650 (3)
Number of Labor Inspectors	35 (1)	43 (3)
Inspectorate Authorized to Assess Penalties	Yes (1)	Yes (3)
Initial Training for New Labor Inspectors	No (1)	No (3)
Training on New Laws Related to Child Labor	N/A (1)	N/A
Refresher Courses Provided	No (1)	No (3)
Number of Labor Inspections Conducted	216 (1)	397 (3)
Number Conducted at Worksite	Unknown (1)	397 (3)
Number of Child Labor Violations Found	0 (1)	1 (3)
Number of Child Labor Violations for Which Penalties Were Imposed	N/A (1)	0 (3)
Number of Child Labor Penalties Imposed that Were Collected	N/A (1)	0 (3)
Routine Inspections Conducted	Yes (1)	Yes (3)
Routine Inspections Targeted	No (1)	No (3)
Unannounced Inspections Permitted	Yes (1)	Yes (3)
Unannounced Inspections Conducted	No (1)	Yes (3)
Complaint Mechanism Exists	Yes (1)	Yes (3)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (1)	Yes (3)

Although Burundi increased its number of labor inspectors in 2019, 14 of Burundi's 18 provinces lack local inspectors. (3) Furthermore, the number of labor inspectors is likely insufficient for the size of Burundi's workforce, which includes approximately 5 million workers. According to the ILO's technical advice of a ratio approaching 1 inspector for every 40,000 workers in less developed economies, Burundi would employ about 125 inspectors. (39,40) In 2019, Burundi's labor inspectorate increased the number of inspections conducted and carried out inspections in all 18 provinces. However, these inspections were conducted exclusively in the formal sector, in which child labor is relatively rare, and excluded the agricultural sector. (3,31)

The depreciation of Burundi's currency in 2019 resulted in a decrease in funding for the labor inspectorate, and government officials acknowledged the budget in 2019 was not sufficient. (3) 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. (8,9,41,42)

Criminal Law Enforcement

In 2019, criminal law enforcement agencies in Burundi took actions to combat child labor (Table 7). However, gaps exist within the operations of the criminal enforcement agencies that may hinder adequate criminal law enforcement, including the lack of published information on the criminal enforcement of child labor law.

Table 7. Criminal Law Enforcement Efforts Related to Child Labor

Overview of Criminal Law Enforcement	2018	2019
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 (41)	Unknown (3)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (1)	Yes (3)

Burundian authorities identified 314 victims of transnational trafficking in persons in 2019, but found no cases of domestic trafficking in persons. Government data did not identify how many of these cases involved children. (20) The government did not provide complete information on its criminal law enforcement efforts for inclusion in this report. (3) Meanwhile, UNICEF reported identifying 205 cases of child labor, some of which may have included human trafficking, and 123 cases of child victims of human trafficking. (20)

In 2019, Burundi established a new unit within the Ministry of Justice focused on the protection of witnesses involved in cases of abuse or exploitation. (20)

Despite its efforts, the government lacked resources to fully implement criminal law enforcement strategies. For example, while the Burundi National Police Unit for the Protection of Minors and Morals was responsible for the investigation of trafficking in persons, sex trafficking, and child and forced labor issues, it lacked capacity and often did not receive referrals from other police units. (20) Agencies lacked resources necessary to respond to victims' needs and had to rely primarily on services from civil society and international organizations. (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 non-operational coordination mechanisms.

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

Coordinating Body	Role & Description
Burundi Counter-Trafficking (2019–2022)*	Launched in 2019 in partnership with IOM and the Kingdom of the Netherlands, this 3-year, \$3 million coordinating project aims to reinforce government anti-human trafficking efforts by improving coordination between government ministries, the Burundi National Police, and civil society organizations. Also aims to strengthen the national referral system for protection of and improve reintegration services for human trafficking victims. (20,44)
Ad Hoc Committee for Consultation and Monitoring on the Prevention and Suppression of Trafficking in Persons	Oversees national anti-trafficking in persons efforts, including implementation of the National Action Plan for Combating Trafficking in Persons. (15,17,38,45,46) Includes officials from the Ministry of National Solidarity, Human Rights, and Gender, and the ministries of Justice, Public Security, Foreign Affairs, and Interior. (2) In October, the committee requested and received training from IOM on good practices related to coordination, referral, identification, assistance, and prosecution of trafficking in persons cases. In December, the committee also conducted a best practices information exchange with its Tunisian counterparts to inform prevention activities. (20)

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

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Despite Burundi's efforts to address trafficking in persons, Burundi lacks an active coordinating mechanism to address other forms of child labor, as research suggests the National Multi-Sector Committee for the Elimination of the Worst Forms of Child Labor is non-operational. 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. (20)

V. GOVERNMENT POLICIES ON CHILD LABOR

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

Table 9. Key Policies Related to Child Labor

Policy	Description
National Action Plan for Combating Trafficking in Persons (2019–2020)	Aims to significantly reduce human trafficking in Burundi by 2020 through the adoption of political, social, economic, and institutional measures. Identifies women and children as being the most vulnerable to human trafficking, noting sectors of high prevalence and human trafficker profiles. (38,47) The Ad Hoc Committee for Consultation and Monitoring on the Prevention and Suppression of Trafficking in Persons developed an Integrated Work Plan Against Trafficking in Persons 2019–2020 in 2019 in alignment with the objectives of the National Action Plan to implement anti-trafficking measures. (20,44)

‡ The government had other policies that may have addressed child labor issues or had an impact on child labor. (48,49)

The government did not take steps to renew the expired National Revised Action Plan for the Fight Against the Worst Forms of Child Labor during the reporting period. (1,3)

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2019, the government funded and participated in programs that include the goal of eliminating or preventing child labor (Table 10). However, gaps exist in these social programs, including the adequacy of programs to address the full scope of the problem in all sectors.

Table 10. Key Social Programs to Address Child Labor

Program	Description
Centers for Family Development†	Ministry of National Solidarity, Human Rights, and Gender-operated centers that address human rights issues, including child exploitation, and reintegrate victims in their home communities. Coordinate with Child Protection Committees to refer victims to local NGOs for care, when necessary. (37,50) The centers continued to carry out services in various parts of the country in 2019, including the construction of a community center in Mubumbi. (51,52)
“Back to School” Campaign†	UNICEF and the Ministry of Education “Back to School” campaign to promote equitable access and retention in school for 2.6 million basic education students, half of them girls. (53) In 2019, UNICEF conducted an impact evaluation assessing the “Back to School” program to date and providing recommendations for future implementation. The evaluation found the program played an important role in addressing access to education in areas in which poverty was a significant barrier. (54)

† Program is funded by the Government of Burundi.

Research found no evidence that the government has carried out programs to assist children working in agriculture or victims of commercial sexual exploitation or trafficking in persons. Further, the scope of existing programs is insufficient to fully address the extent of the child labor problem.

VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE CHILD LABOR

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

Table 11. Suggested Government Actions to Eliminate Child Labor

Area	Suggested Action	Year(s) Suggested
Legal Framework	Criminally prohibit the use of children in illicit activities, including in the production and trafficking of drugs.	2015 – 2019
	Criminally prohibit forced labor.	2019
	Establish by law a compulsory education age equal to the minimum age for work.	2009 – 2019
	Ensure that all children are protected by the minimum age law, including children working outside of formal employment relationships.	2015 – 2019
	Ensure that the law criminally prohibits the recruitment of children under age 18 by non-state armed groups.	2012 – 2019
	Ensure that all children are protected from hazardous work activities, including in agriculture, which have hazardous conditions and in which child labor is known to occur.	2016 – 2019
	Publish the law establishing compulsory education for public review.	2017 – 2019
Enforcement	Raise the minimum age for light work to 13 to comply with international standards.	2019
	Increase the number of labor inspectors to meet the ILO's technical advice.	2009 – 2019
	Expand labor law enforcement coverage by ensuring the presence of labor inspectors in all 18 of Burundi's provinces.	2019
	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 – 2019
	Ensure that targeted inspections occur and that inspections take place in the informal and agricultural sectors in which child labor is most prevalent.	2019
	Publish information on training for criminal enforcement investigators, and the number of investigations, violations, prosecutions, convictions, and imposed penalties related to the criminal enforcement of child labor laws.	2017 – 2019
	Ensure new labor inspectors receive adequate training and all inspectors receive regular refresher courses on child labor issues.	2019
Coordination	Ensure that criminal law enforcement agencies and agencies responsible for responding to trafficking in persons have the resources and capacity necessary to investigate cases and provide services to victims.	2019
	Establish a coordinating mechanism to address the worst forms of child labor or re-enact the National Multi-Sector Committee for the Elimination of the Worst Forms of Child Labor.	2015 – 2019
	Ensure the viability of established coordinating mechanisms by dedicating regular funding for their operation.	2019
Government Policies	Take steps to renew the expired National Revised Action Plan for the Fight Against the Worst Forms of Child Labor.	2015 – 2019
Social Programs	Increase access to education by eliminating school-related fees, increasing the number of well-trained educators, expanding the infrastructure, and increasing birth registration rates.	2015 – 2019
	Institute and expand existing programs to address child labor, including in agriculture, commercial sexual exploitation, and trafficking in persons.	2009 – 2019

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In 2019, Cabo Verde made a moderate advancement in efforts to eliminate the worst forms of child labor. The government increased the number of labor inspectors by 50 percent, and implemented a Child Protection Information and Case Management System, which aims to identify and track victims of the worst forms of child labor, including child victims of commercial sexual exploitation. In addition, the Cabo Verdean Institute for Children and Adolescents, in collaboration with the United Nations Children's Fund, drafted a Child Protection Policy. However, children in Cabo Verde engage in the worst forms of child labor, including in commercial sexual exploitation, sometimes as a result of human trafficking. Children also perform dangerous tasks in construction. Law enforcement officials lack the necessary resources to follow up on investigations, and communication among enforcement agencies is still limited. In addition, social programs to assist children involved in agriculture and domestic work are not sufficient to address the scope of the problem.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Cabo Verde engage in the worst forms of child labor, including in commercial sexual exploitation, sometimes as a result of human trafficking. (1-7) Children also perform dangerous tasks in construction. (4,8) Table 1 provides key indicators on children's work and education in Cabo Verde.

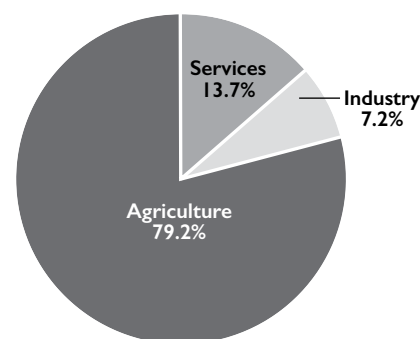
Table 1. Statistics on Children's Work and Education

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 (%)		87.3

Source for primary completion rate: Data from 2018, published by UNESCO Institute for Statistics, 2020. (9)

Source for all other data: International Labor Organization's analysis of statistics from *Inquérito as Despesas e Receitas Familiares, 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.

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

Sector/Industry	Activity
Agriculture	Farming, including carrying heavy loads† (1,8,11)
	Raising livestock (11)
	Artisanal fishing in small boats† (11)
Industry	Construction, including extracting sand (12,13)
Services	Domestic work (1,3,4,8)
	Street work, including vending, garbage scavenging,† car washing, and begging (3,4,8,14,15)
Categorical Worst Forms of Child Labor‡	Commercial sexual exploitation, sometimes as a result of human trafficking (1-6)
	Use in illicit activities, including drug trafficking (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.

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The commercial sexual exploitation of both boys and girls, including in the tourism industry, occurs in Cabo Verde. (1-3,5) Research indicates that the islands of Sal and Boa Vista register the highest incidences of commercial sexual exploitation of children. (2) Evidence also indicates that children are victims of commercial sexual exploitation on the islands of São Vicente, Fogo, and Maio. (4)

II. LEGAL FRAMEWORK FOR CHILD LABOR

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

Table 3. Ratification of International Conventions on Child Labor

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

The government's laws and regulations are in line with relevant international standards (Table 4).

Table 4. Laws and Regulations on Child Labor

Standard	Meets International Standards	Age	Legislation
Minimum Age for Work	Yes	15	Article 261 of the Labor Code (16)
Minimum Age for Hazardous Work	Yes	18	Article 264 of the Labor Code; Article 133 of the Civil Code (16,18)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		National List of Dangerous Work for Children (19)
Prohibition of Forced Labor	Yes		Article 14 of Chapter 3 of the Labor Code; Articles 149, 271, and 271-A of the Penal Code (16,20)
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 (21)
Minimum Age for Voluntary State Military Recruitment	Yes	17	Article 31 of the Military Service Law (22)
Prohibition of Compulsory Recruitment of Children by (State) Military	Yes		Article 2 of the Military Service Law (22)
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 (23)
Free Public Education	Yes		Article 14 of the Education Law (23)

‡ Age calculated based on available information (24)

During the reporting period, the government began drafting a law aimed at addressing the increase in violations of commercial sexual exploitation of children in the country, including increasing the age of consent and ensuring that these violations are given priority within the legal justice system. (2)

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. (17,18,25)

III. ENFORCEMENT OF LAWS ON CHILD LABOR

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

Table 5. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
Inspector General for Labor (IGT)	Monitors and enforces child labor laws, working closely with the Cabo Verdean Institute for Children and Adolescents (ICCA). (26)
Judicial Police and National Police	Judicial Police conduct criminal investigations; National Police make arrests related to the worst forms of child labor, including human trafficking. (3)

Labor Law Enforcement

In 2019, labor law enforcement agencies in Cabo Verde took actions to combat child labor (Table 6). However, gaps exist within the operations of the IGT that may hinder adequate labor law enforcement, including financial resource allocation.

Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2018	2019
Labor Inspectorate Funding	\$26,000 (27)	\$26,000 (28)
Number of Labor Inspectors	14 (11)	21 (3)
Inspectorate Authorized to Assess Penalties	Yes (11)	Yes (3)
Initial Training for New Labor Inspectors	N/A	Yes (3)
Training on New Laws Related to Child Labor	N/A	N/A
Refresher Courses Provided	Yes (11)	Yes (3)
Number of Labor Inspections Conducted	1,131 (11)	1,300 (3)
Number Conducted at Worksite	1,131 (11)	1,300 (3)
Number of Child Labor Violations Found	Unknown	Unknown
Number of Child Labor Violations for Which Penalties Were Imposed	Unknown	0 (3)
Number of Child Labor Penalties Imposed that Were Collected	Unknown	0 (3)
Routine Inspections Conducted	Yes (11)	Yes (3)
Routine Inspections Targeted	Yes (11)	Yes (3)
Unannounced Inspections Permitted	Yes (11)	Yes (3)
Unannounced Inspections Conducted	Yes (11)	Yes (3)
Complaint Mechanism Exists	Yes (11)	Yes (3)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (11)	Yes (3)

In 2019, the government increased the number of labor inspectors by 50 percent. (3) Reports indicate that inspectors lack necessary resources to perform inspections in sectors in which child labor is known to occur, including the informal sector. In addition, the IGT's presence is limited to only three of the nine inhabited islands, which hinders inspectors' abilities to enforce child labor laws. (3)

Although the government did not report any child labor violations, the Cabo Verdean Institute for Children and Adolescents (ICCA) recorded 33 cases of child labor violations during the reporting period. When IGT inspectors find a case of child labor, they inform ICCA for referral to social services providers. (3)

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Criminal Law Enforcement

In 2019, criminal law enforcement agencies in Cabo Verde took actions to combat child labor (Table 7). However, gaps exist within the operations of the criminal enforcement agencies that may hinder adequate criminal law enforcement, including allocating human resources.

Table 7. Criminal Law Enforcement Efforts Related to Child Labor

Overview of Criminal Law Enforcement	2018	2019
Initial Training for New Criminal Investigators	Yes (11)	Yes (29)
Training on New Laws Related to the Worst Forms of Child Labor	Yes (11)	N/A
Refresher Courses Provided	Yes (11)	Yes (29)
Number of Investigations	Unknown	Unknown
Number of Violations Found	Unknown	Unknown
Number of Prosecutions Initiated	Unknown	Unknown
Number of Convictions	Unknown	Unknown
Imposed Penalties for Violations Related to the Worst Forms of Child Labor	Unknown	Unknown
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (11)	Yes (3)

In 2018, Judicial Police investigated a labor trafficking case involving two Chinese minors, ages 16 and 17, on the island of Sal. (11,30) During the reporting period, three suspects were officially charged with several counts of human trafficking crimes during the reporting period, and the case is scheduled for trial in 2020. (29) In addition, in November 2019, a suspect was detained in connection to a case of commercial sexual exploitation involving a 14 year old girl. The victim was prevented from attending school, and forced to travel between islands to be exploited in commercial sex. (3) The case is still pending. (3)

Reports also indicate that the Judicial Police and the National Police lack the necessary financial and human resources to follow up on investigations, including cases of child labor. The Judicial Police are present on only three of the islands, hindering their ability to address all child labor investigations. (3,11) Furthermore, the government did not maintain comprehensive anti-trafficking law enforcement and victim protection data among its criminal enforcement agencies. (4) Although law enforcement agencies work well together, limited coordination between agencies, who sometimes struggle to share case information and updates, may hinder enforcement efforts. (11) In addition, reports indicate that the judicial system takes inordinately long to process cases, which can contribute to a lack of protection for child victims of the worst forms of child labor. (2,3)

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 Committee for Child Labor Prevention and Eradication in Cabo Verde	Coordinates the execution of the National Action Plan for the Prevention and Eradication of Child Labor and provides a functional mechanism for reciprocal referrals between law enforcement and social services. Led by ICCA, with the support of the Ministry of Youth, Labor and Development of Human Resources. (31) In 2019, the Committee led a significant national media campaign aimed at addressing the sexual exploitation of children. (28)
Cabo Verdean Institute for Children and Adolescents (ICCA)	Coordinates and monitors the implementation of all national programs and activities to prevent and combat child labor. (32) In 2019, drafted a Child Protection Policy in cooperation with UNICEF. (3) As of January 2020, the Policy is under review with the Ministry of Education, Family and Social Inclusion, after which it will be presented to the Council of Ministers for approval. ICCA also trained 30 journalists on how to cover children's rights issues in the media, and trained 40 social workers and psychologists on how to prevent and respond to cases of violence against children, including cases of commercial sexual exploitation. (3)

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

Coordinating Body	Role & Description
Children and Adolescent Committee to Prevent and Combat Sexual Abuse and Exploitation	Contributes to the prevention and elimination of child sexual exploitation by coordinating the activities of member organizations and public and private services. (33) Supervises, monitors, and evaluates the National Plan to Combat Sexual Violence Against Children and Adolescents. (11) Led by ICCA. (34) In 2019, presented the final evaluation of the project, "Strengthening capacities to better prevent and combat the exploitation and sexual abuse of children in Cabo Verde." A Plan of Action for the Coordination of National Networks was also created to address the project's results and the child sexual exploitation problem in the country. (5)
Observatory for Monitoring and Rapid Identification of Situations of Trafficking in Persons	Coordinates and monitors all efforts to combat human trafficking. Comprises law enforcement, NGOs, civil society, and various government agencies. (11,35) Led by the Ministry of Justice and Labor. (11) Active in 2019. (29)

V. GOVERNMENT POLICIES ON CHILD LABOR

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

Table 9. Key Policies Related to Child Labor

Policy	Description
National Action Plan for the Prevention and Eradication of Child Labor	Prioritizes the eradication of child labor. Outlines specific objectives, including data collection, institutional capacity building, and enhancement of measures to prevent, protect, and remove children from involvement in child labor. (31) Implemented in 2019. (3)
National Plan to Combat Sexual Violence Against Children and Adolescents (2017–2019)	Aimed to prevent and combat the commercial sexual exploitation of children. The plan incorporated five principal themes: participation of children and adolescents; prevention of situations of vulnerability; mobilizing material and social resources; treatment for both victims and perpetrators; and accountability. (11,36) In 2019, ICCA and the Ministry of Education, Family and Social Inclusion implemented the Child Protection Information and Case Management System aimed at identifying and tracking victims of the worst forms of child labor, including victims of commercial sexual exploitation. (3)
Code of Ethics Against the Sexual Exploitation of Children	Guides and governs agencies involved in the tourism sector to combat the commercial sexual exploitation of children and adolescents. (37) Active in 2019. (3)
National Action Plan to Combat Trafficking in Persons (2018–2021)	Prioritizes five strategic areas: prevention, awareness, protection, investigation, and coordination. (38) Establishes the Observatory for Monitoring and Rapid Identification of Situations of Trafficking in Persons. (11,35) In 2019, the government ran an anti-trafficking campaign, including billboards, radio and television announcements. (3)

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2019, the government funded and participated in programs that include the goal of eliminating and preventing child labor (Table 10). However, gaps exist in these social programs, including the adequacy of efforts to address the problem in all sectors.

Table 10. Key Social Programs to Address Child Labor

Program	Description
Child Labor Awareness Campaigns†	Government program implemented by ICCA and the National Committee for Child Labor Prevention and Eradication that conducts national awareness-raising campaigns on the worst forms of child labor. (39) In October 2019, conducted an event to raise awareness of child sexual abuse, including child victims of commercial sexual exploitation, in coordination with the City of Praia. (3)
Help for At-Risk Children†	ICCA-implemented program that provides education, health services, and professional training to vulnerable children and their families. Operates eight day centers on Boa Vista, Fogo, Sal, Santiago, Santo Antão, and São Vicente islands for street children vulnerable to sexual and labor exploitation. (39) Active in 2019. (3)
Child Emergency Centers and Social Protection and Reintegration Centers†	ICCA-implemented program that operates emergency centers for child victims of abuse and sexual exploitation on Santiago, Santo Antão, and São Vicente islands. (31,39) The government also operates five social protection and reintegration centers that provide support and educational integration services to children who have experienced long-term trauma. (4,40) Active in 2019. (3)
Government Efforts to Increase Access to Education	Donor-funded programs implemented by the government that ensure access to education for disadvantaged children by paying for school fees, materials, and meals. (41) Active in 2019. (3)

† Program is funded by the Government of Cabo Verde.

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In 2019, the government continued working on the development of a social registry to identify families most in need of targeted social programs, and used the data acquired from the registry to provide aid to 40,000 families. The government also allocated funds in its 2020 budget to provide free tuition through the 12th grade for poor children. (3)

Although some awareness-raising activities were conducted during the reporting period, research indicates that awareness-raising efforts on human trafficking, including child sex tourism, remained insufficient on some islands. (4) 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 11).

Table 11. Suggested Government Actions to Eliminate Child Labor

Area	Suggested Action	Year(s) Suggested
Legal Framework	Prescribe by law the number of hours per week and conditions under which light work may be undertaken.	2015 – 2019
Enforcement	Ensure that labor inspectors and criminal investigators receive sufficient financial and human resources to enforce child labor laws on all islands, including in the informal sector, and that all inhabited islands benefit from the presence of the Inspector General for Labor and the Judicial Police.	2014 – 2019
	Make labor and criminal enforcement data publicly available, including information on the number of violations, investigations, prosecutions, convictions, and imposed penalties related to the worst forms of child labor.	2011 – 2019
	Develop a system to compile and share comprehensive anti-trafficking law enforcement and victim identification data among agencies.	2018 – 2019
	Ensure that the judiciary has sufficient resources and personnel to allow cases to be prosecuted in a timely manner.	2019
Government Policies	Conduct awareness-raising activities on human trafficking, including child sex tourism, on all nine inhabited islands.	2018 – 2019
Social Programs	Institute programs to address child labor in agriculture and domestic work.	2010 – 2019

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In 2019, Cambodia made a minimal advancement in efforts to eliminate the worst forms of child labor. The government, in conjunction with the ILO, conducted its first nationwide survey of child labor since 2012, with data scheduled for release in 2020. In addition, the government signed an agreement expanding funding to allow the International Labor Organization’s Better Factories Cambodia program to extend its monitoring mandate to additional sectors, including to formal subcontracting factories where child labor is found. However, despite new initiatives to address child labor, Cambodia is receiving an assessment of minimal advancement because the government failed to take active measures to investigate, prosecute, convict, and sentence public officials who participate in or facilitate the worst forms of child labor, including commercial sexual exploitation of children and debt-based forced labor in brick kilns. In addition, during the reporting period, judges were allegedly reported to have accepted bribes in return for dismissal of charges, acquittal, and reduced sentencing for individuals committing such crimes, especially for those with alleged ties to the government; this made children more vulnerable to the worst forms of child labor. Children in Cambodia engage in the worst forms of child labor, including in forced labor in brickmaking and in commercial sexual exploitation, sometimes as a result of human trafficking. Insufficient resources may hamper the labor inspectorate’s capacity to enforce child labor laws, especially in rural areas where the majority of child laborers work. In addition, continuing challenges in accessing basic education and the absence of a compulsory education requirement increase children’s vulnerability to involvement in the worst forms of child labor.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Cambodia engage in the worst forms of child labor, including in forced labor in brickmaking and in commercial sexual exploitation, sometimes as a result of human trafficking. (1-3) Table I provides key indicators on children’s work and education in Cambodia.

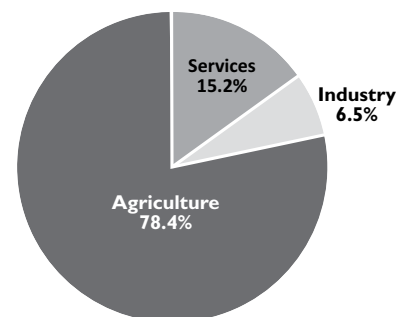
Table I. Statistics on Children’s Work and Education

Children	Age	Percent
Working (% and population)	5 to 14	8.4 (267,924)
Attending School (%)	5 to 14	87.0
Combining Work and School (%)	7 to 14	7.3
Primary Completion Rate (%)		88.0

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

Source for all other data: International Labor Organization’s analysis of statistics from Socio-Economic Survey (CSES), 2016. (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	Fishing, including deep-sea† and night fishing† (6-11,12)
	Peeling shrimp and shucking crabs (13,14)
	Production of tobacco, cassava, rubber, and rice (7,10-12,14)
	Growing, cutting, tying, carrying, and spraying pesticides† on sugarcane (10,11,15,16)
	Logging† for the production of timber (8,10,14)
	Production of salt (17)
	Production of bovines (102,103)
Industry	Making bricks,† including feeding clay into brickmaking machines, removing wood fuel from trucks and feeding to brickmaking machines, drying bricks, transporting bricks to the oven,† and loading bricks onto and off of trucks (1,6,8,11,18-21)
	Construction,† including operating transportation equipment† (6,8,10,11,22)
	Production of textiles, including bleaching,† dyeing,† and finishing with chemicals;† garments; and footwear (6,11,14,23-26)
	Production of alcoholic beverages† (6,8,14)
	Work in slaughterhouses† for the production of meat† (6,8)
	Manufacturing of wood and metal† products (6)
Services	Domestic work (6,9,12,27)
	Work as security guards† and in entertainment,† including as bartenders,† masseurs,† dancers,† and waiters† (6,11)
	Street work, including begging, vending, scavenging, collecting garbage, and exploitation in orphanages to solicit funds from tourists (9-12,22,28-30)
	Work as garbage pickers in dumpsites (10,11,31)
Categorical Worst Forms of Child Labor‡	Commercial sexual exploitation, sometimes as a result of human trafficking (9,11,12,27,32)
	Street vending, sometimes as a result of human trafficking (8,9,12,28,33)
	Use in illicit activities, including drug trafficking (22)
	Forced labor in the production of bricks (1,11,12,14,22,27,34,39)

† 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.

In Cambodian brick factories, some children engage in forced labor, sometimes in dangerous conditions, to offset family debt to employers. (3,10-12,27,34,35) The rapid growth in the construction industry, particularly in Phnom Penh, has increased the demand for bricks and fueled child labor and debt bondage. (3,11,34,36) Failed harvests from droughts have compounded farmers’ debts, which they sell to brick kiln owners, thus placing their families into hereditary debt bondage until the debts are repaid. (3,11,12,34-37)

In 2019, the government announced an ambitious plan to eliminate child labor in the brick industry by the end of the year, and conducted a census of all 486 operational kilns in the country to document the prevalence of child labor in the brickmaking sector. Although the government will not publish results from the census until late 2020, the government inspectors announced that no child labor or debt bondage was found at these kilns and, therefore, inspectors did not issue any fines. (11,27,38,39) However, in 2019 independent researchers documented at least 638 cases of child labor at brick kilns, in addition to situations of debt bondage at 464 operational kilns. (11,27,38,39,40) Following completion of the government census, officials required brick kiln owners to sign contracts with 1,259 brick kiln family workers, agreeing not to loan them any money. (11,38)

Also during the reporting period, the government and the ILO conducted the first nation-wide survey of child labor since 2012. They plan to release results in 2020. (11,14,41)

Children are subject to human trafficking domestically, from rural to urban areas, and internationally, to countries such as Thailand and Vietnam, for commercial sexual exploitation. (3,9,25,27,30) During the reporting period, there were reported cases of teenage girls dropping out of school in Sihanoukville to work in casinos where there is a high risk of exploitation, including commercial sexual exploitation. (27)

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Online sexual exploitation of children (OSEC) is reportedly increasing in Cambodia, facilitated by an increase in cheap, high-speed Internet access. (10,11,30,42) To help address the emergence of OSEC within Cambodia, a local NGO set up an online platform and a hotline for people to report issues of OSEC. (43)

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. (11,30) Of the 265 residential care institutions housing 7,634 children, many private institutions reportedly exploit children as “sham” orphans to lure donations from foreigners. (11,30)







Although the Education Law establishes free basic education, school-related fees, such as for building maintenance, are prohibitive for some families. (11,22,44,45) Other barriers to education include denied enrollment for children without birth certificates, limited transportation to schools in remote areas, lack of drinking water and toilet facilities in some schools, language barriers, and an insufficient number of teachers. These barriers particularly affect ethnic minority children, children with disabilities, and children from rural and disadvantaged communities. (8,11,46-50) Research also found that children living in provinces bordering Thailand are at a higher risk of dropping out of school to find work following the migration of their parents to Thailand for work. (51)

In 2019, the Ministry of Education, Youth and Sports created a Special Education Department to help institutional systems address the needs of vulnerable children, including those with disabilities, to keep them in school. (52)

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 (53)
Minimum Age for Hazardous Work	Yes	18	Articles 173 and 177 of the Labor Law; Regulation on the Prohibition of Hazardous Child Labor; Articles 339–340 of the Penal Code (53–55)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Article 2 of the Regulation on the Prohibition of Hazardous Child Labor (54)

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

Standard	Meets International Standards	Age	Legislation
Prohibition of Forced Labor	Yes		Articles 15–16 of the Labor Law; Articles 10, 12, 15–17, and 19 of the Law on Suppression of Human Trafficking and Sexual Exploitation; Article 80 of Law on Juvenile Justice (53,56,57)
Prohibition of Child Trafficking	Yes		Articles 10, 12, 15–17, and 19 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 (45)

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. (54) The Ministry of Labor and Vocational Training’s (MOLVT) regulation on household work extends minimum age protections for domestic workers to age 18 and provides clear definitions of household work. However, the regulation does not specify legal protections for household workers employed by their relatives. (10,50,53,60-63)

Cambodian laws also do not sufficiently prohibit the commercial sexual exploitation of children, because the use or offering of a child for pornographic performances is not criminally prohibited. In addition, the laws do not prohibit the recruitment of children under age 18 into non-state armed groups. (22,55)

Education is free, but not compulsory, through grade nine. (45,63) 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. (45,53,63)

III. ENFORCEMENT OF LAWS ON CHILD LABOR

The government has established institutional mechanisms for the enforcement of laws and regulations on child labor (Table 5). However, gaps exist within the authority of MOLVT that may hinder adequate enforcement of their child labor laws.

Table 5. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
Ministry of Labor and Vocational Training (MOLVT) – National Committee on Countering Child Labor (NCCL)	The Secretary-General doubles as the head of MOLVT’s Child Labor Bureau. (11,40) Not dependent on MOLVT for funds. (10) Enforces child-related provisions of the Labor Law, and trains Commune Committees for Women and Children that oversee local child labor monitoring systems. (40) Includes 24 MOLVT inter-departmental inspection teams. (64) Tasked with removing children from child labor, including at brick kilns. (11) Employs 1 child labor inspector in each of Cambodia’s 25 provinces. (10,48,65) During the reporting period, conducted 2 training sessions for 418 labor inspectors in 21 provinces on how to inspect for child labor in brick kilns. (11) Visited all active brick kilns in 2019. (41,66)

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

Organization/Agency	Role
Ministry of the Interior – Cambodian National Police Anti-Human Trafficking and Juvenile Protection Department (AHTJP)	Commanded by the Ministry of the Interior and reports to the AHTJP Department Director. (22,30,66) enforces laws against human trafficking and commercial sexual exploitation of children, in collaboration with municipal and provincial anti-human trafficking and juvenile protection offices. (22,30) Fields complaints about human trafficking, which can be filed through the anti-human trafficking hotline. (32) Oversees the Information and Technology Office which searches for evidence of trafficking in persons and sexual exploitation of children on the Internet, printed media, and other sources. (40,64) In 2019, rescued 196 underage victims of human trafficking and referred them to MOSAVY for processing and rehabilitative services, prior to sending them back to their families. (64) Also during the reporting period, collaborated with multiple NGOs to provide 4 trainings, including on investigation of child violation offenses and online child protection and sexual exploitation to 221 AHTJP officers. Six AHTJP officers attended three trainings on investigation and suppression of online child violations in Vietnam, Malaysia, and Thailand. (64)
Ministry of the Interior – Cambodian National Police Anti-Cybercrime Department	Located within the Criminal Investigation Department. (30,66) During the reporting period, assisted with drafting a new Law on Cybercrime. (30,66,67)
Ministry of Social Affairs, Veterans, and Youth Rehabilitation (MOSAVY)	Refers victims of child labor to NGOs for services. Operates the Poipet Transit Center to identify children at risk of being trafficked or children who have been trafficked. (3,27) In November 2019, MOSAVY adopted the Prakas on the Guidelines of Basic Competencies for Social Workforce, in collaboration with UNICEF and USAID, to strengthen social work practices and child protection systems in Cambodia. (11,64) The Prakas ensure all social services providers, including governmental institutions, NGOs, and the private sector, comply with the guidelines. (64) Also during the reporting period, processed 1,662 victims of child trafficking via the Poipet Transit Center, referring 396 children to NGOs to access rehabilitation services before sending them back to their families. The remaining 1,266 children were sent directly back to their families. (64) Hosted 5 workshops on identification of victims of human trafficking, management of trafficking in person victim data, and capacity building to 481 MOSAVY district officials, chiefs of villages, commune councilors, and police and health officials. (64)

Labor Law Enforcement

In 2019, labor law enforcement agencies in Cambodia took actions to combat child labor (Table 6). However, gaps exist within the operations of MOLVT that may hinder adequate labor law enforcement, including financial resource allocation.

Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2018	2019
Labor Inspectorate Funding	\$100,000 (10)	\$100,000 (11)
Number of Labor Inspectors	615 (10)	649 (11)
Inspectorate Authorized to Assess Penalties	Yes (10)	Yes (11)
Initial Training for New Labor Inspectors	Yes (10)	Yes (11)
Training on New Laws Related to Child Labor	Yes (10)	N/A (11)
Refresher Courses Provided	Yes (10)	Yes (11)
Number of Labor Inspections Conducted	8,167 (10)	7,123 (11)
Number Conducted at Worksite	8,167 (10)	3,284 (11)
Number of Child Labor Violations Found	Unknown (10)	3 (11)
Number of Child Labor Violations for Which Penalties Were Imposed	10 (10)	3 (11)
Number of Child Labor Penalties Imposed that Were Collected	10 (10)	3 (11)
Routine Inspections Conducted	Yes (10)	Yes (11)
Routine Inspections Targeted	Yes (10)	Yes (11)
Unannounced Inspections Permitted	Yes (10)	Yes (11)
Unannounced Inspections Conducted	Yes (10)	Yes (11)
Complaint Mechanism Exists	Yes (10)	Yes (11)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (10)	Yes (11)

The National Committee on Countering Child Labor (NCCL) relies on other bureaus within MOLVT to alert them to possible child labor issues in their specific sectors before the NCCL inspects. (11) Due to the

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segregated nature of MOLVT, bureaus with chief inspection responsibility within a sector with a known child labor issue are not equipped with the proper technical training and expertise to identify child labor, and bureau staff and typically ask very few questions. (10,11) In an effort to improve labor inspectors' performance, MOLVT said it now requires that all labor inspectors take and pass a newly created online examination that aims to assess and improve overall technical skills and legal knowledge, in order to continue working as labor inspectors. (11,66)

The government only proactively inspects the brick kiln industry and the export garment sector for child labor, but during the reporting period MOLVT also focused on conducting labor inspections in the construction and entertainment industries. (11,66) However, when child labor inspections occur, they are concentrated in the city of Phnom Penh and in the provincial, formal-sector factories producing goods, such as textiles and garments for export, rather than in rural areas where the majority of child laborers work. (6,10,11,23,50,66)

Following up on the government's plan to eliminate child labor by the end of 2019, MOLVT issued to all provincial labor departments in Cambodia instructions aimed at preventing children from entering brick kilns, and publicized that brick kiln owners who use child labor or forced child labor could face fines, brick kiln closure, and possible criminal prosecution. (11,37,68,69) MOLVT stated that it will begin fining non-compliant brick kilns in 2020. (70)

With the goal of improving inspection efficiency, the NCCL began conducting joint labor inspections with inspectors from other labor bureaus in the garment sector, in parallel with the inspections conducted by the ILO's Better Factories Cambodia (BFC). (11) To further align with BFC, the export garment sector instituted a zero-tolerance policy for child labor in 2019. (11) Children discovered in garment factories are immediately removed and placed in vocational training or other studies, and upon reaching the legal working age, are guaranteed employment. (11,71) Children discovered working in other sectors are removed and referred to the Ministry of Social Affairs, Veterans, and Youth Rehabilitation (MOSAVY) for assessment. (10,11,72,73)

The government, the ILO, and NGOs all agree that the labor inspectorate is insufficiently funded, resulting in insufficient training of labor inspectors and an insufficient number of labor inspections. This affects the ability of the labor inspectorate to conduct inspections outside of Phnom Penh and in rural communities because labor inspectors require more funding to cover transportation costs. (10,11) Lack of funding also prevents the labor inspectorate from conducting inspections in hospitality and nightlife establishments after business hours, because the inspectorate is not able to pay inspectors for overtime. (10) In addition, the labor inspectorate does not have the ability to inspect child labor abuses in domestic work, which is overseen by the Sub-National Committee of Women and Children. (10,11) While unannounced inspections are permitted, they rarely happen and anecdotal evidence suggests that when they do happen, most occur on cassava farms. (10,11,48)

The MOLVT has established regulations for children on hazardous work in several sectors, including in agriculture, brickmaking, fishing, tobacco, and cassava production. However, malfeasance within the MOLVT and law enforcement limits the capacity of local authorities to adequately enforce these regulations, resulting in sanctions for child labor violations being rarely imposed in accordance with the law. (8,10-12,50,70,74,75) Overall, NGOs have indicated that the government lacks the capacity to deal with child labor and are overwhelmed at the scale of the issue, particularly in the construction industry. (11)

Criminal Law Enforcement

In 2019, criminal law enforcement agencies in Cambodia took actions to combat child labor (Table 7). However, gaps exist within the authority of the Cambodian National Police that may hinder adequate criminal law enforcement, including failing to take active measures to investigate public officials who participate in or facilitate the worst forms of child labor.

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Table 7. Criminal Law Enforcement Efforts Related to Child Labor

Overview of Criminal Law Enforcement	2018	2019
Initial Training for New Criminal Investigators	Yes (10)	Yes (11)
Training on New Laws Related to the Worst Forms of Child Labor	Yes (10)	N/A (11)
Refresher Courses Provided	Yes (10)	Yes (11)
Number of Investigations	Unknown (21)	7 (11)
Number of Violations Found	39 (10)	30 (11)
Number of Prosecutions Initiated	Unknown (10)	Unknown (11)
Number of Convictions	Unknown (10)	Unknown (11)
Imposed Penalties for Violations Related to The Worst Forms of Child Labor	Unknown (21)	Unknown (11)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (10)	Yes (11)

During the reporting period, research found that criminal law enforcement officials, writ large, failed to take significant actions on credible reports against government officials complicit in the worst forms of child labor, including at entertainment establishments where the commercial sexual exploitation of children is known to occur, and at brick kilns whose owners may subject families and children to debt-based forced labor in brick kilns. (12,27,50,73)

Research has found cases of government officials profiting directly from the commercial sexual exploitation of children and indirectly by being permissive of it, especially when undertaken in establishments by those with ties to the government. (12,71,76) 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. (12,27,50,71,76) Research also found instances where raids into these establishments were thwarted by “tip-offs” from working-level police in advance of the raids. (12,27)

In particular, police officers have reported that they sometimes avoid investigating child labor complaints at brick kilns, and instead assist in the capture and jailing of runaway brick kiln workers to avoid potential retaliation by politically connected owners who use their connections to avoid potential investigations and fines. (34,50,71,77) Despite these trends and calls from Prime Minister Hun Sen to investigate and prosecute government officials complicit in promoting the worst forms of child labor, this does not appear to be occurring. (27,50,73)

The government does not authorize anti-trafficking police units to conduct undercover investigations, which significantly constrains the ability of law enforcement to pursue human traffickers, including those involved in child sexual exploitation. (11,12,27,42,50) In addition, many law enforcement officials, particularly those located in rural areas, are unaware of how to properly conduct anti-trafficking work, as most did not receive training on basic law enforcement techniques. (12,27) Furthermore, law enforcement officials investigating suspected trafficking cases are expected to personally cover all expenses, including transportation costs, and are rarely reimbursed in full or on time. This has led to officials reportedly pursuing cases for which costs will be covered on their behalf. (11,27,71)

Unlike in prior years, the government did not report investigating or prosecuting labor recruiters for illegal practices that may have contributed to or involved human trafficking, which continued to perpetuate widespread labor exploitation. (12)

In Cambodia, judges have discretion to determine whether perpetrators of crimes related to child labor will be imprisoned or fined and the amount of the fine. The penalties imposed are not uniformly administered and do not adhere to the parameters prescribed by law. (3,50,78) In some cases, prosecutors and judges have been known to accept bribes in return for dismissal of charges, acquittal, and reduced sentencing, especially for those with alleged ties to the government. (12,50,71) According to an NGO, use of “judicial supervision,” where defendants are released on their own recognizance in advance of trial, has resulted in as many as 30 percent of human trafficking suspects not returning to participate in their criminal trials; severely limiting the ability of law

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enforcement officials to hold criminals accountable and putting the population at risk. (12,27) In addition, the government has yet to fully implement the “Child Friendly Court” program 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. (27)

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. (27)

IV. COORDINATION OF GOVERNMENT EFFORTS ON CHILD LABOR

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

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

Coordinating Body	Role & Description
National Committee on Child Labor – Cambodian National Council for Children	Coordinates child labor issues at the national level including, implementation, monitoring and evaluation of all child right policies and programs. (8,30) Ensures that projects and programs follow the National Plan of Action on Child Labor. (8) Includes concerned ministries, businesses, trade unions, and NGOs. Oversees Provincial Committees on the Protection of Child Rights and Provincial Committees on Child Labor. (8,79) Coordinates all government ministries, institutions, international NGOs, development partners, and the community in promoting and protecting children’s rights. (21) Research was unable to determine whether this coordinating body was active during the reporting period.
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 Labor and Vocational Training’s (MOLVT) Child Labor Department. (22,30,80) During the reporting period, began organizing and training officials to oversee local child laborers, especially those living or employed at brick kilns. (64)
National Committee for Counter Trafficking (NCCT)	Coordinates government, NGOs, civil society, and private sector efforts to address human trafficking and sexual exploitation. (27,30,81,82) Focuses on children’s affairs, international cooperation, justice, law enforcement, migration, prevention, protection, recovery, reintegration, and repatriation. (81) Chaired by the Deputy Prime Minister and the Ministry of Interior, with 4 vice chair ministries and 14 participating ministries. Oversees Provincial Committees for Counter Trafficking in each province. (3,65,81) 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). (27) During the reporting period, approved and promulgated a new 5-year national action plan outlining detailed inter-agency steps to combat trafficking in persons and protect victims. (12,29,71) Led production and launch of a victim identification manual and screening tool app in use at the Poipet Transit Center. (30,71) In addition, developed a database to gather and store information on the movement of Cambodian nationals into and out of Thailand. (71) In August 2019, hosted a seminar on Strengthening of Capacities and Code of Ethics and Human Trafficking Prevention, in coordination with the Ministry of Information, to improve the capacity of journalists, reporters, and TV presenters and encourage them to investigate and report on trafficking in persons crimes and other related stories. Organized the National Anti-Human Trafficking Day to raise public awareness on human trafficking issues, with 3,500 government officials attending. (27) Also in 2019, delivered 113 trainings to 3,712 law enforcement officers on anti-trafficking laws, investigative techniques, and evidence collection. (64)
Coordinated Mekong Ministerial Initiative against Trafficking (COMMIT)	High-level policy dialogue comprising of the six nations of the Greater Mekong Sub-Region. (27,83) Meets regularly to discuss regional anti-trafficking agenda and share information. (27) Coordinates through Cambodian COMMIT Task Force, chaired by senior officials from the Ministries of Justice and Women’s Affairs. (27) Maintains annual COMMIT Work Plan with anti-trafficking programming and policies. (83) UN Action for Cooperation against Trafficking in Persons acts as COMMIT Secretariat and convenes meetings. (83) Research was unable to determine whether this coordinating body was active during the reporting period.

The Commune Committees for Women and Children are underfunded and have insufficient technical capacity to provide social protection services to children involved in or at risk of child labor. (80)

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V. GOVERNMENT POLICIES ON CHILD LABOR

The government has established policies related to child labor (Table 9). However, policy gaps exist that hinder efforts to address child labor, including integrating child labor elimination and protection strategies into relevant policies.

Table 9. Key Policies Related to Child Labor

Policy	Description
National Plans of Action on Combating the Worst Forms of Child Labor	The National Plan of Action on Worst Forms of Child Labor (2016–2025) aims to build the capacity of law enforcement officers, strengthen the enforcement of relevant laws, raise public awareness of child labor issues, and enhance child labor monitoring systems at the community level. (22) Research was unable to determine actions taken to implement this policy during the reporting period. The National Plan of Action on the Reduction of Child Labor and Elimination of the Worst Forms of Child Labor (2016–2025) is overseen by MOSAVY. Creates a roadmap to the complete eradication of the worst forms of child labor by 2025 in various sectors, including service, agriculture, mining, and energy. (21,63,84) Conducts awareness-raising activities, legal action, and collaborations with civil society actors. (21) Research was unable to determine actions taken to implement this policy during the reporting period. The National Plan of Action on the Suppression of Human Trafficking, Smuggling, Labor, and Sexual Exploitation (2019–2023) 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. (81) Coordinated by the NCCT, with input from Ministries of Justice; Women’s Affairs; Foreign Affairs; Labor; and Social Affairs, Veterans, and Youth Rehabilitation. (10) Policy was implemented during the reporting period. (64)
Action Plan to Prevent and Respond to Violence Against Children (2017–2021)	Led by the Ministry of Women’s Affairs (MOWA). (64) Developed in response to the Cambodia Violence Against Children Survey (CVACS) conducted in 2013. (66) Aims to prevent and respond to violence against children, including the worst forms of child labor. (85) Acknowledges online sexual exploitation of children (OSEC) as an issue and references the need for OSEC-related interventions in policy and governance. Acknowledges the need to properly “assess the scale and specific nature” of OSEC in Cambodia to inform developments. (11) During the reporting period, the MOWA and the MOSAVY co-chaired the Inter-ministerial Steering Committee on Violence Against Women and Violence Against Children. (64)
National Policies on the Elimination of Child Labor in the Fisheries and Agricultural Sectors	The Action Plan for Gender Equality Promotion and Child Labor Elimination in the Fisheries Sector (2016–2020) is overseen by the Ministry of Agriculture, Forestry and Fisheries under the Fisheries Administration of Cambodia (FiA). Aligned with the Strategic Framework for Fisheries (2010–2019). (63) Seeks to prevent and withdraw children from child labor and hazardous work in the fisheries sector. (86) The National Action Plan on the Elimination of Child Labor in Fisheries is overseen by the Ministry of Agriculture, Forestry, and Fisheries under FiA. Aligned with the Strategic Framework for Fisheries (2010–2019). (63,84) The Policy on Childhood Development and Protection in the Agricultural Sector (2016–2020) establishes a strategic framework to protect children working in the agricultural sector. Seeks to prevent and reduce child labor, especially in hazardous work, and improve agricultural vocational training for youth ages 15 through 17. (7) Research was unable to determine actions taken to implement these policies during the reporting period.
National Child Protection Policies	The National Social Protection Strategy (2017–2021) aims to expand access to healthcare, nutrition, and educational services and to promote the elimination of the worst forms of child labor. (87,88) The Capacity Development Plan for Family Support, Foster Care, and Adoption (2018–2023) is overseen by MOSAVY. Improves services for children without parental care, vulnerable to child labor, and ensures that children can still live in a family setting. (10) Maintains a comprehensive database of all children living in residential and foster care. Funded by USAID through UNICEF. (10) Research was unable to determine actions taken to implement these policies during the reporting period. The Education Strategic Plan (2019–2023) seeks to ensure equitable access to education and improve the education system’s response to human trafficking and child labor. (89) Policy was implemented during the reporting period. (64)
Strategic and Operational Plan for the Implementation of Juvenile Justice Law (2018–2020)	Overseen by MOSAVY, funded by UNICEF. Seeks to build a sustainable juvenile justice system, and to provide effective protection and support to incarcerated juveniles who are vulnerable to child labor. (10) Research was unable to determine actions taken 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. (81,89,90-93)

In September 2019, Cambodia became the 26th Pathfinding country to join the Global Partnership to End Violence Against Children, which aims to have a world where “every child grows up safe and secure.” (11,94) The Government of Cambodia created an action plan, which includes the goal of ending all forms of violence against children, while reinforcing the government’s dedication to implementing the inter-ministerial Action Plan to Prevent and Respond to Violence Against Children. (11)

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The government has not specifically included child labor elimination and prevention strategies in the National Employment Policy. (95)

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2019, the government funded and participated in programs that include the goal of eliminating or preventing child labor (Table 10). However, gaps exist in these social programs, including adequacy of programs to address the full scope of the problem in all sectors.

Table 10. Key Social Programs to Address Child Labor

Program	Description
Better Factories Cambodia†	USDOL, the Government of Cambodia, Garment Manufacturers in Cambodia, and ILO-funded program to monitor garment factories' compliance with national and international labor standards, including those related to child labor. (8,64,96) Additional information is available on the program's website. During the reporting period, removed two child laborers from export-oriented garment factories. (11,64) In November 2019, MOLVT, Ministry of Commerce, and the ILO signed a Memorandum of Understanding to expand government funding to extend the monitoring mandate to the travel goods and bag sector and to formal subcontracting factories. (11)
Cambodia Countering Trafficking in Persons (CTIP) (2015–2020)	\$10 million, USAID-funded, 5-year (included 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. (64,97,98) During the reporting period, distributed 24,396 public awareness materials including, leaflets, videos, posters, and information cards on safe migration and human trafficking. Assisted approximately 43 victims of human trafficking, and 1,241 people vulnerable to human trafficking. (11,64) Provided CTIP trainings to 466 participants, and 97 soft skill trainings, including safe migration, to 698 people ages 15-39 years and identified as being vulnerable to human trafficking. (11,40,66) Additionally, advocated for 31 communes to allocate and use funds for trafficking in persons prevention activities. (64)
United Nations World Food Program (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. (99) During the reporting period, supported the Ministry of Education, Youth and Sport with a school feeding program in 1,167 primary schools in 8 provinces and provided 268,322 students with meals and food stuffs. Furthermore, 8,414 of the total 268,322 students received funds for food in addition to breakfast. (11,64) Announced that, with additional funding from the government, program will provide 2,000 tons of rice to 56,785 children in 205 primary schools in 6 provinces in 2020. (11,64)
Family Care First (FCF) REACT (2015–2020)	Led by MOSAVY. Funded by the European Union, USAID, the GHR Foundation, Save the Children Hong Kong, and UNICEF. (41,64) Aims to support more than 7,000 Cambodian children to live in safe, nurturing, family-based care. (41,64) 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, MOSAVY expanded non-monetary support. Launched Family Care First Secretariat as program's leadership body to strategically engage MOSAVY, enable the leadership of Family Care First, and promote the sustainability of the work. (11)

† 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. (100)

The government does not currently have a system in place to monitor and promote the reintegration of victims of forced labor and human trafficking, leaving victims vulnerable and at higher risk of recidivism, and leaving the government heavily reliant on NGOs to fill this need. (71) Therefore, during the reporting period, the government signed Memorandums of Understanding with four NGOs to be able to provide these services to victims. (27)

Many poor households in rural communities lack access to a social protection safety net, which increases the vulnerability of children to child labor as a means to supplement family income. (3,101) 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).

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Table 11. Suggested Government Actions to Eliminate Child Labor

Area	Suggested Action	Year(s) Suggested
Legal Framework	Institute a compulsory education age that is at least equal to the minimum age for work.	2009 – 2019
	Criminally prohibit the offering and use of a child for pornographic performances.	2015 – 2019
	Criminally prohibit the recruitment of children under age 18 by non-state armed groups.	2016 – 2019
	Ensure that all children are protected by law, including children working outside of formal employment relationships.	2018 – 2019
	Extend labor protections to child household workers employed by their relatives.	2018 – 2019
Enforcement	Build the capacity of local-level authorities to enforce child and forced labor regulations, as applicable, in the agriculture, brickmaking, tobacco, cassava, and fishing sectors, by providing more technical training opportunities on how to properly identify child labor during inspections for labor inspectors in all bureaus within the Ministry of Labor and Vocational Training.	2012 – 2019
	Provide sufficient resources, including transportation costs, for the enforcement of child labor laws to ensure that all investigations and inspections, including unannounced inspections, are conducted throughout the country and in all sectors, especially in rural areas, in the informal sector, and in the construction industry.	2010 – 2019
	Strengthen, permit, and provide funding to the labor inspectorate to include more on-site investigations, particularly at establishments that operate outside regular business hours and domestic work.	2018 – 2019
	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 – 2019
	Ensure that malfeasance is addressed in all law enforcement agencies, including not accepting bribes to influence the outcome of cases, and investigating and prosecuting labor recruiters, politically connected individuals, and government officials who are complicit in facilitating the worst forms of child labor, including debt-based forced labor in brick kilns.	2019
	Authorize the anti-trafficking police units to conduct undercover investigations, including cases involving the commercial sexual exploitation of children, and 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.	2019
	Ensure law enforcement officials have sufficient financial and human resources to effectively oversee the “judicial supervision” program to ensure defendants return to participate in their criminal trials, and fully implement the “Child Friendly Court” program.	2019
	Collect, properly store, and publicly release disaggregated data on criminal law enforcement efforts, including the number of prosecutions initiated, the number of convictions, and the number imposed penalties for violations related to the worst forms of child labor.	2015 – 2019
Coordination	Ensure that the Cambodian National Council for Children and the Coordinated Mekong Ministerial Initiative against Trafficking are able to carry out their intended mandates.	2019
	Increase funding and enhance training for Commune Committees for Women and Children to enhance social services provision for children involved in or at risk of child labor.	2016 – 2019
Government Policies	Undertake activities in support of the National Plan of Action on Worst Forms of Child Labor, the National Plan of Action on the Reduction of Child Labor and Elimination of the Worst Forms of Child Labor, the Action Plan for Gender Equality Promotion and Child Labor Elimination in the Fisheries Sector, the National Action Plan on the Elimination of Child Labor in Fisheries, the Policy on Childhood Development and Protection in the Agricultural Sector, the National Social Protection Strategy, the Capacity Development Plan for Family Support, Foster Care, and Adoption, and the Strategic and Operational Plan for the Implementation of Juvenile Justice Law.	2019
	Integrate child labor elimination and prevention strategies into the National Employment Policy.	2015 – 2019
Social Programs	Ensure that Residential Care Facilities and orphanages protect the health and well-being of children living there.	2019
	Increase access to free basic education by eliminating unofficial school fees and addressing issues related to limited transportation, inadequate school infrastructure, insufficient number of teachers, and language barriers.	2013 – 2019
	Establish a system to accurately capture and monitor the reintegration of victims of the worst forms of child labor, including human trafficking.	2019
	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 – 2019
	Provide sufficient resources to all social programs so that they can fully address the extent of child labor in Cambodia.	2019

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In 2019, Cameroon made a moderate advancement in efforts to eliminate the worst forms of child labor. The government supported a new 6 year project to address child labor in the production of cocoa and continued to support programs that provide services to vulnerable street children. In addition, unlike in previous years, the government published information on labor inspectorate funding. However, children in Cameroon engage in the worst forms of child labor, including in commercial sexual exploitation, sometimes as a result of human trafficking. Children also perform dangerous tasks in cocoa production. The government has not acceded to the United Nations Convention on the Rights of the Child Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography. In addition, it has not prohibited the use of children in illicit activities, including in the production and trafficking of drugs. Furthermore, the law does not criminally prohibit the recruitment of children under age 18 by non-state armed groups.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

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

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 (%)		64.5

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

Source for all other data: International Labor Organization’s analysis of statistics from Multiple Indicator Cluster Survey 5 (MICS 5), 2014. (5)

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

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

Sector/Industry	Activity
Agriculture	Production of bananas, cocoa, palm oil, onions, and tea, including handling pesticides, using machetes, clearing fields, climbing trees, and lifting heavy loads† (6-10)
	Raising livestock (9-11)
	Fishing (9-13)
Industry	Working in artisanal gold mines† and gravel quarries,† transporting heavy loads† of sand or gravel, breaking stones, and digging or standing in stagnant water to extract minerals (3,9,10,13-15)
	Construction, including carrying heavy loads† of water, concrete, cement, and bricks (7,10,14)
Services	Domestic work (7-11,14,16)
	Working in restaurants and as phone booth operators (8-11)
	Working in transportation (7-11)
	Street work, including carrying heavy luggage and selling bush meat,† vending, and begging (8-11,14,17-21)
	Voluntarily recruited children used in hostilities by state-armed groups (8,10)
Categorical Worst Forms of Child Labor‡	Commercial sexual exploitation, sometimes as a result of human trafficking (3,8-10,14,22,23)
	Recruitment of children by Boko Haram, a non-state armed group, for use in armed conflict, including as suicide bombers and concubines (9,10,24)

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

Sector/Industry	Activity
Categorical Worst Forms of Child Labor†	Forced labor in agriculture in the production of cocoa, cotton, onions, and tea; fishing; livestock raising; domestic work; spare parts shops; in artisanal gold mines and gravel quarries; street vending; and construction, each sometimes as a result of human trafficking (3,9,10,14,23,25)
	Forced begging as <i>talibés</i> in Koranic schools (3,7,10)

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

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

Cameroon is a source, transit, and destination country for child trafficking from neighboring countries in Central and West Africa. (3,7,19) Due to increased awareness among parents of the risks associated with entrusting children to intermediaries who often promise to take children to urban centers to pursue education or an improved living arrangement, some perpetrators of human trafficking have resorted to kidnapping children. (3) The ongoing crisis in the Anglophone regions has contributed to a dramatic increase in underage prostitution and the number of teenage pregnancies, especially in areas with significant numbers of IDPs. (10) In Cameroon, Boko Haram uses boys as child soldiers, and girls as forced suicide bombers and sex slaves. (9)

A crisis in the Anglophone Northwest and Southwest Regions that began in 2016 as mass protests by lawyers and teachers has since evolved into an armed separatist conflict. The crisis has resulted in more than 2,000 persons killed, more than 44,000 refugees, and more than 500,000 IDPs. Armed separatist groups have called for and violently enforced boycotts of schools in the Northwest and Southwest Regions leading to long-term disruptions of education for children. (8,26) In the Far North Region, terrorist activity by Boko Haram and ISIS-West Africa have also disrupted children’s schooling. The disruption of children’s access to education places children at high risk of becoming victims of exploitation and child labor. (27,28) In 2019, in the Far North region, Boko Haram, which our report identifies as a non-state armed group, recruited and used 71 children in their operations. Of these 71 children, 49 were abducted. (24) Boko Haram also continues to forcibly recruit Cameroonian children as porters, cooks, and scouts. Boko Haram also used girls as forced suicide bombers and sex slaves and boys as child soldiers. (10,24)




Some community neighborhood watch groups, known as Vigilance Committees, may also have used and recruited children as young as age 12 in operations against Boko Haram, although there is no evidence of the government providing material support to these specific groups. Research also indicated government security forces recruited and used a minor to gather intelligence in the country’s Anglophone regions during the reporting period. (10) During the year, Anglophone separatist attacks on the education sector in the Southwest and Northwest Regions continued to disrupt the normal operation of schools and, in October 2019, more than 90 percent of primary and secondary-aged students were out of school in the Northwest, with only 10 percent of teachers reporting to work. In November, school attendance rose to 38.5 percent as schools in urban areas began to reopen. (29,30) Children in refugee or IDP camps are particularly vulnerable to the worst forms of child labor, including commercial sexual exploitation and may have a particularly difficult time accessing education due to a lack of school infrastructure, teachers, and resources to pay for school-related expenses. (11,31)

Although Decree N° 2001/041 on the Organization of Public Schools guarantees free education in Cameroon, costs associated with education may be prohibitive to some families, who are required to pay for uniforms, books, and other school-related fees. (25,31,32) In addition, a lack of schools and teachers in rural areas, the absence of potable water and sanitation facilities, and long distances to schools hinder access to education. (11,25,33,34)

II. LEGAL FRAMEWORK FOR CHILD LABOR

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

Table 3. Ratification of International Conventions on Child Labor

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

In December 2019, the parliament passed a law authorizing the President of the Republic to ratify the UNCRC Optional Protocol on the Sale of Children, Child Prostitution, and Child Pornography, which Cameroon signed on October 5, 2001. (10)

The government has established laws and regulations related to child labor (Table 4). However, gaps exist in Cameroon's legal framework to adequately protect children from the worst forms of child labor, including the prohibition of using children in illicit activities and the establishment of a compulsory education age that is consistent with the minimum age for work.

Table 4. Laws and Regulations on Child Labor

Standard	Meets International Standards	Age	Legislation
Minimum Age for Work	Yes	14	Article 2 of Order N° 017 on Child Labor; Section 86 of the Labor Code (35,36)
Minimum Age for Hazardous Work	Yes	18	Articles 9–23 of Order N° 017 on Child Labor; Section 86 of the Labor Code (35,36)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Articles 9–23 of Order N° 017 on Child Labor (36)
Prohibition of Forced Labor	Yes		Sections 2–6 of the Law Relating to the Fight Against Trafficking in Persons and Slavery; Articles 11, 342-1 and 352-353 of the Penal Code; and Section 2 of the Labor Code (35,37,38)
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 (37,38)
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 (37,39)
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 (40,41)
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 (40,41)
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 (42,43)
Free Public Education	No		Articles 46 (2), 47, and 48 of the Decree on the Organization of Public Schools (44)

* No conscription (45)

‡ Age calculated based on available information (46)

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Children in Cameroon are only required to attend six years of primary school, which typically concludes at age 12. This standard makes most children ages 13 through 14 vulnerable to child labor as they are not required to attend school but are not legally permitted to work. In addition, there is no free basic education for children in Cameroon as established by law, increasing the risk of children's involvement in child labor. (40,41) Human trafficking provisions remain discordant with international standards, as they require threats, the use of force, or coercion to be established for the crime of child trafficking, and individuals ages 16 to 18 are not considered children. (37,38) In addition, the types of hazardous work prohibited for children under age 18 are not comprehensive, as work at dangerous heights is not prohibited. (16,36)

III. ENFORCEMENT OF LAWS ON CHILD LABOR

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

Table 5. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
Ministry of Labor and Social Security (MINTSS)	Leads efforts to enforce all labor laws, including those related to child labor; promotes decent working conditions, and leads the National Committee to Combat Child Labor (CNLCCTE) and the labor inspectorate. (12,47)
Ministry of Justice (MOJ)	Prosecutes cases referred by the General Delegate for National Security (DGSN) or the Ministry of Defense's National Gendarmerie (SED), and contributes to investigations as appropriate. (48)
Ministry of Social Affairs (MINAS)	Leads efforts to combat human trafficking. Provides social services through its National Referral System. (11,12,49,50) Through its Minors Brigade, supports local police in their investigations of child trafficking and the use of children in hazardous work. Uses other programs to help identify, reintegrate, and educate street children. (50,51)
General Delegate for National Security (DGSN)	Enforces laws against the worst forms of child labor and investigates violations in urban areas. (48) Through its Special Vice Squad, investigates cases of human trafficking, commercial sexual exploitation, and other forms of abuse against women and children. (16,48) Refers cases to MOJ or Ministry of Defense for investigation by SED. (52)
Ministry of Defense's National Gendarmerie (SED)	Investigates cases of child trafficking and commercial sexual exploitation in both urban and rural areas before referring cases to MOJ for prosecution. (52) Operates two toll-free numbers, 1501 and 113, for the reporting of human rights abuses, including trafficking in persons. (50)

Although it does not play a direct role in enforcement, Cameroon's National Commission on Human Rights and Freedoms advises government ministries on the enforcement of laws related to child labor and advocates for sanctions as appropriate. (11,51) Local representatives from the Ministry of Territorial Administration may settle child labor disputes or refer the case to the Ministry of Defense's National Gendarmerie, the General Delegate for National Security (DGSN), or the Ministry of Justice for further investigation and prosecution. (52) Article 109 of the Labor Code empowers inspectors to take direct legal action before the court against people infringing on the provisions of the labor law. (10)

Labor Law Enforcement

In 2019, labor law enforcement agencies in Cameroon took actions to combat child labor (Table 6). However, gaps exist within the operations of MINTSS that may hinder adequate labor law enforcement, including financial resource allocation.

Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2018	2019
Labor Inspectorate Funding	Unknown (8)	\$1.2 Million (10)
Number of Labor Inspectors	286 (8)	300 (10)
Inspectorate Authorized to Assess Penalties	Yes (8)	Yes (10)
Initial Training for New Labor Inspectors	Yes (8)	Yes (10)

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

Overview of Labor Law Enforcement	2018	2019
Training on New Laws Related to Child Labor	N/A (8)	N/A (10)
Refresher Courses Provided	Unknown (8)	Yes (10)
Number of Labor Inspections Conducted	2,000† (8)	6,100‡ (10)
Number Conducted at Worksite	Unknown (8)	6,100‡ (10)
Number of Child Labor Violations Found	0 (8)	0 (10)
Number of Child Labor Violations for Which Penalties Were Imposed	N/A (8)	N/A (10)
Number of Child Labor Penalties Imposed that Were Collected	N/A (8)	N/A (10)
Routine Inspections Conducted	Yes (8)	Yes (10)
Routine Inspections Targeted	Yes (8)	Yes (10)
Unannounced Inspections Permitted	Yes (8)	Yes (10)
Unannounced Inspections Conducted	Yes (8)	Yes (10)
Complaint Mechanism Exists	Yes (8)	Yes (10)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (8)	Yes (10)

† Data are from January 1, 2018 to October 31, 2018. (8)

‡ Data are from January 1, 2019 to October 31, 2019. (10)

Although the government increased its number of labor inspectors from 2018, it is still insufficient for the size of Cameroon's workforce, which includes more than 9 million workers. (10,38,45,48,53) According to the ILO's technical advice of 1 inspector for every 15,000 workers in industrializing economies, Cameroon would employ about 660 labor inspectors; currently they employ 300 labor inspectors. (45,47,48,53-55) Furthermore, inspectors are tasked with conciliation duties that may detract from time devoted to their primary duties; and labor inspections are not permitted to be conducted in the informal sector, which is where the majority of child labor occurs. (10,35,56,57-59) In general, the labor inspectorate lacked resources during the reporting period, and field inspectors in particular lacked transportation. However, the 2019 budget included funding to purchase vehicles for some divisions with heavy workloads; 7 out of 10 inspection brigade teams commandeered a vehicle, as did 5 of the 58 divisional inspection teams, with 5 additional vehicles ordered in 2019. (10,11)

Although the government has not created a formal mechanism for filing and responding to complaints about child labor, victims and/or their relatives can report directly to any of the institutions involved in child labor law enforcement, including the Ministry of Social Affairs, (MINAS), MINLSS, State Defense Secretariat (SED), or Ministry of Justice (MOJ). (8) The Ministry of Social Affairs, the International Criminal Police Organization, and DGSN all maintain hotlines for reporting the worst forms of child labor. Calls are routed to the National Referral System for assistance to victims. (14,16,25,31,60,61) However, the system has not been well publicized since it was established in 2013, leaving the public unaware of its existence, and some calls may go unanswered. (31,60) Research was unable to determine how many cases of child labor were identified because of complaints made to these hotlines.

Criminal Law Enforcement

In 2019, criminal law enforcement agencies in Cameroon took actions to combat child labor (Table 7). However, gaps exist within the operations of the criminal enforcement agencies that may hinder adequate criminal law enforcement, including collaboration between ministries.

Table 7. Criminal Law Enforcement Efforts Related to Child Labor

Overview of Criminal Law Enforcement	2018	2019
Initial Training for New Criminal Investigators	Yes (8)	Yes (10)
Training on New Laws Related to the Worst Forms of Child Labor	N/A (8)	N/A (10)
Refresher Courses Provided	Unknown (8)	Yes (10)
Number of Investigations	Unknown (8)	Unknown (10)

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

Overview of Criminal Law Enforcement	2018	2019
Number of Violations Found	Unknown (8)	Unknown (10)
Number of Prosecutions Initiated	Unknown (8)	Unknown (10)
Number of Convictions	Unknown (8)	Unknown (10)
Imposed Penalties for Violations Related to The Worst Forms of Child Labor	Unknown (8)	Unknown (10)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (8)	Yes (10)

The government does not publicly release information on its labor and criminal law enforcement efforts. Criminal law enforcement agencies do not receive adequate funding or training to investigate the worst forms of child labor, and high staff turnover is a challenge. (3,8,11) Despite credible reports that children were involved in the worst forms of child labor, including in commercial sexual exploitation, there is no evidence that the government investigated any of the cases. (10) As a result, NGOs play a critical role in bringing child trafficking cases to the government's attention and providing services to victims. (3,8,52) No data was available for the reporting period on numbers of violations, prosecutions initiation, convictions, nor penalties in Cameroon. (8)

Border police continued efforts to ensure that children do not cross borders without being accompanied by a parent. Adults accompanying children must show proof of their relationship with the child by presenting the child's identification documents. (9,62) The government continues to acknowledge that a lack of awareness of child trafficking issues may prevent citizens from reporting offenses to enforcement agencies and that children may be afraid to speak against perpetrators in court. (3) Although the government generally considers children to be victims rather than offenders, reports indicate that the government has held children as young as age 5 in detention facilities for prolonged periods due to suspicion of being affiliated with *Boko Haram*, or to prevent them from being recruited into *Boko Haram*. (51,63-69)

IV. COORDINATION OF GOVERNMENT EFFORTS ON CHILD LABOR

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

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

Coordinating Body	Role & Description
National Committee to Combat Child Labor (CNLCTE)	Coordinates government efforts to combat child labor and proposes measures to harmonize Cameroon's legal framework to international standards. Implements the National Plan of Action to Combat Child Labor and Trafficking in Children (PANETEC) which expired during the reporting period. (45,70,71) Led by MINTSS, includes representatives from 10 other ministries and government bodies. (47,70)
Inter-Ministerial Committee (IMC) on Trafficking in Persons	Coordinates government efforts to combat human trafficking. Chaired by the Secretary General of the Office of the Prime Minister; includes members of eight ministries, law enforcement personnel, civil society organizations, and NGOs. (3,31) Oversees Regional Taskforces on Trafficking in Persons in Northwest, Southwest, and Littoral Provinces. (3,72) On March 12, 2020, IMC hosted a meeting attended by multiple agencies, eight local NGOs, and four international organizations (UNICEF, ILO, IOM, and INTERPOL). A representative of MINAS highlighted some activities conducted since April 2019: supporting 6 trafficking in persons victims during the first half of 2019; conducting 2,864 informational sessions reaching approximately 397,447 people nationwide; starting a feasibility study for the construction of a shelter for human trafficking victims in Mfou, Center Region; identifying 443 street children and providing social and economic re-integration support to 354 of them; providing care to 305 unaccompanied children; and reuniting 24 other unaccompanied children with their families. (50)

A lack of resources and socio-political unrest in the Anglophone regions hampered government efforts to effectively coordinate to combat the worst forms of child labor. (21)

V. GOVERNMENT POLICIES ON CHILD LABOR

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

Table 9. Key Policies Related to Child Labor

Policy	Description
MOJ's National Action Plan for the Promotion and Protection of Human Rights in Cameroon (2015–2019)	Strived to combat exploitative child labor by disseminating standard operating procedures for the National Referral System, raising awareness about how to identify and report cases of child trafficking, increasing punishments for offenders, and building the capacity of labor inspectors. (48,73,74) Aimed to improve access to education for vulnerable groups by increasing the number of teachers and classrooms, establishing a legal framework to regulate parent teacher associations, and increasing the rate of educational attainment for girls. (74) Research was unable to determine whether actions were taken by the committee during the reporting period.
Decent Work Country Program (2014–2020)	Incorporates child labor concerns into the national strategy for work. (6) In 2018, the government extended the program by 2 years. (8) Research was unable to determine whether actions were taken by the committee during the reporting period.

The government did not formulate any new relevant policies during the reporting period but reported that it had taken into account policies carried out by the Ministry of Decentralization and Local Development in the National Action Plan to Eliminate Child Labor (PANETEC), even though it had expired. (8, 10,51) The Trafficking in Persons Action Plan (2014–2019) did not receive dedicated funding; however, member ministries of the Inter-Ministerial Committee (IMC) used their ministry funds to carry out activities in support of the Action Plan. (52) The government has not included child labor elimination and prevention strategies into the Poverty Reduction Strategy Paper (2010–2020) or the IMC's National Gender Policy Document (2011–2020). (75-77)

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2019, the government funded and participated in programs that may contribute to preventing child labor (Table 10). However, gaps exist in these social programs, including adequacy of programs to address the full scope of the problem.

Table 10. Key Social Programs to Address Child Labor

Program	Description
Project to Fight the Phenomenon of Street Children (Project 559)†	In conjunction with the National Employment Fund, this MINAS-funded program provides street children with health care, education, and psychosocial care and supports the reintegration of street children by providing vocational training opportunities. (11,32,46) MINAS provided holistic care to 1,026 refugee children in the East and Far North Regions, with support from development partners and Civil Society Organizations; provided psychosocial care to 10,405 IDP children as of July 31, 2019; secured school placements for 539 IDP children in the Center, Littoral and West Regions; helped issue and distribute 2267 birth certificates; and recovered 56 Bakas children (including 31 boys and 25 girls) from trafficking suspects and returned the children to their families in the East Region. (10)
Support Project in Quality Management for Cocoa and Coffee Production/Forever Chocolate (2019–2025)*†	Promotes labor standards in cocoa industry, including the fight against child labor in conjunction with environmental protection. Identifies children in cocoa farming and those who are at risk of joining cocoa farms, and facilitates their return to school. (10) Implemented by NGO association <i>Enfant Jeunesse Avenir</i> , in partnership with Cameroon Cacao Industrial Corporation, Cameroon's biggest cocoa processor. Government ministries, including the Ministry of Health, MINAS, the Ministry of Women Empowerment and the Family, MINTSS, and the Ministry of Basic Education, are key stakeholders in the program. (10) The project is implemented in cocoa production basins using the Farmer Field School Extension Approach and is aimed at training cocoa farmers to produce cocoa free of child labor using environmentally friendly techniques. (10) The government also established a National Cocoa Academy led by the Ministry of Agriculture and Rural Development. The training institute is also deployed in production basins with a view to popularizing good agricultural practices, including the prohibition of child labor on plantations. (10)
UNICEF Projects	Includes UNICEF Country Program (2018–2020), which prioritizes strengthening the child protection system to prevent violence and exploitation, especially sexual violence against girls. Provides financial and technical support to the government for the implementation of an inclusive birth registration project, with a particular focus on indigenous communities. (8) Services for Displaced or Refugee Children† is another UNICEF-funded program providing educational services to children affected by conflict, including: (8,10) CAREED2, which offers accelerated education curriculums for children in refugee camps in the Far North; ETAPES, which establishes temporary schools and protection centers in Adamawa and East regions; and the Child Protection and Education Project, which works with Catholic Relief Services in the East to enroll and retain refugee children in schools. (78) Research was unable to determine whether activities were undertaken to implement this program during the reporting period.

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

Program	Description
United States Government Programs (non-DOL)	\$27 million U.S. Department of Agriculture (USDA)-funded McGovern-Dole International Food for Education and Child Nutrition Program, which improves literacy and nutrition in 265 primary schools. In 2019, USDA and the Government of Cameroon expanded the scope of the program which now benefits 148,986 children in the Adamawa, East, North, and Northwest regions. (8,10) Targeted schools have seen an increase of about 14 percent in school enrollment, including children previously in child marriage, farming, animal rearing, and mining. (8,10) USAID/Office of Transition (OTI) Initiatives also had a program to stabilize border communities impacted by crisis, and to counter the spread of violent extremism. USAID/OTI continued to work in the Far North Region, with a focus on promoting social reintegration of former <i>Boko Haram</i> fighters and an estimated budget of \$29.3 million in 2019. (10)
Cameroon Institute of Childhood (ICE) Rehabilitation Project (2017–2020)†	\$2.9 million project financed by MINAS and its partners to rehabilitate a center in Betamba, which serves children in conflict with the law and provides vocational training to area youth. (11) In 2019, the government continued to rehabilitate the center by installing a second dormitory along with masonry and mechanic workshops. (10)

* 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. (3,17)

Although the government has implemented programs to assist victims of child trafficking and children engaged in street work and domestic work, the scope of these programs is insufficient and does not fully address the extent of the problem in other sectors such as agriculture, mining, quarrying, and commercial sexual exploitation. (1,8,80) Government-run centers can temporarily house victims, but space is limited. (31,81,82)

VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE CHILD LABOR

Based on the reporting above, suggested actions are identified that would advance the elimination of child labor in Cameroon (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 – 2019
	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 – 2019
	Criminally prohibit the use of children for illicit activities, including in the production and trafficking of drugs.	2014 – 2019
	Ensure that the law criminally prohibits the recruitment of children under age 18 by non-state armed groups.	2016 – 2019
	Establish a minimum age for compulsory education that is consistent with the minimum age for admission to work.	2009 – 2019
	Establish by law free basic public education.	2019
	Ensure that the hazardous occupations and activities prohibited for children are comprehensive and include work at dangerous heights.	2014 – 2019
Enforcement	Collect and publish comprehensive statistics on enforcement efforts, including labor inspectorate funding, the number of inspections conducted at worksites, and the number of criminal labor law violations found.	2009 – 2019
	Increase the number of labor inspectors to meet the ILO's technical advice.	2009 – 2019
	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 – 2019
	Strengthen the labor inspectorate by conducting inspections in all sectors.	2013 – 2019
	Strengthen the labor inspectorate to legally allow inspections to be conducted in the informal sector.	2019
	Establish a formal institutional mechanism to investigate and address complaints related to allegations of child labor, including commercial sexual exploitation.	2018 – 2019
	Ensure that all hotlines for reporting the worst forms of child labor are well publicized and operational, and that all calls are logged so that cases of child labor may be tracked for referral to law enforcement or social services providers.	2015 – 2019
	Raise awareness of child trafficking issues to encourage citizens to report offenses to enforcement agencies, and ensure that such cases are resolved within the judicial system.	2016 – 2019
	Cease the practices of detaining children for their alleged association with armed groups.	2015-2019

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

Area	Suggested Action	Year(s) Suggested
Coordination	Ensure that existing coordinating mechanisms function effectively and receive sufficient resources to carry out their stated mandates.	2014 – 2019
Government Policies	Integrate child labor elimination and prevention strategies into the Poverty Reduction Strategy Paper and the Inter-Ministerial Committee's National Gender Policy Document.	2010 – 2019
Social Programs	Ensure that the number of schools and teachers, and potable water and sanitation facilities are adequate throughout the country.	2009 – 2019
	Ensure that social programs to address child labor are implemented in accordance with their mandates.	2018 – 2019
	Ensure that all children, regardless of refugee status, have access to education by eliminating school-related fees, and minimizing the disruption of teacher strikes. Ensure that schools are free from violence and not re-appropriated for other purposes.	2009 – 2019
	Expand existing programs to address the scope of the child labor problem in Cameroon, and institute programs to address child labor in agriculture, mining, quarrying, and commercial sexual exploitation.	2009 – 2019
	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 – 2019

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In 2019, the Central African Republic made a moderate advancement in efforts to eliminate the worst forms of child labor. Under a 2019 peace agreement, the government and non-state armed groups committed to ending and preventing grave violations against children, including the recruitment of child soldiers. Several parties signed Action Plans to implement these commitments, and 1,150 children were demobilized during the reporting period. The National Assembly also adopted an expansive new child protection code, and the government established the National Inter-Ministerial Committee to Combat Human Trafficking. However, children in the Central African Republic engage in the worst forms of child labor, including in armed conflict by non-state armed groups and in diamond mining, sometimes as a result of human trafficking. Additionally, the Central African Republic does not meet the international standard for minimum age protections since it does not include children working in the informal sector. Moreover, an estimated 1.3 million children lacked access to education because of ongoing instability, and limited resources hampered the government's implementation of policies and programs to address child labor.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in the Central African Republic (CAR) engage in the worst forms of child labor, including in diamond mining and armed conflict by non-state armed groups. Children also engage in child labor in agriculture and domestic work. (1-7) Table 1 provides key indicators on children's work and education in CAR.

Table 1. Statistics on Children's Work and Education

Children	Age	Percent
Working (% and population)	5 to 14	31.0 (373,742)
Attending School (%)	5 to 14	63.1
Combining Work and School (%)	7 to 14	28.0
Primary Completion Rate (%)		40.9

Source for primary completion rate: Data from 2016, published by UNESCO Institute for Statistics, 2020. (8)

Source for all other data: International Labor Organization's analysis of statistics from Multiple Indicator Cluster Survey 4, 2010. (9)

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

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

Sector/Industry	Activity
Agriculture	Working in agriculture, activities unknown (10)
	Working in forestry, including carrying tools (11)
	Fishing, activities unknown (12)
Industry	Diamond and gold mining† (10,13-15)
	Working in sawmills, forges, and foundries, including sharpening sawblades and maintaining fires (11,12)
	Construction, activities unknown (12)
Services	Domestic work (10)
	Street work, including carrying heavy loads, garbage scavenging, and market vending (10)
Categorical Worst Forms of Child Labor‡	Recruitment of children by non-state armed groups for use in armed conflict, including as combatants, cooks, porters, informants, concubines, domestic workers, and guards (5,10,16,17)

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

Sector/Industry	Activity
Categorical Worst Forms of Child Labor†	Forced domestic labor and work in agriculture, markets, and mining, including in diamond mines, each sometimes as a result of human trafficking (6,7,10,16,18-20)
	Forced labor of indigenous <i>Ba’aka</i> children in farming (6)
	Commercial sexual exploitation, sometimes as a result of human trafficking (6,7,10,18-23)

† 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.

In February 2019, the government and 14 armed groups signed the Political Agreement for Peace and Reconciliation in the Central African Republic. (24,25) The peace agreement calls for the immediate cessation of recruitment of child soldiers by all parties to the conflict. (25) However, implementation has been challenged by the government’s limited control of territory outside the capital, Bangui. Non-state armed groups contest about 80 percent of the territory. (7,26) Many of these groups—including Anti-Balaka associated militias; ex-Seleka factions *Front Populaire pour la Renaissance de la Centrafrique*, *Mouvement des Libérateurs Centrafricains pour la Justice*, *Mouvement Patriotique pour la Centrafrique*, and *Unité pour la Paix en Centrafrique*; and unaffiliated elements—continued to recruit children as combatants, informants, cooks, and sex slaves. (10) During the reporting period, 1,150 child soldiers were demobilized from armed groups, and UNICEF documented more than 500 grave violations against children, including recruitment and use. (7,10,27) However, due to lack of funding and persistent insecurity, as many as 25 percent of children released since 2014 have not received reintegration support. (28,29)

Armed groups and criminal elements, including in some pastoralist groups, subjected children to forced domestic servitude and commercial sexual exploitation. (6,7) Children in rural areas were forced to work in artisanal diamond and gold mines, often for long hours and without protective equipment. (7) Children exposed to silver nitrate in gold mines often sustained injuries as a result. In some instances, relatives willfully exploited family members to generate additional income to support their households. (6,7) Girls may be trafficked into forced domestic servitude, especially in rural areas where government presence is limited or non-existent. In *maisons de joie* (“houses of joy”), girls as young as age 13 are subject to commercial sexual exploitation. (7) *Maisons de joie* are typically private residences at which alcohol and food are served to middle and upper-class customers. (7) As of September 2019, approximately 600,136 people were displaced within CAR, half of whom were children. (28,30) An estimated 2.9 million people, half of them children, require assistance and protection, while 2.1 million people were food insecure. (24,27) Displacement and chronic food insecurity are aggravating risk factors for forced labor and sex trafficking. (6)

Between 2017 and 2019, CAR saw a 21 percent increase in verified attacks on schools. (30) Fewer than three in five children in CAR complete their primary education, and only 6 percent graduate from secondary school. An estimated 1.3 million children lacked access to education because of ongoing instability. (27,31) 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. (10,18,32-34) However, children continue to experience difficulties accessing education due to school fees, an absence of teachers, security concerns, destruction or looting of school materials and buildings by armed groups, and the unavailability of schools, especially in rural areas or IDP camps. (10,20,27,35-42) The continued occupation of school buildings by non-state armed groups presents additional challenges. (10,43) The state’s limited reach outside the capital precluded efforts to distribute educational resources in rural areas. (10,43,44) In 2019, some public school teachers were reportedly paid to work in rural areas, but due to persistent insecurity, they opted to remain in Bangui. Consequently, most rural schools remained closed. (10) During the reporting period, some civil society organizations reported that ethnic minority Muslims in the east were denied access to education. (5,10)

CAR’s birth registration rate, stymied by endemic poverty and administrative collapse, remains one of the lowest in Africa. (45) However, CAR’s new Child Protection Code enshrines the right to free, universal birth registration for all children. (46) Despite the new provision, the Family Code and a Presidential Decree mandate that schools




will only accept children with documented proof of identity, such as a birth record/certificate. Based on this legal requirement, undocumented children were denied access to education and other social services. (10) Nevertheless in July 2019, the government, in collaboration with NGOs, delivered birth certificates to children who did not have civil status documentation. A total of 120 undocumented children received alternative judgments in the sub-prefecture of Berberati. (10)

The government did not collect or publish data on child work, child labor, or the worst forms of child labor in 2019. (10)

II. LEGAL FRAMEWORK FOR CHILD LABOR

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

Table 3. Ratification of International Conventions on Child Labor

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

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

Table 4. Laws and Regulations on Child Labor

Standard	Meets International Standards	Age	Legislation
Minimum Age for Work	No	14	Article 259 of the Labor Code; Article 63 of the Child Protection Code (46-48)
Minimum Age for Hazardous Work	Yes	18	Article 263 of the Labor Code; Articles 65–68 of the Child Protection Code (47,48)
Identification of Hazardous Occupations or Activities Prohibited for Children	No		Article 261 of the Labor Code; Article 190 of the Mining Code (47,49)
Prohibition of Forced Labor	Yes		Articles 7 and 393 of the Labor Code; Articles 65 and 175 of the Child Protection Code (46,47)
Prohibition of Child Trafficking	Yes		Article 151 of the Penal Code (50)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Article 262, 263, and 393 of the Labor Code; Articles 90–92 and 111 of the Penal Code; Article 69 of the Child Protection Code (46,47,50)
Prohibition of Using Children in Illicit Activities	Yes		Articles 262-263 and 393 of the Labor Code; Article 65 and 175 of the Child Protection Code (46,47)
Minimum Age for Voluntary State Military Recruitment	Yes	18	Decree N° 85.432, Declaration to the UN CRC Optional Protocol on Armed Conflict (51)
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 (46,47,52)
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 (46,47)
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 (46,52-54)

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

Standard	Meets International Standards	Age	Legislation
Free Public Education	Yes		Ordinance N° 84/031; Article 9 of the Constitution; Articles 52 and 57 of the Child Protection Code (46,52-54)

* No conscription (52,55)

The Child Protection Code (CPC) was adopted by the National Assembly on February 27, 2020. (46,56) The legislation guarantees children ages 5–18 the right to free education, with public primary education compulsory and free. However, research was unable to locate original copies of laws establishing the compulsory education age at 15. (46,54)

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. (47,61) Despite a 2016 study on hazardous work, CAR has not determined by national law or regulation the types of hazardous work prohibited for children. (10,47,60,62) 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. Lastly, while CAR has ratified the declaration to the UN CRC Optional Protocol on Armed Conflict, it is unclear if law has been domesticated or published. (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 the Ministry of Public Service, Modernization of Administration, Labor, Employment and Social Protection (MOL) that may hinder adequate enforcement of their child labor laws.

Table 5. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
Ministry of Public Service, Modernization of Administration, Labor, Employment and Social Protection	Through its General Directorate of Labor and Social Welfare and seven regional labor directorates, monitors and enforces laws related to child labor. (12)
Ministry of the Promotion of Women, Family, and Protection of Children	Responsible for the enforcement of criminal laws against forced child labor. (5,34)
Internal Security Forces Police and Gendarmes	Enforce all laws, including those related to the worst forms of child labor. (61)
Ministry of Justice	Protects the rights of the child through its Rapid Response for Child Protection team and combats the worst forms of child labor through its courts and tribunals. (34,63)
Ministry of Social Affairs, Promotion of Gender, and Humanitarian Action (MSA)	Oversees child soldier issues and leads the government's anti-trafficking policy efforts through the National Council on Child Protection. Refers victims of child trafficking to NGOs and maintains an orphanage for children at risk of child trafficking. (63)
Special Criminal Court	Investigates serious human rights abuses committed since 2003, including the use of children in armed conflict. Hybrid court comprising international and national judges and prosecutors. (64,65)
Mixed Unit for Rapid Intervention and Repression of Sexual Violence (UMIRR)	Unit falls under the joint authority of the Ministry of Justice and the Ministry of Public Security and is part of a state organization supporting investigations into conflict-related sexual violence. UMIRR refers cases to a Special Criminal Court, a hybrid court embedded in the national justice system to address human rights violations. (36)

There is approximately 1 police officer for every 1,300 Central Africans. Government authority is largely absent outside the capital, and security forces outside Bangui may lack the resources and knowledge to enforce the law, including a lack of access to copies of relevant laws. (66)

The Special Criminal Court held its inaugural session in late 2018, and the Special Prosecutor announced a prosecutorial strategy in 2019. (10,59) The 2020 Child Protection Code establishes a National Council for

the Promotion and Protection of Children, which will report directly to the Prime Minister, and a Children's Parliament. A Juvenile Court, also established under the law, will field all cases involving the health, safety, morals, and education of children. (46)

Labor Law Enforcement

In 2019, labor law enforcement agencies in CAR took actions to combat child labor (Table 6). However, gaps exist within the operations of the MOL that may hinder adequate labor law enforcement, including adequate financial resource allocation.

Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2018	2019
Labor Inspectorate Funding	Unknown (5)	Unknown (10)
Number of Labor Inspectors	53 (5)	70 (10)
Inspectorate Authorized to Assess Penalties	Yes (5)	Yes (10)
Initial Training for New Labor Inspectors	No (5)	Yes (10,47)
Training on New Laws Related to Child Labor	N/A (5)	N/A (10)
Refresher Courses Provided	No (5)	Yes (10)
Number of Labor Inspections Conducted	Unknown (5)	58 (10)
Number Conducted at Worksite	Unknown (5)	Unknown (10)
Number of Child Labor Violations Found	Unknown (5)	Unknown (10)
Number of Child Labor Violations for Which Penalties Were Imposed	Unknown (5)	Unknown (10)
Number of Child Labor Penalties Imposed that Were Collected	Unknown (5)	Unknown (10)
Routine Inspections Conducted	Yes (5)	Yes (10)
Routine Inspections Targeted	No (5)	No (5)
Unannounced Inspections Permitted	Yes (5)	Yes (10)
Unannounced Inspections Conducted	Yes (5)	No (10)
Complaint Mechanism Exists	Yes (5)	Yes (10)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (5)	Yes (10)

During the reporting period, the country's 7 regional labor directorates conducted 58 investigations. Inspectors issued 36 citations for labor violations, but no cases of child labor were reported. (7,10) However, research indicates that child labor is prevalent in all sectors of the economy. (7,10) Government efforts to combat child labor were hindered by a lack of labor inspectorate capacity and inadequate financial and material resources, including transportation, office facilities and supplies, and computers. (34,62,67-69) Also, 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. (67,70) In addition, civil unrest prevented labor inspectors outside Bangui from visiting artisanal mining sites. (7) Labor inspections remain limited to the formal sector and do not target the informal sector, in which child labor is most prevalent. (5,10)

In 2019, the government hired 17 additional labor inspectors, bringing the total number of labor inspectors and controllers employed to 70. Although newly hired labor inspectors received initial training, there was no record of child labor-specific training during the reporting period. (10,35) However, 5 inspectors and controllers received additional labor training at the African Work Administration Regional Center in Cameroon, and UNDP funded local training for 30 inspectors. (10) The Ministry of Labor also submitted a formal request to the ILO to provide training to labor inspectors. This training is scheduled to take place in 2020. (7) A complaint mechanism for filing and responding to reports of child labor exists, but there was no evidence that it was operational during the reporting period. (10)

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Criminal Law Enforcement

In 2019, criminal law enforcement agencies in CAR took actions to combat child labor (Table 7). However, gaps exist within the operations of the criminal enforcement agencies that may hinder adequate criminal law enforcement, including insufficient human resources.

Table 7. Criminal Law Enforcement Efforts Related to Child Labor

Overview of Criminal Law Enforcement	2018	2019
Initial Training for New Criminal Investigators	Unknown (5)	Unknown (10)
Training on New Laws Related to the Worst Forms of Child Labor	N/A (5)	N/A (10)
Refresher Courses Provided	Unknown (5)	Yes (10)
Number of Investigations	Unknown (5)	Unknown (10)
Number of Violations Found	Unknown (5)	Unknown (10)
Number of Prosecutions Initiated	Unknown (5)	Unknown (10)
Number of Convictions	Unknown (5)	Unknown (10)
Imposed Penalties for Violations Related to The Worst Forms of Child Labor	Unknown (5)	No (10)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (5)	Yes (10)

The 2020 CPC created specialized children’s police units to monitor industrial or mining areas for hazardous conditions. The units, under the expanded jurisdiction of the juvenile court system, will also be responsible for identifying criminal offenses against children. (10,46,56-60) The CPC also broadens social protections and creates new enforcement mechanisms for victims of sexual exploitation, forced labor, or human trafficking, and includes provisions for at-risk groups such as demobilized child soldiers, children of religious and ethnic minorities, and non-residents. (7,10,46) Under the new law, children associated with armed groups are entitled to state social protection services and immunity from prosecution. (10,46)

Nevertheless, judicial authorities lack the staff and resources to conduct investigations outside Bangui. (6,41,66,71) Cases were widely resolved outside of formal legal proceedings due to a lack of public trust, access, or knowledge about the justice system. (41,72-74)

Furthermore, juvenile criminal offenders may be imprisoned with adults, despite a 2016 decree that prohibits this practice, because no separate juvenile cells or juvenile prisons exist. (20,32) In 2019, in an isolated event, two child soldiers were arrested and detained in the prison of Bangui for several days following the fighting in Birao, located in northern CAR. (10,75) The UN Multidimensional Integrated Stabilization Mission in CAR Child Protection Unit successfully advocated for their release. The two child soldiers were admitted to a host family for reintegration. (10)

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 the UN Multidimensional Integrated Stabilization Mission in CAR, NGOs, and UNICEF to provide social services to victims. (5,20,76,77) In 2019, UNICEF reported cases of forced child labor, commercial sexual exploitation, and child soldiering, with some children also forced to engage in illicit activities. (10,78) The Mixed Unit for Rapid Intervention and Repression of Sexual Violence (UMIRR) operated a 24-hour hotline to report cases of child trafficking but did not provide statistics on the number of calls received in 2019. (6) UMIRR officers identified two children who were victims of commercial sexual exploitation. Officials initiated an investigation into the alleged recruiter, but the case had not been referred for prosecution at the end of the reporting period. (79) Although the government has referral mechanisms that enable enforcement authorities and social services to refer children found in child labor situations, due to limited resources, the majority of cases were handled by NGOs. (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 efforts to address all forms of child labor.

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

Coordinating Body	Role & Description
Children Soldier Disarmament, Demobilization, and Reintegration Mechanisms	The government worked with the UN Multidimensional Integrated Stabilization Mission in CAR (MINUSCA), UNICEF, and other partner agencies to demobilize and reintegrate children into community life. (7,10,25,34,69) During the reporting period, UNICEF assisted 2,875 children who were child soldiers or victims of sexual violence, including psychosocial assistance, shelters, and community reintegration. (10) Between January and October 31, 2019, UNICEF and partners provided reintegration services to 965 children, including 219 girls, who were released from armed groups. This represented around 32 percent of the target. (42,75) During the same period, 105,962 children affected by conflict (including 43,182 girls) accessed protection and integrated psychosocial services through UNICEF-supported projects. Support included individual counselling and follow-up, structured play and recreational activities, and, when needed, referral to basic social services. (75,80) In addition, the UN Country Task Forces on Monitoring and Reporting engaged with Action Plan signatories to end grave violations against children, and monitored their implementation. (43) A 2019 Country Task Forces on Monitoring and Reporting meeting with a leader of <i>Unité pour la Paix en Centrafrique</i> (UPC) led to the appointment of a child protection coordinator at UPC headquarters. The leader indicated that he would designate other focal points in localities under UPC control. (43) In the fourth quarter of 2019, MINUSCA provided child protection training to 793 peacekeepers (military, police, and civilian personnel). (43)
National Inter-Ministerial Committee to Combat Human Trafficking*	Coordinates drafting and implementation of CAR's inaugural national trafficking in persons strategy and the National Action Plan to combat trafficking. In September 2019, President Faustin-Archange Touadéra appointed Gisele Pana, Minister for the Promotion of Women, Family and the Protection of Children, to be the government focal point for the new committee. (7) In addition to the Ministry of Justice and the Ministry of the Interior, local and international NGOs, along with international organizations, serve on the committee. The committee met five times during the reporting period, and formally validated a 2020-2021 national action plan to combat human trafficking in March 2020. The president signed the action plan into law in March 2020, and the government allocated in-kind resources to implement plan components beginning in 2020. (7,79)
UMIRR	Combats sexual violence against women and children. This mixed unit includes representatives from MSA, the Ministry of Justice, and law enforcement (gendarmierie, police, and civilians) and is tasked with fighting violence against women and children. (7,34) During the reporting period, the government partnered with MINUSCA and IOM to provide training to police, gendarmierie, UMIRR, and community leaders on recognizing signs of human trafficking. IOM also provided training on developing and implementing standard operating procedures for government officials and law enforcement. (7) The 2020 Trafficking In Person National Action Plan extends UMIRR's authority to include human trafficking, and UMIRR has already investigated and referred cases to the High Court of Bangui. (7)

* Mechanism to coordinate efforts to address child labor was created 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, where child labor is prevalent. (20)

V. GOVERNMENT POLICIES ON CHILD LABOR

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

Table 9. Key Policies Related to Child Labor

Policy	Description
Political Agreement for Peace and Reconciliation in the Central African Republic†	Peace agreement signed by 14 armed groups and the Transitional Government in February 2019. Includes provisions to end the recruitment and use of children by armed groups, and to facilitate the separation of children from their ranks. (25,76,81) Armed groups listed by the UN for grave violations against children have signed Action Plans to implement these commitments. (82-84) The Action Plans cover the four areas for which the groups are listed, including recruitment and use, killing and maiming, rape and other forms of sexual violence, and attacks on schools and hospitals. (82-84) The <i>Mouvement Patriotique pour la Centrafrique</i> has appointed four commanders to serve as child protection focal points in areas under its control. (76,82) In August 2019, as part of its efforts toward implementing its Action Plan, the <i>Mouvement Patriotique pour la Centrafrique</i> signed a Command Order prohibiting its forces from committing grave violations against children. UPC and the <i>Front Populaire pour la Renaissance de la Centrafrique</i> also signed orders to prevent the grave violations for which the groups are listed. (85)

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

Policy	Description
Child Disarmament, Demobilization, and Reintegration Policy	Based on the 2015 Bangui Forum, this policy aims to facilitate initiatives to disarm, demobilize, and reintegrate child soldiers, in cooperation with UN agencies, other ministries, and armed groups. (12,32,55,74,86) 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. (33,75,86-88) During the reporting period, UNICEF and partners helped the government demobilize and reintegrate 1,150 child soldiers who were liberated from armed groups. (7)
National Strategy to Fight Gender-Based Violence in CAR (2018–2021)†	Aims to achieve “zero tolerance” for gender-based violence, including commercial sexual exploitation. (75) Written by the Ministry for the Promotion of Women, Family, and Protection of Children, in partnership with the UN Population Fund, UNHCR, UNICEF and UN Women. (59) The government dedicated some funding toward public information campaigns and several prosecutions related to gender-based violence in 2019. (75) By October 2019, the government had prosecuted 26 cases in criminal court and 375 cases in civil court; 75 cases remained under investigation. In cooperation with the EU, the government has opened a temporary shelter called “House of Hope” for female victims of gender-based violence. (75)
National Recovery and Peacebuilding Plan (2017–2021)	Aims to re-establish peace and security, and support reconciliation by disarming and reintegrating children associated with armed groups, promoting legal reform, seeking justice for victims, and improving access to education. (18,55,75) By the end of 2019, built 290 schools in Bangui and provinces with the support of international partners. Moreover, 2,000 teachers were trained in French pedagogy and assigned to schools in Bangui and other prefectures as part of the redeployment of the administration. (75) These efforts resulted in a 51 percent increase in school enrollment, with a significant improvement registered among girls in 2019. (75)

† 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. (75)

In 2019, several major parties to the conflict committed to a UN Action Plan to end and prevent grave violations against children. (82-84) In addition, research found no evidence of a policy on other worst forms of child labor, and a draft of a national policy addressing the elimination of child labor has yet to be adopted. (60,63) Furthermore, the government has not included child labor elimination and prevention strategies in the National Strategy for the Education Sector (2008–2020). (89)

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2019, the government funded and participated in programs that may contribute to eliminating or preventing child labor (Table 10). However, gaps exist in these social programs, including the adequacy of programs to address the problem in all sectors.

Table 10. Key Social Programs to Address Child Labor

Program	Description
Awareness-Raising Programs†	Programs that aim to raise awareness of child labor and international conventions. (12,32,33) In May 2019, during a ceremony attended by the Prime Minister, the government announced a national 3-year campaign to end and prevent recruitment and use of children by armed groups. The campaign will be implemented by state and multilateral child protection stakeholders, and with the support of War Child. (90)
Shelters for Unaccompanied Children†	MSA and UNICEF-supported centers that provide immediate care, food, and psychosocial support to vulnerable children and former child soldiers. (2) Between January and August 2019, 76,100 children affected by conflict were able to continue schooling through the establishment of temporary learning spaces. (42) NGOs, in coordination, with UNICEF and the MSA, removed children from forced labor and provided social services for rehabilitation, schooling or vocational training, and placement in stable homes. (10,78)
Education Programs	Programs to restore educational infrastructure include: a \$23.4 million, EU-funded Education Program to rehabilitate and equip more than 300 schools in 4 prefectures and the capital; a Bangui Ministry of Mines and Ministry of National Education and Scientific Research program to construct schools in mining zones; and the UN Office for the Coordination of Humanitarian Affairs’ Education Clusters, led by UNICEF and in collaboration with the Ministry of Education, to provide access to education in conflict-affected areas. (32-34,40,91-94) In 2019, the government supported the UNICEF-funded programs “Temporary Spaces for Learning and Child Protection (STEPS)” and “Child Friendly Spaces.” Together, these programs reached approximately 100,000 children with psychosocial support, including access to child-friendly spaces, and provided 120,000 children with formal or non-formal education. (42,75)

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

Program	Description
Birth Registration Campaign†	In support of the 2014 decree mandating free birth registration to children born during the 2012–2014 conflict, re-opens civil registration centers in areas affected by conflict and provides registration to children. (32) In July 2019, the government collaborated with NGOs to deliver birth certificates to children who were without civil status documentation. To this end, “ <i>Avocats Sans Frontières</i> ,” in partnership with “Expertise France,” conducted a survey in the prefecture of Mambéré Kadéï (Berberati). A total of 120 children without birth certificates have received alternative judgments in the sub-prefecture of Berberati. (10,75)

† Program is partially funded by the Government of CAR.

Although the government participates in a program that assists former child soldiers, coordination with non-government actors is weak, and the scope of this program is insufficient to fully address the extent of the problem. (5,34,74,87,95) The absence of resources and government authority throughout much of the country significantly hindered the government’s ability to combat child labor, and research found no evidence that the government has programs to assist children engaged in other worst forms of child labor. (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 CAR (Table 11).

Table 11. Suggested Government Actions to Eliminate Child Labor

Area	Suggested Action	Year(s) Suggested
Legal Framework	Ensure that laws establishing the compulsory education is publicly available.	2019
	Ensure that all children are protected by law, including children working outside of formal employment relationships.	2017 – 2019
	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 – 2019
	Publish the legal source that establishes a minimum age for voluntary military service.	2015 – 2019
	Raise the minimum age for work to the age up to which education is compulsory.	2018 – 2019
Enforcement	Report on the labor inspectorate’s funding level; type of training provided to investigators, and data related to national and regional enforcement efforts, including the number of worksite inspections conducted, violations found, penalties imposed and collected, prosecutions initiated and convictions obtained.	2014 – 2019
	Ensure that enforcement agencies have sufficient staff, resources, and funding, and training to enforce laws related to child labor, including its worst forms, and provide services to victims throughout the country.	2009 – 2019
	Initiate targeted and unannounced inspections based on available child labor prevalence data, and expand inspections to include the informal sector.	2018 – 2019
	Ensure that the complaint mechanism for filing and responding to reports of child labor functions is in accordance with its mandate, as required by ILO C. 182.	2018 – 2019
	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 – 2019
	Ensure that courts and security services are sufficiently funded, that security forces are sufficiently trained, that citizens can report violations and access formal judicial processes throughout the country, and the number of trafficking cases reported to the 24-hour TIP hotline are documented.	2016 – 2019
	Ensure that children are not subject to violence during criminal investigations, are not kept in detention centers with adults, and are granted access to social services providers and humanitarian assistance when released from armed groups.	2016 – 2019
	Ensure that referral mechanisms for children found in child labor situations are well-funded and fully operational.	2019
	Coordination	Establish coordinating mechanisms to combat all forms of child labor.
Government Policies	Adopt a policy that addresses all relevant worst forms of child labor.	2014 – 2019
	Integrate child labor elimination and prevention strategies into the National Strategy for the Education Sector.	2009 – 2019
	Integrate child labor elimination and prevention strategies into the National Strategy for the Education Sector.	2009 – 2019

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

Area	Suggested Action	Year(s) Suggested
Social Programs	Ensure that social programs to address the worst forms of child labor are funded and implemented in accordance with their mandates.	2018 – 2019
	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 – 2019
	Expand programs to assist former child combatants and children associated with armed groups, and improve coordination among relevant actors.	2013 – 2019
	Allocate sufficient resources and implement programs to address the worst forms of child labor throughout the country.	2009 – 2019

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In 2019, Chad made a moderate advancement in efforts to eliminate the worst forms of child labor. The Ministry of Justice adopted a national road map to implement a 2018 trafficking in persons law, and the Ministry of National Education unveiled a 2 year education program to support up to 230,000 vulnerable children. Chad's Child Protection Brigade also added a hub office in Lai and trained 100 focal points responsible for coordinating investigations with regional offices. However, children in Chad engage in the worst forms of child labor, including forced labor in cattle herding and domestic work, each sometimes as a result of human trafficking. Additionally, the government does not collect 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 engage in the worst forms of child labor, including forced labor in cattle herding and domestic work, each sometimes as a result of human trafficking. (1-3) Table 1 provides key indicators on children's work and education in Chad. Data on some of these indicators are not available from the sources used in this report.

Table 1. Statistics on Children's Work and Education

Children	Age	Percent
Working (% and population)	5 to 14	48.8 (Unavailable)
Attending School (%)	5 to 14	49.5
Combining Work and School (%)	7 to 14	28.4
Primary Completion Rate (%)		41.3

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

Source for all other data: International Labor Organization's analysis of statistics from Demographic and Health Survey, 2014–2015. (5)

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

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

Sector/Industry	Activity
Agriculture	Cultivating and harvesting crops, including rice and corn (6)
	Production of charcoal (6)
	Herding livestock, including camels and cattle (1,3,7)
	Fishing, including catching, smoking, and selling fish (3)
Industry	Brick making (8)
	Carpentry (3)
	Gold mining† (1,3)
Services	Domestic work (2,3)
	Working in restaurants as barmaids and servers (3)
	Street work, including vending, garbage scavenging, and carrying heavy loads† (3,6,8,9)
	Begging† (2,3,6)
	Working as tailors and seamstresses (8)
	Working in auto repair shops (6)
Categorical Worst Forms of Child Labor‡	Commercial sexual exploitation, sometimes as a result of human trafficking (1,3)
	Forced labor in agriculture, begging, cattle herding, domestic work, fishing, gold mining, charcoal production, and street vending, each sometimes as a result of human trafficking (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.

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In the Lake Chad region, human trafficking networks exploit children in catching, smoking, and selling fish, and traffickers in rural areas sell children in markets for use in cattle or camel herding. (1,3) Human traffickers exploit children into 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. (1) Child herders, some of whom are victims of forced labor, follow traditional routes for grazing cattle and may cross ill-defined international borders into Cameroon, the Central African Republic, Sudan, Niger, and Nigeria. (1,3,10) Domestically, boys sent to Koranic schools, or *mouhadjirin*, may be forced to beg and surrender the money they receive to their teachers. (1-3,6) In isolated incidents, boys are subjected to forced labor by military or local government officials. (1,11) Girls travelling to larger towns in search of work may be subjected to commercial sexual exploitation or domestic servitude. Additionally, Nigerian terrorist group Boko Haram and its rival offshoot, Islamic State-West Africa Province, forcibly abducted minors to serve as child soldiers, suicide bombers, child brides, and forced laborers. (11,12)







Chad hosts 480,000 refugees and asylum seekers, the largest per-capita population in Africa, more than half of whom are children. Refugee children from the Central African Republic are particularly vulnerable to exploitation. (13-15) The Boko Haram insurgency has internally displaced 174,000 people living in the Lake Chad borderlands. The resurgence of armed conflict in 2019 has newly displaced 42,000 persons internally and triggered an influx of 5,000 Nigerian refugees. (16,17) Children in Chad's refugee and IDP communities are vulnerable to commercial sexual exploitation and human trafficking due to their economic instability and lack of access to support systems. (1,11,16,17)

The Constitution and the Law Orienting the Education System mandate free and compulsory education in Chad. (18,19) Moreover, Chad was first in the region to integrate its network of refugee schools into the national education system; these schools are fully accredited and receive state funding. (20) However, the country lacks a sufficient number of schools, classrooms, and teachers, requiring students to travel long distances. (3,21,22) Some schools do not offer all grade levels, and others require payment of cost-prohibitive fees. (3,6,21) In 2019, intermittent strikes by civil servants to protest cuts in benefits resulted in lost school days. (3) Attacks by non-state armed forces shuttered a total of 49 schools during the 2018–2019 academic year, affecting 12,046 students (including 5,416 girls) and 118 teachers. (10) In addition, birth certificates may be required for enrollment in school, although this rule is not consistently enforced, especially in rural areas. (3) Only 12 percent of children nationwide are registered at birth, with some areas experiencing birth registration rates as low as 5 percent. (6,23)

II. LEGAL FRAMEWORK FOR CHILD LABOR

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

Table 3. Ratification of International Conventions on Child Labor

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

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

Table 4. Laws and Regulations on Child Labor

Standard	Meets International Standards	Age	Legislation
Minimum Age for Work	Yes	14	Article 52 of the Labor Code; Article 1 of the Decree Relating to Child Labor (23,24)
Minimum Age for Hazardous Work	Yes	18	Articles 6–7 of the Decree Relating to Child Labor (23)
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 (23,25)
Prohibition of Forced Labor	Yes		Article 20 of the Constitution; Chapter 1, Article 5 of the Labor Code; Articles 5 and 15 of the President's Ordinance on Trafficking in Persons; Articles 292 (e), 292 (c), 327–328, and 331 of the Penal Code (19,24-26)
Prohibition of Child Trafficking	Yes		Articles 3, 5, 6.2, and 7.1 of the President's Ordinance on Trafficking in Persons; Articles 10 and 330–331 of the Penal Code (25,26)
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 (25-27)
Prohibition of Using Children in Illicit Activities	No		
Minimum Age for Voluntary State Military Recruitment	Yes	18	Article 32 of the Law on the Organization of the Armed Forces; Article 1 of the Ordinance Prohibiting the Use of Children in Armed Conflict; Article 52 of Military Statute N° 006/PR/06; Article 5 of the President's Ordinance on Trafficking in Persons; Articles 10, 286 (cc), 288 (g), and 370 of the Penal Code (25,26,28-30)
Prohibition of Compulsory Recruitment of Children by (State) Military	Yes		Article 32 of the Law on the Organization of the Armed Forces; Article 22 of the African Charter on the Rights and Welfare of the Child; Article 5, 18, and 22 of the President's Ordinance on Trafficking in Persons; Articles 10, 286 (cc), 288 (g), and 370 of the Penal Code (25,26,28,31)
Prohibition of Military Recruitment by Non-state Armed Groups	Yes		Article 1 of the Ordinance Prohibiting the Use of Children in Armed Conflict; Articles 5, 18, and 22 of the President's Ordinance on Trafficking in Persons; Articles 10, 286 (cc), 288 (g), and 370 of the Penal Code (25,26,29)
Compulsory Education Age	Yes	16‡	Articles 21, 23, 25, and 28 of the Law Orienting the Education System; Article 35 of the Constitution (18,19)
Free Public Education	Yes		Article 9 of the Law Orienting the Education System; Article 35 of the Constitution (18,19)

‡ Age calculated based on available information (18)

Several laws are still awaiting approval by the National Assembly, including the Child Protection Code, the Family Code, and amendments to the Labor Code, which contain additional provisions criminalizing child trafficking and extending protection to children working in the informal sector. (2,3,7,32,57)

The draft child protection law prohibits use of children for illicit activities. No laws are currently in force prohibiting children from being used, offered, or procured for illicit activities (32).

As the minimum age for work is lower than the compulsory education age, children may be encouraged to leave school before the completion of compulsory education. (7,18,24)

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III. ENFORCEMENT OF LAWS ON CHILD LABOR

The government has established institutional mechanisms for the enforcement of laws and regulations on child labor (Table 5). However, gaps exist within the authority of the Ministry of Public Service, Employment, and Social Dialogue that may hinder adequate enforcement of their child labor laws.

Table 5. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
Ministry of Public Service, Employment, and Social Dialogue (MOPS)	Implements child labor laws. (3) Oversees the labor inspectorate and maintains a specific point of contact to assist in coordinating child protection and human trafficking issues. (3)
Ministry of Justice, Human Rights, and Guardian of the Seal (MOJ)	Drafts and enforces laws and coordinates efforts to protect human rights. Through its Directorate for Protection and Legal Monitoring of Children, enforces child labor laws. (3)
National Police's Child Protection Brigade (CPB)	Enforces and investigates allegations of child exploitation, including human trafficking and the worst forms of child labor, and acts as the coordinating institution for government responses. (1,6) Evacuates children to its headquarters in N'Djamena, from where they may be moved to Ministry of Women, Childhood Protection and National Solidarity (MWCPNS) facilities in Koundoul. (3) The CPB or other local authorities notify the Ministry of Justice's Child Protection Directorate, UNICEF, and local NGOs when there is a case of child trafficking or abuse. (11) Allegations may be submitted directly by the public or by the MOPS, MWCPNS, or MOJ. The government's regional child protection technical committees also identify and refer child trafficking victims to the CPB. (11) CPB central offices are located in Chad's largest cities (N'Djamena, Moundou, Sarh, Mongo, Mao, and Abéché). (3,11) During the reporting period, CPB added a hub office in Lai (Mayo Kebbi Province) for a total of seven nationwide hubs: N'Djamena, Moundou, Sarh, Mongo, Mao, and Abéché, and Lai. (3)
Ministry of Women, Childhood Protection and National Solidarity (MWCPNS)	Protects children's rights, provides temporary shelter to victims, and assists with reintegration when appropriate. Through its Child Protection Directorate, leads government efforts on child protection, including from child labor, and liaises with the Child Protection Directorate at MOJ. (6,33)

In 2019, 30 CPB investigators received training on interview procedures with minors. (3) Separately, the CPB trained 100 "focal points" spread throughout all 23 provinces during the reporting period. These focal points are not trained investigators, but they are responsible for coordinating investigations with hub offices and referring allegations to investigators. (3) The CPB also operationalized a UNICEF-funded headquarters in N'Djamena during the reporting period. The headquarters will host representatives from partner ministries, further enhancing CPB's enforcement capacity. (3) However, research indicates that the CPB is not well-known by the public, thus limiting its impact. (3,34)

Labor Law Enforcement

Research did not find information on whether labor law enforcement agencies in Chad took actions to combat child labor. (3)

Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2018	2019
Labor Inspectorate Funding	Unknown (6)	Unknown (3)
Number of Labor Inspectors	30 (6)	30 (3)
Inspectorate Authorized to Assess Penalties	No (6)	No (3,24)
Initial Training for New Labor Inspectors	No (6)	Yes (3)
Training on New Laws Related to Child Labor	No (6)	No (3)
Refresher Courses Provided	Yes (6)	No (3)
Number of Labor Inspections Conducted	Unknown (6)	Unknown (3)
Number Conducted at Worksite	Unknown (6)	Unknown (3)
Number of Child Labor Violations Found	Unknown (6)	Unknown (3)
Number of Child Labor Violations for Which Penalties Were Imposed	Unknown (6)	Unknown (3)
Number of Child Labor Penalties Imposed that Were Collected	Unknown (6)	Unknown (3)
Routine Inspections Conducted	Unknown (6)	Unknown (3)
Routine Inspections Targeted	Unknown (6)	Unknown (3)

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

Overview of Labor Law Enforcement	2018	2019
Unannounced Inspections Permitted	Unknown (6)	Yes (3)
Unannounced Inspections Conducted	Unknown (6)	Unknown (3)
Complaint Mechanism Exists	Yes (6)	Yes (3)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (6)	Yes (3)

In addition to 30 full-time inspectors, the Ministry of Public Service, Employment, and Social Dialogue employs 50 labor controllers who act in an advisory role (but are unable to conduct inspections themselves). (3) Although a hiring freeze has prevented any new labor inspectors from joining the labor inspectorate, 18 trainees from the National Administration School (*École Nationale d'Administration*) are scheduled to graduate in 2020. (3) However, the number of labor inspectors is likely insufficient for the size of Chad's workforce, which includes approximately 5.6 million workers. According to the ILO's technical advice of a ratio approaching 1 inspector for every 40,000 workers in less developed economies, Chad would employ about 140 labor inspectors. (2,35,36) In addition, the government did not provide information on its labor law enforcement efforts for inclusion in this report.

Ongoing austerity measures hampered inspectors' ability to conduct inspections. (1,6) Budget cuts enacted during the reporting period further constrained the ability of inspectors to conduct their activities. (3) Labor inspectors lack sufficient resources, including transportation, to conduct investigations outside the city in which they are based. (3,6,21) Research indicates that the informal sector, in which many children work, is also largely unmonitored. (2,21) In cases involving children working as herders, local officials or NGO lawyers have negotiated settlements with employers for damages or fulfillment of contract terms on behalf of victims' families. (11)

Criminal Law Enforcement

Research did not find information on whether criminal law enforcement agencies in Chad took actions to combat child labor.

Table 7. Criminal Law Enforcement Efforts Related to Child Labor

Overview of Criminal Law Enforcement	2018	2019
Initial Training for New Criminal Investigators	No (33)	Unknown (3)
Training on New Laws Related to the Worst Forms of Child Labor	No (33)	Unknown (3)
Refresher Courses Provided	No (33)	Yes (3)
Number of Investigations	Unknown (6)	Unknown (3)
Number of Violations Found	2 (1)	Unknown (3)
Number of Prosecutions Initiated	Unknown (6)	Unknown (3)
Number of Convictions	Unknown (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 (1)	Yes (3)

Investigations uncovered cases of commercial sexual exploitation and child soldiering during the reporting period. However, the total number of cases is unknown because 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. (1,3) Therefore, the government did not provide information on its criminal law enforcement efforts for inclusion in this report. (3) Judiciary and enforcement agencies have not been fully trained on the 2018 President's Ordinance on Trafficking in Persons; therefore, some perpetrators of human trafficking were released. (33,37,38) Furthermore, child victims may be detained with their traffickers due to a lack of available service providers. (38)

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Civil society organizations typically assist with providing temporary shelter, legal assistance, and family reintegration services; they also track prosecutions and convictions. (1,3) A lack of infrastructure, erratic and insufficient funding allocations, and under-enforcement of existing penalties also pose barriers to enforcement. (3,21,33) Intermittent strikes during the reporting period also affected the judicial system's ability to function. (1,3,39)

IV. COORDINATION OF GOVERNMENT EFFORTS ON CHILD LABOR

The government has established mechanisms to coordinate its efforts to address child labor (Table 8). However, gaps exist that hinder the effective coordination of efforts to address child labor, including funding and efficacy in accomplishing mandates.

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

Coordinating Body	Role & Description
Inter-Ministerial Committee on Child Soldiers	Coordinates government efforts to eliminate the use of children in armed conflict and address the worst forms of child labor. Located in each of the eight military regions and includes representatives from the government, army, gendarmerie, and civil society organizations. Conducts awareness-raising activities and training in the military. (3) A child soldiers task force, comprising UNICEF, the Ministry of Defense, MOJ, and MWCPNS, periodically screens recruitment pools for minimum age requirement violations. There is no indication that the government recruits or uses child soldiers. (11) Research was unable to determine whether the committee was active during the reporting period.
Working Group on the Worst Forms of Child Labor	Coordinates government efforts on child trafficking, provides training, conducts awareness-raising activities, and strengthens the network of government organizations that address human trafficking. Chaired by MWCPNS's Child Protection Directorate and includes representatives from four other ministries, including MOPS. (34) Did not meet during the reporting period. (3)
MWCPNS's Regional Child Protection Committees	Coordinate regional government efforts to address the worst forms of child labor and refer victims as appropriate. (1,11,33) Members include judiciary, police, labor inspectors, educators, civil society, and social services providers. (33) Victims may file civil suits to seek damages from traffickers. In cases involving children trafficked as herders, local officials or NGO lawyers negotiated settlements with employers for damages or fulfillment of contract terms on behalf of victims' families. (11) In 2019, educated children on their rights and raised awareness of children's rights among adults as part of the "Day of the African Child" celebration with the African Union. (3) However, a lack of funding and personnel limited further activities. (11)

On June 16, the Ministry of Women, Childhood Protection and National Solidarity and the African Union celebrated the "Day of the African Child" by educating children on their rights and raising awareness of children's legal rights among adults. (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.

Table 9. Key Policies Related to Child Labor

Policy	Description
National Road Map to Implement the President's Ordinance on Trafficking in Persons†	Adopted in 2019, with the ultimate goal of implementing a National Action Plan and coordinated interagency enforcement of the 2018 President's Ordinance on Trafficking in Persons. (1,3) Includes provisions for training members of the courts, local authorities, traditional and religious leaders, members of civil society, and members of enforcement agencies. (11) The 2018 law also designates the National Committee to Fight Against Trafficking to design the national trafficking action plan. (33,37) The committee was not established during the reporting period. (11,33)
Five-Year Plan for Development (2016–2020)	Developed by the Ministry of Economy and Development Planning. Aims to conduct a survey on child labor every 3 years, increase the rate of birth registrations, increase educational opportunities, and strengthen the human and financial capacity of the MOPS's directorate charged with combating the worst forms of child labor. (38,40) Research was unable to determine if the components of the policy pertaining to child labor were active during the reporting period.

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

Policy	Description
Interim Education Plan (2018–2020)	Includes measure to adopt bilingual education (French and Arabic) in basic education 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. (41) In 2020, the government announced a 1 year extension of the plan. (42)
Vision 2030	Developed by the Ministry of Economy and Development Planning. Aims to increase educational opportunities, establish social protection policies, and implement a national employment policy with a youth focus. (43) Research was unable to determine whether the policy was active during the reporting period.

† The policy was adopted during the reporting period.

‡ The government had other policies that may have addressed child labor issues or had an impact on child labor. (6,44,45)

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.

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2019, the government funded and participated in programs that may contribute to eliminating or preventing child labor (Table 10). However, gaps exist in these social programs, including funding and adequacy of programs to address the full scope of the problem.

Table 10. Key Social Programs to Address Child Labor

Program	Description
World Bank-Funded Projects	Projects aim to improve safety nets and provide access to basic services. Include: Safety Nets Project (2016–2020), a \$10 million project that provides conditional cash transfers and cash-to-work programs; Refugees and Host Communities Support (2018–2023), a \$60 million project to improve access to health and education services for refugees and host communities by rehabilitating and constructing primary schools; the Education Sector Reform Project Phase 2 (2013–2020), a \$65 million project to improve education conditions in primary and secondary schools; and the Sahel Women Empowerment and Demographic Dividend–AF Phase 2 (2014–2023), a \$170 million project to provide girls, adolescents, and women access to quality education. By the end of 2019, the Sahel Women Empowerment program had reached 13,000 vulnerable children with school kits, housing, payment of school fees, and academic support. Secondary school attendance increased by 26 percent in 3 regions (Lac, Kanem, and Salamat), the dropout rate was cut in half, and 397 safe spaces in schools were created. (46) By the end of the reporting period, the Education Sector Reform project had built and equipped 500 classrooms, and procured and distributed close to 3 million textbooks. In addition, 20,000 pupils (60 percent of them girls) learned to read and write, and nearly 13,000 community teachers were trained. (46–52)
UNICEF Programs*	In 2019, UNICEF constructed or rehabilitated 51 temporary learning spaces in Lake province, facilitating access to education for 10,200 children. (16) UNICEF also trained 328 parents' association members on income-generating activities to support schools in conflict-affected areas. During the reporting period, UNICEF and partners also reunited 28 unaccompanied children, 9 of whom were formerly associated with armed groups, with their families. (16) In December 2019, UNICEF's Education Cannot Wait (2020–2022)* program announced a 2 year, \$16 million grant to support education for 230,000 at-risk children. 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. (41) Interventions include early childhood education initiatives, and out-of-school adolescent children (ages 9 to 14) will benefit from non-formal education and literacy programs. (41)
Reception Centers†	Run by MWCPNS with the assistance of UNICEF and local NGOs; centers located throughout the country provide temporary assistance to victims of child trafficking, including food, education, medical and psychological care, and reintegration services. (1,3) The National Solidarity Fund, maintained by the Prime Minister's Office, funds temporary shelter or reunification assistance for victims. (53) Child Protection Directorates at various ministries and the CPB work together to provide support and reintegration services to victims of exploitation. (3) Shelters continued to provide victim services during the reporting period. (3)
UNDAF (2017–2021)	Aims to provide access to quality education for children who are school age, refugees, and vulnerable, and to improve social protection and promote good governance. (54) Research was unable to determine whether the program was implemented during the reporting period.
WFP Strategic Plan (2019–2023)	\$1.3 billion program funded by WFP to improve food security and educational outcomes. Aims to provide technical assistance to the Ministry of Education, distribute school lunches to crisis-affected areas, and disperse cash to girls who are attending school. (55)

* Program was launched during the reporting period.

† Program is funded by the Government of Chad.

‡ The government had other social programs that may have included the goal of eliminating or preventing child labor. (33)

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The government's funding of social programs continued to be limited due to austerity measures during the reporting period, and social services are limited to urban areas. (3) Although Chad has programs that target child labor, the scope of these programs is insufficient to adequately address the extent of the problem, particularly the use of child labor in herding cattle, forced child labor in domestic work, and commercial sexual exploitation. (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 – 2019
	Ratify pending laws criminalizing child trafficking and extending protection to children working in the informal sector.	2019
	Raise the minimum age for work to the age up to which education is compulsory.	2018 – 2019
Enforcement	Ensure that the roles of enforcement agencies are well-known and understood by the public; that law enforcement agencies receive sufficient resources, including training; to carry out their mandate; and that children are not detained with alleged perpetrators due to a lack of available service providers.	2016 – 2019
	Strengthen the labor inspectorate by authorizing inspectors to assess penalties, and by providing inspectors with sufficient resources, including training, to conduct inspections in both the formal and informal sectors.	2014 – 2019
	Collect, store, and publish data on law enforcement efforts, 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, prosecutions initiated, and convictions obtained.	2014 – 2019
	Significantly increase the number of labor inspectors to meet the ILO technical advice.	2012 – 2019
	Ensure that criminal law enforcement agencies are sufficiently funded, law enforcement officers are trained, and existing penalties are enforced according to the law.	2015 – 2019
	Ensure that children are not subjected to the worst forms of child labor by military or local government officials.	2019
Coordination	Ensure that coordinating committees receive adequate resources to meet and carry out their mandates to coordinate efforts and respond to child labor issues.	2014 – 2019
Government Policies	Adopt a policy to combat all relevant worst forms of child labor in Chad and ensure that existing policies are implemented.	2009 – 2019
Social Programs	Ensure access to education for all children by eliminating school-related fees; ensure that schools are safe spaces; and increase the number of schools, grade levels, classrooms, and teachers available throughout the country, including for children in refugee camps.	2014 – 2019
	Ensure that all children are issued birth certificates, which may be required for school enrollment.	2014 – 2019
	Ensure that existing programs receive adequate funding to support victims of child labor throughout the country, and that programs are implemented as intended.	2016 – 2019
	Establish or expand programs to provide services to children engaged in the worst forms of child labor, such as the use of forced child labor in herding cattle, domestic work, and commercial sexual exploitation.	2009 – 2019

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In 2019, Chile made a moderate advancement in efforts to eliminate the worst forms of child labor. The National Prosecutor’s Office signed a cooperative agreement with the Ombudsman’s Office for the Rights of Children to improve coordination in providing services to children in need, and the Undersecretary of Labor created the Child Labor Eradication Department to ensure Chile’s compliance with international treaties that protect the rights of children and adolescents. In addition, the government passed legislation to regulate the participation of children and adolescents in criminal testimony, including cases of human trafficking, to avoid re-traumatizing victims. It also developed an updated Anti-Trafficking National Action Plan for the 2019–2022 period and continued to fund a number of social programs to address child labor. However, children in Chile engage in the worst forms of child labor, including in commercial sexual exploitation, sometimes as a result of human trafficking. Children also perform dangerous tasks in agriculture. Although the government made meaningful efforts in all relevant areas during the reporting period, existing prohibitions related to forced labor do not meet international standards because forced labor is criminally prohibited only when it results from human trafficking. In addition, prohibitions related to the use of children for illicit activities do not meet international standards. Moreover, there is a lack of publicly available enforcement data, including the labor inspectorate funding and number of labor inspectors.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Chile engage in the worst forms of child labor, including in commercial sexual exploitation, sometimes as a result of human trafficking. Children also perform dangerous tasks in agriculture. (1-3) 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. (2) Table I provides key indicators on children’s work and education in Chile.

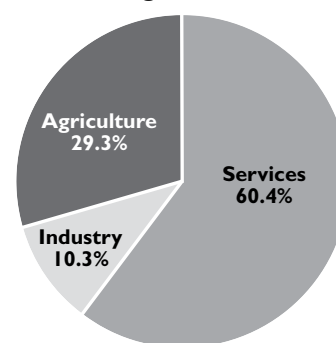
Table I. Statistics on Children’s Work and Education

Children	Age	Percent
Working (% and population)	5 to 14	3.8 (94,025)
Attending School (%)	5 to 14	99.5
Combining Work and School (%)	7 to 14	4.5
Primary Completion Rate (%)		94.8

Source for primary completion rate: Data from 2017, published by UNESCO Institute for Statistics, 2020. (4)

Source for all other data: International Labor Organization’s analysis of statistics from *Encuesta de Actividades de Niños, Niñas y Adolescentes Survey (Simpoc)*, 2012. (5)

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



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

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

Sector/ Industry	Activity
Agriculture	Livestock rearing and raising farm animals (2,6)
	Forestry,† activities unknown (2)
	Hunting,† activities unknown (2)
	Fishing,† activities unknown (2,6-8)
Industry	Construction,† bricklaying,† auto repair, and carpentry† (2,5,6,8-10)
Services	Making garments, shoe repair (11,10)
	Domestic work, including cleaning and babysitting (2,6,7,9)
	Working in retail, hospitality, corner stores, offices, restaurants, and bars† (6,8,10-14)
	Garbage collection† and street cleaning (12)
	Street work,† including street vending, juggling, and guarding and washing cars (7,8,11,15)
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 (1,6,9,11)
	Forced labor in agriculture, mining, construction, street vending, domestic work, and garment and hospitality sectors, each sometimes as a result of human trafficking (1,9,11,13)
	Commercial sexual exploitation, including in the production of pornography, sometimes as a result of human trafficking (3,6,9,11,12,16,17)

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

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

In Chile, children are subjected to human trafficking for commercial sexual exploitation and domestic work. (3,8,9,11) Children, some of whom may be trafficking victims, are also used to steal, or to produce, sell, and transport drugs near the borders of Peru and Bolivia. (3,9,11) In 2019, the National Minors’ Service (SENAME) served 1,477 children and adolescents who were victims of commercial sexual exploitation and child pornography. Among those children, approximately 91 percent were girls and nine percent were boys. (6) According to SENAME’s Worst Forms of Child Labor Registry, during the reporting period 369 children were involved in the production and trafficking of drugs. (6) Child labor also continued to be a problem in the informal economy and agriculture, particularly in rural areas. (10)

In Chile, education is compulsory through secondary school; however, some educational barriers do exist, including the lack of transportation to schools in rural areas, specifically for migrant children. (6) Indigenous children and adolescents from Otavalo, Ecuador, are especially vulnerable to human trafficking for labor exploitation in Chile. (13,18) Children are also involved in street work, especially in Santiago, including selling handicrafts, clothes, or other goods. (11) In Coquimbo, children sell products in street markets and work as jugglers. (8)

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	✓

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 Chile's legal framework to adequately protect children from the worst forms of child labor, including the prohibition of forced labor.

Table 4. Laws and Regulations on Child Labor

Standard	Meets International Standards	Age	Legislation
Minimum Age for Work	Yes	15	Article 13 of the Labor Code (19)
Minimum Age for Hazardous Work	Yes	18	Articles 13–14 and 18 of the Labor Code (19)
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 (19-21)
Prohibition of Forced Labor	No		Article 19 of the Constitution; Article 2 of the Labor Code; Article 411 of the Penal Code; Law 20.507 (19,22-24)
Prohibition of Child Trafficking	Yes		Article 411 of the Penal Code (23)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Articles 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 I, 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 I, 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 (29)
Free Public Education	Yes		Article 4 of the General Education Law No. 20.370 (29)

‡ Age calculated based on available information (29)

In 2019, the Ministry of Labor introduced a draft bill which will update the current legal framework for hiring adolescents under certain conditions and increase fines associated with child labor. (30,6,31) The law was still under review by the Senate as of May 2020. (32) In addition, new legislation was passed and is being implemented that will allow children or adolescent victims in criminal testimony, including cases of trafficking in persons, to testify by video with questioning conducted by a qualified expert intermediary. (33)

However, Chilean laws related to forced labor are not sufficient because they do not criminally prohibit forced labor except when it results from human trafficking. (23,24,30) 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. (34,35) In addition, as Chile's minimum age for work is lower than the age for compulsory education, children may be encouraged to leave school before the completion of compulsory education. (19,29)

III. ENFORCEMENT OF LAWS ON CHILD LABOR

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

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Table 5. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
Ministry of Labor and Social Welfare (MINTRAB)	Designs and implements national strategies on child labor and generates public awareness of child labor and the commercial sexual exploitation of children. (16) Enforces child labor laws, coordinating with the National Labor Directorate and its specialized support unit, the Child Labor Program Office (PCTI). (3, 13) PCTI was elevated to a department-level entity in 2019, allowing it to more adequately combat child labor by developing short- and long-term department goals and activities. (30) PCTI coordinates both the Social Observatory to Eradicate Child Labor, which conducts technical studies on child and adolescent labor issues and evaluates current policies to eliminate child labor, and the National Advisory Committee on Child Labor. (6,36-38)
National Investigations Police (PDI)	Investigates and prevents the worst forms of child labor by conducting community outreach activities, including trainings and information sessions. (39) Operates under the Ministry of the Interior. (13) Within PDI, the Human Trafficking Brigade investigates the trafficking of children, modern slavery, and organized crime. (33,39) The Sexual Assault Victim Care Center provides support to child victims of commercial sexual exploitation. (39) The local secretary of labor in Aysén region and the National Institute of Human Rights provided training on the eradication of child labor to PDI members in August 2019. (40)
National Uniformed Police (<i>Carabineros</i>)	Investigates, prevents, and detects crimes, including child labor violations, by conducting community policing and specialized investigations. Under the Directorate for Family Protection, provides specialized orientation on policies and operating plans for detection and prevention of domestic violence and child abuse, including the commercial sexual exploitation of children. (17) Operates under the Ministry of the Interior. (13) Receives referrals on the worst forms of child labor from the National Labor Directorate. (6)
National Prosecutor's Office (<i>Fiscalía Nacional</i>)	Investigates and prosecutes crimes, including those involving commercial sexual exploitation and the trafficking of children. Trains and coordinates with interagency partners, including PDI, <i>Carabineros</i> , and regional and local prosecutor's offices. (6,41,42) In 2019, signed a cooperative agreement with the Ombudsman's Office for the Rights of Children to improve coordination, specifically on the expedition of legal matters to more efficiently provide services for children in need. (43) At the regional level, the Prosecutor's Office of Magallanes met with first response health workers in July to train and educate workers on the best way to respond to child victims of commercial sexual exploitation without secondary victimization. (44)
National Minors' Service (SENAME)	Coordinates the provision of services to vulnerable children in collaboration with Offices of the Protection of Rights. Operates under the Ministry of Justice. (6,46) In coordination with MINTRAB and ILO, oversees the worst forms of child labor registry (<i>Sistema de Registro Único e Intervención de la Peores Formas de Trabajo Infantil</i>), which tracks incidents of the worst forms of child labor and provides information on programs designed to assist child workers. (47) The Offices of the Protection of Rights (<i>Oficinas de Protección de Derechos</i>) refer cases of children whose rights have been violated to appropriate social services and monitor cases of the worst forms of child labor. These offices are located in municipalities throughout the country and are part of the larger social protection network overseen by SENAME. (45)

Labor Law Enforcement

In 2019, labor law enforcement agencies in Chile took actions to combat child labor (Table 6). However, gaps exist within the operations of the National Labor Directorate that may hinder adequate labor law enforcement, including financial and human resource allocation.

Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2018	2019
Labor Inspectorate Funding	\$34,397,410 (3)	Unknown (6)
Number of Labor Inspectors	495 (3)	540 (48)
Inspectorate Authorized to Assess Penalties	Yes (3)	Yes (6)
Initial Training for New Labor Inspectors	Yes (3)	Yes (49)
Training on New Laws Related to Child Labor	N/A (3)	N/A (49)
Refresher Courses Provided	No (3)	Yes (49)
Number of Labor Inspections Conducted	90,523 (3)	100,618 (50)
Number Conducted at Worksite	90,523 (3)	100,618 (50)
Number of Child Labor Violations Found	288 (3)	272 (39)
Number of Child Labor Violations for Which Penalties Were Imposed	288 (3)	272 (39)
Number of Child Labor Penalties Imposed that Were Collected	128 (3)	72 (50)
Routine Inspections Conducted	Yes (3)	Yes (6)
Routine Inspections Targeted	Yes (3)	Yes (6)
Unannounced Inspections Permitted	Yes (3)	Yes (6)
Unannounced Inspections Conducted	Yes (3)	Yes (6)

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

Overview of Labor Law Enforcement	2018	2019
Complaint Mechanism Exists	Yes (3)	Yes (6)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (3)	Yes (6)

The number of vehicles available to labor inspectors is insufficient, especially in areas where distances between regional offices and employers can be great. (12) The number of labor inspectors is also likely insufficient for the size of Chile's workforce, which includes nearly nine million workers. According to the ILO's technical advice of a ratio approaching 1 inspector for every 15,000 workers in industrializing economies, Chile would employ about 592 inspectors. (51) The government did not provide information on the labor inspectorate's funding in 2019 for inclusion in this report.

Criminal Law Enforcement

In 2019, criminal law enforcement agencies in Chile took actions to combat child labor (Table 7). However, gaps exist within the operations of the criminal enforcement agencies that may hinder adequate criminal law enforcement, including penalties for promoting or facilitating the commercial sexual exploitation of children.

Table 7. Criminal Law Enforcement Efforts Related to Child Labor

Overview of Criminal Law Enforcement	2018	2019
Initial Training for New Criminal Investigators	Yes (3)	Yes (6)
Training on New Laws Related to the Worst Forms of Child Labor	N/A	N/A
Refresher Courses Provided	Yes (3)	Yes (6)
Number of Investigations	29† (52)	39† (6)
Number of Violations Found	731 (52)	Unknown (6)
Number of Prosecutions Initiated	29† (52)	39† (6)
Number of Convictions	10 (52)	19 (6)
Imposed Penalties for Violations Related to The Worst Forms of Child Labor	Yes (3,52)	Yes (6)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (3)	Yes (6)

† The National Prosecutor's database does not differentiate between investigations and prosecutions.

During the reporting period, 50 prosecutors, specialized attorney advisers, and witness and victim protection professionals from the National Prosecutor's Office were trained on the commercial sexual exploitation of children and adolescents. (6,33) The National Prosecutor's Office also held a full-day training on human trafficking and migrant smuggling for 40 forensic investigators of the Center for Victims of Sex Crimes, which is part of the National Uniformed Police (*Carabineros*). (33) When an inspection uncovers a case of the worst forms of child labor, the National Labor Directorate immediately notifies the *Carabineros*, who will open a criminal investigation in coordination with the National Prosecutor's Office. (3)

In 2019, the National Prosecutor's Office prosecuted 19 defendants, 8 of whom were convicted, for the commercial sexual exploitation of children and adolescents. (33) Two Ecuadorian adults were convicted of labor trafficking an Ecuadorian adolescent indigenous girl. Both individuals received sentences of 3 years of jail time, although they served their time on probation. (6,33) Two Bolivian women were convicted of sex trafficking two Bolivian adolescent girls and after receiving a sentence of 4 years of prison time, the sentences were substituted by deportation. (6,33) Two individuals were also convicted of facilitation of the prostitution of minors and received a sentence of 61 days, which was suspended. (33)

Judges frequently suspend or commute sentences of individuals convicted of commercial sexual exploitation of children. (6,9) Additionally, the penalties for promoting or facilitating the commercial sexual exploitation of children, ranging from 3 to 5 years imprisonment, are not commensurate with those for other serious crimes, such as rape. (9) Moreover, there is a lack of adequate shelters for child victims of trafficking in persons. (33)

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IV. COORDINATION OF GOVERNMENT EFFORTS ON CHILD LABOR

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

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

Coordinating Body	Role & Description
National Advisory Committee to Eradicate Child Labor	Oversees implementation of the National Strategy for the Eradication of Child Labor and Protection of Adolescent Workers (2015–2025) with the Social Observatory to Eradicate Child Labor. (17) Led by MINTRAB and includes representatives from the Ministries of Agriculture, Education, and Justice; the National Statistics Institute; the National Tourism Service; SENAME; PDI; and the <i>Carabineros</i> . (53) The Regional Advisory Committees for the Eradication of Child Labor and the Protection of Adolescent Workers 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. (13) Both the national level and regional level committees held meetings regularly throughout 2019 to coordinate efforts, and new regional committees were established in Nuble and Tocopilla. (6,54–56)
Child Labor Eradication Department*	Ensures Chile's compliance with international treaties that protect the rights of children and adolescents from abuses in the labor market. Implements the 2015–2025 National Strategy for the Eradication of Child Labor and Protection of Adolescent Workers. (6,57) Created in 2019 by the Undersecretary of Labor. (6,57)
Undersecretary for Childhood	Coordinates the development and implementation of public policies and programs to protect children, namely the Subsystem of Integral Protection of Children <i>Chile Crece Contigo</i> program. Located under the Ministry of Social Development. (3,58,59) Tasked with enacting the proposed National Policy on Children and developing coordination mechanisms for inter-agency work. (3,58,59) The Undersecretary continued to serve children throughout the country in 2019 through the Chile Crece Contigo program. (60)
Ombudsman's Office for the Rights of Children (<i>Defensoría de los Derechos de la Niñez</i>)	Promotes compliance with the Convention on the Rights of the Child and other international conventions ratified by Chile related to children's rights. (3,61,62) During the reporting period, worked with the Inter-agency Task Force on Trafficking in Persons in a dissemination campaign to share statistics on children trafficked throughout Chile. (39)
Inter-agency Task Force on Trafficking in Persons (MITP)	Coordinates the government's anti-human trafficking efforts and is divided into three sub-committees: awareness and prevention, control and prosecution, and protection and support for victims. (33) Led by the Ministry of the Interior with support from law enforcement agencies, the Ministry of Foreign Relations, the Ministry of Justice, the National Prosecutor's Office, SENAME, and others. (6,63) Regional task forces throughout the country have also been created. (6,33) In 2019, the Ministry of Labor actively participated in the task force, drafting a new National Action Plan (2019–2022) against trafficking in persons and incorporating dissemination campaigns on the eradication of child labor into the plan. (6,11) The Task Force also added 17 new member organizations during the reporting period, including the Chilean Supreme Court studies' division. (33)

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

V. GOVERNMENT POLICIES ON CHILD LABOR

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

Table 9. Key Policies Related to Child Labor

Policy	Description
National Strategy for the Eradication of Child Labor and Protection of Adolescent Workers (2015–2025)	Establishes a strategy to eradicate child labor by: (1) combining efforts across national and regional agencies and private and public entities, and (2) requiring regions to establish a strategy to address child labor issues in the area. (53) MINTRAB oversees the implementation of regional strategies, including the design and implementation of regional operating plans. (17) In 2019, MINTRAB worked with the Ministry of Education under this plan to conduct an awareness-raising campaign throughout the country to prevent child labor. (30) Activities included commemorating World Day Against Child Labor in several regions, workshops on protecting adolescent workers and preventing child labor and sexual exploitation of children, and providing children with educational materials discouraging child labor and encouraging school attendance. (64) MINTRAB also worked with the Network of Businesses United for Childhood and ILO to create a self-diagnostic tool to help businesses assess their knowledge of their role in protecting children and implement measures in their businesses to promote children's rights. (65,66)
National Plan of Action for Children and Adolescents (2018–2025)	Created by the Undersecretary for Childhood, the Action Plan works to consolidate, monitor, and improve all public initiatives that protect the rights of children and adolescents. (6,30,67) Among the Plan's many objectives is the increased coordination of and strengthening of the National Strategy for the Eradication of Child Labor and Protection of Adolescent Workers (2015–2025), including expanding programs that help families at risk of child labor find employment so that their children will be less likely to work. (30,61,67) MINTRAB participates and provides information and guidance regarding child labor. (68) In June 2019, representatives from the Undersecretary for Childhood, UN Development Program, and UNICEF held an initial meeting to propose goals for the plan and its implementation. (69)

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

Policy	Description
Third Action Plan against the Commercial Sexual Exploitation of Children and Adolescents (2017–2019)	Creates cooperation mechanisms for private and public institutions to collaborate on preventing and detecting commercial sexual exploitation of children and providing social services and rights restitution to victims. (70,71) In 2019, the Ministry of Justice and Human Rights drafted and presented legislation regarding the participation of children victims in criminal testimony and created a campaign for its public promotion, #QueNoSeRepita (That it Doesn't Happen Again). (33,72)
Anti-Trafficking National Action Plan (2019–2022)	Seeks to prevent and combat human trafficking, with a focus on women and children. Encompasses four strategic areas: (1) prevention and awareness raising, (2) prosecution, (3) victims' assistance and protection, and (4) inter-institutional cooperation and coordination. (73) MITP developed the Action Plan in 2019, which was approved at the working level but is awaiting approval at the ministerial level. However, all member agencies worked under the new plan's guidelines in 2019. (33,52,74) The new National Action plan expands efforts to address trafficking by focusing on partnerships with public policy offices, re-integration of victims into society, post-catastrophe situations, and support for victims whose traffickers were prosecuted under laws not specific to human trafficking. (33,52)

‡ The government had other policies that may have addressed child labor issues or had an impact on child labor. (75,76-79)

In 2019, the Government of Chile became the first country in Latin America designated as a “Pathfinder Country” under the Alliance 8.7 program, which calls for the eradication of child labor by 2025, and forced labor, modern slavery, and human trafficking by 2030. (6,33,80)

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2019, the government funded and participated in programs that include the goal of eliminating or preventing child labor, 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
Walking Together for the Eradication of Child Labor (2017–2019)†	Aimed to strengthen the employability of family members and guardians of children and adolescents who are at risk for child labor. Included job training and assistance with job search. (81) Led by MINTRAB in collaboration with the Catholic Church and implemented in Maipú, Quilicura, Quinta Normal, and in the metropolitan region of Santiago. (81) The program and its implementers in the Catholic Church were recognized in 2019 for their work in helping more than 5,000 cases of families at risk of or in situations of child labor in different communities of Metropolitan Santiago since 2007. (82)
Regional Action Group for the Americas‡	Conducts prevention and awareness-raising campaigns to combat the commercial sexual exploitation of children in the tourism sector in Latin America. Administered in Chile by the National Tourism Service. (16) In 2019 for Day Against Child Slavery, the group launched a social media campaign mobilizing the tourism sector to act in the prevention of the commercial sexual exploitation of children. (83)
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. In 2019, under the MAP 16 project, the Ministry of Social Development, MINTRAB, ILO, and UNICEF worked to develop a revised questionnaire for a new Survey of Activities on Children and Adolescents. (84) Additional information is available on the USDOL website.
SENAME Programs for Children at Risk of or Engaged in the Worst Forms of Child Labor†	Approximately 132 programs serving disadvantaged youth and children at risk of or engaged in the worst forms of child labor, including commercial sexual exploitation. Includes programs implemented by municipal governments and local branches of the Office for the Rights of Children. (36,85) Held various events during the reporting period including activities on International Day Against Child Labor. (86) SENAME also administers 18 programs to serve child victims of commercial sexual exploitation. (85) In 2019, SENAME held a series of activities across the country to bring awareness to the exploitation of children on International Day Against the Sexual Exploitation of Children and Adolescents and also assisted businesses in the tourism sector to prevent exploitation in hotels. (87,88)
Employability of Families of Working Children and Adolescents†	Created by the Undersecretary of Labor and fully implemented in 2018, the program seeks to help find work for family members of children and adolescents who are working or at risk of working and provide support and information on the negative effects of child labor. (3,89,90) In 2019, the government began designing a work plan for this program which will be rolled out in 2020. (6)

*Program was launched during the reporting period.

† Program is funded by the Government of Chile.

‡ The government had other social programs that may have included the goal of eliminating or preventing child labor. (91-93)

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VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE CHILD LABOR

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

Table 11. Suggested Government Actions to Eliminate Child Labor

Area	Suggested Action	Year(s) Suggested
Legal Framework	Criminally prohibit forced labor.	2016 – 2019
	Criminally prohibit the use of children in illicit activities.	2019
	Raise the minimum age for work to the age up to which education is compulsory.	2018 – 2019
Enforcement	Ensure that inspectors receive sufficient resources, such as vehicles, to carry out their duties.	2016 – 2019
	Increase the number of labor inspectors to meet the ILO's technical advice.	2018 – 2019
	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 – 2019
	Publish information on labor inspectorate funding and the number of criminal violations found related to the worst forms of child labor.	2019
	Ensure that there are adequate shelters available for child victims of trafficking in persons.	2019
Social Programs	Ensure that educational barriers, such as the lack of transportation to school in rural areas, are addressed to prevent child labor.	2018 – 2019

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Although research found no evidence that child labor exists on Christmas Island, in 2019 the government made a moderate advancement in efforts to prevent the worst forms of child labor. The Government of Australia enacted the Modern Slavery Act, which applies to Christmas Island, and took steps to begin consultations on a revised National Action Plan to Combat Human Trafficking and Slavery. Although Christmas Island made meaningful efforts in all relevant areas during the reporting period, laws related to child trafficking do not meet international standards because the recruitment, harboring, transfer, and receipt of children for forced labor and commercial sexual exploitation are not prohibited. 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.




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 included as part of the territory of the Australian Commonwealth, which provides for its defense. (1-3) All legislation of the Federal Parliament applies, unless specifically excluded. (4) Because Australia has ratified most key international conventions concerning child labor, the following conventions apply to Christmas Island (Table 1).

Table 1. Ratification of International Conventions on Child Labor

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

Christmas Island is subject to the laws and regulations related to child labor of the Commonwealth of Australia and the state of Western Australia (Table 2). However, gaps exist in its legal framework to adequately protect children from child labor, including the prohibition of child trafficking.

Table 2. Laws and Regulations on Child Labor

Standard	Meets International Standards	Age	Legislation
Minimum Age for Work	Yes	15	Section 190 of the Western Australia Children and Community Services Act (5)
Minimum Age for Hazardous Work	Yes	18	Section 10.4 of the Western Australia Mines Safety and Inspection Regulations (6)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Section 10.4 of the Western Australia Mines Safety and Inspection Regulations (6)
Prohibition of Forced Labor	Yes		Sections 270.6–270.7 of the Commonwealth Criminal Code Act of Australia; Sections 270.6–270.7 and 271.9 of the Crimes Legislation Amendment Act (7,8)
Prohibition of Child Trafficking	No		Sections 271.1A, 271.4, and 271.7 of the Commonwealth Criminal Code Act of Australia (7)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Section 16 of the Western Australia Prostitution Act; Section 192 of the Western Australia Children and Community Services Act (5,9)

Christmas Island

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

Standard	Meets International Standards	Age	Legislation
Prohibition of Using Children in Illicit Activities	Yes		Sections 309–310 of the Commonwealth Criminal Code Act of Australia (7)
Minimum Age for Voluntary State Military Recruitment	Yes	18	Canberra Act 2600 (10)
Prohibition of Compulsory Recruitment of Children by (State) Military	N/A*		Canberra Act 2600 (10)
Prohibition of Military Recruitment by Non-state Armed Groups	Yes		Sections 268.68 and 268.88 of the Commonwealth Criminal Code Act of Australia (7)
Compulsory Education Age	Yes	17.5	Section 6 of the Western Australia School Education Act (11)
Free Public Education	Yes		Section 98 of the Western Australia School Education Act (11)

* No conscription (10)

On Christmas Island, the Government of Western Australia’s Children and Community Services Act 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. (5,12) As the minimum age for work is lower than the compulsory education age, children may be encouraged to leave school before the completion of compulsory education. Laws related to child trafficking are not sufficient because the recruitment, harboring, transfer, and receipt (domestically) of children for forced labor and commercial sexual exploitation are not clearly prohibited. (7)

In 2019, the Government of Australia passed the Modern Slavery Act of 2018, which requires that (a) any entity with revenue in excess of \$685,000 (\$100m AUD), and (b) is an Australian entity or an entity engaging in business in Australia at any time during a yearly reporting period; or (c) is an entity that has volunteered to comply with the Modern Slavery Act of 2018, must report via a modern slavery statement the entity’s modern slavery risks, including the worst forms of child labor, within the entity’s operations and supply chains; and actions taken by the entity to address aforementioned risks. (1,13,14)

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
Australian Federal Police, the Department of Immigration, and the Department of Regional Development	Enforce criminal laws related to the worst forms of child labor. (15) Oversee the Child Protection Operations Team, which coordinates and investigates online and multi-jurisdictional online 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)
Australian Department of Child Protection of the Department of Communities	Issues orders to stop a child from working if there is a risk of harm. (18) Authorized to inspect for compliance all workplaces in which children are employed and to issue penalties. (19-21)

Western Australian WorkSafe Inspectors provide services on Christmas Island, where they have the right to enter, at any time, any workplace including aircraft, ships, and vehicles in which employees work or are likely to be in the course of their work. Inspectors have unrestricted access to workplaces, except those for which there is a statutory restriction, to determine whether employers are in compliance with the Occupational Safety and Health Act. (1,22)

Labor Law Enforcement

As there is no evidence of a problem, there appears to be no need for enforcement actions to address child labor.

Criminal Law Enforcement

As there is no evidence of a problem, there appears to be no need for criminal law enforcement actions to address child labor.

IV. COORDINATION OF GOVERNMENT EFFORTS ON CHILD LABOR

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

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

Coordinating Body	Role & Description
Inter-Departmental Committee on Human Trafficking	Deals with child labor issues, including its worst forms, from a human trafficking perspective. Comprises 11 government agencies, including the Australian Federal Police, Department of Employment, and Department of Foreign Affairs, and is chaired by the Department of Home Affairs. (1,16) This Committee was active in 2019 and met to discuss issues when they arose. The Committee also actively implemented the Modern Slavery Act of 2018. (1,23-25)

V. GOVERNMENT POLICIES ON CHILD LABOR

As there is no evidence of a problem, there appears to be no need for government policies to address child labor. However, the Government of Australia has established policies related to child labor (Table 5).

Table 5. Key Policies Related to Child Labor

Policy	Description
National Action Plan to Combat Human Trafficking and Slavery 2015–2019	Outlined cooperation and participation by government and non-government entities to combat human trafficking and slavery, including commercial sexual exploitation of children. (26,27) This policy was in effect in 2019. (1,24)

In 2019, the Government of Australia took steps to begin consultations on a revised National Action Plan to Combat Human Trafficking and Slavery. (24,25,28)

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 on Christmas Island (Table 6).

Table 6. Suggested Government Actions to Eliminate Child Labor

Area	Suggested Action	Year(s) Suggested
Legal Framework	Raise the minimum age for all light work to age 13 to comply with international standards.	2015 – 2019
	Raise the minimum age for work to the age up to which education is compulsory.	2018 – 2019
	Ensure that the laws related to child trafficking clearly prohibit the recruitment, harboring, transfer, and receipt (domestically) of children for forced labor and commercial sexual exploitation.	2018 – 2019

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Cocos (Keeling) Islands

MODERATE ADVANCEMENT

Although research found no evidence that child labor exists on the Cocos (Keeling) Islands, in 2019 the government made a moderate advancement in efforts to prevent the worst forms of child labor. The Government of Australia enacted the Modern Slavery Act, which applies to the Cocos (Keeling) Islands, and took steps to begin consultations on a revised National Action Plan to Combat Human Trafficking and Slavery. Although the Cocos (Keeling) Islands made meaningful efforts in all relevant areas during the reporting period, laws related to child trafficking do not meet international standards because the recruitment, harboring, transfer, and receipt of children for forced labor and commercial sexual exploitation are not prohibited. 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.




I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Research found no evidence that child labor exists on the Cocos (Keeling) Islands. (1)

II. LEGAL FRAMEWORK FOR CHILD LABOR

The Cocos (Keeling) Islands are included as part of the territory of the Australian Commonwealth, which provides for its defense. (1-4) All legislation of the Federal Parliament applies, unless specifically excluded. (5) Because Australia has ratified most key international conventions concerning child labor, the following conventions apply to the Cocos (Keeling) Islands (Table 1).

Table 1. Ratification of International Conventions on Child Labor

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

The Cocos (Keeling) Islands are subject to the laws and regulations related to child labor of the Commonwealth of Australia and the state of Western Australia (Table 2). However, gaps exist in the legal framework to adequately protect children from child labor, including the prohibition of child trafficking.

Table 2. Laws and Regulations on Child Labor

Standard	Meets International Standards	Age	Legislation
Minimum Age for Work	Yes	15	Section 190 of the Western Australia Children and Community Services Act (6)
Minimum Age for Hazardous Work	Yes	18	Section 10.4 of the Western Australia Mines Safety and Inspection Regulations (7)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Section 10.4 of the Western Australia Mines Safety and Inspection Regulations (7)
Prohibition of Forced Labor	Yes		Sections 270.6–270.7 of the Commonwealth Criminal Code Act of Australia; Sections 270.6–270.7 and 271.9 of the Crimes Legislation Amendment Act (8,9)
Prohibition of Child Trafficking	No		Sections 271.1A, 271.4, and 271.7 of the Commonwealth Criminal Code Act of Australia (8)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Section 16 of the Western Australia Prostitution Act; Section 192 of the Western Australia Children and Community Services Act (6,10)

Cocos (Keeling) Islands

MODERATE ADVANCEMENT

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

Standard	Meets International Standards	Age	Legislation
Prohibition of Using Children in Illicit Activities	Yes		Sections 309–310 of the Commonwealth Criminal Code Act of Australia (8)
Minimum Age for Voluntary State Military Recruitment	Yes	18	Canberra Act 2600 (11)
Prohibition of Compulsory Recruitment of Children by (State) Military	N/A*		Canberra Act 2600 (11)
Prohibition of Military Recruitment by Non-state Armed Groups	Yes		Sections 268.68 and 268.88 of the Commonwealth Criminal Code Act of Australia (8)
Compulsory Education Age	Yes	17.5	Section 6 of the Western Australia School Education Act (12)
Free Public Education	Yes		Section 98 of the Western Australia School Education Act (12)

* No conscription (11)

On the Cocos (Keeling) Islands, the Government of Western Australia’s Children and Community Services Act 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. (6,13) As the minimum age for work is lower than the compulsory education age, children may be encouraged to leave school before the completion of compulsory education. Laws related to child trafficking are not sufficient because the recruitment, harboring, transfer, and receipt (domestically) of children for forced labor and commercial sexual exploitation are not clearly prohibited. (8)

In 2019, the Government of Australia passed the Modern Slavery Act of 2018, which requires that (a) any entity with revenue in excess of \$685,000 (\$100m AUD), and (b) is an Australian entity or an entity engaging in business in Australia at any time during a yearly reporting period; or (c) is an entity that has volunteered to comply with the Modern Slavery Act of 2018, must report via a modern slavery statement the entity’s modern slavery risks, including the worst forms of child labor, within the entity’s operations and supply chains; and actions taken by the entity to address aforementioned risks. (1,14,15)

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
Australian Federal Police, the Department of Immigration, and the Department of Regional Development	Enforce criminal laws related to the worst forms of child labor. (13) Oversee the Child Protection Operations Team, which coordinates and investigates online and multi-jurisdictional online 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)
Australian Department of Child Protection of the Department of Communities	Issues orders to stop a child from working if there is a risk of harm. (18) Authorized to inspect for compliance all workplaces in which children are employed and to issue penalties. (6,19,20)

Western Australian WorkSafe Inspectors provide services on the Cocos (Keeling) Islands, where they have the right to enter, at any time, any workplace including aircraft, ships, and vehicles in which employees work or are likely to be in the course of their work. Inspectors have unrestricted access to workplaces, except those for which there is a statutory restriction, to determine whether employers are in compliance with the Occupational Safety and Health Act. (1,21)

Labor Law Enforcement

As there is no evidence of a problem, there appears to be no need for enforcement actions to address child labor.

Criminal Law Enforcement

As there is no evidence of a problem, there appears to be no need for criminal law enforcement actions to address child labor.

IV. COORDINATION OF GOVERNMENT EFFORTS ON CHILD LABOR

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

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

Coordinating Body	Role & Description
Inter-Departmental Committee on Human Trafficking	Deals with child labor issues, including its worst forms, from a human trafficking perspective. Comprises 11 government agencies, including the Australian Federal Police, Department of Employment, and Department of Foreign Affairs, and chaired by the Department of Home Affairs. (1,17) This Committee was active in 2019 and met to discuss issues as they arose. The Committee was also actively implementing the Modern Slavery Act of 2018. (1,22-24)

V. GOVERNMENT POLICIES ON CHILD LABOR

As there is no evidence of a problem, there appears to be no need for government policies to address child labor. However, the Government of Australia has established policies related to child labor (Table 5).

Table 5. Key Policies Related to Child Labor

Policy	Description
National Action Plan to Combat Human Trafficking and Slavery 2015–2019	Outlined cooperation and participation by government and non-government entities to combat human trafficking and slavery, including commercial sexual exploitation of children. (25,26) This policy was in effect in 2019. (1,23)

In 2019, the Government of Australia took steps to begin consultations on a revised National Action Plan to Combat Human Trafficking and Slavery. (23,24,27)

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 on the Cocos (Keeling) Islands (Table 6).

Table 6. Suggested Government Actions to Eliminate Child Labor

Area	Suggested Action	Year(s) Suggested
Legal Framework	Raise the minimum age for all light work to comply with international standards.	2015 – 2019
	Raise the minimum age for work to the age up to which education is compulsory.	2018 – 2019
	Ensure that the laws related to child trafficking clearly prohibit the recruitment, harboring, transfer, and receipt (domestically) of children for forced labor and commercial sexual exploitation.	2018 – 2019

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Cocos (Keeling) Islands

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In 2019, Colombia made a significant advancement in efforts to eliminate the worst forms of child labor. The Ministry of Labor launched a virtual training campus for labor inspectors, including a Fundamental Rights at Work course with modules on child labor, and trained local officials on its Comprehensive Child Labor Information System. In an effort to address the education and health of the increased Venezuelan refugee population, the government passed Law 1997 that granted birthright citizenship to children born in Colombia to Venezuelan parents during the period January 1, 2015 - September 16, 2021. The Ministry of the Interior also collaborated with civil society organizations to evaluate the government's anti-trafficking in persons strategy. In addition, the government expanded the Eyes Everywhere anti-commercial sexual exploitation campaign. However, children in Colombia engage in the worst forms of child labor, including in commercial sexual exploitation and illicit activities, each sometimes as a result of human trafficking. In addition, the government does not employ a sufficient number of labor inspectors.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Colombia engage in the worst forms of child labor, including in commercial sexual exploitation and illicit activities, each sometimes as a result of human trafficking. (1,2) The government publishes annual statistics on children's work from its National Household Survey. (3) Table 1 provides key indicators on children's work and education in Colombia.

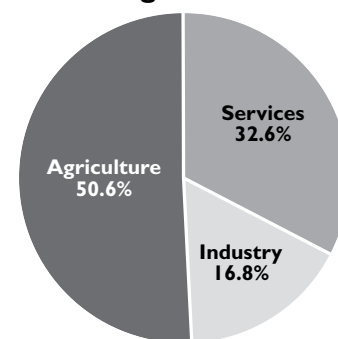
Table 1. Statistics on Children's Work and Education

Children	Age	Percent
Working (% and population)	5 to 14	3.2 (267,924)
Attending School (%)	5 to 14	94.1
Combining Work and School (%)	7 to 14	3.0
Primary Completion Rate (%)		106.5

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

Source for all other data: International Labor Organizations' analysis of statistics from Gran Encuesta Integrada de Hogares, Módulo de Trabajo Infantil (GEIH-MTI), 2018. (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 coffee,† sugarcane,† cocoa, pome and stone fruits, grapes, and unrefined brown sugar (panela)† (1-6)
	Animal husbandry,† hunting,† and fishing†, including conch and crab harvesting (1,3-8)
Industry	Mining coal,† emeralds,† gold,† tungsten,† coltan,† and clay† (1,3,4,9,10)
	Producing bricks† (3,10)

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

Sector/Industry	Activity
Industry	Construction,† activities unknown (11)
	Cutting and transporting lumber;† and creating artisanal woodwork such as handicrafts and decorative items (1,4,12,13)
	Processing shrimp and langoustines† (4)
Services	Street work,† including vending and helping shoppers carry bags in urban markets,† begging,† guarding or washing cars and motorcycles,† and selling massages and hair-braiding to tourists in beach areas (1,4,14-24)
	Recycling† and garbage scavenging† (1,16,25,26)
	Domestic work,† including caring for children,† cooking, gardening, and shopping for the home (1-4,27)
	Working in retail establishments, hotels, and restaurants (1,3,4,7, 28)
Categorical Worst Forms of Child Labor‡	Commercial sexual exploitation, sometimes as a result of human trafficking (1,4,14,21,29-33)
	Use in the production of pornography (1,4,5,21,29,34)
	Recruitment of children by non-state armed groups for use in armed conflict (1,21,35,36)
	Use in illicit activities by illegal armed groups and criminal organizations to commit homicides and traffic drugs, including in forced begging; and in the production of marijuana and coca (stimulant plant), each sometimes as a result of human trafficking (1,4,5,14,21,35-37)

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

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

Commercial sexual exploitation of children occurs more often in private homes rented online than in commercial establishments. (10) Some child victims of commercial sexual exploitation are allegedly recruited in schools by other students, and, in some cases, prostitution ring members conduct surveillance around schools in search of girls. (10,36) Indigenous women and children, as well as Venezuelan refugees, are particularly vulnerable to commercial sexual exploitation.(36,39) Young girls suffer commercial sexual exploitation along the highway between Medellín and Bogotá.(10,34) In mining areas, trafficking of children for forced labor and commercial sexual exploitation is widespread. (6,10,26,41) Reports also indicate that criminal gangs and dissident groups recruit Colombian and Venezuelan children as young as age 12 to produce and traffic drugs and commit homicides and extortion. (38,42,43)




Reports indicate that the forced recruitment and use of minors in Colombia by illegal armed groups, including *Fuerzas Armadas Revolucionarias de Colombia* (FARC) dissidents and the National Liberation Army, as well as non-ideological criminal organizations such as the Gulf Clan, continued in 2019. (10,26,39,44,45) Children are recruited to perform intelligence and logistical activities, store and transport weapons, and are exploited in commercial sex. (6,7,26,39,46)

In Colombia, impassible roads, long distances between children’s homes and schools in rural areas, a lack of teachers, and continued violence and insecurity in parts of the country hinder access to education. (6,10,47) Indigenous and Afro-Colombian children in particular face difficulties in accessing education. (7,48) In several communities, classes were interrupted, sometimes for weeks at a time, because of illegal armed group activity in those areas. (47,48) Venezuelan children in Colombia who lack identity documents are provided temporary identification numbers, enabling them to access all aspects of education. (10,45,48) School resources in border towns were strained by the increased arrival of Venezuelan refugee students, a population that nearly doubled between 2018 and 2019. (49) Nationally, the government reported that as of October 2019, there were 206,138 Venezuelan children matriculated in Colombia’s education system. This represents a more than five-fold increase in matriculation compared to the 34,030 Venezuelan students enrolled at the end of 2018. (10)

II. LEGAL FRAMEWORK FOR CHILD LABOR

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

Table 3. Ratification of International Conventions on Child Labor

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

The government's laws and regulations are in line with relevant international standards (Table 4). However, gaps exist in Colombia's legal framework to adequately protect children from the worst forms of child labor, including the difference in the minimum age for work and the compulsory education age.

Table 4. Laws and Regulations on Child Labor

Standard	Meets International Standards	Age	Legislation
Minimum Age for Work	Yes	15	Article 35 of the Code on Childhood and Adolescence (38)
Minimum Age for Hazardous Work	Yes	18	Article 117 of the Code on Childhood and Adolescence (38)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Article 3 of Resolution 1796 (39)
Prohibition of Forced Labor	Yes		Article 17 of the Constitution; Articles 141 and 188A of the Penal Code (40,41)
Prohibition of Child Trafficking	Yes		Article 17 of the Constitution; Articles 188A–188C of the Penal Code (40,41)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Articles 213–219B of the Penal Code (41)
Prohibition of Using Children in Illicit Activities	Yes		Articles 162, 188D, and 384 of the Penal Code (41)
Minimum Age for Voluntary State Military Recruitment	Yes	18	Article 81 of Law 1861 (42)
Prohibition of Compulsory Recruitment of Children by (State) Military	Yes		Article 4 of Law 1861 (42)
Prohibition of Military Recruitment by Non-state Armed Groups	Yes		Article 162 of the Penal Code; Article 20 of Law 1098; Article 14 of Law 418 (38,41,43)
Compulsory Education Age	Yes	18	Decree 4807 of 2011 (44)
Free Public Education	Yes		Article 1 of Decree 4807, Article 28 of the Child and Adolescent Code (38,44)

In September 2019, the government passed Law 1997 that granted birthright citizenship to children born in Colombia to Venezuelan parents, including those with irregular migration status, during the period January 1, 2015 - September 16, 2021. (10,57) This legislation was the result of a concerted effort by the Human Rights Ombudsman, the Ministry of Foreign Affairs, the National Civil Registry (*Registraduría*), and other agencies to facilitate access to education and healthcare for this vulnerable population. (10) Although Congress drafted a bill in 2018 that would revise the Penal Code to establish more comprehensive criminal provisions to protect children and adolescents from cyber commercial sexual exploitation, the bill was not approved during the reporting period. (58)

Challenges remain concerning the difference in the minimum age for work and the compulsory education age. 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. (50)

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III. ENFORCEMENT OF LAWS ON CHILD LABOR

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

Table 5. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
Ministry of Labor's (MOL) Inspection, Monitoring, Control, and Territorial Management Department	Receives complaints of labor law violations and conducts labor inspections, including inspections to verify labor conditions for adolescent workers and compliance with other child labor provisions. Oversees the Internal Working Group on Child Labor Eradication. (4,45) Operates the Comprehensive Child Labor Information System (SIRTI), a child labor monitoring system that identifies children engaged in or at risk of child labor. (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 the crimes of trafficking in persons and the sexual exploitation of children, girls, and adolescents in areas of Bogotá where they occur instead of waiting for victims to seek attention at the national level. Created in 2018 by the Bogotá Mayor's office. (21,46)
National Police	Investigate cases of commercial sexual exploitation and human trafficking and house the Child Protection Police unit. (4) Judicial police and the Technical Investigation Corps support the Attorney General's Office throughout the investigation process. (4)
Attorney General's Office	Investigates and prosecutes cases of child recruitment for armed conflict, commercial sexual exploitation, forced labor, and human trafficking, with support from the Office's Technical Investigation Unit, which also advises the Attorney General in the design of policies and strategies related to the role of judicial police investigators. (1,4,38) Oversees the Articulation Group for Combating Trafficking in Persons, which includes four prosecutors who focus on investigating and prosecuting cross-border human trafficking and other related crimes. (47)
National Training Service (SENA)	Collects fines imposed by MOL for labor law violations. (48)

Labor Law Enforcement

In 2019, labor law enforcement agencies in Colombia took actions to combat child labor (Table 6). However, gaps exist within the operations of the Ministry of Labor (MOL) that may hinder adequate labor law enforcement, including resource allocation.

Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2018	2019
Labor Inspectorate Funding	\$2,400,000 (1)	\$2,200,000 (4)
Number of Labor Inspectors	867 (1)	791 (4)
Inspectorate Authorized to Assess Penalties	Yes (1)	Yes (4)
Initial Training for New Labor Inspectors	Yes (1)	Yes (4)
Training on New Laws Related to Child Labor	N/A (1)	N/A (4)
Refresher Courses Provided	Unknown (1)	Yes (4)
Number of Labor Inspections Conducted	Unknown (1)	Unknown (4)
Number Conducted at Worksite	Unknown (1)	Unknown (4)
Number of Child Labor Violations Found	Unknown (1)	Unknown (4)
Number of Child Labor Violations for Which Penalties Were Imposed	12 (1)	12 (4)
Number of Child Labor Penalties Imposed that Were Collected	Unknown (1)	Unknown (4)
Routine Inspections Conducted	Yes (1)	Yes (4)
Routine Inspections Targeted	Yes (1)	Yes (4)
Unannounced Inspections Permitted	Yes (1)	Yes (4)
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)

In 2019, MOL held a series of eight workshops dedicated to training inspectors on updates to the inspectorate's electronic case management system. In total, 242 inspectors across the country received the training. (63) The MOL also launched a "Fundamental Rights at Work" training under its new virtual training campus in

June for labor inspectors that included several modules on child labor: effective elimination of child labor, legal definitions of child labor, national policy guidelines related to child labor and the commercial sexual exploitation of children, and the Comprehensive Child Labor Information System (SIRTI). (10)

In 2019, MOL reported that it conducted 4,622 preventive inspections and 3,079 reactive inspections. (10) It also conducted 824 inspections to verify the appropriate conditions of work, including occupational safety and health issues for minors of the legal minimum age who were authorized to work. (10) In 2019, MOL imposed 12 sanctions for child labor violations. Eight of these sanctions have been upheld following appeal, and four are under appeal. MOL did not report on whether the eight sanctions have been collected by the National Training Service (SENA), which is charged with collecting fines. (10)

However, reports indicate that resource allocation for labor law enforcement in rural areas, such as Amazonas and Vichada, was insufficient. (7,66) In some cases, inspectors carried out inspections in a small geographic area due to a lack of transportation resources to reach areas accessible only by boats or small planes.(1) In addition, the number of labor inspectors is likely insufficient for the size of Colombia's workforce, which includes more than 25 million workers. According to the ILO's technical advice of a ratio approaching 1 inspector for every 15,000 workers in industrializing economies, Colombia should employ about 1,645 inspectors. (7,66)

Criminal Law Enforcement

In 2019, criminal law enforcement agencies in Colombia took actions to combat child labor (Table 7). However, gaps exist within the operations of the criminal enforcement agencies that may hinder adequate criminal law enforcement, including training for new employees and funding.

Table 7. Criminal Law Enforcement Efforts Related to Child Labor

Overview of Criminal Law Enforcement	2018	2019
Initial Training for New Criminal Investigators	Unknown (1)	No (4)
Training on New Laws Related to the Worst Forms of Child Labor	N/A (1)	N/A (4)
Refresher Courses Provided	Yes (1)	No (4)
Number of Investigations	4,333 (1)	2,883 (4)
Number of Violations Found	3,280 (1)	3,512 (4)
Number of Prosecutions Initiated	607 (1)	764 (4)
Number of Convictions	673 (1)	378 (49)
Imposed Penalties for Violations Related to The Worst Forms of Child Labor	Yes (50,51)	Yes (49)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (1)	Yes (4)

In 2019, the government assisted 14 minors who were victims of human trafficking, one of whom was a victim of labor exploitation. (10,39) However, the government did not provide information on the total number of child victims who benefited from shelter or other forms of government-provided assistance. In August 2019, Colombia and Argentina held a new bilateral law enforcement meeting to coordinate actions and policies relating to trafficking in persons crimes. (39) In October 2019, the government participated in a Colombia-Ecuador bi-national workshop on trafficking in persons focused on prevention and victim care challenges of transnational human trafficking. (39) The Colombian Institute for Family Well-Being also trained 194 technical team members and administrative authorities on childcare services for trafficking victims in the high-risk areas of Santander, Amazonas, Córdoba, and Antioquia. (39) Although the government took action on crimes related to the commercial sexual exploitation and human trafficking of children and collected data on these crimes, the Attorney General's Office reported that its case management system tracks criminal proceedings through conviction only and does not include sentencing. (10,66,67) In addition, although the Attorney General's Office publishes some information on emblematic criminal cases regarding trafficking in persons, including those involving children, it does not publish comprehensive, annual statistics on convictions and sentencing for cases involving the worst forms of child labor. (68)

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The government did not provide clear information on whether funding provided to criminal law enforcement agencies was sufficient. (6) In addition, civil society noted a lack of specific budget allocations by government institutions for addressing trafficking in persons. (26)

IV. COORDINATION OF GOVERNMENT EFFORTS ON CHILD LABOR

The government has established mechanisms to coordinate its efforts to address child labor (Table 8). However, gaps exist that hinder the effective coordination of efforts to address child labor, including the inconsistent coordination in human trafficking victim identification.

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

Coordinating Body	Role & Description
Inter-agency Committee for the Elimination of the Worst Forms of Child Labor and Protection of the Adolescent Worker (CIETI)	Coordinates efforts to combat the worst forms of child labor. Chaired by MOL, includes 13 government agencies and representatives from trade unions, business associations, and civil society organizations. (2) Oversees 32 department-level CIETIs throughout the country, each comprising municipal-level committees. (52) Held several sessions during the reporting period, including one in October to identify geographic “hot spots” with children active in child labor, including its worst forms. (53,54)
National Inter-agency Committee for the Prevention and Eradication of Child Commercial Sexual Exploitation	Coordinates and implements efforts to combat the commercial sexual exploitation of children. Led by MOL and comprises 15 government agencies. (2) The government did not provide information on activities taken under this coordinating body in 2019 for inclusion in this report.
Colombian Institute for Family Well-Being (ICBF)	Operates Mobile Teams for Comprehensive Protection Child Labor (EMPIs) 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. (4,12) Serves as Administrator of the Fund Against Sexual Exploitation of Children and Adolescents. (55) Processes child labor complaints, operates hotlines to report child labor cases, and provides social services to children engaged in or at risk of child labor. (1,4) ICBF also has a National System of Family Well-Being, which promotes inter-agency coordination to protect children’s rights including rights related to child labor, and designs, implements, monitors, and evaluates policies related to childhood and adolescence. (2,56) In 2019, the number of EMPIs under ICBF was reduced to 44 teams throughout the whole country, down from 58 reported in 2018. (57) The EMPIs increased the number of awareness-raising campaigns to prevent child labor in the Putumayo and Cartagena regions, where they provided services to migrant Venezuelan and Ecuadorian populations. (58,59)
Inter-agency Committee to Combat Trafficking in Persons	Leads and coordinates efforts among government agencies to combat human trafficking. Created by Law 985, chaired by the Ministry of the Interior (MOI), and comprises 16 government entities and 6 permanent invitees, including private sector and international organizations. (25) During the reporting period, the committee conducted 20 anti-trafficking in person trainings. MOI met in both September and December with more than 35 civil society organizations to evaluate weaknesses and goals of the government’s national anti-trafficking strategy and establish indicators to measure performance under a forthcoming strategy, slated to run through 2022. (4,60,61,62) MOI also continued to lead the hotline that reports and tracks cases of human trafficking, and facilitated access to social services for victims. (36)
Inter-sectorial Commission for the Prevention of the Recruitment and Use of Children by Illegal Armed Groups (CIPRUNNA)	Coordinates efforts to prevent child recruitment by illegal armed groups, including for the purposes of commercial sexual exploitation. Created by Law 552 and led by the High Commissioner for Post-Conflict, Human Rights, and Security, comprises 23 entities, including the Attorney General’s Office and MOL as permanent members. (4,64-66) In 2019, the committee convened its member agencies for two technical-level meetings and one high-level meeting to formulate and approve updates to the Public Policy Guidelines for the Prevention of Recruitment, Use, and Sexual Violence Against Children and Adolescents by Illegal Armed Groups or Organized Criminal Groups through Decree 1784. (4,66) In November, authorities approved Decree 2081 to strengthen existing legislation and create the inter-sectorial presidential advisory council focus on mitigating the forced recruitment of children by illegal armed groups. (62,67,68)

‡ The government has other coordinating mechanisms that may have addressed child labor issues or had an impact on child labor. (81-83,85,86)

Research indicates there is inconsistent coordination in the areas of human trafficking victim identification and assistance, which may hinder anti-trafficking efforts. (26)

V. GOVERNMENT POLICIES ON CHILD LABOR

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

Table 9. Key Policies Related to Child Labor

Policy	Description
National Policy Guidelines to Prevent and Eradicate Child Labor and Protect the Adolescent Worker (2017–2027)	Aims to address child labor in the agriculture sector, develop child labor prevention strategies, improve the quality and coverage of child protection services, protect adolescent workers from hazardous work, create strategies to address child labor in domestic work, and establish evaluation and monitoring mechanisms to assess progress. (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. (72,73,74) Under the cooperative agreement, ICBF trained 1,003 officials in agencies in the National System of Family Welfare on the National Policy Guidelines to Prevent and Eradicate Child Labor and Protect the Adolescent Worker. (4) In 2019, ICBF also worked in partnership with MOL under these guidelines to build the capacity of local committees to prevent child labor (CIETIs) at the department and municipal levels, which resulted in the development of local action plans to combat child labor. (4) In addition, MOL held 75 technical workshops and trainings, which included capacity building related to the 2018 revision of the hazardous occupations prohibited to children. These workshops and trainings were attended by 1,320 CIETI and other officials, as well as civil society representatives, from 537 municipalities in 29 departments. (4) Under the Progressive Plan for the Social Protection and Defense of Rights for Rural Workers, the government conducted various outreach activities during the reporting period, including socializing the National Policy Guidelines to Eradicate and Prevent Child Labor and Protect the Adolescent Worker across 17 municipalities with workshops and radio and social media outreach. (4)
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 non-state armed groups. (1,75) Focuses on the comprehensive welfare and development of children and adolescents, recognizing them as rights-bearing subjects and integral to national development. (1,75) In 2019, under this policy, ICBF began implementing the Strategy for the Prevention of Specific Risks, which involved undertaking actions to prevent the recruitment and use of children for illicit activities and commercial sexual exploitation. (4)
National Strategy for the Prevention and Eradication of the Commercial Sexual Exploitation of Children (2018–2028)	National policy that guides Colombian government actions at the national, departmental, and municipal levels for the prevention of commercial sexual exploitation, victim assistance with a differential approach, and the strengthening of sentencing for abusers. (76) In 2019, the Ministry of Commerce and Tourism worked under this policy in collaboration with MOL, ICBF, National Colombia Police (CNP), and Colombian Migration to continue the “Eyes Everywhere” (“ <i>Ojos en Todas Partes</i> ”) campaign, including public messaging against child sex tourism in hotels and restaurants. (36) MOL and ICBF also directed public awareness campaigns in the Bogotá-Medellín corridor through the initiative “Let’s Stop This” (“ <i>Ponle Freno</i> ”). Government leaders conducted a number of engagements along this route with the hospitality and transport sectors as well as civil society organizations to raise awareness of child commercial sexual exploitation. (4,77)
National Strategy for the Fight Against Trafficking in Persons	Aims to prevent human trafficking by raising awareness of the crime’s red flags, providing immediate assistance to victims, promoting inter-institutional collaboration, strengthening and developing international cooperation mechanisms, and creating a data-gathering mechanism. (78) Established by Decree No. 1036 in 2016 and led by the Inter-agency Committee to Combat Trafficking in Persons. (79) The Inter-agency Committee approved the continued use of the 2016–2018 strategy while the next National Strategy (2018–2022) is in the development phase. (46) Throughout 2019, NGOs were an integral part of the process to design the next strategy. (36)
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 illegal non-state armed groups. Aims to address violence against children, including the worst forms of child labor, and improve inter-agency coordination. (80) The government also has a Roadmap for the Restoration of Rights, Assistance, and Reparation for Children and Adolescent Victims of the Armed Conflict that establishes protocols to assist child victims of armed conflict and is implemented through inter-institutional mechanisms in various departments. (3,81) In 2019, CIPRUNNA formulated and approved updates to this policy and formally changed its name. In May and October, member agencies trained 208 government officials across 17 municipalities on these updates. (4)

† Policy was approved during the reporting period.

‡ The government had other policies that may have addressed child labor issues or had an impact on child labor. (6,98-100)

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2019, the government funded and participated in programs that include the goal of eliminating or preventing child labor (Table 10). However, civil society organizations agree that these programs remain insufficient to fully address child labor.

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Table 10. Key Social Programs to Address Child Labor

Program	Description
Campaigns Against Child Labor†	ICBF-led campaigns to increase coordination among ICBF, Child Protection Police, MOL, and municipal authorities on child labor issues, and to promote education about the risks of hazardous work. (83) In 2019, the government began a campaign, “Working for the Children*,” to end child labor in shopping markets. (84) In November, program leaders began public awareness efforts in banana, grain, and fishing markets in the city of Barranquilla, where 180 children joined the program and were returned to school, and their parents were educated on child labor laws. (84) The ICBF produced extensive online resources to educate children on child labor, inform youth on their rights, and the general public on how to report child labor. (85) ICBF also continued the use of Mobile Teams for Comprehensive Protection Child Labor (EMPLs), which, between January and October 2019, conducted 1,389 day-long awareness-raising programs to prevent child labor in 176 municipalities across the country and identified 2,466 children engaged in child labor. (4,86) ICBF worked with families and local authorities to remove these children from child labor. (4) EMPLs also implemented the “One Hour Against Child Labor” program in 152 educational institutions nationwide to train teachers and students on child labor issues. (4)
Projects Addressing Commercial Sexual Exploitation of Children‡	As part of the National Strategy for the Prevention of the Commercial Sexual Exploitation of Children, the Colombian government maintains an “Eyes Everywhere” (“Ojos en Todas Partes”) public awareness campaign, which aims to prevent the commercial sexual exploitation of children in the tourism sector. Led by the Ministry of Commerce, Industry, and Tourism, and implemented in coordination with ICBF and the National Tourism Fund. (1,21,25,87) In 2019, the government expanded the “Eyes Everywhere” campaign to local municipalities in the Medellín-Bogotá corridor, raising awareness at the community level. (77)
Projects Addressing Trafficking in Persons‡	Eye on Trafficking aims to increase awareness of human trafficking among high school students, and School Environments in Coexistence and Peace focuses on identifying potential trafficking victims. (2) The Ministry of Foreign Affairs’ campaign, “Do Not Ignore Trafficking” (#AnteLaTrataNoSeHaga), is directed at border populations with limited access to digital platforms. (88) In May and October 2019, approximately 480 consulate officials were trained under this campaign. (36) As part of the “This is a Story” (#EsoEsCuento) campaign in 2019, the Attorney General’s office trained 360 Colombian migration officials, 100 airport officials, 140 police officers, and various other officials on trafficking in persons, including warning signs, sexual violence against minors and women, and how to address potential cases when found during the course of work. (36)
Model for Identification of Child Labor Risks	Pilot project led by ILO’s Regional Initiative: Latin America and the Caribbean Free of Child Labor. Aims to design a system that classifies territories according to their probability of risk for child labor and identifies the principal factors associated with this risk based on existing databases in participating countries. (89) Nearly every country in Latin America participates in the initiative. (90) In October 2019, ILO held a meeting in Lima on the regional initiative’s focal points, in which officials from the Colombian MOL spoke about the Child Labor Risk Identification Model as part of the country’s national plan for development. The government implemented the model throughout the reporting period. (91)
Development for Social Prosperity Programs‡	More Families in Action (<i>Más Familias en Acción</i>) uses a conditional cash transfer program to combat poverty and build human capital; United Network (<i>Red Unidos</i>) coordinates actions to reduce inequality and end extreme poverty; Healthy Generations (<i>Generaciones con Bienestar</i>) operates a children’s rights program offering cultural and recreational activities for children ages 6 to 17 identified as vulnerable to the worst forms of child labor; and Youth in Action (<i>Jóvenes en Acción</i>) provides technical job training and conditional cash transfers to vulnerable urban youth ages 16 to 24. (92-99) In 2019, under the Healthy Generations program, the government implemented a specialized line of programming to prevent child labor, identifying 90 municipalities for child labor prevention efforts, with participation of 25,363 children and adolescents. (4)
USDOL-Funded Projects	We Are a Treasure (<i>Somos Tesoro</i>), a \$11.25 million, 7-year project to combat child labor and promote safe work in the mining sector, implemented by PACT, Inc., in partnership with the Alliance for Responsible Mining, <i>Mi Sangre</i> Foundation, and the Fund for Environmental Action and Childhood; Preventing and Reducing Child Labor and Forced Labor in Palm Oil Supply Chains (<i>Palma Futuro</i>), a \$6 million project implemented by Partners of the Americas that works to improve the implementation of social compliance systems that promote acceptable conditions of work and the prevention and reduction of child and forced labor in palm oil supply chains; <i>Colombia Avanza</i> , a \$2 million Partners of the Americas project that focuses on building the capacity of civil society to more adequately combat child labor and other abuses in Colombia’s coffee sector; Cooperation on Fair, Free and Equitable Employment (COFFEE), a \$2 million project implemented by Verite to help businesses establish systems to prevent, detect, and eliminate child labor and other forms of exploitation from their supply chains; Building the Capacity of Civil Society to Combat Child Labor and Improve Working Conditions in Colombia (<i>Pilares</i>), a \$2 million project implemented by PACT that strengthens the capacity of civil society organizations to detect and address child labor and working conditions in gold mining; Measurement, Awareness-Raising, and Policy Engagement (MAP16) Project on Child Labor and Forced Labor, a \$2.4 million project implemented by the ILO that improves knowledge on these issues through data-driven techniques, strengthens polices and improves government capacity, and strengthens partnerships to accelerate progress. Continues to work with the Ministry of Labor on the Electronic Case Management System, virtual training campus for labor inspectors, and supporting strategic compliance planning, and strengthening fine collection; Equal Access to Quality Jobs for Women and Girls in Agriculture (EQUAL), a \$5 million project in support of the Women’s Global and Prosperity Initiative implemented by PACT. The project is aimed at reducing the risk of child labor, forced labor, and other violations of labor rights by empowering vulnerable women and girls working in the production of unrefined brown sugar (panela) and the cut flowers sector and promoting better understanding of labor rights; and Building a Generation of Safe and Healthy Workers, a \$11 million global project implemented by the ILO with Colombia as one of eight countries that works to promote the safety and health of young workers. Additional information is available on the USDOL website.

* Program was launched during the reporting period.

† Program is funded by the Government of Colombia.

‡ The government had other social programs that may have included the goal of eliminating or preventing child labor. (6,9,117-120,123,124)

In 2019, the National Police implemented “Open Your Eyes” (“*Abre Tus Ojos*”), a public awareness and child protection program to combat child labor and promote attendance in the educational system for children who may be involved in street work. (10) The Colombian Network Against Child Labor (*Red Colombia Contra el Trabajo Infantil*) also continued its work throughout the reporting period, including by collaborating with MOL on activities dedicated to the protection of legal adolescent work. (10) Despite these efforts, research indicates that existing social programs are insufficient to address the scope of the worst forms of child labor problem in Colombia. (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 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 – 2019
Enforcement	Ensure that all labor inspectors have sufficient resources, especially in rural areas, to perform inspections.	2009 – 2019
	Increase the number of labor inspectors to meet the ILO’s technical advice.	2009 – 2019
	Publish information on labor law enforcement efforts, including the number of inspections conducted, child labor violations found, and penalties imposed that were collected for child labor violations.	2009 – 2019
	Publish information on the number of child labor violations found, whether labor inspectors receive training on new laws and refresher courses, and whether new criminal investigators receive initial training.	2018 - 2019
	Ensure that criminal law enforcement officials have sufficient resources to enforce criminal laws related to the worst forms of child labor.	2014 – 2019
	Collect and publish data on penalties and sentencing for crimes related to the commercial sexual exploitation and trafficking of children.	2018 – 2019
Coordination	Ensure that criminal investigators of crimes related to the worst forms of child labor receive training.	2019
	Ensure that all coordinating working groups addressing child labor are active and accomplishing their mandates.	2019
Social Programs	Ensure that government efforts on human trafficking victim identification and assistance are adequately coordinated between agencies.	2018 – 2019
	Ensure that children are protected from armed conflict while at school.	2013 – 2019
	Expand efforts to improve access to education for all children, particularly for indigenous and Afro-Colombian children, including by improving transportation infrastructure, building more schools in rural areas, and increasing the number of teachers.	2013 – 2019

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In 2019, Comoros made a moderate advancement in efforts to eliminate the worst forms of child labor.

The National Assembly passed legislation authorizing the president to ratify the Palermo Protocol, which the president did in January 2020. Comoros also created the National Commission for Solidarity, Social Protection, and the Promotion of Gender to improve cooperation with state and non-state actors involved in child protection. In addition, services for child victims of violence were expanded with the opening of a new center under the Services d'Ecoute (Listening and Counseling Services) program. However, children in Comoros engage in the worst forms of child labor, including forced labor in agriculture. Children also perform dangerous tasks in domestic work. Furthermore, labor and criminal investigators lack the resources and funds necessary to enforce laws related to the worst forms of child labor, and Comoros lacks national action plans to combat child labor and trafficking in persons. Social programs to combat child labor are also insufficient to adequately address the extent of the problem.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Comoros engage in the worst forms of child labor, including 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, 2020. (5)

Source for all other data: International Labor Organization's analysis of statistics from Demographic and Health Survey, 2012. (6)

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

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

Sector/Industry	Activity
Agriculture	Production of manioc,† beans,† vanilla,† cloves,† and ylang-ylang† (7,8)
	Animal husbandry† (3,8)
	Fishing† (2,3,8)
Industry	Construction,† including in carpentry† (3,8)
	Extracting and selling marine sand† (7)
Services	Domestic work† (1,3,8-10)
	Street vending (2,3,11,12)
	Repairing cars† and bicycles,† including tire vulcanization,† and battery charging† (3,7)
Categorical Worst Forms of Child Labor‡	Forced labor in domestic work, street vending, baking, fishing, and agriculture (7,8,12,13)

† 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.

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National figures detailing the prevalence of children engaged in the worst forms of child labor in Comoros are not available; however, anecdotal reports suggest that children are involved in domestic servitude and also work in the agricultural and fishing sectors. (8) Children from poor or rural families are at higher risk of being placed into forced labor. (14) Some parents who are unable to care for their children send them to wealthier families, who are expected to provide food, shelter, and schooling to the children in exchange for housework. In practice, many become domestic workers and are victims of labor exploitation and abuse. (2,3,8,14,15) In Comoros, it is a traditional practice to send children to Quranic teachers to receive an education. Some Quranic teachers, however, may force their students to work rather than attend school, or earn funds to pay a school fee; girls usually perform domestic work, and boys perform agricultural labor. (3,4,12,14,15) In nearby Mayotte, which is administered by France, reports indicate that there are more than 3,000 unaccompanied children from Comoros, some of whom are exploited in the worst forms of child labor or may be vulnerable to trafficking. (12,14,16)




Children performing agricultural tasks work with sharp tools, carry heavy loads of products, and may have to climb tall heights to harvest fruit. In construction, children work without basic safety or protective equipment. (8) There were reports during the reporting period that drug traffickers used teenagers to transport drugs on boats to Mayotte. (8)

The law establishes compulsory education between ages 6 and 12, and children under the age of 14 cannot be prevented from attending school. However, no law establishes free basic education. (17) Additionally, schools lack sufficient capacity and thus prevent some children, particularly poor and disadvantaged children, from enrolling. (17) Although approximately equal numbers of boys and girls attended public primary schools, fewer girls completed primary education. (17,18) Furthermore, poor school infrastructure, limited availability of teachers, and physical and sexual violence in schools may impede access to education, which may increase the vulnerability of children to the worst forms of child labor. (8,10,18)

II. LEGAL FRAMEWORK FOR CHILD LABOR

During the reporting period, the National Assembly passed Law No. 19-04/AU, which authorized the president to ratify the Palermo Protocol on Trafficking in Persons. On January 25, 2020, the President of Comoros issued Decree No. 20-024-PR, which allowed Comoros to begin the ratification process with the UN. (8,14) Comoros officially acceded to the Protocol in June of 2020. (52) Comoros has thus ratified all key international conventions concerning child labor (Table 3).

Table 3. Ratification of International Conventions on Child Labor

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

The government has established laws and regulations related to child labor (Table 4). However, gaps exist in Comoros's legal framework to adequately protect children from the worst forms of child labor, including the minimum age for work and the compulsory education age.

Table 4. Laws and Regulations on Child Labor

Standard	Meets International Standards	Age	Legislation
Minimum Age for Work	No	15	Article 129 of the Labor Code (19)
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 (19,20)
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 (19-21)
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 (19,20)
Prohibition of Child Trafficking	No		Article 131 of the Labor Code; Articles 13 and 14 of the Law to Combat Child Labor and Trafficking (19,20)
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 322–323 of the Penal Code (19,20,22)
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 (19,20)
Minimum Age for Voluntary State Military Recruitment	Yes	18	Article 41 of Law No. 97-06/AF (23)
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 (20)
Compulsory Education Age	No	12	Article 2 of the Outline Act on the Education System (24)
Free Public Education	No		Article 1 of the Outline Act on the Education System; Preamble of the Constitution (24,25)

* No conscription (26)

The government has drafted a Penal Code and a Code of Criminal Procedures that increase the penalties for human trafficking crimes; however, this legislative proposal was not enacted during the reporting period. (8,26-30)

The Labor Code allows children under age 15 to perform light work in domestic work or agriculture if it does not interfere with education or physical or moral development. (24) 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. (31) In addition, the Labor Code applies only to workers who perform work under a formal employment agreement, which does not conform to international standards which require that all children be protected under the law establishing a minimum age for work. (2,31)

Comoros's Law to Combat Child Labor and Trafficking defines child trafficking as requiring the use of force, fraud, or coercion. (20) While the Labor Code does not make this requirement, it also does not exclude the means of force, fraud, or coercion for child trafficking victims. Thus, Comoros's child trafficking laws do not meet international standards. (19,20,32)

Children in Comoros are required to attend school only up to age 12. (17,24,32) This standard makes children ages 13 through 15 vulnerable to the worst forms of child labor because they are not required to attend school but are not legally permitted to work.

III. ENFORCEMENT OF LAWS ON CHILD LABOR

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

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Table 5. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
Ministry of Labor (MOL)	Enforces child labor laws, investigates allegations of child labor, and refers cases of the worst forms of child labor for criminal investigation. (3,4,18)
Police Morals and Minors Brigade	Investigates allegations of child abuse, including child trafficking, and refers cases for prosecution. (3,34,35) Operates nationwide, covering the islands of Grande Comore, Anjouan, and Mohéli. Collaborates with <i>Services d'Ecoute</i> (Listening and Counseling Services). (7,36)
Ministry of Justice	Prosecutes criminal cases, including those related to child trafficking. (3,26)
National Commission for Human Rights and Freedoms	Receives complaints about the worst forms of child labor, investigates violations, and refers cases to the Ministry of Justice for prosecution. (11,37)

Labor Law Enforcement

In 2019, labor law enforcement agencies in Comoros took actions to combat child labor (Table 6). However, gaps exist within the operations of the Ministry of Labor that may hinder adequate labor law enforcement, including financial and human resource allocation.

Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2018	2019
Labor Inspectorate Funding	Unknown	0 (8)
Number of Labor Inspectors	4 (36)	4 (8)
Inspectorate Authorized to Assess Penalties	Yes (36)	Yes (8)
Initial Training for New Labor Inspectors	Yes (36)	Yes (8)
Training on New Laws Related to Child Labor	N/A (36)	N/A (8)
Refresher Courses Provided	No (36)	No (8)
Number of Labor Inspections Conducted	25 (36)	12 (8)
Number Conducted at Worksite	25 (36)	12 (8)
Number of Child Labor Violations Found	0 (36)	0 (8)
Number of Child Labor Violations for Which Penalties Were Imposed	0 (36)	0 (8)
Number of Child Labor Penalties Imposed that Were Collected	0 (36)	N/A (8)
Routine Inspections Conducted	No (7,36)	Yes (8)
Routine Inspections Targeted	No (7,36)	Yes (8)
Unannounced Inspections Permitted	Yes (36)	Yes (8)
Unannounced Inspections Conducted	Yes (36)	Yes (8)
Complaint Mechanism Exists	Yes (36)	Yes (8)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (36)	Yes (8)

The number of labor inspectors is likely insufficient for the size of Comoros's workforce, which includes approximately 278,500 workers. According to the ILO's technical advice of a ratio approaching 1 inspector for every 40,000 workers in less developed economies, Comoros would employ about 7 inspectors. (13,38-40) Reports indicate that there is a lack of training, equipment, transportation, and funding available to conduct child labor inspections and legal proceedings. (3,28,34,36,40,41) Inspectors have indicated that although there is a budget for fixed costs such as salaries, there is no operating budget for the inspectorate, and inspectors have to rely on their own funds for costs such as transportation. (8) The number of inspections was insufficient, and none of the inspections carried out during the reporting period was due to complaints related to child labor. (8)

Although the inspectorate is permitted to conduct unannounced inspections, in practice, inspectors usually only respond when the Ministry of Labor receives complaints. The 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. (8) 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 or used. (8)

Criminal Law Enforcement

In 2019, criminal law enforcement agencies in Comoros took actions to combat child labor (Table 7). However, gaps exist within the operations of the Morals and Minors Brigade that may hinder adequate criminal law enforcement, including allocating financial and human resources.

Table 7. Criminal Law Enforcement Efforts Related to Child Labor

Overview of Criminal Law Enforcement	2018	2019
Initial Training for New Criminal Investigators	No (36)	No (8)
Training on New Laws Related to the Worst Forms of Child Labor	N/A (36)	N/A (8)
Refresher Courses Provided	No (36)	No (8)
Number of Investigations	Unknown (36)	Unknown (8)
Number of Violations Found	Unknown (36)	Unknown (8)
Number of Prosecutions Initiated	Unknown (36)	Unknown (8)
Number of Convictions	Unknown (36)	Unknown (8)
Imposed Penalties for Violations Related to The Worst Forms of Child Labor	Unknown (36)	Unknown (8)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (7,36)	Yes (8)

Reports indicate that a lack of trained staff, equipment, transportation, and funding inhibit criminal law enforcement efforts on the worst forms of child labor. (2,4,35) Due to limited financial and human resources, police are, in some cases, unable to open an investigation unless the victim can contribute a portion of the expenses associated with the investigation, including fuel and telephone fees. Thus, investigations are sometimes reactive and may depend on the victim's wealth and knowledge of the criminal justice system, making cases related to violations of the worst forms of child labor unlikely to be investigated. (2,29)

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 implementation.

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. (3,10,31) Research could not determine whether the National Committee Against Child Labor was active or received funding 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. Established February 2019. (8)

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

Comoros's inter-agency task force targeting trafficking in persons was no longer operational during the reporting period, and the country lacked a comprehensive anti-trafficking action plan. (12)

V. GOVERNMENT POLICIES ON CHILD LABOR

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

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Table 9. Key Policies Related to Child Labor

Policy	Description
National Policy for the Protection of Children (2016–2021)	Aims to improve child protection in Comoros; includes components to combat the worst forms of child labor, with a focus on child trafficking. Led by the Ministry of Health, Solidarity, Social Cohesion, and Gender Promotion. (3,4,10,34) Research was unable to determine whether activities were undertaken to implement the National Policy for the Protection of Children during the reporting period.
Strategy for Accelerated Growth and Sustainable Development (2015–2021)	Aims to reduce poverty, promote sustainable development, and increase access to social services. Integrates strategies that target child labor. (42,43) Although implementation continued during the reporting period, with Comoros adopting new health and renewable energy sector projects in line with the policy framework, research could not identify actions taken that were relevant to addressing child labor. (44,45)

Although child labor is integrated into some government policies, Comoros has not adopted a new National Action Plan to address child labor and has not developed any new policies or programs to target or combat child labor since 2016. (8)

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2019, the government funded and participated in programs that include the goal of eliminating or preventing child labor (Table 10). However, gaps exist in these social programs, including funding and adequacy of efforts to address the problem in all sectors.

Table 10. Key Social Programs to Address Child Labor

Program	Description
Decent Work Country Program (2015–2019)	Program that aimed to guarantee labor rights and extend social protection programs for vulnerable populations, including by improving the operational environment for the elimination of child labor and its worst forms. (9) Overseen by MOL and supported by ILO. (46) Research was unable to identify activities undertaken during the reporting period.
<i>Services d'Ecoute</i> (Listening and Counseling Services)†	Government program that provides protective services, secures new housing, and offers immediate assistance to vulnerable and abused children. Comprises four government-operated units on the islands of Anjouan, Grande Comore, and Mohéli. (2,27,36,47,48) Investigates allegations of violence against children, including the worst forms of child labor, and refers perpetrators to criminal authorities for prosecution. (8,29,36) The government opened a new center in 2019 in Foubouni on Grande Comore, and the service provided victim care to 134 minors, including some possible trafficking victims. (8,14)
UNICEF Country Program (2015–2021)	\$20,885 UNICEF-funded program that supports the government's efforts to strengthen children's rights to survival, development, education, protection, and social inclusion. (29,42) Funded a training in 2019 for 20 police and gendarmes and 3 children's judges to create a pool of certified trainers, as well as supported the development of internal procedures related to child protection. (8)

† Program is funded by the Government of Comoros.

Independent evaluation of the *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, personnel in the *Services d'Ecoute* still lack relevant training in social service provision and in international standards on child protection, which has resulted in incomplete case work and a lack of follow up with, or evaluations of, child victims. (48, 49)

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. (26,28,34,35) Comoros also lacks a specific program to assist children exploited by religious instructors.

VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE CHILD LABOR

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

Table 11. Suggested Government Actions to Eliminate Child Labor

Area	Suggested Action	Year(s) Suggested
Legal Framework	Ensure that the law's light work provisions set 13 as the minimum age, prescribe the number of hours per week that light work may be undertaken, and specify the conditions under which light work may be conducted, as defined by international standards on child labor.	2012 – 2019
	Establish by law the right to free education through the basic level	2019
	Ensure that the law's minimum age provisions and protections apply to children in unpaid or non-contractual work.	2015 – 2019
	Align child trafficking laws with international standards by ensuring that force, fraud, or coercion are not required elements in child trafficking cases.	2019
	Raise the compulsory education age to age 15 to be equivalent to the minimum age for work.	2009 – 2019
Enforcement	Provide the labor inspectorate with an operating budget for resources, training, transportation, and equipment to provide adequate coverage of the workforce.	2009 – 2019
	Ensure that labor inspectors and criminal investigators receive regular and adequate refresher or initial training on child labor-related issues.	2019
	Increase the number of labor inspectors to meet the ILO's technical advice.	2018 – 2019
	Increase the number and frequency of labor inspections to enforce compliance with laws that address child labor.	2018 – 2019
	Ensure that the inspectorate uses its authority to conduct unannounced inspections rather than rely solely on complaints received to initiate inspections.	2017 – 2019
	Ensure that the labor inspectorate fulfills its mandate to provide data and statistics related to inspection efforts.	2019
	Establish and use a functioning reciprocal mechanism between labor enforcement authorities and social services.	2019
	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 – 2019
	Increase criminal law enforcement personnel, resources, training, and transportation and equipment to enhance criminal law enforcement efforts related to the worst forms of child labor.	2009 – 2019
	Ensure that there are sufficient funds and resources to investigate crimes related to the worst forms of child labor so that victims are not expected to contribute financially.	2018 – 2019
Coordination	Ensure that the coordinating mechanisms are active and receive adequate funding to fulfill their missions.	2014 – 2019
	Develop a national action plan and corresponding coordinating body to address trafficking in persons in Comoros.	2019
Government Policies	Ensure that relevant policies are implemented, address child labor-related mandates, and report on yearly activities.	2019
	Adopt a new National Action Plan to Combat Child Labor and develop other relevant policies to combat the worst forms of child labor.	2016 – 2019
Social Programs	Enhance efforts to eliminate barriers to education, including for girls and poor children, by increasing school capacity, infrastructure, and teacher availability, and by addressing school violence.	2014 – 2019
	Collect and publish data on the prevalence of child labor and the types of work children perform in Comoros.	2019
	Ensure that social program personnel, such as those in the Services d'Ecoute, have adequate and relevant training to be able to appropriately respond to the needs of child victims.	2019
	Implement and expand existing programs to address the scope of the child labor problem, particularly in agriculture and domestic work.	2009 – 2019
	Implement programs to assist children exploited by religious instructors.	2016 – 2019

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In 2019, the Democratic Republic of the Congo made no advancement in efforts to eliminate the worst forms of child labor. The government drafted a new anti-trafficking in persons law, established a national anti-trafficking coordinating body, and finalized a five-year national strategy to combat human trafficking. A military court also sentenced a former colonel to life imprisonment for the unlawful recruitment and use of child soldiers. Moreover, the government implemented a new universal primary education decree, expanding funding for public schools and significantly reducing the number of children vulnerable to labor exploitation. However, despite new initiatives to address child labor, the Democratic Republic of the Congo is receiving an assessment of no advancement because of the national army's complicity in the worst forms of child labor. During the year, an Armed Forces of the Democratic Republic of Congo (FARDC) regiment supplied weapons and munitions to and allowed the free movement of a proxy non-state armed group known for recruiting children, enabling the armed group to expand its control over mineral-rich sites in the east. In addition, a FARDC regiment in Tshikapa forcibly abducted young girls into sexual slavery. The FARDC also illegally detained children for their alleged association with armed groups and failed to hold some of its units accountable for perpetrating the worst forms of child labor. Moreover, regiment commanders and their superiors actively interfered with investigations into forced child recruitment and the sexual exploitation of children allegedly perpetrated by their forces. Children engage in the worst forms of child labor, including in the forced mining of gold, tin ore (cassiterite), tantalum ore (coltan), and tungsten ore (wolframite), and are used in armed conflict, sometimes as a result of forcible recruitment or abduction by non-state armed groups. Other gaps remain, including a lack of trained enforcement personnel, limited financial resources, and poor coordination of government efforts to combat child labor. Research also indicates that labor inspectors failed to conduct any worksite inspections for the fourth year in a row. Labor inspections are a key tool for identifying child labor violations, and their absence makes children more vulnerable to the worst forms of child labor.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in the Democratic Republic of the Congo (DRC) engage in the worst forms of child labor, including in the forced mining of gold, tin ore (cassiterite), tantalum ore (coltan), and tungsten ore (wolframite), and are used in armed conflict, sometimes as a result of forcible recruitment or abduction by non-state armed groups. (1-7) Table 1 provides key indicators on children's work and education in the DRC.

Table 1. Statistics on Children's Work and Education

Children	Age	Percent
Working (% and population)	5 to 14	35.8 (Unavailable)
Attending School (%)	5 to 14	77.3
Combining Work and School (%)	7 to 14	37.1
Primary Completion Rate (%)		69.9

Source for primary completion rate: Data from 2015, published by UNESCO Institute for Statistics, 2020. (8)

Source for all other data: International Labor Organization's analysis of statistics from Demographic and Health Survey (DHS), 2013–2014. (9)

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

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

Sector/Industry	Activity
Agriculture	Farming, including tilling fields, planting seeds, watering crops, carrying heavy loads,† weeding, harvesting crops, and use of chemical products and machetes in the production of beans, corn, manioc, rice, and sweet potatoes (10-15)
	Fishing, including maintaining fishing tools, baiting hooks, transporting heavy loads, using explosives, and salting, smoking, and packaging fish (10-12,14,15)
	Herding and raising livestock such as chickens, goats, and pigs, including feeding, cleaning cages or stalls, and disposing of waste (11,12,15,16)
	Hunting (10,16)
Industry	Mining,† including carrying heavy loads,† digging, sifting, sorting, transporting, using explosives, washing, and working underground† in the production of diamonds, copper, cobalt ore (heterogenite), gold, tin ore (cassiterite), tantalum ore (coltan), and tungsten ore (wolframite) (1,4,5,10,13-15,17-20)
	Working as auto mechanics, in carpentry, and in craft workshops (10)
	Working on construction sites and building roads (10)
Services	Domestic work (10,13-15)
	Driving motorcycle taxis (14)
	Street work, including vending, garbage scavenging, and carrying heavy loads (10,11,14,15)
Categorical Worst Forms of Child Labor‡	Forced mining of gold, tantalum (coltan), tin (cassiterite), and tungsten (wolframite), each sometimes as a result of debt bondage (3-5,15)
	Forced domestic work and commercial sexual exploitation, each sometimes as a result of human trafficking (3,4,10,19,21-24)
	Use in illicit activities, including for spying for non-state armed groups, carrying stolen goods, and smuggling minerals (3,21,25,26)
	Forced recruitment or abduction of children by non-state armed groups for use in armed conflict, including as checkpoint monitors, combatants, concubines, domestic workers, field hands, human shields, looters, porters, spies, and tax collectors at mining sites (3,15,27,28)

† 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 2019, the UN verified 601 cases of child recruitment by non-state armed groups, down from 631 confirmed cases the previous year. The figure represents an all-time low in the DRC, where the government and international partners secured commitments from 27 armed groups to ending the recruitment and use of children and other grave violations. (28,29) As a result, 3,107 children, an all-time high, were separated from armed groups during the reporting period. (28,30) The Armed Forces of the Democratic Republic of Congo (FARDC) also made important military gains against the *Forces démocratiques de libération du Rwanda-Forces combattantes abacunguzi* (FDLR) and the Allied Democratic Forces (ADF), and successfully prosecuted a leader of Raia Mutomboki during the reporting period. (29) However, some of the 150 non-state armed groups operating in the DRC continued to abduct, recruit or use children in armed conflict during the reporting period. (3,28,31) Perpetrators included Nyatura (167), Mai-Mai Mazembe (103), ADF (55), *Nduma défense du Congo-Rénové* (49), Kamuina Nsapu (37), FDLR (22), *Raia Mutomboki* (18), *Conseil national pour la renaissance et la démocratie*, and unidentified armed groups (17 each), *Alliance des Patriotes Pour un Congo Libre et Souverain* (APCLS) (13), and additional armed groups (103). (28,32,33) Non-state armed groups in Ituri reportedly seized young children from their homes, forcing them to transport heavy loads or perform domestic work. (15) UNICEF and other international organizations have estimated that between 40 and 70 percent of non-state armed groups in central DRC include children, some as young as five. (26,34)

In July, the International Criminal Court also convicted Bosco Ntaganda, former leader of the *Forces Patriotiques pour la Libération du Congo* (FPLC), on 18 counts of war crimes and crimes against humanity. (35) The sentencing judgement for Ntaganda included 3 counts of conscripting children under age 15 into armed conflict, and 2 counts of sexually enslaving FPLC female recruits under age 15. (36)

Children in the DRC’s eastern and southern provinces engage in the worst forms of child labor in mining. In eastern Congo’s conflict-affected regions, children extract and transport tin (cassiterite), tantalum (coltan), tungsten (wolframite), and gold. Thousands of children also work in cobalt and copper mines in the DRC’s

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southern Copperbelt region. (3,5,37,38) Prevalence is highest in the country's artisanal and small-scale mining (ASM) sector, which tends to operate with minimal oversight. Child labor has been detected at one in four ASM sites in the DRC, with informal or illegal ASM operations leaving children uniquely exposed to hazardous working conditions and, in some instances, forced labor. (37,39,40) As many as 35,000 of the DRC's 255,000 artisanal cobalt miners are children. (41) Despite strong evidence of children engaged in armed conflict, commercial sexual exploitation, and forced labor in mining, the prevalence and nature of child labor in other sectors remains unclear because a comprehensive, stand-alone child labor survey has never been conducted in the DRC. (12)




UNICEF estimates that only 14 percent of children under age 5 have birth certificates. (42) Low rates of birth registration leave many children vulnerable to child labor because it makes age verification difficult during FARDC recruitment campaigns and hinders efforts to identify and separate children associated with armed groups. (4,43) Moreover, 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. (29)

While Congolese law provides for free, compulsory education, only slightly more than half of the DRC's 51,574 public schools were financed by the state. At public schools that did not receive government funding, parents were asked to pay school fees to support teacher salaries, which at times were cost prohibitive. (44,45) However, in 2019, President Tshisekedi implemented a free primary education initiative to expand funding for public schools. The initiative resulted in millions of previously out-of-school children being able to enroll, reducing the number of children vulnerable to exploitation. (15,29,46) An additional two million children in the northeast, the epicenter of the 2018–2020 Ebola outbreak, returned to school in September 2019 following a precipitous decline in transmission. (47) Nevertheless, significant obstacles remain. Schools are overcrowded, understaffed, structurally damaged by conflicts, require students to travel long distances, or used as shelter for internally displaced persons. (1,2,24,26,43,48) Non-state armed groups attacked 31 schools between January and September 2019, and 7 attacks were attributed to the FARDC. (28,32) Additionally, frequent teacher strikes occurred as a result of irregular payment of teacher salaries. (14,49)

II. LEGAL FRAMEWORK FOR CHILD LABOR

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

Table 3. Ratification of International Conventions on Child Labor

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

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

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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 (50-52)
Minimum Age for Hazardous Work	Yes	18	Article 10 of the Decree Establishing the Conditions for Children's Work (53)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Articles 8–15 of the Decree Establishing the Conditions for Children's Work; Articles 26 and 299 bis of the Mining Code; Article 8b of the Decree on Validation Procedures for Artisanal Mines; Article 125 of the Labor Code (51,53-56)
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 (51-53, 57)
Prohibition of Child Trafficking	Yes		Article 3 of the Labor Code; Articles 53, 162, and 187 of the Child Protection Code; Article 174j of the Penal Code; Article 8 of the Decree Establishing the Conditions for Children's Work (50-52,55)
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 (50-53)
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 (51-53)
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 (51,58)
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 (51,58,59)
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 (51,57)
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 (51,57,60)
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 (51,57,61)

* No conscription (16)

‡ Age calculated based on available information (51,61,62)

In 2019, the Agency for Prevention and the Fight Against Trafficking in Persons (APLTP) drafted and passed to the National Assembly an aggressive national anti-trafficking law. The law is scheduled for adoption in the 2020 legislative session. (29) The APLTP also designed the DRC's first ever national anti-trafficking strategy. The five-year strategy is focused on prevention, victim identification and care, and law enforcement cooperation and coordination. (29) The APLTP referred child victims of human trafficking to three different shelters in the country, providing holistic care to 650 child TIP victims in 2019. The government also finalized a bilateral accord with the Republic of Congo to prevent cross-border child trafficking. (63)

The DRC also expanded oversight of and control over its artisanal mining sector, including copper and cobalt, where child labor is prevalent. (29,64) A 2019 decree created *Entreprise Générale du Cobalt*, a new subsidiary of state-owned mining company *Gécamines*, and vested it with exclusive authority to buy and sell artisanally mined "strategic minerals." This new body aims to ensure price stability and fairness by removing unregulated middlemen from the supply chain, thereby decreasing the potential for child labor. A separate body will oversee the strategic mineral supply chain to ensure children and other vulnerable populations are not working in mining sites. (29, 56, 65)

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However, children in the DRC are required to attend school only up to age 12. This standard means children ages 12 through 15 are vulnerable to child labor, as they are not required to attend school but are not legally permitted to work. (51,57,60)

III. ENFORCEMENT OF LAWS ON CHILD LABOR

The government has established institutional mechanisms for the enforcement of laws and regulations on child labor (Table 5). However, gaps exist within the authority of the MOL that may hinder adequate enforcement of child labor laws.

Table 5. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
Ministry of Employment, Labor, and Social Welfare (MOL)	Investigates cases related to child labor, including its worst forms. (66) Refers cases of child labor to the Ministry of Justice and Human Rights (MOJ) for prosecution. (14)
Ministry of Justice and Human Rights (MOJ)	Enforces criminal laws related to child labor. (11,14) Oversees 5 juvenile courts in Kinshasa and 19 UNICEF-funded child protection courts throughout the country. (15) Assists the International Criminal Court in conducting investigations and prosecuting individuals charged with using children in armed conflict. (14,31,43)
Ministry of the Interior	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. (14,31) In the case of the Police Unit for Child Protection and Combating Sexual Violence, combats conflict-related sexual and gender-based violence against women and children, protects children and women who are victims of physical abuse, and ensures the demobilization of children. (14,15,67)
Office of the President's Personal Representative on Sexual Violence and Child Recruitment	Supports and coordinates the efforts of government officials and international bodies to combat sexual violence and the use of children in armed conflict. (66,68) Compiles data on prosecutions in military and civil courts involving sexual violence against girls and maintains a hotline for reporting cases. (31)
Ministry of Defense (MOD)	Investigates and prosecutes in military courts military officials suspected of recruiting and using child soldiers, and leads the implementation of the Action Plan to End the Recruitment and Use of Child Soldiers. Through its Department of Child Protection, coordinates actions with UNICEF. (14) Through its Children Associated with Armed Forces and Armed Groups Unit, coordinates demobilization, disarmament, and reintegration activities. (31,69)
Ministry of Gender and Family (MOGF)	Oversees and investigates cases related to the commercial sexual exploitation of children. (14)

The Ministry of Social Affairs, Solidarity, and Humanitarian Affairs (MINASA) monitors humanitarian programs and coordinates with key actors to promote social services to vulnerable groups, including street children, human trafficking victims, and child soldiers. (16)

Labor Law Enforcement

In 2019, the absence of worksite inspections conducted at the national level in the DRC may have impeded the enforcement of child labor laws (Table 6).

Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2018	2019
Labor Inspectorate Funding	Unknown (14)	Unknown (15)
Number of Labor Inspectors	200 (14)	200 (15)
Inspectorate Authorized to Assess Penalties	Yes (14)	Yes (15)
Initial Training for New Labor Inspectors	No (14)	No (15)
Training on New Laws Related to Child Labor	No (14)	No (15)
Refresher Courses Provided	No (14)	No (15)
Number of Labor Inspections Conducted	0 (14)	0 (15)
Number Conducted at Worksite	N/A (14)	N/A (15)
Number of Child Labor Violations Found	Unknown (14)	0 (15)
Number of Child Labor Violations for Which Penalties Were Imposed	Unknown (14)	N/A (15)
Number of Child Labor Penalties Imposed that Were Collected	Unknown (14)	N/A (15)

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

Overview of Labor Law Enforcement	2018	2019
Routine Inspections Conducted	No (14)	No (15)
Routine Inspections Targeted	N/A	N/A (15)
Unannounced Inspections Permitted	Yes (14)	Yes (15,52)
Unannounced Inspections Conducted	No (14)	No (15)
Complaint Mechanism Exists	Yes (14)	Yes (15)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (14)	Yes (15)

The Labor Inspectorate was not operational during the reporting period and labor inspectors did not receive training or conduct inspections. It is also unknown whether the government allocated funds to the Labor Inspectorate, despite an overall sharp increase in social spending. (14,15,29,32,70,71) Moreover, the number of labor inspectors is likely insufficient for the size of the DRC's workforce, which includes over 31 million workers. According to the ILO's technical advice of a ratio approaching one inspector for every 40,000 workers in less developed economies, the DRC would employ about 784 labor inspectors. (70,71) That said, 80 percent of the DRC labor force is engaged in the informal sector, and agriculture—the largest rural employer—is primarily of a subsistence nature, creating the need for a nuanced approach to advancing labor inspections. (63,72)

The government made some efforts to combat child labor in mining. During the reporting period, 25 government mine inspectors and mine controllers, along with local monitoring committees, were trained on mine inspection and validation in all territories of North and South Kivu. Topics included child labor detection, hazards assessment, and additional compliance measures. (15,29)

Criminal Law Enforcement

In 2019, criminal law enforcement agencies in the DRC took actions to combat child labor (Table 7). However, gaps exist within the operations of the criminal enforcement agencies that may hinder adequate criminal law enforcement, including the allocation of financial resources.

Table 7. Criminal Law Enforcement Efforts Related to Child Labor

Overview of Criminal Law Enforcement	2018	2019
Initial Training for New Criminal Investigators	No (14)	No (15)
Training on New Laws Related to the Worst Forms of Child Labor	No (14)	No (15)
Refresher Courses Provided	Yes (3)	Yes (15)
Number of Investigations	Unknown (14)	Unknown (15)
Number of Violations Found	2,255 (31)	3,129 (29)
Number of Prosecutions Initiated	13‡ (32)	3‡ (15,29)
Number of Convictions	2‡ (32,73)	Unknown (15)
Imposed Penalties for Violations Related to The Worst Forms of Child Labor	Yes (7,73,74)	Unknown (15)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (3)	Yes (15)

During the reporting period, elements of the FARDC were complicit in child abduction, supporting an armed group that recruited and used child soldiers, illegal detention of children allegedly associated with armed groups, ransacking schools, and extortion and physical abuse of child laborers at mining sites. The government, however, made some efforts to begin addressing these violations, as well as those perpetrated by non-state armed groups. (29) In February 2019, for instance, military prosecutors issued a warrant for the arrest of Katolongele Kambale Jadot, an armed group intelligence officer accused of engaging in child recruitment and other crimes between 2011 and 2013. As of the time of this writing, he remains at large. (29) In June, a North Kivu military court sentenced former FARDC Colonel Dominique Birihanze to life imprisonment for the recruitment and use of children in armed conflict. (29,75) And in November, the Bukavu Garrison Court in South Kivu condemned Frederic Masudi Alimasi and two other members of *Raia Mutomboki*—a militia accused of systematic child soldier recruitment by the UN in 2018—to 15 years' to life imprisonment for sexual enslavement and other crimes against humanity. (76) During the proceedings, the government was also found liable for failing to take

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all necessary measures to prevent the crimes, and ordered to pay reparations to over 300 victims. (29) That same month, the Ministry of Defense instructed FARDC prosecutors to open an investigation into the actions of the FARDC's 2105th Regiment for the alleged abduction and rape of at least 17 children in Tshikapa, Kasai Province. (29) Despite the regiment commander's alleged interference with the investigation, in November FARDC prosecutors detained 10 soldiers from the 2105th on charges of rape and abduction of minors. Two of the soldiers were in detention at the end of the reporting period, while eight more remained under investigation; measures to address the global COVID-19 pandemic reportedly delayed court proceedings in this case during the first half of 2020. (29,63,77) In addition, the government's joint investigation with the UN continued in 2019 against several individuals charged with child recruitment, leading to the arrest of at least four armed group commanders who are awaiting trial in prison. (29,78,79)

Despite these positive steps, impunity for abuses perpetrated by FARDC officials or regiments remained a significant concern, as the government did not consistently hold perpetrators accountable, and some officials were complicit in helping suspects avoid prosecution. (29) In 2018, the FARDC was linked to two cases of use of children in supporting roles, included concubinage and forced labor. The commander responsible for these offenses was redeployed to a different regiment in 2019 and not otherwise been held accountable. (3) Additionally, military prosecutors investigating Colonel Ramazani Lubinga, former commander of the 601st Regiment, issued a warrant for his arrest for allegedly recruiting child soldiers during the M23 rebellion; however, Colonel Ramazani's military superiors refused to comply. (29)

In North Kivu, FARDC elements collaborated with *Nduma Défense du Congo-Rénové* (NDC-R), a proxy armed group that continued to recruit children into its ranks. (78,79) According to the UN, Congolese forces, including senior FARDC command, allowed the group to move freely throughout the province, and tolerated NDC-R's use of FARDC uniforms. Colonel Yves Kijenge, FARDC commander of the 3411th Regiment, also supplied the group with weapons and ammunition. (29,78) This arrangement has allowed the group to collect revenue through illegal taxation schemes and control of lucrative gold mining sites. (29,63,78,79) In June 2019, military prosecutors in North Kivu issued a warrant for the arrest of U.S.-sanctioned Congolese "General" Shimiray Mwissa Guidon for child recruitment, mass rape, and other crimes committed between 2014 and 2019 as leader of the NDC-R. (29,79) Prosecutors further alleged that high-ranking FARDC commanders protected Guidon during this period. However, while the warrant was never executed, in July 2020 Guidon was deposed by his second-in-command, Gilbert Chuo Bwira. (80,81)

Members of the national police and government-backed armed groups carried out extrajudicial killings of civilians, including children, for their perceived affiliation with or support for non-state armed groups. (32,66,82-84) The government also detained 111 children for their alleged association with armed groups for periods between 3 to 60 days, despite a 2012 directive requiring that all children detained for their association with armed groups be immediately transferred to the UN. (28-30,32,66) Local detention cells suffer from overcrowding, lack of food and health services, and poor sanitation. (29)

In addition, the FARDC deployed a battalion to dismantle illegal ASM sites in the southeast, where working conditions are hazardous and child labor is prevalent. In 2019, soldiers cleared at least 12,000 miners from industrial cobalt and copper concessions, reportedly torching dozens of homes and ransacking a school in the process. (37,85,86) The FARDC, mining police, and private security forces, including those guarding large-scale mining concessions, reportedly subjected child laborers on ASM sites to extortion and physical abuse. (38) There is no evidence the government took action to address these abuses.

In January 2020, police in Lubumbashi arrested three men accused of running a child trafficking ring. Twenty-two child victims were freed during the arrest. (29) During the reporting period, the DRC's Juvenile Justice Courts, special courts designed to make the criminal justice system more accessible to child complainants as well as to provide additional protections to child defendants, heard cases involving 46,250 children. These included prosecutions of child trafficking and child commercial sexual exploitation. (29)

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Nevertheless, 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. Penalties for criminal violations related to the worst forms of child labor—including the use of children in armed conflict—are 1 to 3 years of imprisonment with fines of up to \$123 (200,000 CDF), which are insufficient to serve as deterrents. (3,15,22,50,51,53,87,88)

Ultimately, however, poor coordination in conducting investigations, collecting data, and providing services to victims continues to hinder the government’s ability to adequately combat the worst forms of child labor. (3,31) Research indicates that both the military and civilian justice systems lack the capacity and resources to investigate and prosecute child labor violations. (4,22,66)

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 lack of coordination among agencies.

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

Coordinating Body	Role & Description
National Committee to Combat the Worst Forms of Child Labor (NCCL)	Oversees the National Action Plan to Combat the Worst Forms of Child Labor and monitors its implementation. (84,89) Led by the MOL and includes representatives from 12 other ministries, local NGOs, and civil society. (14,84,89) In 2019, convened an inter-ministerial meeting at which the implementation plan for the USDOL Combatting Child Labor in the Democratic Republic of the Congo’s Cobalt Industry project was formally adopted. (15,90)
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, UEPN-DDR refers demobilized child soldiers to social services providers for family reunification and reinsertion. (14,31,69) The commission is led by MOD’s Children Associated with Armed Forces and Armed Groups unit. (31,69) Additionally, the Country Task Forces on Monitoring and Reporting (CTFMR), which is co-chaired by the UN, documents all grave violations committed against children. With cooperation from MOD, CTFMR also engaged directly with armed group commanders, securing the voluntary release of 920 children in 2019. As of February 2020, 27 armed group commanders had committed to release children recruited into their ranks. (29) Between July and September 2019, CTFMR trained 429 officers from the police and from the Armed Forces of the Democratic Republic of the Congo (FARDC) on child protection, age verification, and preventing child recruitment and other grave violations. (28)
Joint Technical Working Group	Coordinates the implementation of the UN Child Soldiers Action Plan and activities at the provincial level in North Kivu, South Kivu, and Orientale provinces. Led by the MOGF and includes representatives from four other ministries and the UN. (3,5,91) In 2019, held two meetings to discuss preparations for the 7th report on the FARDC Action Plan and FARDC recruitment training. Additionally, organized training on child soldier screening, monitoring, verification, and demobilization processes, and participated in advocacy events. (3,28,31,32)
Inter-ministerial Commission Responsible for Addressing the Issue of Child Labor in Mines and on Mine Sites in DRC	Coordinates efforts to eradicate child labor in the DRC’s mining sector and serves as an advisor to other ministries combating child labor in mining. In 2019, announced a partnership with the USDOL to combat child labor in the mining sector. (15,37)
Agency for Prevention and the Fight Against Trafficking in Persons (APLTP)*	Advocates on behalf of victims, and investigates, prosecutes, and sentences traffickers, including government officials complicit in human trafficking. (29) Embedded in the Office of the Presidency and replaces a previous trafficking in persons working group. Includes government officials from the Congolese National Police and FARDC, local NGOs, and international organizations who formulate, coordinate, monitor, and evaluate government efforts to combat human trafficking. (29) Shelters managed by APLTP provided holistic care to an estimated 650 trafficking victims in 2019, many of whom were children. APLTP and Ministry of Interior officials also worked to standardize data collection and reporting, and used standard templates to report victim identification, investigations, prosecutions, and convictions. (29) Officials from the APLTP, members of the judiciary, Congolese National Police, Ministry of Mines, and Ministry of Social Affairs officials participated in four anti-trafficking trainings during the reporting period. (29)

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

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The creation of the APLTP in April 2019 addressed a long-standing need to increase coordination among various anti-human trafficking actors within the government. (29) Nevertheless, overlapping objectives and duplication of efforts, combined with a lack of resources and trained personnel, may have impeded the government's ability to coordinate actions to combat the worst forms of child labor. (24,31) In addition, the Disarmament, Demobilization, and Reintegration Commission is meant to take the lead on child soldier issues; however, research indicates that in practice, the Country Task Forces on Monitoring and Reporting often takes the lead. (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 whether relevant policies were active.

Table 9. Key Policies Related to Child Labor

Policy	Description
National Action Plan to Combat the Worst Forms of Child Labor (2012–2020)	Developed by the NCCL in consultation with UNICEF to eliminate the worst forms of child labor in the DRC by the end of 2020. (10,92) Promotes the enforcement of laws prohibiting the worst forms of child labor; universal primary education; monitoring and evaluation efforts; and improved coordination of stakeholders. Also seeks to raise awareness of the worst forms of child labor, empower communities to stop child labor practices, and provide prevention and reintegration services. (10,92) No activities were implemented in 2019 due to a lack of funding. (14)
Child Soldiers Action Plans	Includes UEPN-DDR's National Disarmament, Demobilization, Repatriation, Reintegration, and Resettlement (DDR III) plan, which aims to provide rehabilitation and reintegration services to demobilized combatants, including children. (3,95-97) 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. (96,98,99) Requires children separated from armed groups to be immediately transferred to UNICEF. (31) In 2019, UNICEF, through its partners, provided social services to 3,107 children formerly associated with armed groups. (29,32) The Action Plan to End the Recruitment and Use of Child Soldiers (Child Soldiers Action Plan), meanwhile, 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. (93,94) Includes standard operating procedures for age verification to help FARDC avoid underage recruitment. (2,3,5) During the reporting period, provided training on child protection issues to members of FARDC and police officers. (29,32) Additionally, the FARDC continued to screen new recruits, identifying and removing 141 children from its ranks in 2019. (28) MONUSCO and the government also worked with leaders of non-state armed groups to sign action plans to end the recruitment of children and establish an implementing mechanism. As of February 2020, 27 additional non-state armed groups have pledged to sign similar action plans. (7,30,31)
Action Plans to Address Child Labor in Mining	The National Sectoral Strategy to Combat Child Labor in Artisanal Mines and Artisanal Mining Sites (2017–2025), developed by the Ministry of Mines, seeks to eradicate child labor in artisanal mining by 2025. The strategy aims to strengthen relevant laws, improve data collection on the prevalence of child labor in the mining sector, promote responsible sourcing regulations, improve child protection measures, and build stakeholder capacity to address these issues. (100) In November 2019, the Ministry of Mines organized a workshop to operationalize the strategy. (29) More broadly, the Inter-Ministerial Commission's Triennial Action Plan (2017–2020) aspires to eradicate child labor in mining by 2020, particularly in the tin, tantalum, tungsten, cobalt, and copper sectors by monitoring existing policies and strengthening measures to remove children from mining sites. (101) The government is also cooperating with the Public Private Alliance for Responsible Minerals Trade to end child labor in the cobalt sector. (29)
APLTP's National Action Plan (2020–2024)†	Addresses all forms of trafficking in persons, including foreign born and domestic victims, and child soldiers. (29) Aims to prevent human trafficking through national awareness-raising programs and training government officials to recognize and refer trafficking cases to the appropriate authorities. Includes community radio messaging in multiple languages, the direction of public awareness campaign films, and the creation of a free trafficking-in-persons resource library to be hosted on the websites of the offices of the Presidency and the Ministry of Justice. (29) The National Strategy and accompanying 2020–2024 anti-trafficking National Action Plan, both finalized during the year, are the first such guidance documents in DRC's history. (29)
National Action Plan Against Sexual Violence in Conflict	Supports UN Resolution 1325 on women, peace, and security, which aims to prevent the recruitment of children, particularly girls, into armed groups; to provide social services upon their release; and to ensure perpetrators are prosecuted. (103,104) Research was unable to determine whether activities were undertaken to implement this policy during the reporting period.

† Program was launched during the reporting period.

‡ The government had other policies that may have addressed child labor issues or had an impact on child labor. (21,22,105,106)

During the reporting period, the Ministry of Mines organized a workshop to operationalize its National Strategy to Combat Child Labor in the Mining Sector. The strategy supports provisions in the 2018 mining law outlawing

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work in mines by children under age 18. (15,29) Additionally, the government allocated \$10.8 million (19 billion Congolese Francs) to the Ministry of Social Affairs to reduce child labor in the mining sector. (15) However, while the DRC has developed a number of action plans to combat child labor, only some received dedicated funding. (20,23,31,37)

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2019, the government funded and participated in programs that may contribute to preventing child labor (Table 10). However, gaps exist in these social programs, including the adequacy of programs to address the full scope of the problem in all relevant sectors.

Table 10. Key Social Programs to Address Child Labor

Program	Description
Programs to Support Vulnerable Children†	Government and donor-supported projects that aim to improve child protection. Includes a \$4 million Government of Japan-funded program that aims to provide education, vocational training, reintegration kits, and school feeding programs to 13,000 children and construct a training center for youth in North Kivu Province; a \$97 million Government of Canada-funded program that aims to assist 95,000 at-risk youth living near mining sites; and a Ministry of Social Affairs, Solidarity, and Humanitarian Affairs and NGO program to reintegrate children removed from the street into communities and reunify children formerly associated with armed groups with their families. (3,14,31,107) The government-run Center for the Transit and Orientation of Young Children in North Kivu Province provides psychological counseling and basic education and job skills training to ex-child soldiers. During the reporting period, the center supervised and helped reintegrate 400 children who had left armed groups. (29)
USDOL-Funded Projects	Includes Measurement, Awareness-Raising, and Policy Engagement (MAP 16) Project on Child Labor and Forced Labor, a \$20 million project implemented by the ILO to conduct research and develop new survey methodologies, improve awareness, strengthen policies and government capacity, and promote partnerships to combat child labor and forced labor. Along with IOM and the Walk Free Foundation, the MAP 16 project conducted research on forced labor, including forced child labor, in conflict zones in the DRC in 2018. The research is due to be published in 2020. (108) Also includes Combatting Child Labor in the Democratic Republic of the Congo's Cobalt Industry (2018–2021), a \$2.5 million project implemented by the ILO in Kolwezi, Lualaba Province aimed at reducing child labor and improving working conditions in the mining sector. (90,109) During the reporting period, the National Committee to Combat the Worst Forms of Child Labor formally adopted the project's implementation plan. (15,90) Additional information is available on the USDOL website.
World Bank-Funded Projects	Projects in support of re-establishing peace and stability. Includes Reinsertion and Reintegration Project (2015–2019), a \$21 million project that aims to assist with social reintegration for the child combatants identified as part of DDR III; Human Development Systems Strengthening (2014–2020), a \$46.8 million project that aims to increase birth registration and improve school infrastructure; and Education Quality Improvement Project (EQUIP) (2017–2021), a \$100 million project that aims to improve the quality of primary school education. (99,110–112) By October 2019, the Human Development Systems Strengthening project had provided 4,939 children with birth registration certificates. As of May 2019, the Reinsertion and Reintegration Project had demobilized 4,700 combatants since it began implementation in 2016. (113–115)

† 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. (116,117)

During the reporting period, the Ministry of Defense worked closely with the UN to identify and remove child recruits from FARDC. (29) However, the scope of child disarmament, demobilization, and reintegration programs remains insufficient. The reintegration process is slow, funding is inadequate, and collaboration between partners is weak. (3,22,43,118,119) Children separated from armed groups remain vulnerable to re-recruitment and stigmatization. Girls, who make up an estimated 30 to 40 percent of children associated with armed groups, often survive prolonged sexual and physical abuse in captivity and face social exclusion upon their return. Because this cycle of rejection increases their risk of re-recruitment, girls should be specifically targeted in the DDR process (5,43,118–121) Research also indicates that the government needs to strengthen its efforts to assist street children and implement programs specifically designed to assist children engaged in forced labor in agriculture, domestic work, and commercial sexual exploitation. (4,22,23,43)

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 the DRC (Table 11).

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Table 11. Suggested Government Actions to Eliminate Child Labor

Area	Suggested Action	Year(s) Suggested
Legal Framework	Establish by law a compulsory education age that extends to the minimum age for employment.	2013 – 2019
Enforcement	Collect and publish complete data related to criminal law enforcement efforts, including the number of investigations conducted, convictions secured, and penalties imposed for violations related to the worst forms of child labor.	2009 – 2019
	Fund civil and criminal enforcement agencies responsible for conducting inspections or investigations, and ensure labor inspectors have adequate resources and transportation to conduct worksite inspections throughout the country.	2015 – 2019
	Significantly increase the number of labor inspectors to meet the ILO's technical advice and ensure that inspectors receive adequate training and funding to carry out their duties.	2011 – 2019
	Issue appropriate decrees to ensure that enacted laws are implemented, including those related to light work provisions.	2009 – 2019
	Increase penalties for the worst forms of child labor so they are sufficiently stringent to serve as a deterrent.	2013 – 2019
	End FARDC support for non-state armed groups that recruit children and hold perpetrators of the worst forms of child labor, including child soldiering, accountable.	2017 – 2019
	Ensure the criminal justice system has the resources to investigate and prosecute child labor violations, and judges, prosecutors, and investigators receive training on new and existing laws on the worst forms of child labor.	2011 – 2019
	Improve coordination among relevant criminal enforcement agencies in conducting investigations, collecting data, and providing services to victims.	2017 – 2019
	Cease the practice of subjecting children to physical violence and detention for their alleged association with armed groups, and ensure that enforcement officials do not carry out extrajudicial killings.	2015 – 2019
	Ensure security forces do not subject children to human rights violations, including extortion and physical abuse, when dismantling artisanal small-scale mining operations, and hold them accountable if found to engage in such behavior.	2019
Coordination	Improve coordination among relevant ministries to avoid duplication of efforts and ensure that they receive adequate resources and trained personnel to combat the worst forms of child labor, including child trafficking.	2015 – 2019
	Ensure that Disarmament, Demobilization, Repatriation, Reintegration, and Resettlement (DDR III) Commission is able to coordinate the implementation of the DDR III program as intended.	2015 – 2019
Government Policies	Ensure all relevant policies, national action plans, and sectoral strategies to address the worst forms of child labor are adopted, funded, and implemented as intended.	2011 – 2019
Social Programs	Conduct a stand-alone child labor survey to inform child labor policies and practices.	2013 – 2019
	Improve access to education by ensuring that all children are registered at birth or are issued identification documents.	2012 – 2019
Social Programs	Improve access to education for all children by regulating classroom size, training additional teachers, building additional schools, and ensuring that schools are safe and students are not subjected to sexual abuse or forcible recruitment while at or on their way to school. Make additional efforts to prevent schools from being attacked and occupied by armed groups.	2012 – 2019
	Expand efforts to address the needs of demobilized children and incorporate stigmatization, gender, and re-recruitment concerns into programs to reintegrate such children.	2009 – 2019
	Establish or expand social programs designed to assist children engaged in forced labor in agriculture, street work, domestic work, and commercial sexual exploitation, and implement existing programs as intended.	2009 – 2019

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In 2019, the Republic of the Congo made a moderate advancement in efforts to eliminate the worst forms of child labor. The government approved comprehensive legislation making all forms of trafficking in persons illegal and worked with neighboring countries to implement bilateral anti-trafficking measures. The labor inspectorate also added 241 labor inspectors to its payroll. However, children in the Republic of the Congo are involved in the worst forms of child labor, including in commercial sexual exploitation and forced domestic work, each sometimes as a result of human trafficking. The government has yet to accede to the Palermo Protocol on Trafficking in Persons, and existing programs are not sufficient to address the scope of child labor in all relevant sectors. In addition, information on children's work is extremely limited because there has never been a national child labor survey or similar research conducted in the Republic of the Congo.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in the Republic of the Congo (ROC) are involved in the worst forms of child labor, including in commercial sexual exploitation, each sometimes as a result of human trafficking. Children also perform dangerous tasks in forced domestic work, sometimes as a result of human trafficking. (1-5) Table 1 provides key indicators on children's work and education in the ROC.

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, 2020. (6)

Source for all other data: International Labor Organization's analysis of statistics from Multiple Indicator Cluster Survey 5 (MICS 5), 2014–2015. (7)

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

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

Sector/ Industry	Activity
Agriculture	Farming, including in the production of manioc, peanuts, corn, plantains, potatoes, and sugar cane (1,3,8,9)
	Catching and smoking fish (3)
Industry	Working in stone quarries,† including breaking stones (1,3,4,8)
Services	Domestic work (1,3-5)
	Working in transportation as bus fare collectors (1,8)
	Market vending and carrying heavy loads† (1,3-5,8)
Categorical Worst Forms of Child Labor‡	Commercial sexual exploitation, sometimes as a result of human trafficking (2,4,5,10-12)
	Forced labor in farming, including in the production of cocoa, and in domestic work, and working in stone quarries, each sometimes as a result of human trafficking (2,3,8,13)
	Forced labor in market vending and working in bakeries (2)
	Forced labor of indigenous <i>Baka</i> children in farming, including in the production of manioc, and in fishing, hunting, and domestic work (2,3,8,14)

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

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

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In some rural areas, the majority ethnic Bantu population force non-majority, indigenous children to perform agricultural work for low wages 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. (4,5) In urban environments, children from West Africa work in forced domestic servitude for West African families in the major cities of Pointe-Noire and Brazzaville. (5) The majority of foreign children subject to forced domestic work or commercial sexual exploitation in the ROC originate from the Democratic Republic of the Congo, and from other West African nations, including Benin. (2,4,14,15) A 2015 report funded by UNODC found that most victims of commercial sexual exploitation as a result of child trafficking were between the ages of 9 and 11. (14) However, information on children's work is limited because there has never been a national child labor survey or similar research conducted in the ROC. (3)

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. (3,16,17) Over-enrollment, the absence of sanitation facilities, a lack of teachers, and sexual abuse in schools also pose barriers to education for some children, particularly in refugee or IDP camps and non-urban areas. (3,4,16,18,19) Indigenous children throughout the country may experience discrimination, linguistic barriers, prohibitive school fees, and long distances to travel to schools. (4,17,20,21)

II. LEGAL FRAMEWORK FOR CHILD LABOR

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

Table 3. Ratification of International Conventions on Child Labor

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

The government has established laws and regulations related to child labor (Table 4). However, gaps exist in the ROC's legal framework to adequately protect children from the worst forms of child labor, including the lack of a minimum age for voluntary recruitment into state armed forces.

Table 4. Laws and Regulations on Child Labor

Standard	Meets International Standards	Age	Legislation
Minimum Age for Work	Yes	16	Article 116 of the Labor Code; Article 68 of the Child Protection Code (22,23)
Minimum Age for Hazardous Work	Yes	18	Articles 4–5 and 8–9 of Order 2224 of 1953; Article 68 of the Child Protection Code (23,24)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Article 4–5 and 8–9 of Order 2224 of 1953 (24)
Prohibition of Forced Labor	Yes		Article 33 of the Constitution; Article 4 of the Labor Code; Articles 68 and 122 of the Child Protection Code (22,23,25)
Prohibition of Child Trafficking	Yes		Articles 2 and 4–6 of Law No. 22-2019 on Combating Trafficking in Persons (26)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Articles 60, 65–68, and 122 of the Child Protection Code; Articles 334–335 of the Penal Code (23,27)

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

Standard	Meets International Standards	Age	Legislation
Prohibition of Using Children in Illicit Activities	Yes		Articles 68–70 and 122 of the Child Protection Code (23)
Minimum Age for Voluntary State Military Recruitment	No		Article 49 of the Child Protection Code (23)
Prohibition of Compulsory Recruitment of Children by (State) Military	N/A*		Article 49 of the Child Protection Code (23)
Prohibition of Military Recruitment by Non-state Armed Groups	Yes		Articles 49 and 111 of the Child Protection Code (23)
Compulsory Education Age	Yes	16	Articles 1 and 3 of the Education Law; Article 29 of the Constitution (25,28)
Free Public Education	Yes		Article 1 of the Education Law; Article 29 of the Constitution (25,28)

* No conscription (29)

In June 2019, President Nguesso enacted comprehensive anti-trafficking legislation. (5,26,30) The new law prohibits all forms of domestic and international trafficking, and stipulates higher penalties for child trafficking. (26) The legislation includes prevention, identification, protection, and assistance services to trafficking victims. (26,31) It also establishes a national anti-trafficking commission and outlines bilateral and regional cooperation mechanisms. (5,26,32) The law's entry into force brings the ROC's child trafficking laws into compliance with international standards. (26,33)

National laws do not set a minimum age for voluntary recruitment into the armed forces. (21,23)

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 the Ministry of Labor and Social Security (MOL) that may hinder adequate enforcement of their child labor laws.

Table 5. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
Ministry of Labor and Social Security (MOL)	Enforces child labor laws. (17) Conducts initial inspections before referring cases to the Ministry of Justice and Human Rights (MOJ) for prosecution. (3)
Ministry of Justice (MOJ)	Enforces criminal laws against the worst forms of child labor. Dedicates two judges—one judge in Brazzaville and one in Pointe-Noire—to child protection cases. (3)
Ministry of the Interior's National Police	Enforces criminal laws against the worst forms of child labor and conducts initial investigations in cases of forced labor, human trafficking, and the use of children in illicit activities. (3)
Ministry of Social Affairs, Humanitarian Action and Solidarity (MSA)	Promotes the rights of vulnerable groups and contributes to anti-trafficking efforts by providing social welfare assistance to victims. (3,17) May conduct initial inspections before referring cases to MOJ for prosecution. (3) Through its Director General of Social Affairs, oversees government strategy to combat human trafficking. (14) Through its Task Force, leads efforts to combat human trafficking in Pointe-Noire, designates foster families to receive victims, and assists in repatriating or reintegrating victims. (3)

The Ministry of Justice and Human Rights (MOJ) and the National Police lead child labor law enforcement efforts, and the MOL and the Ministry of Social Affairs, Humanitarian Action and Solidarity (MSA) conduct initial investigations and provide support to victims after they are rescued. (4) Although there is a line item in the MSA's budget for activities to combat human trafficking, funds are disbursed irregularly or not at all. (14)

Labor Law Enforcement

In 2019, labor law enforcement agencies in the ROC took actions to combat child labor (Table 6). However, gaps exist within the operations of the MOL that may hinder adequate labor law enforcement, including the limited scope of inspections.

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Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2018	2019
Labor Inspectorate Funding	Unknown (4)	Unknown (5)
Number of Labor Inspectors	12 (4)	253 (5)
Inspectorate Authorized to Assess Penalties	Yes (4)	Yes (5,22)
Initial Training for New Labor Inspectors	No (4)	No (5)
Training on New Laws Related to Child Labor	No (4)	No (5)
Refresher Courses Provided	No (4)	No (5)
Number of Labor Inspections Conducted	Unknown (4)	Unknown (5)
Number Conducted at Worksite	Unknown (4)	Unknown (5)
Number of Child Labor Violations Found	Unknown (4)	Unknown (5)
Number of Child Labor Violations for Which Penalties Were Imposed	Unknown (4)	Unknown (5)
Number of Child Labor Penalties Imposed that Were Collected	Unknown (4)	Unknown (5)
Routine Inspections Conducted	Unknown (4)	Unknown (5)
Routine Inspections Targeted	Unknown (4)	Unknown (5)
Unannounced Inspections Permitted	Yes (4)	Unknown (5,22)
Unannounced Inspections Conducted	Yes (4)	Unknown (5)
Complaint Mechanism Exists	No (4)	Yes (5)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	No (4)	Yes (5)

The labor inspectorate added 241 labor inspectors to its payroll in 2019. (5) This figure brings the government into accord with the ILO's technical advice, which recommends 1 inspector for 15,000 workers, or 137 labor inspectors. (35,36) However, training opportunities for labor inspectors are very limited due to a lack of resources, particularly for lower-level staff. (14) Although the government lacks a formal process for referring children found in situations of child labor to appropriate social services providers, individual labor inspectors may leverage personal connections with inter-ministerial counterparts to refer children found during inspections to social services. (4,5) The government did not provide comprehensive information about labor law enforcement operations, such as number of inspections, violations found, and penalties applied, for inclusion in this report.

During the reporting period, labor inspections were not conducted in some parts of the country, especially in rural areas. (3,4,37) In addition, inspectors do not have access to government vehicles and rely on the employers whose businesses are being inspected to provide transportation. (37)

Criminal Law Enforcement

In 2019, criminal law enforcement agencies in the ROC took actions to combat child labor (Table 7). However, gaps exist within the operations of the criminal enforcement agencies that may hinder adequate criminal law enforcement, including allocating human resources.

Table 7. Criminal Law Enforcement Efforts Related to Child Labor

Overview of Criminal Law Enforcement	2018	2019
Initial Training for New Criminal Investigators	No (4)	No (5)
Training on New Laws Related to the Worst Forms of Child Labor	No (4)	No (5)
Refresher Courses Provided	No (4)	No (5)
Number of Investigations	Unknown (4)	Unknown (5)
Number of Violations Found	Unknown (4)	8 (5)
Number of Prosecutions Initiated	Unknown (4)	1 (5)
Number of Convictions	Unknown (4)	Unknown (5)
Imposed Penalties for Violations Related to The Worst Forms of Child Labor	Unknown (4)	Unknown (5)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	No (4)	Yes (5)

During the reporting period, police arrested and extradited Alexis Ndouna, a prominent Gabonese fugitive who was accused of raping a child and of child sex trafficking. (30,38) Authorities also removed eight children,

one male and seven females, from exploitation and child labor. The MSA placed the children under state care and provided protective services pending repatriation. (5) Authorities arrested six presumed traffickers who remain in detention pending prosecution. Four of these cases involved children trafficked into the country from Benin. (5,30) The MOJ prosecuted one case of child trafficking in 2019. (5)

The government provides funding for prosecution, investigation, and convictions of suspected traffickers in the context of broader judicial and law enforcement programs. (5) In 2019, the government allocated \$8,000 to the MSA specifically for trafficking victim protection and assistance. The government provided services such as foster families and children's centers, as well as specialized care for children such as education, social support, food, and clothing. (2,30) In general, the MOJ and the MSA experienced difficulties in prosecuting offenders due to a weak judicial system, poor record keeping, a large backlog of cases in the high court, courts that convene infrequently and irregularly, and criminal law enforcement officials' and judges' unequal knowledge of anti-trafficking legislation and the Child Protection Code. (2,14)

The MSA, MOL, MOJ, and the National Police work together to enforce criminal laws against child trafficking; however, their efforts are limited to Brazzaville and Pointe-Noire. In addition, the National Police sometimes require payments from NGOs and other stakeholders to assist in operations to rescue victims of child trafficking. (3,14) Furthermore, existing penalties for the worst forms of child labor may not be severe enough to serve as deterrents because they are not commensurate with penalties for other serious crimes. (10,23)

IV. COORDINATION OF GOVERNMENT EFFORTS ON CHILD LABOR

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

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

Coordinating Body	Role & Description
Anti-Trafficking Coordinating Committee for Pointe-Noire (MSA Task Force)	Coordinates all efforts to combat trafficking of West African children in Pointe-Noire with UNICEF's support. Chaired by the Ministry of Social Affairs with representatives from other government agencies and civil society organizations. (2,3,5) Prevents and prosecutes cases of human trafficking and provides support to victims through placement with foster families. (39) During the reporting period, the committee provided funding for foster homes for child trafficking victims. (2)
National Commission to Fight Against Trafficking in Persons*	Coordinates government efforts on trafficking in persons and forced labor at the national level as a federal-level, inter-ministerial committee. (5) Article 34 of the 2019 Law on Combating Trafficking in Persons provides a dedicated line item for funding. (40) Met at least twice during the year in Brazzaville and in Pointe-Noire to discuss child labor issues and steps the government is taking to address violations of Congolese law. (5)

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

The government took steps to improve its coordinating mechanisms by reinvigorating the federal-level, anti-trafficking in persons commission. However, 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 for its work. (2,14) Furthermore, there is no coordinating body to oversee efforts to combat child labor at the national level. (3,39)

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 the lack of a national child labor action plan.

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Table 9. Key Policies Related to Child Labor

Policy	Description
National Action Plan to Fight Against Trafficking in Persons (2014–2017)	Aims to develop systems for monitoring and evaluation, strengthen the legal framework, and provide social services to victims of human trafficking. (41) Includes public awareness campaigns, training for law enforcement officials, and improvement of enforcement activities related to child trafficking. (3) Research indicates that the government continued to use this plan in 2019, along with advice from international partners, without formally extending or updating it. (5) During the reporting period, the plan achieved the goal of establishing a national commission to combat trafficking in persons. (5,40)

‡ The government had other policies that may have addressed child labor issues or had an impact on child labor. (14,15)

During the reporting period, the government took steps to implement a bilateral agreement with the Democratic Republic of the Congo that prevents minors from entering the ROC without the accompaniment of their parents. In addition, the government engaged with the Government of Benin to implement the September 2011 Cooperation Agreement between the two countries to combat human trafficking. (4,42) Despite severe financial restrictions, the government is currently writing the necessary application texts and regulations to implement its new anti-trafficking law. (5) 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. (43)

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2019, the government funded and participated in programs that may contribute to eliminating or preventing child labor (Table 10). However, gaps exist in these social programs, including the adequacy of programs to address the problem in all sectors.

Table 10. Key Social Programs to Address Child Labor

Program	Description
Safety Net Program (LISUNGI) and Additional Financing (2014–2019)	World Bank-funded project that grants improved access to health and education services to poor families in Brazzaville, Cuvette, and Pointe-Noire. (44) Includes a cash transfer program for 127 households conditioned upon regular health visits and that all children maintain an 80 percent school attendance rate each month. (4,44) In February 2019, the World Bank authorized \$22 million in additional financing to expand the LISUNGI program. (5)
McGovern-Dole International Food for Education and Child Nutrition Program (2017–2022)	\$30 million United States Department of Agriculture-funded, 5 year project implemented by WFP in Bouenza, Cuvette, Lekoumou, Likouala, Plateaux, Pool, and Sangha. Aims to improve literacy of school-aged children, increase healthy dietary practices, build capacity of government institutions, improve policy and regulatory framework, and increase government support and engagement of local organizations and community groups. (45) Research was unable to determine whether activities were undertaken to implement the program.
Observe, Reflect, Act Schools	Ministry of Education program supported by UNICEF, the EU, and WFP to improve access to education for indigenous children through a 2- or 3-year preparatory program. (20,46,47) 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. (46,48) The schools continued to operate during the reporting period, but sources indicate that they are funded entirely by international organizations and have in practice become the only form of free education in the country. (49,50)

‡ The government had other social programs that may have included the goal of eliminating or preventing child labor. (16)

In 2019, six ministerial decrees were adopted to implement the 2011 Indigenous People’s Act, which aims to facilitate access to education and social services for indigenous persons. The decrees mandate improved access to birth certificates, education, and increased legal protections. (5,51)

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. (3)

VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE CHILD LABOR

Based on the reporting above, suggested actions are identified that would advance the elimination of child labor in 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 – 2019
	Ensure that the minimum age for voluntary military service is no lower than age 16.	2015 – 2019
Enforcement	Ensure the Ministry of Social Affairs, Humanitarian Action and Solidarity funds to combat human trafficking are regularly dispersed.	2019
	Publish information related to labor and criminal law enforcement statistics, including the funding level for the labor inspectorate, the number and type of labor inspections conducted, violations found, penalties imposed and collected for child labor violations, number of criminal investigations conducted, and convictions secured.	2014 – 2019
	Institutionalize training for all labor inspectors, investigators, and law enforcement officers, including ensuring funds to train new inspectors and offering periodic refresher courses.	2014 – 2019
	Strengthen the labor inspectorate by ensuring that inspectors have adequate resources to conduct routine inspections throughout the country.	2015 – 2019
	Ensure that penalties for the worst forms of child labor are commensurate with penalties for other serious crimes.	2015 – 2019
	Remove barriers to enforcement and prosecution by strengthening the judicial system through improved record keeping, decreased court backlogs, more frequent hearings, and improved training for criminal law enforcement officials and judges on trafficking in persons legislation.	2014 – 2019
	Expand criminal enforcement efforts beyond large cities.	2014 – 2019
	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 – 2019
Coordination	Ensure that coordinating bodies receive adequate resources to function as intended.	2014 – 2019
	Establish a coordinating mechanism to combat child labor, including all its worst forms, at the national level.	2009 – 2019
Government Policies	Update the National Action Plan to Fight Against Trafficking in Persons.	2019
	Integrate child labor elimination and prevention strategies into existing relevant policies.	2009 – 2019
	Adopt a policy that addresses all relevant forms of child labor and the worst forms of child labor.	2013 – 2019
Social Programs	Conduct a national child labor survey or similar research to determine the activities carried out by working children to inform policies and programs.	2013 – 2019
	Improve access to education for all children, including those in non-urban areas, regardless of refugee status or ethnicity, by eliminating all school-related fees, regulating classroom size, removing linguistic barriers, providing sanitation facilities, building additional schools, training additional teachers, and ensuring that students are not subject to sexual abuse.	2009 – 2019
	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 – 2019

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Although research found no evidence that child labor exists in the Cook Islands, in 2019, the government made a minimal advancement in efforts to prevent the worst forms of child labor. During the reporting period, the Cook Islands increased its labor inspectorate budget. However, the government has not established adequate legal protections to prevent the worst forms of child labor. The law does not criminally prohibit the use, procuring, or offering of a child for prostitution, the production of pornography, or pornographic performances, or the use of children for illicit activities, including for the production and trafficking of drugs.

I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR




Research found no evidence that child labor exists in the Cook Islands.

The Government of the Cook Islands continues to plan its first Labor Force Survey—originally scheduled to occur in 2019—for 2020. The survey will be conducted by the Statistics Office of the Ministry of Finance and Economic Management and the Ministry of Internal Affairs’ Labor and Consumer Services section, with the ILO providing additional technical and financial support. (1-3)

II. LEGAL FRAMEWORK FOR CHILD LABOR

The Cook Islands is self-governing in free association with New Zealand, and it follows a combination of its own laws and some of the laws of New Zealand and the United Kingdom that were enacted prior to self-government in 1965. (1,4) 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. (1) The Cook Islands has ratified some key international conventions concerning child labor (Table 1).

Table 1. Ratification of International Conventions on Child Labor

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

The government has established laws and regulations related to child labor (Table 2). However, gaps exist in the Cook Islands’ legal framework to adequately protect children from the worst forms of child labor, including the prohibition of using children in illicit activities.

Table 2. Laws and Regulations on Child Labor

Standard	Meets International Standards	Age	Legislation
Minimum Age for Work	Yes	16	Article 30 of the Employment Relations Act (1)
Minimum Age for Hazardous Work	Yes	18	Article 73(2) of the Employment Relations Act (1)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Article 73 of the Employment Relations Act; Articles 52–53 of the Industrial and Labor Ordinance (1,2)
Prohibition of Forced Labor	Yes		Article 3 of the Prohibition of Forced or Compulsory Labor Ordinance; Article 109I of the Crimes Amendment Act (3,4)
Prohibition of Child Trafficking	Yes		Article 109I of the Crimes Amendment Act (4)
Prohibition of Commercial Sexual Exploitation of Children	No		

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

Standard	Meets International Standards	Age	Legislation
Prohibition of Using Children in Illicit Activities	No		
Minimum Age for Voluntary State Military Recruitment	Yes	18	Articles 36–37 of the Government of New Zealand’s Defence Act (5)
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 (6)
Free Public Education	Yes		Article 22.2 of the Education Act (6)

* No conscription (9)

† No standing military (11)

The Employment Relations Act prohibits children younger than age 13 from being employed. (5) The Act also prohibits a school-aged person, defined as ages 13 to 16, from working during normal school hours, working for more than 10 hours a week outside of school hours, or doing work that is not considered light work. (5) However, the legal framework does not determine the activities in which light work is permitted. (5) The Cook Islands does not criminalize the use of children in illicit activities, particularly the production and trafficking of drugs. (8) Although there are no armed forces in the Cook Islands, the law does not criminally prohibit non-state armed groups from recruiting children under age 18. New Zealand is responsible for the defense of the territory at the Cook Islands’ request. (9,11) Education is free and compulsory for all child citizens and permanent residents of the Cook Islands at the primary—starting at age 3—and secondary levels. (2,10)

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 relevant institutional mechanisms for the enforcement of laws and regulations on child labor (Table 3).

Table 3. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
Ministry of Internal Affairs	Enforces labor laws through the Labor Division and provides child services. Lead agency for implementing the UN CRC. (7)
Cook Islands Police Service	Enforces child labor laws. (7)

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. (1) The Cook Islands increased its labor inspectorate budget from \$152,886 in 2018 to \$163,232 in 2019. (2) Research was unable to determine how the increased funding was allocated.

Labor Law Enforcement

As there is no evidence of a problem, there appears to be no need for labor law enforcement actions to address child labor.

Criminal Law Enforcement

As there is no evidence of a problem, there appears to be no need for criminal law enforcement actions to address child labor.

IV. COORDINATION OF GOVERNMENT EFFORTS ON CHILD LABOR

As there is no evidence of a problem, there appears to be no need for mechanisms to coordinate efforts to address child labor.

V. GOVERNMENT POLICIES ON CHILD LABOR

As there is no evidence of a problem, there appears to be no need for policies to address child labor. However, the Government of the Cook Islands has established policies related to child labor (Table 4).

Table 4. Key Policies Related to Child Labor

Policy	Description
Cook Islands National Youth Policy (2015–2020)	Identifies priority areas for youth, including education and work opportunities, health, and youth risk and resilience. (8) Research was unable to determine whether activities were undertaken to implement the National Youth Policy during the reporting period. (9)
National Policy Framework for Children (2017–2021)	Provides a framework to protect the rights of children with outcomes focused on their health, education, safety, economic opportunities, and international connectivity. Aims to protect the rights of children by strengthening data collection on children to improve the government's understanding of child abuse and children's experience in the legal system; and to improve collaboration between the government, parents, and the community. (10) Research was unable to determine whether activities were undertaken to implement the National Policy Framework for Children during the reporting period.
United Nations Pacific Strategy (2018–2022)	A multinational strategic framework program consisting of 14 South Pacific nations to address, develop, and implement strategic economic development priorities in the South Pacific, including eliminating child labor and the worst forms of child labor. (11) Research was unable to determine whether activities were undertaken to implement the United Nations Pacific Strategy during the reporting period.

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

As there is no evidence of a problem, there appears to be no need for social programs to address child labor.

VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE CHILD LABOR

Based on the reporting above, the following actions would advance the continued prevention of child labor in the Cook Islands (Table 5).

Table 5. Suggested Government Actions to Eliminate Child Labor

Area	Suggested Action	Year(s) Suggested
Legal Framework	Ensure that laws criminally prohibit the use, procuring, and offering of a child for prostitution, the production of pornography, and pornographic performances.	2012 – 2019
	Ensure that the law prohibits the use of children in illicit activities, including the production and trafficking of drugs.	2015 – 2019
	Ensure that the law criminally prohibits the recruitment of children under age 18 by non-state armed groups.	2016 – 2019
	Ensure that the law's light work provisions are specific enough to prevent children from involvement in child labor.	2017 – 2019
Government Policies	Publish activities undertaken to implement the Cook Islands National Youth Policy.	2015 – 2019
	Publish activities undertaken to implement the National Policy Framework for Children.	2018 – 2019
	Publish activities undertaken to implement the United Nations Pacific Strategy.	2018 – 2019

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In 2019, Costa Rica made a significant advancement in efforts to eliminate the worst forms of child labor. The government published data from the 2018 National Household Survey, which includes information on the prevalence of child labor in Costa Rica. In collaboration with the International Labor Organization, the Ministry of Labor began implementing the Risk Module for Identifying Child Labor, which assists government officials in targeting communities at greater risk of employing child labor. In addition, prosecutors obtained sentences for three individuals on charges pertaining to the commercial sexual exploitation of children, and the government passed new laws on trafficking in persons, including one that increased the statute of limitations for victims. The government also adopted a new 4-year National Plan for Development that includes strategies for addressing child labor. However, children in Costa Rica engage in the worst forms of child labor, including in commercial sexual exploitation, sometimes as a result of human trafficking. Children also engage in child labor in agriculture. Furthermore, existing social programs are not accessible to workers in all sectors and the labor inspectorate lacks the authority to assess penalties for labor violations.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Costa Rica engage in the worst forms of child labor, including in commercial sexual exploitation, sometimes as a result of human trafficking. Children also engage in child labor in agriculture. (I-10) Table I provides key indicators on children's work and education in Costa Rica.

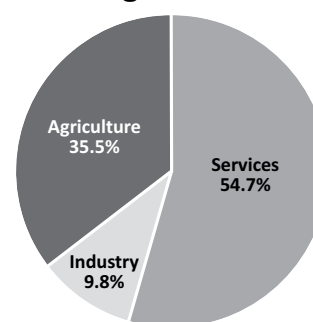
Table I. Statistics on Children's Work and Education

Children	Age	Percent
Working (% and population)	5 to 14	1.1 (8,071)
Attending School (%)	5 to 14	96.8
Combining Work and School (%)	7 to 14	1.1
Primary Completion Rate (%)		98.6

Source for primary completion rate: Data from 2018, published by UNESCO Institute for Statistics, 2020. (11)

Source for all other data: International Labor Organization's analysis of statistics from *Módulo de Trabajo Infantil (ENHAO-MTI)*, 2016. (12)

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



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

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

Sector/Industry	Activity
Agriculture	Cultivating bananas, pineapple, vegetables, roots, and tubers (8)
	Picking coffee (2,3,13-16)
	Weeding, clearing land, and watering seeds (4,17)
	Cattle raising, including for the production of milk (2,8,13,17)
	Fishing,† including shellfish extraction (13,18)

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

Sector/Industry	Activity
Industry	Construction, including of buildings (2,8,17,18)
	Mining† gold (17)
	Manufacturing, activities unknown (2,18)
Services	Working in restaurants, shops, and hotels (2,8,18,19)
	Street vending,† car washing, and repairing motor vehicles (2,8,10,13,17,20)
	Domestic work (2,8,10,17,18,21)
Categorical Worst Forms of Child Labor‡	Commercial sexual exploitation, sometimes as a result of human trafficking (5,6,10,22,23)
	Use in the production of pornography (17,24,25)
	Forced labor in the agriculture, construction, fishing, street vending, and commercial sectors (7,24,26)
	Domestic servitude (22,23)
	Use in transporting or selling drugs, sometimes as a result of human trafficking (17,22)

† 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.







In 2019, Costa Rica published the results of its 2018 National Household Survey (ENHAO), which includes partial data on child labor. The survey found that 13,328 children between the ages of 12 and 17 were working in Costa Rica. (10,27) The Ministry of Labor’s Office for the Eradication of Child Labor and Protection of the Adolescent Worker (OATIA) noted that working children in Costa Rica are employed in agriculture, domestic service, and street vending. Children in Costa Rica, including migrant children, are also subjected to commercial sexual exploitation, particularly in tourist destinations, border areas, and in the northern and Pacific coastal zones. (5-7,10,26) Costa Rica is also a destination country for child sex tourism, particularly with tourists from Europe and the United States. (22) Migrant children, typically from Nicaragua, are subjected to forced labor in agriculture, domestic servitude, and commercial sexual exploitation. (22,23,26)

Although preschool and general basic education are free and compulsory, children in rural areas, girls, LGBTI youth, and children from indigenous and Afro-descendant communities face challenges, such as discrimination and gender stereotypes, in accessing and completing their education. (1,5,28-30)

II. LEGAL FRAMEWORK FOR CHILD LABOR

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

Table 3. Ratification of International Conventions on Child Labor

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

The government has established laws and regulations related to child labor (Table 4). However, gaps exist in Costa Rica’s legal framework to adequately protect children from the worst forms of child labor, including the prohibition of non-state military recruitment of children.

Table 4. Laws and Regulations on Child Labor

Standard	Meets International Standards	Age	Legislation
Minimum Age for Work	Yes	15	Articles 78 and 92 of the Childhood and Adolescence Code (31)
Minimum Age for Hazardous Work	Yes	18	Articles 1 and 5 of Law 8922; Article 87 of the Labor Code (32,33)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Article 94 of the Childhood and Adolescence Code; Article 5 of Law 8922; Article 88 of the Labor Code; Articles 5–6 of Regulation No. 36640 (31-34)
Prohibition of Forced Labor	Yes		Articles 20 and 56 of the Constitution; Article 8 of the Labor Code; Articles 7, 170–172, 189 <i>bis</i> , 192, 376, 381, and 383–384 of the Penal Code; Article 84 of Regulation No. 36659; Article 7 of the Trafficking in Persons Law (33,35-38)
Prohibition of Child Trafficking	Yes		Articles 7, 170–172, 189, 192, 376, 381, and 383–384 of the Penal Code; Article 84 of Regulation No. 36659; Article 5 of the Trafficking in Persons Law (35,36,38)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Articles 160, 168, and 170–174 of the Penal Code (35)
Prohibition of Using Children in Illicit Activities	Yes		Articles 7, 188, 381, and 390 of the Penal Code; Article 77 of the Narcotics Law (35,39)
Minimum Age for Voluntary State Military Recruitment	N/A†		
Prohibition of Compulsory Recruitment of Children by (State) Military	N/A†		
Prohibition of Military Recruitment by Non-state Armed Groups	No		
Compulsory Education Age	Yes	17‡	Articles 57 and 59 of the Childhood and Adolescence Code; Article 78 of the Constitution (31,38)
Free Public Education	Yes		Article 59 of the Childhood and Adolescence Code; Article 8 of the Education Law; Article 78 of the Constitution (31,38,40)

† No standing military (38)

‡ Age calculated based on available information (31,38)

In 2019, the National Assembly passed two laws related to trafficking in persons. (23) Law No. 9726 revised the definition of trafficking in persons published in the 2018 amendment to Article 5 of the Trafficking in Persons Law by removing the requirement of demonstrating movement of a victim and clarifying that means such as force, fraud, or coercion are not necessary to establish child trafficking. (36,41) Law No. 9685 extended the statute of limitations for victims to 25 years, which begins to run once the victim is age 18, for crimes involving sexual abuse, including child commercial sexual exploitation. (23,42)

During the reporting period, the government collaborated with the NGO Paniamor Foundation to amend the country's comprehensive list of hazardous occupations, with a final bill expected to be sent to the National Assembly in early 2020. The revisions would restrict the participation of minors in public presentations and some fishing activities. (10) The government also passed the Dual Law on Education and Forma Training No. 9728 in September of 2019. The law establishes the legal criteria and scope for adolescents over age 15 and under age 18 to participate in employment-related education and job placement alternatives. (43,44) Costa Rica's minimum age for work is lower than the compulsory education age, making children between 15 and 17 vulnerable to child labor exploitation.

III. ENFORCEMENT OF LAWS ON CHILD LABOR

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

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Table 5. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
Ministry of Labor and Social Security (MTSS)	Monitors and enforces provisions in the Labor Code related to child labor, including conducting inspections and verification at worksites to ensure children are not engaged in hazardous labor or engaging in work that compromises a child's education. (31) Through the Office for the Eradication of Child Labor and Protection of the Adolescent Worker (OATIA), responds to and attempts to prevent child labor through policy development and public awareness campaigns. (45) 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. (19,31)
Attorney General's Office	Enforces criminal laws protecting children, including laws prohibiting forced child labor, human trafficking, commercial sexual exploitation of children, and the use of children in illicit activities. Coordinates with the Judicial Investigative Police, Immigration Police, Uniformed Police, and municipal police forces, and administers the following investigative and prosecutorial units: Specialized Prosecutorial Unit against Trafficking in Persons, Organized Crime Unit, Specialized Prosecutorial Unit for Gender Issues, and Juvenile Justice Unit. (10,17,46)
Judicial Investigative Police	Investigates child labor violations, including child trafficking, child commercial sexual exploitation, and the use of children in illicit activities. (23)
National Child Welfare Agency (PANI)	Leads the coordination of government and civil society efforts in child and adolescent protection. (47) Ensures that child labor victims receive social services, including temporary shelter, legal advice, counseling, and reintegration into the educational system. (31)

During the reporting period, the Institutional Technical Committee (CTI) of the National Child Welfare Agency (PANI) initiated revisions to the Protocol for Attention to Minor Victims of Trafficking based on a new management model adopted by PANI. The CTI also developed information-sharing capabilities using social media and mail services and planned training for at-risk minors through its mobile unit and early intervention center programs. (10)

Labor Law Enforcement

In 2019, labor law enforcement agencies in Costa Rica took actions to combat child labor (Table 6). However, gaps exist within the authority and operations of the MTSS that may hinder adequate labor law enforcement, including the ability to assess penalties.

Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2018	2019
Labor Inspectorate Funding	\$10,351,774 (1)	\$14,000,000 (10)
Number of Labor Inspectors	121 (1)	123 (10)
Inspectorate Authorized to Assess Penalties	No (1)	No (10,33)
Initial Training for New Labor Inspectors	Yes (1)	Yes (10)
Training on New Laws Related to Child Labor	N/A (1)	N/A
Refresher Courses Provided	Yes (1)	Yes (10)
Number of Labor Inspections Conducted	15,873 (1)	18,082 (10)
Number Conducted at Worksite	15,873 (1)	18,082 (10)
Number of Child Labor Violations Found	42 (1)	23 (10)
Number of Child Labor Violations for Which Penalties Were Imposed	Unknown (1)	Unknown
Number of Child Labor Penalties Imposed that Were Collected	Unknown (1)	Unknown
Routine Inspections Conducted	Yes (1)	Yes (10)
Routine Inspections Targeted	Yes (1)	Yes (10)
Unannounced Inspections Permitted	Yes (1)	Yes (10,33)
Unannounced Inspections Conducted	Yes (1)	Yes (10)
Complaint Mechanism Exists	Yes (1)	Yes (10)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (1)	Yes (10)

While the labor inspectorate identified 23 child labor violations during the reporting period, OATIA also identified 369 minors working, including 56 children under age 15. Meanwhile, PANI reported receiving 75

reports of minors engaged in child labor exploitation. (10) In 2019, three cases of child labor were forwarded to OATIA so that social services could be provided. (10)

The Labor Inspection Office has indicated that its 2019 budget was sufficient to meet its needs. (10) However, enforcement of child labor laws, particularly in rural areas, is reportedly challenging due to insufficient funds for travel, facilities, and per diem costs incurred during inspections. (1,17) In addition, the Labor Inspection Office indicated that the number of labor inspectors was insufficient to cover the target population. (10) The number of labor inspectors is likely insufficient for the size of Costa Rica’s workforce, which includes more than 2 million workers. According to the ILO’s technical advice of a ratio approaching 1 inspector for every 15,000 workers in industrializing economies, Costa Rica would employ about 148 inspectors. (48,49)

The labor inspectorate is authorized to give warnings to employers and conduct re-inspections. However, the authority to assess labor-related penalties rests with Labor Courts in the Judicial Branch. (10) Government monitoring and enforcement of child labor laws is also limited in the informal sector, in which most child labor occurs, especially hazardous adolescent work. (2,13,25,50,51) Informal work is more common in agriculture than in other sectors in Costa Rica. (2)

Criminal Law Enforcement

In 2019, criminal law enforcement agencies in Costa Rica took actions to combat child labor (Table 7). However, gaps exist within the operations of the criminal enforcement agencies that may hinder adequate criminal law enforcement, including training for criminal investigators.

Table 7. Criminal Law Enforcement Efforts Related to Child Labor

Overview of Criminal Law Enforcement	2018	2019
Initial Training for New Criminal Investigators	No (1)	Yes (10)
Training on New Laws Related to the Worst Forms of Child Labor	Yes (1)	Yes (10)
Refresher Courses Provided	Yes (1)	Yes (10)
Number of Investigations	Unknown	91 (10)
Number of Violations Found	13 (1)	79 (10)
Number of Prosecutions Initiated	2 (1)	16 (10)
Number of Convictions	Unknown	9 (10)
Imposed Penalties for Violations Related to The Worst Forms of Child Labor	Yes (1)	Yes (23)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (1)	Yes (10)

In 2019, the National Coalition against Migrant Smuggling and Trafficking in Persons (CONATT) identified two child victims of forced domestic labor and commercial sexual exploitation, one girl age 15 from Costa Rica and one girl age 15 from Nicaragua. (10) CONATT’s Immediate Response Team certified that four minor girls were victims of trafficking in persons, including the two victims of commercial sexual exploitation, and referred them to social services. (23) Meanwhile, PANI reported identifying 73 victims of commercial sexual exploitation during the reporting period. (10)

In addition, investigators arrested two people on charges of sexual trafficking, remunerated sexual acts with minors, and dissemination of images containing sexual abuse of minors. Authorities identified six victims, five of whom were minors. (23) In March 2019, one of the traffickers was convicted and sentenced to 39 years in prison. (23) In a second case, three individuals were arrested on charges of commercial sexual exploitation of a minor. Two of the perpetrators were sentenced to 300 years and 19 years of prison respectively, and the third one was acquitted. (23) In 2019, authorities within the Attorney General’s Office investigated 30 cases of remunerated sexual acts with minors, 2 cases of remunerated sexual relations with minors, and 1 case of attempted remunerated sexual relations with minors. (10) However, the Government of Costa Rica did not provide disaggregated data identifying the totality of criminal investigations and penalties issued in relation to the worst forms of child labor for inclusion in this report.

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During the reporting period, the Specialized Prosecutorial Unit against Trafficking in Persons offered extensive training on trafficking in persons and related crimes, including those involving organized criminal organizations, to more than 50,000 individuals representing government agencies and the public. CONATT reached almost the same number of individuals through training it provided in 2019, significantly increasing the reach of its training compared to 2018. (23)

Reports indicate that the judiciary, prosecutors, and the police require additional staff, training, and resources to identify victims of human trafficking and commercial sexual exploitation, refer victims to appropriate social services, and investigate, prosecute, and convict perpetrators. (6,23,26,52) Costa Rica also lacks a database to track human trafficking cases, making it difficult to target enforcement and prevention efforts. (26)

IV. COORDINATION OF GOVERNMENT EFFORTS ON CHILD LABOR

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

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

Coordinating Body	Role & Description
MTSS Office for the Eradication of Child Labor and Protection of the Adolescent Worker (OATIA)	Coordinates government policies and programs to combat child labor. (2,4) Oversees the Inter-Institutional Coordinating Protocol for the Protection of Working Minors. (53) In 2019, OATIA worked with ILO to finalize the first phase of the Risk Module for Identifying Child Labor, which will enable authorities to proactively target child labor by identifying communities at risk. (10)
National Committee for the Elimination of Child Labor and the Protection of Adolescent Work	Develops and promotes policy and program initiatives focused on eliminating child labor and regulating adolescent work. Overseen by OATIA and includes a technical secretariat that comprises representatives from various sectors. (4,54) As part of the committee's work, in 2019 OATIA developed child labor and hazardous adolescent work eradication projects focusing on indigenous populations primarily in the Limon province, and projects in artisanal fishing in the Central Pacific region and the islands in the Gulf of Nicoya. (10)
National Coalition against Migrant Smuggling and Trafficking in Persons (CONATT)	Leads government efforts to combat human trafficking and coordinates with OATIA and the National Commission Against the Commercial Sexual Exploitation of Children and Adolescents (CONACOES). (6,17) In 2019, produced a documentary called <i>Sobrevivir</i> (Surviving), which includes testimonies of victims of trafficking as a tool to train public employees and civil society. Also created a training process focusing on labor exploitation for approximately 600 public employees and continued its training and awareness-raising programs during the reporting period. (10) In addition, CONATT worked on achieving final approval and publication of its Public Policy on Trafficking and Smuggling and the policy's implementation plan, and finalized a draft bill against the smuggling of migrants to combat labor exploitation. (10)
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. (17) Led by the National Council of Childhood and Adolescence; coordinates with OATIA and CONATT to address the worst forms of child labor. (17,55) Underwent a restructuring process in 2019, which included the Institutional Technical Committee drafting new regulations for the commission. (10)

Reports indicate that coordination is lacking between institutions responsible for investigating the worst forms of child labor and those providing social services to victims. (4,6) OATIA has reported that its office needs additional staff to better assist children engaged in child labor and their families. In addition, OATIA has noted that its office shares one vehicle with two other MTSS units, which limits its ability to provide oversight of child labor programs. (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 implementation.

Table 9. Key Policies Related to Child Labor

Policy	Description
Roadmap against Child Labor and the Worst Forms of Child Labor (2010–2020)	Aims to eradicate all forms of child labor in Costa Rica by 2020 by strengthening anti-poverty, health, and educational programs and policies, and by raising awareness of child labor. (56-58) During the reporting period, MTSS implemented the first phase of the Child Labor Vulnerability Model, including publishing national- and provincial-level vulnerability statistics on its website. (10,59)
Inter-Institutional Coordinating Protocol for the Protection of Working Minors	Outlines provision of services for child laborers through collaboration between MTSS, PANI, the Ministry of Public Education, and the Joint Institute of Social Assistance (IMAS), and their regional and local agencies and the private sector. (2,4,60) Research was unable to determine whether activities were undertaken to implement the protocol during the reporting period.
National Plan for Development (2019–2022)†	Outlines the government's objectives, priorities, and goals in the use of resources and in the implementation of policies, plans, and projects over a 4-year period. The plan incorporates labor rights, child welfare and development, and poverty reduction, and integrates child labor as an indicator for establishing decent work and reducing employment insecurity. (10,62)

†Policy was approved during the reporting period.

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2019, the government funded and participated in programs that include the goal of eliminating or preventing child labor (Table 10). However, gaps exist in these social programs, including the accessibility of programs to all relevant groups.

Table 10. Key Social Programs to Address Child Labor

Program	Description
Bridge to Development†	Aims to reduce poverty and eliminate vulnerability, including child labor, by providing social services to families in poor communities. (4,25,58,63) Relaunched in 2019 under the new administration, the program was expanded to cover more than 75 districts. (64)
Face of Justice Shelter†	NGO-run shelter for child victims of human trafficking that provides PANI-funded monthly subsidies to victims and care from full-time staff, including a trauma psychologist and health practitioner. (24,26) During the reporting period, assisted 30 victims of child commercial sexual exploitation and initiated a campaign to purchase the shelter in which it houses clients. (67) In 2019, PANI provided additional funding of \$176,000 to support services for sexually exploited children and to increase Face of Justice's service quotas. (68)
Houses of Joy (<i>Casas de la Alegría</i>)†	Public-private alliance that provides culturally sensitive daycare and meals to <i>Ngäbe Buglé</i> , indigenous children whose parents work on coffee farms in Coto Brus. Aims to promote social inclusion and developmental opportunities for indigenous children and provide an alternative to child labor during the coffee harvest. (3,14,17,25,69-71) IMAS funds meals, caregiver salaries, and training; farm owners provide the land and classrooms, with financial contributions from UNICEF for building and teaching materials. (1,14,17,25,55,60,70) Assisted 737 children during the reporting period in Coto Brus and in new centers established in Tarrazu and Grecia. (10)
Let's Get Ahead Program (<i>Avancemos</i>)†	IMAS program that provides monthly conditional cash transfers to low-income families to keep children in school and out of exploitative work. (2,30,72) In 2019, 199,896 high school students received cash transfers and the government invested \$95,000,000 in the program during the reporting period. (10)
USDOL-Funded Projects to Support Youth Apprenticeship	USDOL-funded, \$3 million Youth Pathways to Leadership, Learning, and Livelihoods in Costa Rica (2016–2020) and \$2.9 million Promoting Apprenticeship as a Path for Youth Employment in Argentina, Costa Rica, and Kenya through Global Apprenticeship Network (GAN) National Networks (2016–2019). (73,74) Additional information is available on the USDOL 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. (75,76)

Research indicates that *Ngäbe Buglé*, indigenous children in Costa Rica who migrate with their families to work seasonally on coffee farms, face additional challenges in accessing social services due to long distances to service providers, language barriers, and complications in obtaining required documents from government institutions. (3,14,15)

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 Costa Rica (Table 11).

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Table 11. Suggested Government Actions to Eliminate Child Labor

Area	Suggested Action	Year(s) Suggested
Legal Framework	Ensure that the law criminally prohibits the recruitment of children under age 18 by non-state armed groups.	2016 – 2019
	Raise the minimum age for work to be commensurate with the compulsory age for education.	2019
Enforcement	Authorize the labor inspectorate to assess penalties.	2014 – 2019
	Publish information on the number of child labor violations for which penalties were imposed and collected, and disaggregate data related to the totality of criminal investigations conducted and penalties issued in relation to the worst forms of child labor.	2017 – 2019
	Allocate sufficient resources to ensure regular labor inspections in rural areas and the informal sector, including child labor inspections, particularly in agriculture.	2015 – 2019
	Increase the number of labor inspectors to meet the ILO's technical advice.	2015 – 2019
	Ensure that the judiciary, prosecutors, and the police have sufficient staff, training, and resources to investigate, prosecute, and convict perpetrators of human trafficking and commercial sexual exploitation of children; and identify victims of child trafficking and refer them to appropriate social services.	2017 – 2019
	Develop a mechanism to properly track human trafficking cases to improve enforcement and prevention efforts.	2019
	Strengthen coordination and information sharing between institutions responsible for investigating child labor and providing social services to victims.	2015 – 2019
Coordination	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 – 2019
	Ensure that government policies, such as the Inter-Institutional Coordinating Protocol for the Protection of Working Minors, are actively implemented, and report on regular activities.	2019
Government Policies	Ensure that government policies, such as the Inter-Institutional Coordinating Protocol for the Protection of Working Minors, are actively implemented, and report on regular activities.	2019
Social Programs	Enhance efforts to eliminate barriers and make education accessible for all children, including children in rural areas, girls, LGBTI youth, and children from indigenous and Afro-descendant communities.	2015 – 2019
	Improve access to social services, particularly for migrant, Ngäbe Buglé indigenous children in coffee-growing areas.	2015 – 2019

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In 2019, Côte d'Ivoire made a moderate advancement in efforts to eliminate the worst forms of child labor. The government initiated 143 prosecutions related to the worst forms of child labor, and the Ministry of Justice issued a circular instructing law enforcement officials and the judiciary to fine, arrest, or prosecute perpetrators of child labor. In addition, the government officially adopted the National Action Plan for the Fight Against Trafficking, Exploitation, and Child Labor, which was developed in 2018. However, children in Côte d'Ivoire engage in the worst forms of child labor, including in the harvesting of cocoa and coffee, sometimes as a result of human trafficking. A lack of financial resources and personnel may have hindered labor law enforcement efforts. In addition, labor inspectors are not authorized to assess penalties.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Côte d'Ivoire engage in the worst forms of child labor, including in the harvesting of cocoa and coffee, sometimes as a result of human trafficking. (1,2) According to a Multiple Indicator Cluster Survey conducted in 2016, 21.5 percent of children ages 5 to 17 are engaged in hazardous work. (3) 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 (%)		71.6

Source for primary completion rate: Data from 2017, published by UNESCO Institute for Statistics, 2020. (4)

Source for all other data: International Labor Organization's analysis of statistics from Multiple Indicator Cluster Survey 5, 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	Production of cocoa, including burning† and clearing fields;† cutting down trees† to expand cocoa plantations; spraying pesticides;† harvesting, drying, and fermenting cocoa beans; using sharp tools to break pods;† and transporting heavy loads† of cocoa pods and water (1,2,6-12)
	Production of cereals, pineapple, bananas, and coffee, including applying chemical fertilizers,† spraying pesticides,† cutting down trees,† and burning† and clearing fields† (2,6,13)
	Production of palm oil, cashews, honey, and rubber (1,2)
	Fishing, including deep sea diving;† repairing and hauling nets; cleaning,† salting, drying, descaling, and selling fish (1,2,13)
	Production of charcoal† (1,6,12)
Industry	Forestry (15)
	Mining,† including crushing and transporting stones, blasting rocks, digging, working underground, sieving, and extracting gold with mercury or cyanide (1,11,13,16,17)
	Manufacturing, including repairing automobiles (13)
	Construction,† activities unknown (13)

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

Sector/Industry	Activity
Services	Domestic work (2,3,11,13,18)
	Working in transportation and carrying goods† (1,6,11,13)
	Street vending and commerce (2,6,11,13)
	Work in restaurants (2)
Categorical Worst Forms of Child Labor‡	Forced labor in mining, carpentry, construction, domestic work, street vending, restaurants, and agriculture, including in the production of cocoa, coffee, pineapple, cotton, and rubber, each sometimes as a result of human trafficking (6,19)
	Commercial sexual exploitation, sometimes as a result of human trafficking (2)
	Use in illicit activities, including drug trafficking (20)
	Forced begging as talibés by Koranic teachers, sometimes as a result of human trafficking (21)

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

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







Children from Côte d'Ivoire are subjected to human trafficking for forced labor in domestic work within the country and in Northern Africa. Children are also brought from neighboring West African countries to Côte d'Ivoire for commercial sexual exploitation and forced labor, including in begging, cocoa production, and artisanal mining. (2,6,9,18)

School is mandatory for children ages 6 to 16 in Côte d'Ivoire. Although the Law on Education provides for free education, students are often required to pay for textbooks, school fees, or uniforms, which may be prohibitive to some families. (2,22-24) Identity documents are required for students to take entrance exams for secondary school, posing a barrier to continued education beyond primary level. (2,25) A shortage of teachers, poor school infrastructure, lack of transportation systems in rural areas, inadequate sanitation facilities, and violence have negatively impacted children's ability to attend school. (2) Research also suggests that some students are physically and sexually abused at school, which may deter some students from attending school. (2,24,26)

II. LEGAL FRAMEWORK FOR CHILD LABOR

Côte d'Ivoire has ratified all key international conventions concerning child labor (Table 3).

Table 3. Ratification of International Conventions on Child Labor

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

The government's laws and regulations are in line with relevant international standards (Table 4).

Table 4. Laws and Regulations on Child Labor

Standard	Meets International Standards	Age	Legislation
Minimum Age for Work	Yes	16	Article 23.2 of the Labor Code; Article 16 of the Constitution (27,28)
Minimum Age for Hazardous Work	Yes	18	Article 4 of the Prohibitions of Hazardous Work List (29)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Articles 5–11 of the Prohibitions of Hazardous Work List; Articles 6 and 19 of the Prohibition of Trafficking and the Worst Forms of Child Labor Law (29,30)
Prohibition of Forced Labor	Yes		Article 5 of the Constitution; Articles 7, 11–14, 20–23, and 26 of the Prohibition of Trafficking and the Worst Forms of Child Labor Law; Article 3 of the Labor Code (27,28,30)
Prohibition of Child Trafficking	Yes		Article 5 of the Constitution; Articles 11–12, 20–22, and 26 of the Prohibition of Trafficking and the Worst Forms of Child Labor Law; Article 370 of the Penal Code; Articles 4.4 and 6 of the Anti-Trafficking Law (27,30-32)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Articles 8–9, 15, and 24–29 of the Prohibition of Trafficking and the Worst Forms of Child Labor Law; Articles 4.4 and 6 of the Anti-Trafficking Law (29,30,32)
Prohibition of Using Children in Illicit Activities	Yes		Articles 4 and 30 of the Prohibition of Trafficking and the Worst Forms of Child Labor Law (30)
Minimum Age for Voluntary State Military Recruitment	Yes	18	Article 56.4 of the Armed Forces Code; Articles 7–8 and 18 of the Law Determining the Conditions for Entering the Military (33,34)
Prohibition of Compulsory Recruitment of Children by (State) Military	Yes*		Article 56.4 of the Armed Forces Code (33)
Prohibition of Military Recruitment by Non-state Armed Groups	Yes		Articles 4 and 31 of the Prohibition of Trafficking and the Worst Forms of Child Labor Law (30)
Compulsory Education Age	Yes	16	Article 10 of the Constitution; Article 2.1 of the Law on Education (27,35,36)
Free Public Education	Yes		Article 2 of the Law on Education (36)

* No conscription (34,37,38)

The civil code is being revised to include more specific designations of the minimum age at which certain types of work can be performed. (2)

III. ENFORCEMENT OF LAWS ON CHILD LABOR

The government has established institutional mechanisms for the enforcement of laws and regulations on child labor (Table 5). However, gaps exist within the authority of the Ministry of Employment and Social Protection that may hinder adequate enforcement of their child labor laws.

Table 5. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
Ministry of Employment and Social Protection (MEPS)	MEPS develops, proposes, and enforces all labor laws, including those related to child labor. (2,26) The Anti-Trafficking Unit, a Sub-Directorate, and the Ministry of Women, Family, and Children to provide support to victims of child trafficking and other forms of child labor. (2,18) MEPS implements the child labor monitoring system, <i>Système d'Observation et de Suivi du Travail des Enfants en Côte d'Ivoire</i> (SOSTECI), which enables communities to collect and analyze statistical data on the worst forms of child labor. (2,11,13) The General Labor Directorate in Abidjan coordinates the regional offices and their efforts to combat child labor. (20,39) On September 11, 2019, the Ministry of Justice and Human Rights issued Circular Note No. 006/MJDH instructing law enforcement and judges to fine, arrest, or prosecute all persons who do not respect national legislation regarding prohibitions against child labor, as well as parents who do not send their children to school as required by law. (2)
Ministry of Interior and Security	Through its Anti-Trafficking Unit, leads efforts to enforce criminal laws against child trafficking. Through its <i>Mondaine Brigades</i> , combats commercial sexual exploitation, including the exploitation of children. (2) Through its Unit for Combating Transnational Organized Crime, supports UNODC's West Africa Coast Initiative, which aims to improve cross-border cooperation to combat crimes, including human trafficking. (37,40)

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

Organization/Agency	Role
Ministry of Defense	Through its National Gendarmes Force, investigates child labor violations in rural areas where there is no police presence. (2)
Ministry of Justice	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)
Ministry of Women, Family, and Children	Leads the government's efforts to combat human trafficking and implements a National Policy on Child Protection. (2,41) Maintains the 116 <i>Allo</i> hotline for child labor issues, and responds to complaints. (2,42) Provides support to child labor victims in coordination with MEPS. (2,43)
National Commission of Human Rights	Maintains a hotline for reporting human rights abuses. (2)
Ministry of Security and Civil Protection's Fight against Transnational Crimes	Combats drug trafficking, trafficking in persons, and trafficking of diamonds and protected species. Maintains a sub-unit for child trafficking and juvenile delinquency focused on cocoa-producing areas. (2)

Labor Law Enforcement

In 2019, labor law enforcement agencies in Côte d'Ivoire took actions to combat child labor (Table 6). However, gaps exist within the operations of the Ministry of Employment and Social Protection that may hinder adequate labor law enforcement, including the authority to assess penalties for violations.

Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2018	2019
Labor Inspectorate Funding	\$416,171 (15)	\$307,400 (2)
Number of Labor Inspectors	292 (15)	258 (2)
Inspectorate Authorized to Assess Penalties	No (15)	No (2,44)
Initial Training for New Labor Inspectors	Yes (15)	Yes (2)
Training on New Laws Related to Child Labor	Yes (15)	Yes (2)
Refresher Courses Provided	Yes (15)	Yes (2)
Number of Labor Inspections Conducted	2,352 (45)	2,674 (46)
Number Conducted at Worksite	Unknown (15)	1,548‡ (2)
Number of Child Labor Violations Found	0 (15)	214 (2)
Number of Child Labor Violations for Which Penalties Were Imposed	N/A (15)	Unknown (2)
Number of Child Labor Penalties Imposed that Were Collected	N/A (15)	Unknown (2)
Routine Inspections Conducted	Yes (15)	Yes (2)
Routine Inspections Targeted	Yes (15)	Yes (2)
Unannounced Inspections Permitted	Yes (15)	Yes (2,44)
Unannounced Inspections Conducted	Yes (15)	Yes (2)
Complaint Mechanism Exists	Yes (15)	Yes (2)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (15)	Yes (2)

‡ Data are from January 1, 2019 to September 30, 2019. (2)

The number of labor inspectors is likely insufficient for the size of Côte d'Ivoire's workforce, which includes approximately 8,747,000 workers. (47) According to the ILO's technical advice of a ratio approaching 1 inspector for every 15,000 workers in developing economies, Côte d'Ivoire would employ about 584 labor inspectors. (47,48) Labor inspectors are also tasked with dispute conciliation, which may detract from their primary duties of inspection. (28,49) The labor inspectorate suffers from a lack of resources, including insufficient staff, office facilities, and transportation. (26,49) As a result, the inspectors primarily focus on the formal sector, leaving the informal sector largely unregulated. (45,49)

During the reporting period, there was a decline in allocated budget as well as labor inspectors. According to Ministry of Labor, the decrease in labor inspectors is due to natural attrition. (46)

Criminal Law Enforcement

In 2019, criminal law enforcement agencies in Côte d'Ivoire took actions to combat child labor (Table 7).

Table 7. Criminal Law Enforcement Efforts Related to Child Labor

Overview of Criminal Law Enforcement	2018	2019
Initial Training for New Criminal Investigators	Yes (15)	Yes (2)
Training on New Laws Related to the Worst Forms of Child Labor	Yes (15)	Yes (2)
Refresher Courses Provided	Yes (15)	Yes (2)
Number of Investigations	191 (15)	131 (2)
Number of Violations Found	7 (15)	218 (2)
Number of Prosecutions Initiated	87 (15)	143 (2)
Number of Convictions	79 (15)	15 (2)
Imposed Penalties for Violations Related to The Worst Forms of Child Labor	Yes (15)	Unknown (2)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (15)	Yes (2)

In August of the reporting period, the Office of the First Lady donated cars and office supplies to the police. Research indicates that despite an increase in the number of violations identified and prosecutions initiated, the Anti-Trafficking Unit lacks the resources and personnel to adequately enforce criminal child labor laws throughout the country. (9,50,51) The government did not provide any additional details regarding the conviction of individual defendants nor the imposition of penalties. (2) There were some high profile arrests in 2019. (46)

IV. COORDINATION OF GOVERNMENT EFFORTS ON CHILD LABOR

The government has established mechanisms to coordinate its efforts to address child labor (Table 8). However, gaps exist that hinder the effective coordination of efforts to address child labor, including coordination on data collection among ministries and between different regions.

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. (2,50,51) Chaired by the First Lady of Côte d'Ivoire and comprises 16 international and domestic partners. (2,18,50,52)
Interministerial Committee on the Fight Against Trafficking, Exploitation, and Child Labor	Designs, coordinates, and implements all government actions to combat the worst forms of child labor, and monitors relevant programs implemented by partner organizations. (42,50,52,53) Chaired by MEPS, includes representatives from 12 other ministries. (18,50,52,53) Research shows this committee was active during the reporting period.
National Committee for the Fight Against Trafficking (CNLTP)	Formed in support of the 2016 Anti-Trafficking Law and chaired by the Prime Minister, aims to fight human trafficking throughout Côte d'Ivoire. Oversees the implementation of the National Action Plan and Strategy Against Human Trafficking, coordinates government efforts, and monitors implementation of all projects related to human trafficking. (54) Includes representation at the local level through dedicated units charged with implementing the National Action Plan and Strategy Against Human Trafficking. (54,55) The Ministry of Women, Family, and Children serves as the executive secretariat and the committee comprises 13 ministries. (20) Became fully operation in February 2019. (56) Research shows this committee was active during the reporting period. (46)
Office of the First Lady	The Ivorian First Lady's office remains the key driver of the government's anti-trafficking efforts. (56) Engages with international partners on child labor issues in the cocoa trade and puts pressure on industry sourcing cocoa from Côte d'Ivoire to increase traceability. (56,57)

Coordination on data collection among ministries and between different regions remains a challenge. (20)

V. GOVERNMENT POLICIES ON CHILD LABOR

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

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Table 9. Key Policies Related to Child Labor

Policy	Description
National Action Plan for the Fight Against Trafficking, Exploitation, and Child Labor (2019–2021)	Coordinated by CNS and the Interministerial Committee on the Fight Against Trafficking, Exploitation, and Child Labor, aims to significantly reduce the number of children engaged in the worst forms of child labor by building on best practices and improving on lessons learned from the implementation of previous national action plans. Priorities include increasing efforts to mobilize resources at the national level, reinforcing regional cooperation and public-private partnerships, incorporating worst forms of child labor considerations into national and sector-specific programming, and reinforcing the monitoring and evaluation of the national strategy for the fight against human trafficking and the worst forms of child labor. (58) Officially adopted in June 2019 and received approval for a budget of \$132 million, although the full amount was not disbursed during the reporting period. (2)
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 Cocoa and Chocolate Industry. (42,59,60) Provides key stakeholders with resources and facilitates coordination of efforts to reduce the worst forms of child labor in cocoa-producing areas. Aims to ensure that all project efforts implemented under the Declaration and Framework align with Côte d'Ivoire's national action plans to promote coherence and sustainability. (42,59,60) USDOL-funded projects and some industry-funded projects carried out activities that support the spirit of this policy during the reporting period. (61)
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 for the Fight Against Trafficking, Exploitation, and Child Labor. (2) The Decent Work Country Program (2017–2020), in collaboration with ILO, aims to improve working conditions, strengthen SOSTECI, and combat the worst forms of child labor. (62,63) The National Development Plan (2016–2020) allocates almost \$6.1 million over 5 years to conduct diagnostic studies on child labor and child trafficking, construct three child protection centers, and develop a national action plan to combat human trafficking, particularly of girls. (64) SOSTECI was expanded during the reporting period. (2)
National Action Plan and Strategy Against Human Trafficking (2016–2020)†	With the support of UNODC and coordinated by CNLTP, \$14.8 million project that aims to prevent human trafficking, expand social services for victims by improving physical infrastructure, provide training for law enforcement personnel and other stakeholders, promote coordination, and collect data on human trafficking. (65,66) This national action plan does not take fully into account all aspects of human trafficking in Côte d'Ivoire, and the coordination to implement the program continued to be weak during the reporting period. (25,67) During the reporting period, the CNLTP implemented workshops supported by UNODC. (25,46)
Labor Inspection Strategy (2019–2021)†	Developed during the reporting period 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, counseling, and monitoring. (15,45)
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. (22,74) Allocates \$1.34 billion to modernize the education system, including by building new classrooms, providing free textbooks to low-income families, and providing additional pedagogical training to teachers. (22) By the end of 2019, enrollment of primary school students in rural cocoa farming areas increased to 90 percent, up from 59 percent in 2008, which has been partially attributed to implementation of this law. (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. (23,24)

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2019, the government funded and participated in programs that include the goal of eliminating or preventing child labor (Table 10). However, gaps exist in these social programs, including the adequacy of programs to address the full scope of the problem in all sectors.

Table 10. Key Social Programs to Address Child Labor

Program	Description
USDOL-Funded Projects	USDOL projects in cocoa-growing areas of Côte d'Ivoire and Ghana aim to eliminate child labor through research, improved monitoring and enforcement, and implementation and expansion of SOSTECI. These projects include: Country Level Engagement and Assistance to Reduce Child Labor (CLEAR) (2013–2019), \$7.95 million project implemented in at least 10 countries by ILO; Building a Generation of Safe and Healthy Workers: SafeYouth@Work (2014–2019), \$11,443,156 global project implemented by ILO with Côte d'Ivoire as one of eight countries; Assessing Progress in Reducing Child Labor in Cocoa-Growing Areas of Côte d'Ivoire and Ghana (2015–2019), \$3 million project implemented by the National Opinion Research Center at the University of Chicago; and Eliminating Child Labor in Cocoa (2015–2019), \$4.5 million project implemented by the International Cocoa Initiative. (75,76) Additional information is available on the USDOL website.
Industry-Funded Projects	Aim to increase sustainability in the cocoa sector, improve farmer livelihoods and access to education, and combat the worst forms of child labor in cocoa-growing areas. Some projects support the World Cocoa Foundation's CocoaAction (2014–2020) strategy and the spirit of the 2010 Declaration. (42) Projects were active during the reporting period. (2)
Programs to Promote Education†	Programs 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>). Includes: the \$42.5 million Integrated Program for Sustainable School Feeding, WFP-funded program; the Ministry of National Education School Feeding Program; and the McGovern-Dole School Feeding Program, \$35.6 million joint initiative between WFP and the U.S. Department of Agriculture, in coordination with the Ministry of National Education that benefits 129,000 school children. (77,78) The McGovern-Dole School Feeding Program was active during the reporting period. (46)
World Bank-Funded Projects	Programs aim to improve access to education and provide poverty relief. Include: Second Fiscal Management, Education, Energy and Cocoa Reforms Development Policy Operation (2017–2020), \$125 million project to increase the number of primary school teachers; and Productive Social Safety Net (2015–2020), \$50 million cash transfer project to poor households in the Central, Northern, and Western regions of Côte d'Ivoire. (79,80) The Productive Social Safety Net project disbursed 73 percent of its funding as of November 2019. (81) The Second Fiscal Management, Education, Energy, and Cocoa Reforms Development Policy Operation has not reported updates since 2017.

† 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. (84-86)

Despite an increase in activities, the scope of existing programs is insufficient to fully address the extent of the child labor problem in Côte d'Ivoire. (2) The government primarily relies on NGOs to provide social services to victims of child labor and child trafficking. The Government of Côte d'Ivoire lacks funding and resources for social services. (87) In June 2019, the World Bank project, Productive Social Safety Net, was approved for \$100 million in additional funding. (81)

VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE CHILD LABOR

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

Table 11. Suggested Government Actions to Eliminate Child Labor

Area	Suggested Action	Year(s) Suggested
Enforcement	Strengthen the labor inspectorate to authorize and assess penalties.	2014 – 2019
	Publish information on enforcement efforts, including whether penalties were imposed or collected.	2016 – 2019
	Ensure that labor inspectorates and criminal law enforcement agencies receive a sufficient amount of funding to conduct inspections and investigations throughout the country, including in the informal sector.	2014 – 2019
	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 – 2019
	Increase the number of labor inspectors to meet the ILO's technical advice.	2009 – 2019
	Ensure that information is published on convictions and imposition of penalties of individual defendants of the worst forms of child labor.	2019
Coordination	Improve coordination on data collection among ministries and between different regions.	2012 – 2019
	Ensure that all coordinating bodies function as intended and are able to carry out their mandates.	2017 – 2019
Government Policies	Ensure all of the funds budgeted for the National Action Plan for the Fight Against Trafficking, Exploitation, and Child Labor are dispersed.	2019
	Integrate child labor elimination and prevention strategies into all relevant policies.	2013 – 2019

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

Area	Suggested Action	Year(s) Suggested
Social Programs	Improve access to education by eliminating all school-related fees; improving the accessibility of schools; ensuring that schools are free of physical and sexual abuse; and increasing the number of teachers, sanitation facilities, and schools, particularly in rural areas. Ensure that all children have access to birth registration and identity documents.	2011 – 2019
	Ensure that social programs to address child labor are fully funded by the government.	2019
	Expand existing programs to address the scope of the child labor problem in Côte d'Ivoire and institute programs to thoroughly address child labor.	2009 – 2019
	Ensure that victims of the worst forms of child labor are able to access social services throughout the country.	2015 – 2019
	Ensure that programs in support of education are operational and activities are reported.	2019

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In 2019, Djibouti made a moderate advancement in efforts to eliminate the worst forms of child labor. The Ministry of Labor quadrupled the size of its labor inspectorate, and Djibouti's Police Chief created a new Brigade for Minors. The government also enrolled 5,003 refugee children in education centers in Djibouti City and rural areas in collaboration with UNICEF. However, children in Djibouti engage in the worst forms of child labor, including in commercial sexual exploitation, sometimes as a result of human trafficking. Children also perform dangerous tasks in street work. Minimum age provisions only apply to children with a formal employment contract, which does not comply with international standards. Law enforcement efforts are inadequate to prevent and combat child labor, in part because labor inspectors lack the authority to assess penalties. In addition, the government did not make adequate efforts to enforce laws related to the worst forms of child labor due to lack of financial and human resource allocation and reporting mechanisms.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Djibouti engage in the worst forms of child labor, including in commercial sexual exploitation, sometimes as a result of human trafficking. (1,2) Children also perform dangerous tasks in street work. (1,2) 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 (%)		66.4

Source for primary completion rate: Data from 2018, published by the UNESCO Institute for Statistics, 2020. (3)

Source for all other data: International Labor Organization's analysis of statistics from Multiple Indicator Cluster Survey 3, 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	Caring for livestock, including goats and cattle (5)
Services	Domestic work† (2)
	Street work, such as shining shoes, washing and guarding cars, cleaning storefronts, sorting merchandise, collecting garbage, begging, and selling items (2,6,7)
	Working in restaurants, small shops, and family businesses (2)
Categorical Worst Forms of Child Labor‡	Commercial sexual exploitation, sometimes as a result of human trafficking (2,6-8)
	Forced domestic work and begging, each sometimes as a result of human trafficking (2,6-8)
	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 the Ethiopia-Djibouti trucking corridor. (1,6,9,10) Djibouti is also host to the largest number of foreign military installations in the world, including thousands of military personnel and security contractors. This foreign military presence heightens the risks of commercial sexual exploitation of

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girls. (11) There are also mixed-migration flows from Ethiopia, Yemen, the East Africa region, and the Arabian Peninsula. In 2019, Djibouti hosted more than 30,000 refugees and asylum seekers, as well as more than 100,000 migrants, many of whom were transiting through the country. (12,13) Nearly half of all refugees and asylum seekers are children. (12,14) Undocumented children were allowed to attend school but could not sit for exams. Djibouti requires national birth certificates or UNHCR refugee documentation to graduate, which may serve as a disincentive for undocumented children to attend school, and, as a result, they remain vulnerable to exploitation. (2) Children in rural areas, where access to documentation is limited, also face obstacles to attaining birth certificates. Because Djibouti requires national birth certificates or UNHCR refugee documentation to graduate, undocumented children remain vulnerable to exploitation. (2) Children in rural areas, where access to documentation is limited, also face obstacles attaining birth certificates. (2)

Although primary and middle schools are tuition-free, other school-related expenses may prevent children from attending school. (15-17) Enrollment rates are lower for girls and for all children living in rural or impoverished areas, making these children more vulnerable to child labor. (17,18) Despite the Passage of a National Refugee Law in 2017 which guarantees education as a fundamental right to refugees and asylum-seekers lawfully residing in Djibouti, over 40 percent of refugees aged 6 to 16 were not enrolled in school. (12,14,19)

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		Article 1 of the Law on the Fight Against the Trafficking of Persons and the Illegal Smuggling of Migrants; Article 23 of the Law Regarding Terrorism and Other Serious Crimes (21,22)
Prohibition of Commercial Sexual Exploitation of Children	No		Articles 394, 396, and 462–463 of the Penal Code; Articles 1 and 8 of the Law on the Fight Against the Trafficking of Persons and the Illegal Smuggling of Migrants (22,23)

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

Standard	Meets International Standards	Age	Legislation
Prohibition of Using Children in Illicit Activities	Yes		Articles 355–356 and 461 of the Penal Code (23)
Minimum Age for Voluntary State Military Recruitment	Yes	18	Article 1 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)

* 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. (23,27,28) 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, the types of hazardous work prohibited for children do not include street work, an area in which there is evidence of work in an unhealthy environment. (23,28-30) Furthermore, laws do not specifically criminalize the offering or procuring of a child for pornographic performances, or 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 the Ministry of Labor (MOL) that may hinder adequate enforcement of their child labor laws.

Table 5. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
Ministry of Labor (MOL)	Enforces all labor laws, including child labor laws and regulations. (7) Through its General Inspectorate of Labor and Social Laws, regulates youth employment. (2,27)
Djibouti National Police, including the Brigade for Minors*	Enforce criminal laws and investigate crimes related to child labor. (7) In 2019, with the assistance of UNICEF, Djibouti's Police Chief created a new unit called the Brigade for Minors to handle crime committed by children. (2)
Ministry of Justice	Prosecutes child labor cases referred by MOL. (7)
National Commission on Human Rights	Receives complaints and investigates cases of human rights violations, including child labor. (7,31) Assists victims in obtaining legal aid to prosecute violators. (31)

* Agency responsible for child labor enforcement was created during the reporting period.

In May, 21 police officers received child protection training, including 11 officers who will serve as focal points of the juvenile brigade. The training included modules on the international and national children's rights framework, and the role of case management systems in child protection. (33)

Labor Law Enforcement

In 2019, labor law enforcement agencies in Djibouti took actions to combat child labor (Table 6). However, gaps exist within the operations of the MOL that may hinder adequate labor law enforcement, including human resource allocation.

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Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2018	2019
Labor Inspectorate Funding	\$296,380 (7)	Unknown (2)
Number of Labor Inspectors	5 (7)	21 (2)
Inspectorate Authorized to Assess Penalties	No (7)	No (2,20)
Initial Training for New Labor Inspectors	Yes (34)	Yes (2)
Training on New Laws Related to Child Labor	Unknown (7)	N/A (2)
Refresher Courses Provided	Unknown (7)	No (2)
Number of Labor Inspections Conducted	Unknown (7)	103 (2)
Number Conducted at Worksite	Unknown (7)	73 (2)
Number of Child Labor Violations Found	Unknown (7)	Unknown (2)
Number of Child Labor Violations for Which Penalties Were Imposed	Unknown (7)	Unknown
Number of Child Labor Penalties Imposed that Were Collected	Unknown (7)	Unknown
Routine Inspections Conducted	No (7)	Yes (2)
Routine Inspections Targeted	No (7)	No (2)
Unannounced Inspections Permitted	Yes (7)	Yes (2)
Unannounced Inspections Conducted	Yes (7)	Yes (2)
Complaint Mechanism Exists	Unknown (7)	No (2)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (7)	Yes (2)

The government made efforts to publicize its laws on child labor. To this end, the MOL published notices in local newspapers reminding businesses that child labor is strictly forbidden in Djibouti. (2) In addition to releasing data on labor inspections conducted throughout the year, the MOL quadrupled the size of its labor inspectorate and plans to further hire 20 controllers by the end of 2024. (2) Djibouti is now in compliance with the ILO's technical advice of a ratio approaching one inspector for every 40,000 workers in less developed economies. (35-37) However, Djibouti does not employ inspectors or controllers dedicated exclusively to child labor law enforcement. (2) Moreover, labor inspections are not routinely scheduled. They are carried out in reaction to repeated or serious complaints, and only in the formal sector. (2) Inspectors do not target sectors or geographical areas where children are at risk of child labor, including its worst forms. (2) This inhibits the elimination of child labor in the informal sector, in which the majority of child labor occurs. The labor inspectorate is also not able to assess penalties. (2) Finally, although a mechanism for filing and responding to labor complaints exists, reports reflect a lack of efficiency and transparency. (2)

The government does not publish data on child labor violations. Funding for the General Inspectorate of Labor and Social Laws reportedly increased in 2019, but the government did not provide the budget for this report. (7,34)

Criminal Law Enforcement

Research did not find information on whether criminal law enforcement agencies in Djibouti took actions to combat child labor.

Table 7. Criminal Law Enforcement Efforts Related to Child Labor

Overview of Criminal Law Enforcement	2018	2019
Initial Training for New Criminal Investigators	Unknown (7)	Unknown (2)
Training on New Laws Related to the Worst Forms of Child Labor	Unknown (7)	N/A (2)
Refresher Courses Provided	Unknown (7)	Yes (2)
Number of Investigations	Unknown (7)	Unknown (2)
Number of Violations Found	Unknown (7)	Unknown (2)
Number of Prosecutions Initiated	Unknown (7)	Unknown (2)
Number of Convictions	Unknown (7)	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 (7,34)	Yes (2)

During the reporting period, the government dedicated additional resources to the protection of vulnerable populations, and the police made periodic arrests on suspicions of either sex or labor trafficking of minors. Police presence also increased along key child trafficking corridors, particularly along the Siesta beach road in Djibouti City. (32) However, due to procedural errors made in the investigation phase, a number of cases were ultimately not prosecutable. (32)

NGOs communicate trafficking indicators to the police, and the police rely upon these referrals to pass cases onto the prosecutor's office. (5,28,32) In 2019, the NGO Caritas International entered into separate memorandums of understanding with the Ministry of Women and Family and the National Commission of Human Rights. (32) During the reporting period, the two organizations referred cases involving victims of exploitation to Caritas' overnight shelter. The victims, who were minor girls, told center officials that they were subjects of sexual abuse in Yemen. (32) The referral mechanism exists for victims of child trafficking, commercial sexual exploitation, or abandonment, but not for children found in other types of child labor. (2) The government does not publicly release information on its criminal law enforcement efforts. (2)

IV. COORDINATION OF GOVERNMENT EFFORTS ON CHILD LABOR

The government has established mechanisms to coordinate its efforts to address child labor (Table 8). However, gaps exist that hinder the effective coordination of efforts to address child labor, including efforts to address all forms of child labor outside the scope of human trafficking.

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

Coordinating Body	Role & Description
Anti-Trafficking Working Group	Coordinates efforts to combat human trafficking through the development of a collaboration and outreach strategy focusing on the operationalization of the National Action Plan on Trafficking in Persons (2015–2022). The inter-agency working group is led by the Ministry of Justice, and includes representatives from MOL and the Ministry of the Interior. (1,38) In 2019, undertook large awareness-raising campaigns in Djibouti's rural areas, including along major trafficking routes. (2) The Anti-Trafficking Working Group met regularly during the reporting period, leading to enhanced coordination among government agencies, NGOs, and the UN. This, in turn, occasioned an increase in investigations and prosecutions of potential human trafficking cases. (1,2)
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. (39) Led by the Prime Minister and includes eight other agencies, representatives from NGOs, the private sector, and elected officials. (40) Advocates for newborn refugees and migrants to receive birth certificates, education under governmental programs for refugees and asylum seekers, and family reunification for unaccompanied migrant minors. (5) Research was unable to determine whether the council was active in 2019. (2)
Ministry of Women and Family	Coordinates child protection efforts. (2) Through its National Policy for Children in Djibouti, focuses on the survival, development, protection, and participation of children. (2,32) In 2019, began holding monthly meetings attended by representatives from the Ministry of Justice, the Police, the Ministry of Education, the Ministry of Health, the National Women's Union, the infant nursery Daryel, and the National Agency for the Disabled to coordinate efforts on at-risk children and victims of violence against children. (2)

Although the government has established an Anti-Trafficking Working Group, research did not find evidence that the government coordinates efforts to address other forms of child labor.

V. GOVERNMENT POLICIES ON CHILD LABOR

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

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Table 9. Key Policies Related to Child Labor

Policy	Description
National Action Plan on Trafficking in Persons (2015–2022)	Aims to strengthen the legislative framework to combat human trafficking, protect and assist human trafficking victims, and establish a national referral mechanism between law enforcement officials and social services providers. (41) The Anti-Trafficking Working Group, which coordinates the action plan's implementation, met monthly in 2019; however, the plan is not yet fully operational. (1,2)
Government of Djibouti Policies†	Includes the National Policy for Children in Djibouti (2018–2022), which set out fundamental rights for children, including access to basic social services, and mobilizes national resources toward these ends. (42) 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. (43) The National Education Plan (2017–2020) aims to expand preschool education opportunities for children in underserved regions, while reforming secondary, technical, and vocational education nationwide. The plan targets a 100 percent primary enrollment rate, with a 90 percent enrollment rate for children ages 11–14. (42,44) Under Djibouti's Education Master Plan (2010–2019), gross primary enrollment rates increased from 66 percent in 2011 to 75 percent in 2019. (42,44) The National Social Protection Strategy (2018–2022) seeks to broaden social protections for vulnerable children and youth. (42)
UNDAF (2018–2022)	Focuses primarily on programs that build capacity for victim recognition and protection, and assists the government in the development of its "Vision 2035" plan, which is aligned with the UN 2030 Agenda for Sustainable Development. The government has launched or expanded several new policies and programs under this framework, including a revised Social Protection Strategy. (34,42)

† Policy was approved during the reporting period.

In 2019, and for the fourth consecutive year, the National Action Plan on Trafficking in Persons was not fully operational, although the working group has improved coordination during this reporting period. (1,2) Research was unable to determine whether the government strengthened the legislative framework.

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2019, 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
IOM Voluntary Return Program	Supported NGOs, including SOS Children Village and Caritas Djibouti, in hosting migrant street children in 2019. IOM funded the construction of facilities that host and provide services to vulnerable children, including victims of human trafficking referred by state and non-state services, many of whom previously slept on the street or at Siesta Beach. (32) Caritas' overnight shelter opened in June 2019, and has since hosted 137 children. (32)
Ministry of Women and the Family Programs	Includes the Social Assistance Program (2016–present), which provides children and their families in vulnerable communities with education and in-kind support. Between 2016 and 2019, 3,086 families benefited from food aid, and 500 school kits were distributed. (42) Similarly, the Support Project for Girls and Women in Precarious Situations (2017–present) is a multi-sectoral program aimed at reducing girls' economic and social vulnerability through education and training. (42) The Country Strategic Option Program (2019–2024) is a rural poverty-reduction program established under Djibouti's revised Social Protection Strategy. In 2019, the Country Strategic Option Program initiated a pilot program to establish school vegetable gardens in rural areas, reaching 50 schools in 5 regions during the reporting period. (42,45) Djibouti's Support Program for Children with Academic Difficulties, established in 2017, aims to provide academic support for children from low-income families. In 2019, nearly 300 learning-disabled students benefited from specialized tutoring. (42)
National Family Solidarity Program†	Government-funded program implemented by the State Secretariat for National Solidarity that establishes cash transfers to support Djiboutian households in extreme poverty. (46) Research was unable to determine whether activities were undertaken to implement the National Family Solidarity Program during the reporting period.
UNICEF-Funded Projects	In collaboration with the Government of Djibouti through the National Office for Assistance to Refugees and Affected Populations, the Humanitarian Action for Children Project, and the UNICEF Country Program, promote access to quality education for children, especially from rural and poor urban areas; increase birth registration; and provide support for orphans and vulnerable children. (7,47,48) In 2019, UNICEF enrolled 5,003 refugee children in Read-Write-Count (<i>Lire-Ecrire-Compter</i>) and other education centers in Djibouti City and rural areas. (12) UNICEF also supported 440 migrant street children, providing them with literacy and vocational training and other social services, and funded the training of the newly created Brigade for Minors within the Police Department. (2,12)

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

Program	Description
World Bank-Funded Programs	Enhancing Income Opportunities in Djibouti (2015–2019) provided 3,000 youth and women with basic life skills training, coaching in business plan development, and access to finance. The Integrated Cash Transfer and Human Capital Project (2019–2022) seeks to expand the social safety net system and provide basic services in targeted poor communities. (2,49-51) 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. (14,52) The World Bank is coordinating efforts to expand education opportunities with UNICEF, the Global Partnership for Education, and other funding and implementing partners. (52) In October 2019, the Government of Djibouti and the International Development Association agreed to co-finance a \$22.4 million program to expand access to and improve retention in primary and lower secondary education for disadvantaged and vulnerable population groups. The project also plans to build the capacity of teachers and administrators in underserved areas. (53)
WFP-Transitional Interim Country Strategic Plan (2018–2019)	Provided social protection, human capital development, and resilience programming. (54,55) Research was unable to determine whether activities were undertaken to implement the Strategic Plan during the reporting period.

* Program was launched during the reporting period.

† Program is funded by the Government of Djibouti.

‡ The government had other programs that may have included the goal of eliminating or preventing child labor. (26,56,57)

The Government of Djibouti, in line with the 2017 Djibouti Declaration on Refugee Education, is working to implement its commitment to integrate child refugees into its national education system. (14,19,58,59) Nevertheless, research found no evidence of programs to assist children involved in domestic work, street work, and commercial sexual exploitation. (28) There are no official government-run shelters to assist child victims. The government has authorized NGOs to host migrant street children and orphans overnight, but it does not provide support or services to assist in these efforts. (5,8)

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 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 – 2019
	Ensure that laws criminally prohibit the use of children in prostitution and the procuring/offering of a child for pornographic performances.	2012 – 2019
	Ensure that hazardous occupations and activities prohibited for children are comprehensive.	2009 – 2019
Enforcement	Ensure that the labor inspectorate targets and conducts routine labor inspections in all relevant sectors, including informal businesses.	2017 – 2019
	Employ inspectors or controllers dedicated to child labor law enforcement, and ensure that inspectors receive training on child labor laws.	2018 – 2019
	Collect and publish data on the extent and nature of child labor to inform policies and programs.	2019
	Strengthen the labor inspectorate by allowing inspectors to assess penalties.	2015 – 2019
	Publish data related to labor law and criminal law enforcement efforts related to child labor.	2010 – 2019
	Ensure that the complaint mechanism exists, and that it is efficient and transparent.	2018 – 2019
	Provide the necessary resources, including training, for the Djibouti National Police to make viable referrals for the prosecution of child labor-related violations.	2017 – 2019
Coordination	Establish coordinating mechanisms to combat child labor, and ensure existing mechanisms are functioning as intended.	2009 – 2019
Government Policies	Implement the National Action Plan on Trafficking in Persons by taking concrete steps to combat child trafficking.	2017 – 2019
	Implement existing policies to address child labor, including its worst forms.	2016 – 2019

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

Area	Suggested Action	Year(s) Suggested
Social Programs	Enhance efforts to eliminate barriers and make education accessible for all children in rural areas, including girls, by removing school-related expenses.	2015 – 2019
	Ensure that all children, including refugees and asylum-seekers, have access to education by removing requirements for national birth certificates or UNHCR refugee documentation to attend school.	2019
	Ensure that the World Food Program Transitional Interim Country Strategic Plan implementation is supported by government collaboration.	2018 – 2019
	Implement programs to specifically address children involved in domestic work, street work, and commercial sexual exploitation.	2009 – 2019
	Implement the National Family Solidarity Program.	2018 – 2019
	Establish official government-run shelters to assist child victims.	2018– 2019

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In 2019, Dominica made a minimal advancement in efforts to eliminate the worst forms of child labor. In 2018, Dominica launched a Climate Resilience Agency and enacted the Climate Resilience Act, which facilitated in 2019 the rebuilding and reopening of all schools that had been damaged by the 2017 hurricane. Although research found no evidence that child labor, including its worst forms, exists in Dominica, no recent study of child labor has been done to confirm this. Dominica’s legal framework does not protect children from exploitative work outside of the school year, and the government has not determined the types of hazardous work prohibited for children. The country also lacks prohibitions against the use of children in pornography, or pornographic performances, and the use of children in illicit activities, including the production and trafficking of drugs.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Research found no evidence that child labor exists in Dominica. (1,2)

No current survey data on the child labor situation in Dominica is available. (1)




Since Hurricane Maria devastated the island in September 2017, some children have experienced long interruptions to their education due to destruction from the hurricane and the lack of government funds to rebuild schools. Many children left Dominica to attend school in other Eastern Caribbean states. (3-5) In 2018, Dominica launched a Climate Resilience Agency and enacted the Climate Resilience Act, which facilitated in 2019 the government’s rebuilding and reopening of all schools that had been damaged by the 2017 hurricane. (6-9)

Children from the Kalinago community face barriers to secondary education that could make them more vulnerable to the worst forms of child labor. Because there is no secondary school in the Kalinago territory, students encounter transportation and social integration challenges as they travel outside of the territory to attend school. (1, 10)

II. LEGAL FRAMEWORK FOR CHILD LABOR

Dominica has ratified all key international conventions concerning child labor (Table 1).

Table 1. Ratification of International Conventions on Child Labor

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

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

Table 2. Laws and Regulations on Child Labor

Standard	Meets International Standards	Age	Legislation
Minimum Age for Work	Yes	16	Articles 2 and 46 of the Education Act 1997 (11)
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 (12,13)
Prohibition of Child Trafficking	No		Sections 2, 8, 10, and 13 of the Transnational Organized Crime (Prevention and Control) Act (13)
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 (13,14)
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†		
Prohibition of Military Recruitment by Non-state Armed Groups	No		
Compulsory Education Age	Yes	16	Article 2 of the Education Act 1997 (11)
Free Public Education	Yes		Article 15 of the Education Act 1997 (11)

† No standing military (15)

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. (11)

Section 7(1) of the Employment of Women, Young Persons, and Children Act prohibits children under age 18 from working at night, unless they are working with family members. The law does not otherwise prohibit the employment of children in work that is likely to jeopardize their health, safety, or morals. (16,17) 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. (18) 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 trafficking. (13) 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. (17) In addition, the government has not enacted laws or regulations prohibiting the recruitment of children under age 18 by non-state armed groups.

III. ENFORCEMENT OF LAWS ON CHILD LABOR

Even with no evidence of a problem, the government has established institutional mechanisms for the enforcement of laws and regulations on child labor that may contribute to preventing or eliminating child labor (Table 3).

Table 3. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
Labor Division, Ministry of Justice, Immigration and National Security	Conducts inspections and enforces laws related to child labor. Authorized to conduct unannounced inspections at any location with employees and to take legal action against employers violating child labor laws. (19,20) Reports to police and social services those cases in which children are found in exploitative labor situations. (19,20)
Ministry of Health and Social Services	Conducts inspections and enforces laws related to child labor. Reports to police those cases in which children are found in exploitative labor situations. (20) Provides social services, including education, housing, counseling, and financial aid, to children in child labor cases. (19,20)
Police Force	Enforces criminal laws, including those related to child labor. (1)
Ministry of Youth Development and Empowerment, Youth at Risk	Responsible for social welfare for vulnerable groups such as abused and neglected children. Implements the “Chances” emergency shelter program for children and young adults, and the Basic Needs Trust Fund, which seeks to improve access to basic public services, enhance employability, and reduce social vulnerability in poor communities. (1)

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

Even with no evidence of a problem, the government funded and participated in programs that may contribute to preventing or eliminating child labor (Table 4).

Table 4. Key Social Programs to Address Child Labor

Program	Description
Basic Needs Trust Fund	Caribbean Development Bank (CDB)-implemented program supervised by the Ministry for Ecclesiastical Affairs, Family, and Gender Affairs that aims to reduce poverty through livelihood services, improved infrastructure, capacity-building projects, and technical services. (22)
Education Trust Fund† and School Textbook Provision Scheme†	The Education Trust Fund is a government-funded program implemented by the Ministry of Education and Human Resource Development (MOE) that provides financial assistance for textbooks, transportation, and registration and exam fees to students in secondary school who would otherwise be unable to complete their education. (23,24) During the reporting year, MOE announced that it would continue to provide financial aid through the education trust fund. (25) The School Textbook Provision Scheme is implemented by MOE and subsidizes the cost of textbooks for primary and secondary school students. (26) During the reporting period, MOE announced that it would continue to provide assistance through the Textbooks Provision Scheme and increase the value of textbook awards to secondary school students and bursars. (25)
School Feeding Program†	Government-funded program implemented by MOE that provides lunch to primary school students in targeted areas. (27) Research did not identify any implementing activities undertaken during the reporting period.
Climate Resilience Agency of Dominica (CREAD) and Climate Resilience Act	Launched in 2018, in partnership with the Clinton Foundation, CREAD funds, designs, procures, implements, and coordinates climate resilience projects, which include rebuilding and repairing major roads and infrastructure, approximately 20 schools and 27 health facilities damaged by Hurricane Maria in 2017, and providing support for 8,500 farmers across the island. (6-8)
Chances†	Government-funded program implemented by the Ministry of Youth Development and Empowerment, Youth at Risk, Gender Affairs, Seniors Security and Dominicans with Disabilities that supports an emergency residential shelter to provide short-term services to abused and neglected children. The shelter can accept victims of the worst forms of child labor. (1,20,28,29) Research did not identify any implementing activities undertaken during the reporting period.

† Program is funded by the Government of Dominica.

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In May 2018, the Organization of Eastern Caribbean States and UNICEF published a National Child Protection Action Plan to guide implementation of recommendations for Dominica's child justice framework. Dominica has neither completed the recommendations nor adopted the action plan. (I)

Although the government continued to fund social programs in 2019 that could address child labor, research was unable to determine whether activities were undertaken to implement the programs during the reporting period. (I)

VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE CHILD LABOR

Based on the reporting above, the following actions would advance the continued prevention of child labor in Dominica (Table 5).

Table 5. Suggested Government Actions to Eliminate Child Labor

Area	Suggested Action	Year(s) Suggested
Legal Framework	Define the conditions, activities, and number of hours permissible for light work.	2014 – 2019
	Ensure that the minimum age for hazardous work is age 18 for all children.	2015 – 2019
	Determine and codify the types of hazardous work prohibited for children, in consultation with employers' and workers' organizations.	2018 – 2019
	Criminally prohibit forced labor.	2019
	Criminally prohibit domestic child trafficking.	2019
	Enact legislation to specifically prohibit the using, procuring, or offering of a child for the production of pornography or pornographic performances.	2011 – 2019
	Prohibit the use of children in illicit activities, including the production and trafficking of drugs.	2014 – 2019
Social Programs	Ensure that the law criminally prohibits the recruitment of children under age 18 by non-state armed groups.	2016 – 2019
	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 – 2019

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In 2019, the Dominican Republic made a moderate advancement in efforts to eliminate the worst forms of child labor. The Ministry of Labor significantly increased the number of labor inspectors from 148 inspectors in 2018 to 205 inspectors in 2019. The Progressing with Solidarity program also supported over 300,000 households with school-aged children and the government expanded the Extended School Day program which covered over 75 percent of the nation's schoolchildren as of December 2019. However, children in the Dominican Republic engage in the worst forms of child labor, including in commercial sexual exploitation, sometimes as a result of human trafficking. Children also perform dangerous tasks in agriculture. Other gaps remain, including limited human and financial resources for the enforcement of child labor laws, especially with regards to preventing children from engaging in harmful work in the agricultural sector and commercial sexual exploitation. Labor inspectors also lack the authority to assess penalties for violations related to child labor.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in the Dominican Republic engage in the worst forms of child labor, including in commercial sexual exploitation, sometimes as a result of human trafficking. (1-5) Children also perform dangerous tasks in agriculture. (6-8) Table I provides key indicators on children's work and education in the Dominican Republic.

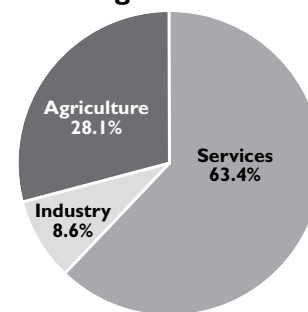
Table I. Statistics on Children's Work and Education

Children	Age	Percent
Working (% and population)	10 to 14	2.1 (21,968)
Attending School (%)	10 to 14	98.4
Combining Work and School (%)	10 to 14	2.0
Primary Completion Rate (%)		93.1

Source for primary completion rate: Data from 2018, published by UNESCO Institute for Statistics, 2020. (9)

Source for all other data: International Labor Organization's analysis of statistics from Encuesta Nacional de Fuerza de Trabajo (ENFT), 2014. (10)

Figure I. Working Children by Sector, Ages 10-14



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

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

Sector/Industry	Activity
Agriculture	Clearing land for sugarcane production, planting and harvesting sugarcane,† and collecting cut cane† (11-13)
	Producing coffee, cocoa, rice, tomatoes, bananas, beans, corn, garlic, onions, and potatoes (4,14-19)
	Fishing† (16,20)
Industry	Producing baked goods (6,17)
	Construction,† activities unknown (4,8)
Services	Street work, including vending,† shoe shining, begging, washing car windows, and transporting packages in markets (1,4,16,17,20-24)
	Working in beauty salons, restaurants, bars,† and coffee shops (6,25)
	Working in woodworking shops, auto repair shops, and welding shops (4,8,14,15,17,22)
	Scavenging in landfills (17,22,26)
	Domestic work (1,2,4,6,17,24)

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

Sector/Industry	Activity
Categorical Worst Forms of Child Labor‡	Forced labor in domestic work, agriculture, construction, street vending, and begging, each sometimes as a result of human trafficking (3,4)
	Commercial sexual exploitation, sometimes as a result of human trafficking (1-4,13,27,28)
	Use in illicit activities, including drug trafficking, sometimes as a result of human trafficking (4,27)

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

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

Children in the Dominican Republic are victims of commercial sexual exploitation, particularly in coastal, tourist locations. The porous border between Haiti and the Dominican Republic has allowed some Haitian children to be trafficked into the Dominican Republic, where they have been engaged in commercial sexual exploitation and forced to work in agriculture, domestic work, street vending, or begging. (1,2,13,22,27,29) Some children, including Haitian children and Dominican-born children of Haitian descent, work in agricultural production, often alongside their parents, and live in communities that frequently lack basic services, including schools. (11-13,21,30-32)

Many Dominican-born persons of Haitian descent, including children, continue to remain in undocumented status because of the 2013 Constitutional Tribunal Judgement. This judgment retroactively revised the Dominican Republic’s citizenship transmission laws, providing that children born to non-citizens in the Dominican Republic after 1929 are not citizens of the Dominican Republic. Many of those of Haitian descent affected by the Judgment were not able to obtain legal residency documents under Law 169-14 or the National Regularization Plan. (21) Up to December 2019, the last date for which information is available, approximately 26,000 of an estimated 135,000 Dominican-born individuals, most of which were of Haitian descent, affected by the 2013 Constitutional Tribunal judgement had citizenship reinstated. (21,33) The government also issued identity documentation, but not yet citizenship, to approximately 8,700 people who could prove they were born in the Dominican Republic prior to 2013 but had never registered their birth. (21,32,34-39) Some Dominican-born children of Haitian descent have been deported. (40) Children of undocumented migrant parents, many of Haitian descent, are particularly vulnerable to labor exploitation because they may lack birth or residency documents. This increases the likelihood that undocumented children may be denied access to education or may be engaged in child labor, including its worst forms, as labor inspectors may not be able to verify their ages. (1,4,5,26,27,30,41-42) In addition, Haitian children who remain in the Dominican Republic after their parents have been repatriated to Haiti due to their undocumented status are more vulnerable to the worst forms of child labor. (30,43)







National law guarantees free public education, requires that all children attend school until age 18, and prohibits the exclusion of children from the educational system based on a lack of identity documents. (44-47) Parents are also instructed to obtain birth registration documents for their children and the Ministry of Education provides free legal services to help parents obtain identity documents. In addition, national policy allows undocumented children to enroll in school. (48) 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 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. (19,34,35,48,49) In addition, during the reporting period, the Ministry of Education conducted public awareness-raising campaigns about school registration and the right to education for all children. Research did not identify cases of children without identity documents being denied access to education during the reporting period. (19,34,35,48,49) However, the Ministry of Education’s current Operations Manual of Public Education Centers incorrectly requires school administrators to request children to present identity documents to enroll in school. (50) Moreover, the Ministry of Education requires that students have a birth certificate on file to issue a high school diploma. As a result, children without identity documents are unable to prove that they have completed high school. (51,52)

Teacher shortages and a lack of school infrastructure create barriers to accessing education in the Dominican Republic. In addition, a high percentage of students drop out at the primary and secondary levels. (2,21,53-55) These issues particularly affect children living in rural areas and in communities predominantly of Haitian descent. Sources also indicate that some children of Haitian descent face discrimination by teachers and peers, travel long distances to schools, and are unable to afford school fees and supplies. (2,21,53-55)

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.

Table 4. Laws and Regulations on Child Labor

Standard	Meets International Standards	Age	Legislation
Minimum Age for Work	Yes	14	Article 245 of the Labor Code; Article 40 of the Code for the Protection of Children and Adolescents (46,56) Article 56.1 of the Constitution (47)
Minimum Age for Hazardous Work	Yes	18	Sections 1–2 of the Resolution on Hazardous Work for Persons Under Age 18; Article 251 of the Labor Code (31,56)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Articles 1–3 of the Resolution on Hazardous Work for Persons Under Age 18 (31)
Prohibition of Forced Labor	No		Articles 1, 3, and 7 of the Law Against Migrant Smuggling and Trafficking in Persons; Articles 25 and 409 of the Code for the Protection of Children and Adolescents; Articles 40–41 and 62.2 of the Constitution (46,57,58)
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 of Children and Adolescents; Article 41 of the Constitution (46,57,58)
Prohibition of Commercial Sexual Exploitation of Children	No		Articles 25 and 408–411 of the Code for the Protection of Children and Adolescents; Article 3 of the Law Against Migrant Smuggling and Trafficking in Persons; Article 24 of the Law on Technological Crime; (46,57,59) Article 56.1 of the Constitution (47)
Prohibition of Using Children in Illicit Activities	Yes		Article 85 of the Law on Drugs and Controlled Substances (60)
Minimum Age for Voluntary State Military Recruitment	Yes*	18	Articles 26 and 96–97 of the Organic Armed Forces Law (61)
Prohibition of Compulsory Recruitment of Children by (State) Military	Yes*		Articles 96–97 and 231–232 of the Organic Armed Forces Law (61)

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

Standard	Meets International Standards	Age	Legislation
Prohibition of Military Recruitment by Non-state Armed Groups	No		
Compulsory Education Age	Yes	14‡	Article 63 of the Constitution; Articles 33, 35, 37, and 40 of the Organic Law of Education (44,58)
Free Public Education	Yes		Article 63 of the Constitution; Articles 33, 35, 37, and 40 of the Organic Law of Education; Ministry of Education Circular No. 18 of 2011; Articles 45–46 of the Code for the Protection of Children and Adolescents (44-46,58)

* No conscription (61)

‡ Age calculated based on available information (44,58)

Laws related to forced labor are not sufficient because they do not criminally prohibit forced labor except when it results from human trafficking. (46,57,58) In addition, the prohibition against child trafficking is insufficient because it requires threats, the use of force, or coercion to be established for the crime of child trafficking. (57) While the Code for the Protection 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. (46) The law does not sufficiently prohibit commercial sexual exploitation, as the procurement of children for commercial sexual exploitation is not criminally prohibited. (46,47,57,59).

III. ENFORCEMENT OF LAWS ON CHILD LABOR

The government has established institutional mechanisms for the enforcement of laws and regulations on child labor (Table 5). However, gaps exist within the authority of the Ministry of Labor (MT, as per its initials in Spanish) that may hinder adequate enforcement of their child labor laws.

Table 5. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
Ministry of Labor (MT)	Leads efforts to eliminate child labor; conducts labor inspections, and oversees the Child Labor Directorate. Refers children found in exploitative conditions to social services, mainly the National Council for Children and Adolescents (CONANI). (21,22,62,63)
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. (5,13,27,64,65)
National Police's Trafficking in Persons Unit and the Directorate of Migration	Enforces criminal laws, including those prohibiting the worst forms of child labor, and coordinates with the AG in the prosecution of perpetrators. Under the Ministry of the Interior. (13,16,27,65) From 2018 to 2019, organized 10 workshops in 5 provinces and 3 municipalities. (66) In 2019, with support from external funding, the Ministry of Interior and the National Police signed an agreement with an NGO to promote awareness and prevent human trafficking at the community and provincial levels, including producing materials in Spanish and Creole to be used in Haina and San Cristóbal municipalities. (5)
Specialized Corps for Tourist Safety (CESTUR)	Prevents child sex abuse and commercial sexual exploitation in tourist areas, rescues child victims, and arrests and brings to justice child sex offenders. Overseen by the Ministry of Defense. (13)
Local Vigilance Committees	Prevent child labor at the local level by alerting law enforcement of activities linked to child labor, directing victims of child labor to social services, and working closely with the National Steering Committee to Eliminate Child Labor (CDN) to raise awareness of child labor. (18,67) In 2019, an additional 9 Local Vigilance Committees were created in high risk municipalities, for a total of 49 Local Vigilance Committees nationwide. (68-70)
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 MT to protect children against labor exploitation and enforce labor laws. (21,64)

Labor Law Enforcement

In 2019, labor law enforcement agencies in the Dominican Republic took actions to combat child labor (Table 6). However, limitations on the MT's authority, including the authority to assess penalties, may hinder adequate labor law enforcement.

Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2018	2019
Labor Inspectorate Funding	\$4.8 million (71,72)	\$5.1 million (4)
Number of Labor Inspectors	148 (19)	205 (4,33)
Inspectorate Authorized to Assess Penalties	No (19,56)	No (4,56)
Initial Training for New Labor Inspectors	Yes (19)	Yes (4)
Training on New Laws Related to Child Labor	N/A (19)	N/A (4)
Refresher Courses Provided	Yes (19)	Yes (4)
Number of Labor Inspections Conducted	75,751 (71)	76,405 (4)
Number Conducted at Worksite	75,751 (71)	76,405 (4)
Number of Child Labor Violations Found	31† (19)	30‡ (4)
Number of Child Labor Violations for Which Penalties Were Imposed	31† (19)	30‡ (4)
Number of Child Labor Penalties Imposed that Were Collected	Unknown (19)	Unknown (4)
Routine Inspections Conducted	Yes (19)	Yes (4)
Routine Inspections Targeted	Yes (19)	Yes (4)
Unannounced Inspections Permitted	Yes (19)	Yes (4)
Unannounced Inspections Conducted	Yes (19)	Yes (4)
Complaint Mechanism Exists	Yes (19)	Yes (4)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (19)	Yes (4)

† Data are from January 1, 2018 to November 30, 2018. (19)

‡ Data are from January 1, 2019 to November 30, 2019. (4)

In 2019, for the first time during the sugarcane harvest season, labor inspectors were present and available to respond to questions at worker orientation sessions at all of the major employers in the industry. During the reporting period, the MT employed 205 full-time labor inspectors, which is a significant increase from 2018. (4) Even so, that number of labor inspectors is insufficient for the size of the Dominican Republic's workforce, which includes over 4.7 million workers. According to the ILO's technical advice of a ratio approaching 1 inspector for every 15,000 workers in industrializing economies, the Dominican Republic would employ about 315 labor inspectors. (73-75)

Labor inspectors are authorized to reinspect worksites to ensure violations are remedied. However, re-inspections occur less frequently and are more difficult and less consistent in remote rural areas. (56,76) In addition, evidence suggests that some inspection reports do not set a timeframe for the remediation of the violations identified. (77) The MT is not authorized to assess penalties. (19,56,72)

The 2008 General Inspection Protocol and the 2011 Inspection Protocol for Agriculture instruct inspectors to assess child labor violations by reviewing workers' identity documents and employers' records, making observations, and conducting interviews. (76) Yet, the MT indicated improvements could be made with respect to how inspectors conduct interviews, ask follow-up questions, and use inspection data to strengthen the inspection system, in order to ascertain the ages of workers and guarantee that children under the age of 18 are not participating in dangerous unhealthy work. Moreover, reports indicate in some cases, Spanish-speaking inspectors working without translation assistance have been responsible for interviewing Creole-speaking workers with limited or no Spanish-language abilities, which may have hindered those inspections. (16)

From January through November 2019, the MT conducted 76,405 labor inspections, including 5,893 targeted child labor inspections in high-risk sectors, including agriculture, construction, and mining. The MT reported finding 30 child labor violations. (4) The MT also reported that 345 children and adolescents were identified

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through labor inspections in rural and urban areas and were removed from child labor and received social services. (5) Research indicates that inspections are not always conducted in a timely manner after requests are made. In addition, evidence suggests that inspection reports often contain errors and contradictions that undermine the credibility of these reports. (25,77,78) Reports also indicate that substandard labor inspections, incomplete labor inspection reports, and a lack of prosecutorial resources have hindered the ability of the Office of the Attorney General (AG) to pursue prosecutions on criminal matters involving child labor issues. (78)

A formal referral mechanism allows the MT to refer child labor victims found during labor inspections to the National Council for Children and Adolescents (CONANI) for social services. (18-20)

Criminal Law Enforcement

In 2019, criminal law enforcement agencies in the Dominican Republic took actions to combat child labor (Table 7). However, gaps exist within the operations of the criminal enforcement agencies that may hinder adequate criminal law enforcement, such as the lack of publicly available enforcement information, coordination among agencies, as well as human and financial resources.

Table 7. Criminal Law Enforcement Efforts Related to Child Labor

Overview of Criminal Law Enforcement	2018	2019
Initial Training for New Criminal Investigators	Yes (19)	Yes (4)
Training on New Laws Related to the Worst Forms of Child Labor	N/A (19)	N/A (4)
Refresher Courses Provided	Yes (19)	Yes (4)
Number of Investigations	10 (19,79)	Unknown (4)
Number of Violations Found	Unknown (19)	0 (4)
Number of Prosecutions Initiated	Unknown (19)	0 (4)
Number of Convictions	Unknown (19)	Unknown (4)
Imposed Penalties for Violations Related to The Worst Forms of Child Labor	Yes (85)	Unknown (4)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (19)	Yes (4)

In 2019, the Government of the Dominican Republic collaborated with the International Justice Mission to investigate three sex trafficking cases involving minor victims. In addition, with financial support from the European Union, the National Institute of Migration commissioned four research projects on trafficking in persons. (5) The government also reported that it opened five investigations for commercial sexual exploitation of minors, and convicted three German citizens of commercial sexual exploitation of minors. (5) Despite this information, the total number of investigations, prosecutions, and convictions related to the worst forms of child labor is unknown. (5,19)

Reports indicate 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. (5,16,27,49) In addition, reports indicate coordination between the MT and the AG has been limited mainly due to a lack of an appropriate case tracking system. Reports also indicate that some cases referred to the AG by the MT are not subsequently investigated and prosecuted by the AG. (5,8,78,81) The government also reported two incidents in which investigators, assigned to the office of the Special Prosecutor for Migrant Smuggling and Human Trafficking, were accused of complicity or abuse of a victim in human trafficking crimes. Investigations were still ongoing during the reporting period. (5)

During the reporting period, the Inter-Agency Commission Against Trafficking in Persons (CITIM), UNICEF, CONANI, the AG, and the Dominican airport agency AERODOM, continued their campaign against sexual exploitation and abuse of minors at several airports in the country. Despite these efforts, reports indicate that CONANI does not have the resources, facilities, and institutional capacity to meet the demand for services nationwide. (1,2,5,7,79,82)

IV. COORDINATION OF GOVERNMENT EFFORTS ON CHILD LABOR

The government has established mechanisms to coordinate its efforts to address child labor (Table 8). However, gaps exist that hinder the effective coordination of efforts to address child labor, including insufficient funding for key coordinating bodies to carry out their mandates.

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

Coordinating Body	Role & Description
National Steering Committee to Eliminate Child Labor (CDN)	Develops policies, approves programs, and coordinates, monitors, and evaluates efforts to combat child labor in the Dominican Republic. Overseen by the MT and comprising ministerial representatives, labor unions, private sector representatives, and NGOs. (21,22,63,83) Oversees system for referring children found during inspections to appropriate social services. (4) In 2019, participated in a World Day Against Child Labor with several other countries in Latin America and the Caribbean. (84)
Inter-Agency Commission Against Trafficking in Persons (CITIM)	Coordinates efforts to combat human trafficking and is responsible for developing and implementing national plans. Led by the Ministry of Foreign Affairs and comprises 14 government agencies, including the MT and law enforcement agencies. (27,72,86) In 2019, coordinated and led the consultation process with government agencies, NGOs, and international organizations for the modification of Law 137-03 that sanctions trafficking in persons. (5) Also collaborated with the AG, UNICEF, and the Dominican airport agency (AERODOM) to conduct an awareness-raising campaign in airports to educate the public about the penalties for crimes involving the commercial sexual exploitation of children. (87)
Social Policies Coordination Cabinet	Coordinates all social policies and conditional cash transfer programs, such as the Progressing with Solidarity (PROSOLI) program. Led by the Vice President. (16) In 2019, collaborated with Abdul Latif Jameel Poverty Action Lab to track and study PROSOLI's program participants. (88)

Evidence suggests that the Local and Municipal Committees of the National Steering Committee to Eliminate Child Labor (CDN) face limitations in their coordination efforts due to a lack of financial resources to adequately carry out their mandates. (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 insufficient funding for implementation.

Table 9. Key Policies Related to Child Labor

Policy	Description
National Strategic Plan to Eradicate the Worst Forms of Child Labor (PEN) (2006–2020)	Identifies the roles and responsibilities of government agencies and municipal representatives in eradicating the worst forms of child labor. Prioritizes prevention, protection, assistance, and the progressive eradication of the worst forms of child labor. (16,62,94) During the reporting period, the ILO supported MT to continue implementation of PEN. (4)
Roadmap Toward the Elimination of Child Labor in the Dominican Republic (2016–2020)	Aims to eliminate child labor by 2020 and sets targets and indicators for poverty reduction, health, education, institutional coordination, awareness raising, and information sharing. (2,20,63,95) During the reporting period, MT worked with other government ministries and the ILO to implement the roadmap. (4)
National Action Plan against Human Trafficking and Illicit Smuggling of Migrants (2017–2020)	Identifies the roles and responsibilities of government agencies in preventing and combating trafficking in persons and assisting trafficking victims. In 2019, CITIM began implementation of the plan. (5,19,86,87)
Education Pact (2014–2030)	Includes strategies to combat child labor and seeks to improve the quality of, and access to, primary and secondary education by increasing attendance and graduation rates and enrolling more students in the Extended School Day Program. (96,97) Implemented by the Ministry of Education and supported by the World Bank. In 2019, the plan was active and reportedly met or exceeded its targets for the year. (98)
National Development Strategy 2030	Aims to reduce poverty and inequality and includes programs that aim to combat child labor, provide universal education to all children, and expand access to secondary school, including for students without identity documents. Implemented by the Ministry of Economy. (20,53,99) During the reporting period, the government continued to dedicate 4 percent of GDP to education as indicated by the National Development Strategy. (4,19,100)

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

Insufficient allocation of resources has slowed efforts to fully implement key policies related to child labor, including conducting planned activities in a timely manner. (1,101)

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VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2019, the government funded and participated in programs that include the goal of eliminating or preventing child labor (Table 10). However, gaps exist in these social programs, including the adequacy of efforts to address the problem in all sectors.

Table 10. Key Social Programs to Address Child Labor

Program	Description
USDOL-Funded Projects	USDOL-funded projects that aim to eliminate child labor include Project to Reduce Child Labor and Improve Working Conditions in Agriculture in the Dominican Republic (FORMITRA) (2017–2021), a \$5 million project implemented by the ILO to support the efforts of the Government of the Dominican Republic to address child labor and strengthen labor law enforcement in agriculture; and From Protocol to Practice: A Bridge to Global Action on Forced Labor (2015–2019), a global project implemented by the ILO to support global and national efforts to combat forced labor of adults and children under the 2014 ILO Protocol and supporting Recommendation to C. 29 on Forced Labor. In the Dominican Republic, aims to build the capacity of the MT to enforce laws and regulations related to forced labor and improve data management systems. (102-104) In 2019, FORMITRA began development of an Electronic System for Labor Inspection Case Management. (105) Additional information is available on the USDOL website.
Progressing with Solidarity (PROSOLI)†	Government program that provides conditional cash transfers to low-income families to increase children's school attendance and reduce child labor. (2,54,106,107) In 2019, PROSOLI's School Attendance and School Subsidy Incentives in 2019 supported 116,296 households with school-age children, while its School Progress through Study Incentives supported 191,273 households with school-age children. (108) Although previous reports indicated PROSOLI required program participants to present identity documentation to access program benefits, PROSOLI provides legal assistance to participants to obtain identity documentation. (19)
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. (1,109) As of December 2019, the program covered over 75 percent of the nation's schoolchildren and is aiming to provide coverage nationwide by the end of 2020. (4,8,19,81)
Line 700 Hotline†	Office of the First Lady's free hotline to enable citizens to report cases of the worst forms of child labor. Active in 2019. (113,114)
UNICEF Country Program (2018–2022)	\$15.4 million UNICEF-funded program that supports the government's efforts to improve education, health, social inclusion, and protection for children in the Dominican Republic. Includes projects to increase birth registration rates and build the capacity of relevant government agencies to protect children, especially those without identity documents, from violence, sexual exploitation, and trafficking in persons. (2,54,115)

† 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. (14,115-117)

In 2019, in an effort to improve the national education system, the government allocated 4 percent of the national GDP in its budget for primary and secondary education for the seventh consecutive year. (1,2,4,8,20) 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)

VII. SUGGESTED 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 the law criminally prohibits forced labor.	2019
	Ensure that laws prohibiting child trafficking do not require threats, the use of force, or coercion as elements of the crime.	2019
	Ensure that the procurement of children for commercial sexual exploitation is criminally prohibited.	2019
	Criminally prohibit the recruitment of children under age 18 by non-state armed groups.	2016 – 2019
Enforcement	Increase the number of labor inspectors in accordance with the ILO's technical advice to provide adequate coverage of the workforce, especially in remote rural areas.	2009 – 2019
	Authorize the labor inspectorate to assess penalties and ensure that they are severe enough to deter violations.	2015 – 2019

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

Area	Suggested Action	Year(s) Suggested
Enforcement	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 – 2019
	Establish a system to verify the age of young workers to better protect children without birth certificates or other legal documentation from exploitation.	2012 – 2019
	Ensure that labor inspectors are able to communicate with Creole-speaking workers, including those who may be underage, to adequately conduct inspections for child labor violations.	2012 – 2019
	Improve training of inspectors to increase the quality of interviews with employers and workers, gather consistent documentation, conduct timely re-inspection to ensure compliance, and use inspection data to enable prosecution.	2012 – 2019
	Publish information on the number of child labor penalties imposed that were collected, and the number of criminal law enforcement investigations conducted, violations found, prosecutions initiated, and convictions secured.	2009 – 2019
	Increase the human and financial resources to ensure adequate criminal law enforcement related to child labor.	2009 – 2019
	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 – 2019
	Ensure that government officials are not complicit in facilitating the worst forms of child labor and ensure that perpetrators are prosecuted in accordance with the law.	2019
	Ensure that the National Council for Children and Adolescents has sufficient resources and facilities to provide the necessary care for victims of child labor.	2015 – 2019
Coordination	Ensure that the Inter-Institutional Commission Against Child Abuse and Commercial Sexual Exploitation is active.	2019
	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 – 2019
Government Policies	Ensure that appropriate funding exists to effectively implement and coordinate policies related to child labor.	2009 – 2019
Social Programs	Increase efforts to issue identity documents to all children to reduce their vulnerability to labor exploitation.	2011 – 2019
	Address the specific educational needs of vulnerable populations, including unaccompanied migrant children, children of parents who have been deported, and undocumented children.	2011 – 2019
	Increase school infrastructure and teacher availability, especially in rural areas, remove supply and school-related fees, and expand efforts to reduce discrimination in schools.	2011 – 2019
	Ensure that children without birth certificates or identity documents are not prevented from enrolling in schools, as permitted by Dominican law.	2017 – 2019
	Expand social protection programs, particularly for child victims of commercial sexual exploitation and harmful agricultural work.	2010 – 2019

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In 2019, Ecuador made a significant advancement in efforts to eliminate the worst forms of child labor. To improve coordination between ministries, the Ministry of Economic and Social Inclusion implemented an inter-agency agreement on joint inspections and the government put into effect the Inter-Institutional Action Protocol for the Comprehensive Care and Protection of Victims of Trafficking in Persons. The Ministry of Labor also upgraded its Unified System of Registration of Child Labor to make it easier to report cases and the government adopted the National Action Plan Against Trafficking in Persons. In addition, the government published the results of a study that included information on child labor and launched the Palma Futuro project to combat child labor and forced labor in the palm oil sector. However, children in Ecuador engage in the worst forms of child labor, including in commercial sexual exploitation, sometimes as a result of human trafficking. Children also perform dangerous tasks in mining. The labor inspectorate continues to lack sufficient resources and children continue to face barriers to education, especially in rural areas.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

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

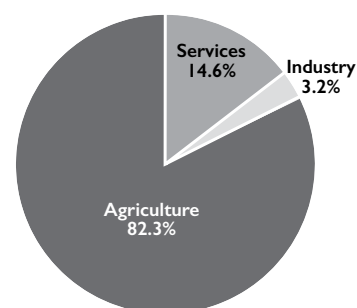
Table 1. Statistics on Children's Work and Education

Children	Age	Percent
Working (% and population)	5 to 14	4.9 (168,530)
Attending School (%)	5 to 14	97.3
Combining Work and School (%)	7 to 14	5.6
Primary Completion Rate (%)		104.4

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

Source for all other data: International Labor Organization's Analysis of Statistics from Encuesta Nacional de Empleo, Desempleo y Subempleo (ENEMDU), 2016. (5)

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



Although the National Council for Inter-generational Equity (CNII) 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. (3,6)

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 bananas, palm oil, and flowers, including the use of chemical products† and machetes† (3,7-9)
	Fishing† (3,7,8)
	Hazardous work in the carving† and threading† of abacá fiber (3,10)
Industry	Gold mining† and small-scale mining† (2,3)
	Production of bricks† (3,11,12)
	Construction,† including loading construction materials, mixing materials to make concrete, and brickwork (3,8,11,13)

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

Sector/Industry	Activity
Services	Domestic work† (3,7,14,15)
	Street work, including begging, shoe shining, selling newspapers, and vending (3,7,16-18)
Categorical Worst Forms of Child Labor‡	Commercial sexual exploitation, sometimes as a result of human trafficking (2,3,16,19)
	Use in illicit activities, including drug trafficking and robbery (3,6,19-21)
	Recruitment of children by Colombian non-state armed groups for use in armed conflict (2,19)
	Use in the production of pornography (3,19,22)
	Forced labor in banana and palm plantations, floriculture, fishing, mining; and in domestic work, street vending, and begging, each sometimes as a result of human trafficking (2,3,6,19,23,24)

† 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.

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. (2,21,22) Migrant and refugee children from Colombia and Venezuela are particularly vulnerable to street work, including forced begging. They are also vulnerable to exploitative labor practices in some parts of the fishing sector in the coastal region and artisanal mining in southern Ecuador and in the northern province of Imbabura. (2,3, 16, 19) Indigenous children between the ages of 6 and 10 from the highlands are trafficked for forced begging in Guayaquil, Quito, and Rumiñahui, initially under the false promises of employment. (3,9,15) Migrant and indigenous children are also vulnerable to labor trafficking in domestic servitude. (2,3,19)

Migrant and refugee children from other Latin American countries, girls from poor families, and indigenous and Afro-Ecuadorian girls are used in commercial sexual exploitation. (3) Commercial sexual exploitation in Ecuador also occurs near illegal mining sites. (3,13,15) Venezuelan, Colombian, and Peruvian girls are trafficked for commercial sexual exploitation in Ecuador. (3,16) Networks for commercial sexual exploitation also recruit children from schools, and increasingly through social media platforms that encourage children to recruit their friends and classmates. (19,22) On Ecuador’s northern border, children are forcibly recruited to engage in drug trafficking and robbery. (3)

Despite education being free in Ecuador, children face barriers to accessing education, including having to pay for uniforms and textbooks, lack of space and teachers, teen pregnancy, and lack of transportation for children who must attend schools far from their homes. (2,3,12) The lack of schools in rural areas specifically affects indigenous and refugee children, who must travel long distances to attend school. (2) Many indigenous children abandon school early, both in rural and urban areas. (8,25) International humanitarian organizations and local government officials reported that, in practice, schools sometimes denied children of refugees and migrants access to education. (3) According to government data as of March 31, there were 363,018 Venezuelans residing in Ecuador, with more than 45,000 Venezuelan refugee and migrant children registered for school during the 2019-2020 school year. Reports indicate that less than half of all school-aged Venezuelan children in Ecuador are attending school. (2,26)

II. LEGAL FRAMEWORK FOR CHILD LABOR

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

Table 3. Ratification of International Conventions on Child Labor




Convention	Ratification
 ILO C. 138, Minimum Age	✓
ILO C. 182, Worst Forms of Child Labor	✓

Table 3. Ratification of International Conventions on Child Labor (Cont.)

Convention	Ratification
 UN CRC	✓
UN CRC Optional Protocol on Armed Conflict	✓
UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	✓
 Palermo Protocol on Trafficking in Persons	✓

The government's laws and regulations are in line with relevant international standards (Table 4).

Table 4. Laws and Regulations on Child Labor

Standard	Meets International Standards	Age	Legislation
Minimum Age for Work	Yes	15	Article 46 of the Constitution; Article 82 of the Childhood and Adolescence Code (12,27)
Minimum Age for Hazardous Work	Yes	18	Article 87 of the Childhood and Adolescence Code (27)
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 (28,29)
Prohibition of Forced Labor	Yes		Articles 82, 91, 105, and 213 of the Integral Penal Code (30)
Prohibition of Child Trafficking	Yes		Articles 47 and 91 of the Integral Penal Code; Article 117 of the Organic Law on Human Mobility (30,31)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Articles 91 and 100-104 of the Integral Penal Code (30)
Prohibition of Using Children in Illicit Activities	Yes		Articles 47, 219, and 220 of the Integral Penal Code (30)
Minimum Age for Voluntary State Military Recruitment	Yes	18	Article 57 of the Childhood and Adolescence Code; Article 161 of the Constitution (12,27)
Prohibition of Compulsory Recruitment of Children by (State) Military	N/A*		
Prohibition of Military Recruitment by Non-state Armed Groups	Yes		Article 127 of the Penal Code; Article 57 of the Childhood and Adolescence Code; Article 161 of the Constitution (12,27,30)
Compulsory Education Age	Yes	15	Article 38 of the Organic Intercultural Education Law (32)
Free Public Education	Yes		Article 4 of the Organic Intercultural Education Law; Chapter 5, Article 28 of the Constitution (12,32)

* No conscription (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 Ministry of Labor that may hinder adequate enforcement of their child labor laws.

Table 5. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
Ministry of Labor (MOL)	Monitors child labor, conducts labor inspections at worksites, enforces child labor laws in the formal sector, administers sanctions and collects fines from companies found using child labor, and provides technical assistance to local governments on child labor. (3) Using the Unified System of Registration of Child Labor (SURT), collects information on child laborers and refers children to appropriate government services. (3)
Ministry of Social and Economic Inclusion (MIES), Office of Special Protection to Vulnerable Population	Conducts routine inspections in the informal sector for child labor and provides remediation services to child laborers and their families. (2,3) Through its Office of Special Protection, maintains a national anti-child labor program involving coordination with civil society organizations and local governments. (3) In 2019, MIES continued to provide services to children found in child labor and collaborated at the municipal level with civil society to provide activities for children to prevent child labor. (3,33) MIES also launched a program for homeless people and opened two shelters in Quito. (23)

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

Organization/Agency	Role
Attorney General's Office (AGO)	Enforces criminal laws against child labor, hazardous child labor, commercial sexual exploitation, and human trafficking. (2,34,35) 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. (2)
Ministry of Government	Oversees and evaluates all police actions, including the National Police Unit for Crimes against Children and Adolescents (DINAPEN). (2,21) DINAPEN investigates all crimes against children, including abuse, sexual exploitation, sex tourism, smuggling, kidnapping, exploitative child labor, and forced labor. (2,36) DINAPEN's National Investigative Unit against Trafficking in Persons and Illicit Smuggling of Migrants also investigates child trafficking cases, assists victims, and arrests traffickers. (37)
Office of the Prosecutor	Tries cases related to the worst forms of child labor. (3)

Labor Law Enforcement

In 2019, labor law enforcement agencies in Ecuador took actions to combat child labor (Table 6). However, gaps exist within the operations of the MOL that may hinder adequate labor law enforcement, including human resource allocation.

Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2018	2019
Labor Inspectorate Funding	Unknown	\$4,171,420 (3)
Number of Labor Inspectors	249 (2)	214 (3)
Inspectorate Authorized to Assess Penalties	Yes (2)	Yes (38)
Initial Training for New Labor Inspectors	Yes (2)	Yes (3)
Training on New Laws Related to Child Labor	Yes (2)	N/A (3)
Refresher Courses Provided	Yes (2)	No (3)
Number of Labor Inspections Conducted	15,605 (2)	25,280 (3)
Number Conducted at Worksites	15,605 (2)	25,280 (3)
Number of Child Labor Violations Found	72 (2)	53 (3)
Number of Child Labor Violations for Which Penalties Were Imposed	23 (2)	4 (3)
Number of Child Labor Penalties Imposed that Were Collected	107(2)	7 (3)
Routine Inspections Conducted	Yes (2)	Yes (3)
Routine Inspections Targeted	Yes (2)	Yes (3)
Unannounced Inspections Permitted	Yes (2)	Yes (38)
Unannounced Inspections Conducted	Yes (2)	Yes (3)
Complaint Mechanism Exists	Yes (2)	Yes (3)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (2)	Yes (3)

In 2019, the MOL upgraded its Unified System of Registration of Child Labor (SURT) to make it easier for government agencies and local authorities to use. (3) However, the government does not publish information from the SURTI system. (2,22) In response to concerns by the Ombudsman's office in November 2018 about health risks for families living on banana plantations exposed to chemicals and pesticides, the MOL increased inspections in banana producing provinces to monitor the safety of affected families. (3) However, research indicates that inspectors' coverage of the agricultural sector is insufficient, even though most children work in this sector. (2) During the reporting period, MIES assisted approximately 10,870 children vulnerable to child labor and removed 13 children from child labor as a result of inspections. MIES also implemented an inter-agency agreement to facilitate coordination between agencies on joint inspections. (3)

The number of labor inspectors is likely insufficient for the size of Ecuador's workforce, which includes over 8 million workers. According to the ILO's recommendation of 1 inspector for every 15,000 workers in developing economies, Ecuador would employ about 534 labor inspectors. (3,39,40) MOL also reported that the labor inspectorate lacked the necessary resources to fulfill its mandate, such as transportation and equipment. (3) Furthermore, inspectors do not have sufficient knowledge of child labor laws and lack training on identifying

victims of trafficking in persons. (3,19,22) According to the MOL, Ecuador's labor inspectors focus primarily on formal sector employment, but also conducted random and referred inspections in 2019 in the informal sector where large numbers of children work. (3,26) Although Ecuadorian laws and regulations governing child labor are comprehensive, those regarding hazardous work are not enforced equally in rural areas and family-run businesses. (2,41)

Criminal Law Enforcement

In 2019, criminal law enforcement agencies in Ecuador took actions to combat child labor (Table 7). However, gaps exist within the operations of the criminal enforcement agencies that may hinder adequate criminal law enforcement, including a lack of training for criminal investigators on the worst forms of child labor.

Table 7. Criminal Law Enforcement Efforts Related to Child Labor

Overview of Criminal Law Enforcement	2018	2019
Initial Training for New Criminal Investigators	Yes (2)	Yes (3)
Training on New Laws Related to the Worst Forms of Child Labor	Yes (2)	N/A (3)
Refresher Courses Provided	Yes (2)	Yes (3)
Number of Investigations	5 (2)	172 (3)
Number of Violations Found	2 (2)	Unknown (3)
Number of Prosecutions Initiated	5 (2)	103 (3)
Number of Convictions	2 (2)	Unknown (3)
Imposed Penalties for Violations Related to The Worst Forms of Child Labor	Yes (2)	Yes (3)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (2)	Yes (3)

In 2019, the government reported nine individuals were convicted for human trafficking, including one convicted of sexual exploitation and child pornography. (37) Between January and November, 25 children and adolescents received support from the Attorney General Office's (AGO) Specialized Victim Witness Protection Program. Seven of these cases related to the use and trafficking of illegal substances, six for trafficking in persons, six for forced prostitution or sexual exploitation, four for migrant smuggling, one for forced begging, and one for commercial child pornography. (3) During the reporting period, the National Investigative Unit against Trafficking in Persons and Illicit Smuggling of Migrants' operational staff increased from 32 to 49 police officers. The Ministry of Government reported that in February 2019, 30 police officers received training on improving anti-trafficking protection for children and adolescents. (37)

Although investigators in four provinces received training on child exploitation and human trafficking during the reporting period, the AGO noted that training was insufficient compared to the number of employees at each of the local and provincial offices. (3) Civil society reports that the National Investigative Unit and the National Police Unit for Crimes against Children and Adolescents (DINAPEN) lack resources to adequately investigate trafficking in persons cases. (37) The government did not provide information on the exact number of violations found and convictions made for the worst forms of child labor in 2019 for inclusion in this report. (26)

A reciprocal referral mechanism exists between law enforcement and social services for victims of trafficking; however, civil society reports that the mechanism is at times ad hoc. (3) 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 unrelated to sex. (19,20,42) Although the MIES will generally assign child victims to shelters depending on space availability, the National Investigative Unit and MIES officials cite a lack of shelters in many provinces as a primary constraint in victim assistance. (2,3,19,36,43)

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IV. COORDINATION OF GOVERNMENT EFFORTS ON CHILD LABOR

The government has established mechanisms to coordinate its efforts to address child labor (Table 8). However, gaps exist that hinder the effective coordination of efforts to address child labor, including for the provision of social services for victims of the worst forms of child labor.

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

Coordinating Body	Role & Description
Inter-Institutional Committee for the Eradication of Child Labor	Coordinates government efforts to combat child labor. Includes participation from MOL, DINAPEN, AGO, and MIES. (2,21) Regional inter-agency sub-committees on children and adolescence represent local governments on the committee. (3) The committee did not convene in 2019. During the reporting period, authorization for the committee's continuation was awaiting approval from the government. (3)
Inter-Institutional Coordinating Committee for the Prevention of Trafficking in Persons and Illicit Traffic in Migrants	Coordinates government efforts to combat human trafficking, including child trafficking. Established as part of the National Plan to Combat Human Trafficking, Sexual and Labor Exploitation, and Other Forms of Exploitation. (35) Met periodically during the reporting period to coordinate government anti-trafficking efforts, including those related to children, and began implementing an updated National Plan to Combat Trafficking in Persons. (3) The committee also held a 2-day conference in May to share best practices with their Colombian counterparts and establish an action plan to address human trafficking on their shared border. (37)
Technical Secretariat for the Lifetime Plan	Convenes government ministries to discuss issues, including child labor. (44) During the reporting period, the Secretariat continued to send out technical brigades to remote areas in all provinces to assist vulnerable populations, providing them with medical check-ups, and referring cases to MIES when cases of child labor were identified. (3)
National Council for Inter-generational Equity (CNII)	Coordinates inter-agency efforts to protect vulnerable populations, including children. Local autonomous governments also participate in coordinating mechanisms to combat child labor and implement the guidelines provided by CNII and are responsible for ensuring the correct application of norms related to child labor. (44) In June 2019, the Council and MIES released a partial study on child labor that was completed in October 2018, and government agencies responded to child labor trends found in the study. (3) CNII officials also met with provincial and city officials to lobby in favor of bills and policies relevant to the protection of children. (3) In 2019, local governments continued to monitor and coordinate efforts on child labor conditions through technical working groups. (3)
Inter-Agency Sub-Committee for the Eradication of Child Labor (Mesa Interinstitucional de Erradicación del Trabajo Infantil)	Coordinates regional efforts to address child labor. (45) Participants include MIES; regional councils of Childhood and Adolescence; ministries of Education, Labor, and Interior; DINAPEN; and AGO. (43,45) In September 2019, the inter-agency roundtable held a session in Cuenca with participation from MOL, Ministry of Public Health, MIES, and DINAPEN to address identified cases of child labor and determine actions for intervention. (46)

In 2019, the AGO hosted a bi-national workshop with the Government of Colombia to unite efforts in addressing trafficking in persons, highlighting the importance of coordination on operations at the shared border. (47) In November 2019, the Ecuadorian government put into effect the Inter-Institutional Action Protocol for the Comprehensive Care and Protection of Victims of Trafficking in Persons, which was drafted in 2018. The protocol enhances government efforts by providing a set process for inter-agency coordination of services for victims of trafficking and was used to provide protection and assistance to victims throughout the reporting period. (37,48,49)

Coordination between ministries providing social services has improved in recent years, but the government continues having difficulties ensuring that some children rescued from working in the informal sector receive adequate social assistance. (26,50)

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 the approval of the national action plan on child labor.

Table 9. Key Policies Related to Child Labor

Policy	Description
National Plan to Eradicate Child Labor (PETI) (2015–2017)	Establishes a strategy to eradicate child labor in Ecuador by 2021 and prevent hazardous child labor in agriculture, manufacturing, construction, and mining. Led by MOL, the plan operates under the National Plan for Good Living. (2,8,51) During the reporting period, the government continued to operate inspections under this national plan while awaiting executive approval of a new 3-year national plan to eradicate child labor, which is reportedly needed to improve inter-agency coordination. (3) On World Day against Child Labor on June 12, 2019, over 400 people, including mayors and national authorities, met to re-commit themselves to coordinated actions under the plan, including providing services for children involved in dangerous work and strengthening work on child labor at the local municipality level. (52) The government also held training and awareness workshops on child labor for parents, and events at which children received educational kits to encourage their continued school attendance and organized a forum in Guayaquil on protected adolescent work and applicable laws in which 230 students participated. (53,54) Although implemented by MOL as a pilot initiative, PETI operates without a permanent budget guaranteeing a dedicated agency in charge of efforts to combat child labor. (3)
National Action Plan to Combat Trafficking in Persons 2019–2030†	Aims to prevent, investigate, and impose legal sanctions against human trafficking with a focus on human rights, mobility, and gender, as the majority of victims in Ecuador are women. Launched in December of 2019, with U.S.-funded support by the IOM, it is the government's first multi-sectoral plan on trafficking that establishes goals for every public sector institution to address human trafficking. (55-57)
Lifetime Plan (<i>Plan Toda Una Vida</i>) (2017–2021)	Aims to support vulnerable populations from birth to advanced age through a series of social welfare programs. Aims to reduce child labor of children ages 5 to 14 to 2.7 percent by 2021. (22,58) Led by the Technical Secretariat for the Lifetime Plan. (59) Remained the government's signature social program in 2019 to assist vulnerable populations, including children. (3)

† Policy was approved during the reporting period.

In August 2019, Ecuador hosted the Fifth Sub-Regional Meeting on the Prevention, Protection, and Restitution of Rights in Response to the Sexual Exploitation of Girls, Boys, and Adolescents to exchange best practices with representatives from across South America and establish an inter-institutional plan of action to fight this crime. (37)

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2019, the government funded and participated in programs that include the goal of eliminating or preventing child labor (Table 10). However, gaps exist in these social programs, including the adequacy of efforts to address all worst forms of child labor.

Table 10. Key Social Programs to Address Child Labor

Program	Description
Business Network for a Child Labor Free Ecuador	UN initiative that seeks to gain commitment from participating industries to promote the prevention and elimination of child labor in their supply chains, trains businesses on child labor prevention, and creates employment opportunities for the parents of children engaged in child labor. (61) In 2019, co-organized an event with the Ministry of Labor in Guayaquil to commemorate June 12th's Day Against Child Labor. (62) In September 2019, the network collaborated with the local Ministry of Labor in the region of Azuay to launch the program "Actions that Educate" (<i>Acciones que Educan</i>) which creates seven free computer centers in the region for school children's use in an effort to discourage child labor. (63) During the reporting period, the network signed a commitment letter affirming plans to continue operations between 2019–2021. (64)
National Program to Combat Child Begging†	Seeks to raise awareness about child begging; aims to facilitate social services for children begging in the streets. (2) The government did not provide information on activities undertaken to implement this program in 2019 for inclusion in this report.
<i>Palma Futuro</i> (2019–2022)*	\$6 million regional project 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. (65) Additional information is available on 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. (2) The government did not provide information on activities undertaken to implement this plan in 2019 for inclusion in this report.

* Program was launched during the reporting period.

† Program is funded by the Government of Ecuador.

‡ The government had other social programs that may have included the goal of eliminating or preventing child labor. (2,50,66-68)

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In 2019, MIES continued to support the prevention of child labor among Afro-Ecuadorians through 17 educational centers located in urban Guayaquil in coordination with the Rafaela Maria Foundation. (69) In April 2019, Ecuador collaborated with the Regional Action Group of the Americas to launch an online informational campaign to raise awareness on child sex tourism in commemoration of the Day against Child Slavery. (37)

Although civil society stakeholders commended the government's social programs, they reiterated that these programs only make limited interventions in sectors in which child labor is most prevalent, specifically the informal and agricultural sectors. (2)

VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE CHILD LABOR

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

Table 11. Suggested Government Actions to Eliminate Child Labor

Area	Suggested Action	Year(s) Suggested
Enforcement	Increase the number of labor inspectors to meet the ILO's technical advice.	2009 – 2019
	Ensure that the labor inspectorate is properly funded so that inspectors receive sufficient resources, including transportation and equipment, to adequately carry out their duties. Ensure that inspections sufficiently cover sectors in which child labor has been reported, including the agricultural sector and the informal sector.	2014 – 2019
	Ensure that labor inspectors have sufficient knowledge of existing laws, penalties, processes, and training in victim identification to conduct inspections and refer victims to social services.	2015 – 2019
	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 – 2019
	Ensure that investigators receive sufficient resources, including shelters for victims, to investigate cases of the worst forms of child labor and refer victims.	2016 – 2019
	Strengthen the provision of specialized services for victims of trafficking.	2018 – 2019
	Publish information collected from the Unified System of Registration of Child Labor System and the number of criminal violations found and convictions of crimes related to the worst forms of child labor.	2019
	Ensure that criminal law enforcement, including the National Police Unit for Crimes against Children and Adolescents, has sufficient resources to investigate cases and that employees at local and provincial levels of the Attorney General's Office receive sufficient training.	2019
Coordination	Strengthen coordinating mechanisms among ministries providing social services to victims of child labor, especially in the informal sector.	2015 – 2019
	Ensure that key coordinating committees, including the Inter-Institutional Committee for the Eradication of Child Labor, convene on a regular basis to address issues of the worst forms of child labor.	2019
Government Policies	Update the National Plan to Eradicate Child Labor to ensure adequate funding for implementation and effective inter-agency coordination.	2019
Social Programs	Conduct a comprehensive new child labor survey so that there is sufficient data to inform government actions to eliminate child labor.	2018 – 2019
	Enhance efforts to eliminate barriers and make education accessible for all children, including indigenous and refugee children and children from rural areas, by increasing classroom space and teachers, addressing teen pregnancy issues, and providing adequate transportation.	2014 – 2019
	Enhance efforts to address exploitative labor practices and labor trafficking of migrant and refugee children.	2018 – 2019
	Ensure that children of refugees and migrants have full access to education.	2018 – 2019
	Ensure that social programs make interventions in sectors in which child labor is most prevalent, specifically in the informal and agricultural sectors.	2018 – 2019
	Ensure that all social programs that address child labor, including the National Program to Combat Child Begging and Youth Impulse, are active and publish information on activities taken during the reporting period.	2019

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In 2019, Egypt made a moderate advancement in efforts to eliminate the worst forms of child labor. The government formed and held the inaugural meeting of the National Steering Committee for the National Action Plan to Eliminate the Worst Forms of Child Labor and Supporting Families, which will coordinate the implementation of the plan. The National Council for Childhood and Motherhood also continued to strengthen Child Protection Committees that had been inactive. Additionally, the Ministry of Social Solidarity exceeded its yearly goal in providing supplemental income to families to support children's school attendance, reaching 5 million children by April 2019. However, children in Egypt engage in the worst forms of child labor, including in commercial sexual exploitation, sometimes as a result of human trafficking, and in quarrying limestone. Additionally, the government did not publish data on the enforcement of child labor laws and programs to combat child labor are insufficient to adequately address the extent of the problem.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Egypt engage in the worst forms of child labor, including in commercial sexual exploitation, sometimes as a result of human trafficking, and in quarrying limestone. (1-3) Table I provides key indicators on children's work and education in Egypt.

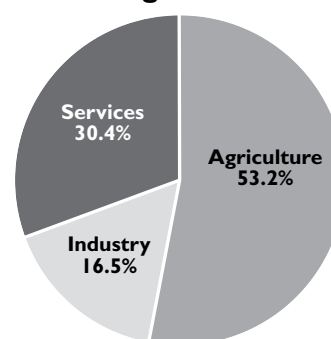
Table I. Statistics on Children's Work and Education

Children	Age	Percent
Working (% and population)	10 to 14	2.9 (246,179)
Attending School (%)	10 to 14	93.8
Combining Work and School (%)	10 to 14	1.3
Primary Completion Rate (%)		100.7

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

Source for all other data: International Labor Organization's analysis of statistics from Survey of Young People in Egypt (SYPE), 2009. (5)

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



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

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

Sector/Industry	Activity
Agriculture	Farming, including the production of cotton (6-10)
	Caring for livestock (10-12)
	Fishing, activities unknown (11,13)
Industry	Quarrying† limestone (1,2,6)
	Making bricks (6,14-17)
	Working in carpentry workshops (11,18)
	Working in marble workshops (19,20)
	Construction, activities unknown (6,10,17,21)
	Working in aluminum factories (11,22)

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

Sector/Industry	Activity
Services	Domestic work (6,12,17)
	Driving <i>tuktuks</i> (6,23,24)
	Repairing automobiles (6,25)
	Street work, including selling goods, collecting garbage, and sweeping (7,21,26)
Categorical Worst Forms of Child Labor†‡	Domestic work as a result of human trafficking (3,13)
	Commercial sexual exploitation, sometimes as a result of human trafficking (3,6,27)
	Forced begging, sometimes as a result of human trafficking (3,6)

† 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.







Some girls are subjected to commercial sexual exploitation under the pretext of temporary marriage to wealthy foreign men, mostly from Persian Gulf countries. (6,27) In past years, Egyptian children were trafficked to Italy, where they were used for bonded child labor, commercial sexual exploitation, and illicit activities. (10,28-33) Egyptian children continued to fall victim to labor exploitation in agriculture and food services, and some were sexually exploited. (6,34)

Many children drop out of school because of school-related costs, such as transportation, clothing, and food. (9,11,13) Girls face additional barriers to education, including long distances to school, harassment and violence at school and on the way to school, lack of sanitation facilities, and cultural barriers. (13,35) In addition, Syrian refugees in Egypt face difficulties in accessing education. (36) In 2019, the UN and partners enrolled 44,784 Syrian refugees in school, provided 483 teachers with professional development training, and distributed textbooks and school materials to 1,527 Syrian children. (37)

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 (38)
Minimum Age for Hazardous Work	Yes	18	Article 1 of Ministry of Manpower’s Decree 118 (39)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Articles 1–2 of Ministry of Manpower’s Decree 118 (39)

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

Standard	Meets International Standards	Age	Legislation
Prohibition of Forced Labor	Yes		Article 89 of the Constitution; Article 291 of the Penal Code; Articles 2–3 of the Law on Combating Human Trafficking (38,40,41)
Prohibition of Child Trafficking	Yes		Article 89 of the Constitution; Article 291 of the Penal Code; Articles 2–3 of the Law on Combating Human Trafficking (38,40,41)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Article 116-bis(a) of the Child Law; Article 291 of the Penal Code; Articles 2–3 of the Law on Combating Human Trafficking; Articles 1–4 and 6 of the Law on the Combating of Prostitution (38,41,42)
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 (38,39,43)
Minimum Age for Voluntary State Military Recruitment	No	15	Ministry of Defense Guidelines on Youth Volunteers in the Armed Forces (44)
Prohibition of Compulsory Recruitment of Children by (State) Military	Yes		Article 1 of the Law on Military and National Service (45)
Prohibition of Military Recruitment by Non-state Armed Groups	Yes		Article 7-bis(b) of the Child Law (38)
Compulsory Education Age	Yes	15‡	Article 59(1) of the Child Law; Articles 80 and 238 of the Constitution (38,40)
Free Public Education	Yes		Article 54 of the Child Law (38)

‡ Age calculated based on available information (29,46)

The law prohibits hazardous occupations and activities for children, including in quarrying, tanning, welding, spraying pesticides, and carrying heavy loads. (39) However, the types of hazardous work prohibited for children do not cover brick production, an area of work in which there is evidence of exposure to hazardous temperatures. (14,15,17)

III. ENFORCEMENT OF LAWS ON CHILD LABOR

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

Table 5. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
Ministry of Manpower	Enforces child labor laws and regulations, including receiving and investigating child labor complaints. Inspectors conduct routine labor inspections and report violations to the Ministry of the Interior, which then refers the case for prosecution. (6)
Ministry of the Interior	Enforces laws and regulations prohibiting human trafficking and commercial sexual exploitation of children. (6)
Ministry of Justice, Prosecutor General's Office	Prosecutes violation of laws related to the worst forms of child labor and human trafficking. (6)
Ministry of Local Development	Provides administrative and logistical support for the enforcement of child labor laws. Administers the Child Protection Committees. (6)
Administrative Control Authority	Investigates government corruption and human trafficking, and reports violations to the Ministry of the Interior, which refers the case for prosecution. (47)

Labor Law Enforcement

In 2019, labor law enforcement agencies in Egypt took actions to combat child labor (Table 6). However, gaps exist within the authority of the Ministry of Manpower that may hinder adequate labor law enforcement, including the authority to assess penalties.

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Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2018	2019
Labor Inspectorate Funding	Unknown (11)	Unknown (6)
Number of Labor Inspectors	530 (11)	Unknown (6)
Inspectorate Authorized to Assess Penalties	No (11)	No (6)
Initial Training for New Labor Inspectors	Unknown (11)	Unknown (6)
Training on New Laws Related to Child Labor	N/A	N/A
Refresher Courses Provided	Yes (17)	Yes (6)
Number of Labor Inspections Conducted	Unknown (11)	Unknown (6)
Number Conducted at Worksite	Unknown (11)	Unknown (6)
Number of Child Labor Violations Found	602 (47)	Unknown (6)
Number of Child Labor Violations for Which Penalties Were Imposed	Unknown (11)	Unknown (6)
Number of Child Labor Penalties Imposed that Were Collected	Unknown (11)	Unknown (6)
Routine Inspections Conducted	Yes (11)	Yes (6)
Routine Inspections Targeted	Yes (11)	Yes (6)
Unannounced Inspections Permitted	Yes (11)	Yes (6)
Unannounced Inspections Conducted	Yes (11)	Yes (6)
Complaint Mechanism Exists	Yes (11)	Yes (6)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (11)	Yes (6)

In 2019, the Ministry of Manpower continued its cooperation with the ILO, the World Food Program, and NGOs. It conducted three workshops that trained 118 labor inspectors on relevant child labor laws and the Ministry of Social Solidarity's child protection policies and reporting mechanism. (6) However, sources report that the number of inspectors receiving training on child labor policies was insufficient to deal with the scope of the problem. (6)

The number of labor inspectors is likely insufficient for the size of Egypt's workforce, which includes over 29.95 million workers. (48) According to the ILO's technical advice of 1 inspector for every 15,000 workers in developing economies, Egypt would employ about 1,997 inspectors. (49,50) The government does not publish information about the funding of the labor inspectorate, initial training for new inspectors, the number of inspections, the number of violations, or penalties for violations. (6)

Criminal Law Enforcement

In 2019, criminal law enforcement agencies in Egypt took actions to combat child labor (Table 7). However, gaps exist within the operations of the criminal enforcement agencies that may hinder adequate criminal law enforcement, including a lack of disaggregation of human trafficking enforcement data on children.

Table 7. Criminal Law Enforcement Efforts Related to Child Labor

Overview of Criminal Law Enforcement	2018	2019
Initial Training for New Criminal Investigators	Unknown (11)	Unknown (6)
Training on New Laws Related to the Worst Forms of Child Labor	N/A	N/A
Refresher Courses Provided	Yes (51)	Yes (52)
Number of Investigations	Unknown (11)	Unknown (6)
Number of Violations Found	Unknown (11)	Unknown (6)
Number of Prosecutions Initiated	Unknown (11)	Unknown (6)
Number of Convictions	Unknown (11)	Unknown (6)
Imposed Penalties for Violations Related to The Worst Forms of Child Labor	Unknown	Unknown (6)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (11)	Yes (6)

The government did not publicly release information on its criminal law enforcement efforts. (6) In 2019, 40 individuals, including an employee of the Ministry of Foreign Affairs, were sentenced to prison terms ranging from 3 to 16 years for human trafficking offenses including the commercial sexual exploitation of girls. (53) During

the reporting period, the government conducted training sessions on human trafficking for social workers that focused on women and children. (54) In addition, a series of training sessions on countering human trafficking was held for prosecutors. (52)

In 2019, the Prosecutor General's Office established a Child Protection Office to review cases and rulings relating to children to protect them from exploitation and violence. (55)

IV. COORDINATION OF GOVERNMENT 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 government agencies.

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

Coordinating Body	Role & Description
National Council for Childhood and Motherhood (NCCM)	Coordinates enforcement of laws related to child labor, including its worst forms. Provides technical support and training about child labor for the Ministry of Manpower's inspectors. (5) Identifies and monitors at-risk children. Manages two 24-hour hotlines and receives reports of child labor and child trafficking. (13) In 2019, NCCM took part in the inaugural meeting of the National Steering Committee for the National Action Plan to Eliminate the Worst Forms of Child Labor and Supporting Families. (6) In January 2019, NCCM in coordination with other government entities and NGOs released its Children on the Move standard operating procedures for handling trafficking cases involving children. In addition, NCCM with UNICEF trained its hotline staff and upgraded the hotline's software to track the age, region, and types of crimes reported. (55)
National Steering Committee for the National Action Plan to Eliminate the Worst Forms of Child Labour 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, the 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. (6) In July 2019, the committee held its inaugural meeting. (6)
National Coordination Committee on Preventing Illegal Migration and Combating Trafficking in Persons (NCCPIM & TIP)	Coordinates efforts to combat human trafficking. Led by an ambassador appointed by the Prime Minister, comprises 18 government entities, including the Ministries of the Interior and Manpower. (13) Despite efforts, insufficient cooperation by some entities prevents effective collaboration of government agencies and NGOs. (51) In 2019, NCCPIM & TIP along with other ministries and coordinating bodies conducted TIP-awareness campaigns for NGOs, diplomats, and Egyptian Red Crescent volunteers. (55)
Child Protection Committees	Coordinates 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. (13) During the reporting period, NCCM continued to strengthen Child Protection Committees that had been inactive in previous years. (51)

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

V. GOVERNMENT POLICIES ON CHILD LABOR

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

Table 9. Key Policies Related to Child Labor

Policy	Description
National 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. (13) Developed in 2017 and formally adopted in 2018, the strategic objectives of the National Action Plan include expansion of the child labor knowledge base; capacity-building of agencies providing support; social protection, with links to existing programs; enhanced education, including vocational education for children; and advocacy and awareness-raising. (17) In 2019, the Ministries of Manpower, Social Solidarity, Agriculture, and NCCM collaborated with the ILO to determine gaps in ministerial coordination and the regime to criminalize child labor. (6)
Third National Plan of Action Against Human Trafficking (2016–2021)	Aims to maintain referral mechanisms, train law enforcement officials, and combat trafficking of street children. (13) During the reporting period, several government agencies provided human trafficking training to officials. (52,54)

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

Policy	Description
National Strategy for Childhood and Motherhood (2018–2030)	The child labor chapter aims to promote dialogue on child labor legislation, including updating the hazardous work list; building the capacity of relevant government agencies, such as the Ministry of Manpower and NCCM; developing programs to address child labor; and expanding education and vocational training opportunities. (11) During the reporting period, NCCM took part in the National Steering Committee for the National Action Plan Against the Worst Forms of Child Labor and Supporting Family. (6)

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2019, the government funded and participated in programs that include the goal of eliminating or preventing child labor (Table 10). However, gaps exist in these social programs, including the adequacy of programs to address the full scope of the problem.

Table 10. Key Social Programs to Address Child Labor

Program	Description
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. (57) Active in 2019. (58)
Solidarity and Dignity Program (Takafol and Karama)†	Funded by the Ministry of Social Solidarity, promotes school attendance and health monitoring for children by providing income supplements to poor families. (11) In 2019, UNICEF assisted the Ministry of Social Solidarity in expanding and improving the program to meet the government's single-year goal. By April 2019, provided benefits to 5 million children in 2.6 million families. (6)
Children without Shelter†	Ministry of Social Solidarity-operated shelters for victims of human trafficking, child victims of trafficking and forced labor, and other vulnerable individuals. The Dar as-Salam shelter, operated by NCCM and an NGO, Face, provides social services, including psychological counseling and health services. (61) Mobile units in 10 governorates work to reintegrate children with their families or place them in foster care. (62) Active in 2019. (63)

† Program is funded by the Government of Egypt.

Although Egypt has programs that target child labor, the scope of these programs is insufficient to fully address the extent of the problem, particularly for commercial sexual exploitation and quarrying limestone.

VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE CHILD LABOR

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

Table 11. Suggested Government Actions to Eliminate Child Labor

Area	Suggested Action	Year(s) Suggested
Legal Framework	Ensure that the law establishes 16 as the minimum age for voluntary recruitment by the state military with safeguards for voluntariness.	2019
	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 – 2019
Enforcement	Publish information on labor inspection, including funding, the number of labor inspectors, initial training for inspectors, number of labor inspections conducted, violations found, and penalties imposed and collected.	2011 – 2019
	Strengthen the labor inspectorate by authorizing inspectors to assess penalties.	2017 – 2019
	Increase the number of labor inspectors to meet the ILO's technical advice.	2018 – 2019
	Increase the number of inspectors receiving training on child labor policies.	2019
	Publish information on initial and refresher training for criminal investigators and the disaggregated number of investigations, violations, prosecutions, convictions, and penalties for criminal violations of child labor laws.	2011 – 2019
Coordination	Ensure the National Coordinating Committee to Combat the Worst Forms of Child Labor is able to carry out its intended mandate, and ensure effective collaboration between government agencies and other stakeholders.	2017 – 2019
Social Programs	Ensure universal access to free public education, especially for girls, by addressing the cost of school fees, supplies, and other barriers to education.	2010 – 2019
	Expand programs to address the full scope of the child labor problem, particularly in commercial sexual exploitation and in quarrying limestone.	2010 – 2019

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In 2019, El Salvador made a moderate advancement in efforts to eliminate the worst forms of child labor. The government published results from its Annual Multipurpose Household Survey, which identifies child labor prevalence in the country. The Ministry of Labor and Social Welfare also significantly increased fines assessed for labor violations and criminal law enforcement agencies investigated 45 cases of child commercial sexual exploitation. In addition, the National Council for Children established an emergency hotline to receive reports of child abuse, including child labor. However, children in El Salvador engage in the worst forms of child labor, including in commercial sexual exploitation and in illicit activities, each sometimes as a result of human trafficking. Children also perform dangerous tasks in the harvesting of coffee. Law enforcement agencies continued to lack sufficient resources to enforce child labor laws throughout the country. Gaps also remained related to the implementation of key policies to address child labor.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in El Salvador engage in the worst forms of child labor, including in commercial sexual exploitation and in illicit activities, each sometimes as a result of human trafficking. Children also perform dangerous tasks in the harvesting of coffee. (1-6) In 2019, the Director General of Statistics and Census published results from the 2018 El Salvador Annual Multipurpose Household Survey (EHPM in Spanish), which found that around 101,000 children between the ages of 5 and 17 are working in El Salvador, a 21.69 percent decrease since 2017. (5,7) The survey also found that over 60 percent of child laborers live in rural communities and around 40 percent do not attend school. (5,7) Table 1 provides key indicators on children's work and education in El Salvador.

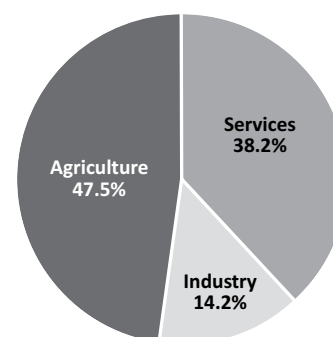
Table 1. Statistics on Children's Work and Education

Children	Age	Percent
Working (% and population)	5 to 14	5.9 (68,431)
Attending School (%)	5 to 14	92.3
Combining Work and School (%)	7 to 14	6.1
Primary Completion Rate (%)		86.6

Source for primary completion rate: Data from 2018, published by UNESCO Institute for Statistics, 2020. (8)

Source for all other data: International Labor Organization's analysis of statistics from Encuesta de Hogares de Propósitos Múltiples (EHPM), 2015. (9)

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



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

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

Sector/Industry	Activity
Agriculture	Harvesting sugarcane† and coffee,† and production of cereal grains (5,10,11)
	Cattle-raising† (11)
	Fishing,† including harvesting shellfish and mollusks† (2,5,12)
Industry	Manufacturing fireworks† (5,10,12)
	Production of baked goods (11)
	Construction† (5,11,13)

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

Sector/Industry	Activity
Services	Garbage scavenging,† street begging,† performing,† and vending† (5,10,14)
	Domestic work (5,10,11,15–17)
	Selling goods in markets or kiosks and working in restaurants (11)
	Repairing motor vehicles† (11,13)
Categorical Worst Forms of Child Labor‡	Commercial sexual exploitation, sometimes as a result of human trafficking (5,6,12)
	Use by gangs to perform illicit activities, including committing homicides, extortion, and trafficking drugs, sometimes as a result of human trafficking (2,5,6,12)
	Forced begging, domestic work, agricultural labor, construction, work in textiles, and street work (2,5,6)

† 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.

Children in El Salvador often lack economic and educational opportunities and are vulnerable to the worst forms of child labor, including commercial sexual exploitation. They are also recruited by gangs for illicit activities such as delivering threats, collecting extortion money, conducting surveillance activities, trafficking drugs, and committing homicides. (1,4–6,18,19) Gangs also often force young girls into domestic servitude, including providing childcare, and into sexual exploitation. Reports indicate that those who resist forced gang labor have been assaulted or killed. (5,6) El Salvador’s Trafficking in Person’s Special Prosecutor and local NGOs have indicated that adolescent girls with limited education are among the most at risk of being trafficked. (4,19) LGBTI adolescents are also at risk of being forced into commercial sexual exploitation by gangs. (5)

Children often emigrate to escape violence, extortion, and forced recruitment by gangs, in addition to seeking economic opportunities and family reunification. Once en route, they become vulnerable to human trafficking and commercial sexual exploitation. (2,4,6,20)

Multiple reports, including by third-party monitoring groups, indicate that the use of child labor in sugarcane harvesting has decreased since 2010. (1,21,22) However, despite ongoing government efforts to address child labor in this sector, recent data demonstrating the impact of specific government programs have not been published. (1)

At schools, children are recruited, extorted, and harassed by gangs, which may cause them to stop attending school. Children who do not attend school are more vulnerable to child labor, including its worst forms. (1,2,20–23) Poverty, particularly in rural areas, also presents a barrier to education in El Salvador because children leave school to contribute to family incomes. Although the Comprehensive Law of Protection of Childhood and Adolescence indicates that lack of identity documents will not prevent school enrollment, NGOs and international organizations have indicated that the requirement for children to have birth certificates to enroll in school may explain under-enrollment rates, as the cost for these documents may be prohibitive for very poor families. (5) Limited reporting also indicates that children from indigenous communities disproportionately lack access to education. (1,5)



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	✓

Table 3. Ratification of International Conventions on Child Labor (Cont.)

Convention	Ratification
 UN CRC	✓
UN CRC Optional Protocol on Armed Conflict	✓
UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	✓
 Palermo Protocol on Trafficking in Persons	✓

The government has established laws and regulations related to child labor (Table 4). However, gaps exist in El Salvador's legal framework to adequately protect children from the worst forms of child labor, including the minimum age for work compared to the compulsory age for basic education.

Table 4. Laws and Regulations on Child Labor

Standard	Meets International Standards	Age	Legislation
Minimum Age for Work	Yes	14	Article 114 of the Labor Code; Article 38 of the Constitution; Article 59 of the Law for the Comprehensive Protection of Children and Adolescents (LEPINA) (23–25)
Minimum Age for Hazardous Work	Yes	18	Article 105 of the Labor Code; Article 38 of the Constitution; Article 2 of Agreement 241 of 2011 ((23,24,26)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Article 1 of Agreement 241 of 2011 (26)
Prohibition of Forced Labor	Yes		Articles 3 and 54–55 of the Special Law Against Trafficking in Persons; Article 13 of the Labor Code; Article 56 of LEPINA; Articles 4 and 9 of the Constitution (23–25,27)
Prohibition of Child Trafficking	Yes		Articles 3 and 54–55 of the Special Law Against Trafficking in Persons; Article 56 of LEPINA (25,27)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Articles 3 and 54–55 of the Special Law Against Trafficking in Persons; Articles 169–173 of the Penal Code; Article 55 of LEPINA (25,27,28)
Prohibition of Using Children in Illicit Activities	Yes		Articles 3 and 54–55 of the Special Law Against Trafficking in Persons; Articles 214 and 345 of the Penal Code; Article 56 of LEPINA (25,27,28)
Minimum Age for Voluntary State Military Recruitment	Yes	16	Articles 2 and 6 of the Military Service Law (29)
Prohibition of Compulsory Recruitment of Children by (State) Military	Yes		Article 215 of the Constitution; Decree No. 298 (23,30)
Prohibition of Military Recruitment by Non-state Armed Groups	Yes		Article 345 of the Penal Code; Article 1 of the Law Prohibiting Gangs and Criminal Organizations; Article 7 of the Constitution (23,28,31)
Compulsory Education Age	Yes	18‡	Articles 5, 18, 20, and 22 of the General Education Law; Article 82 of LEPINA; Article 56 of the Constitution (23,25,32)
Free Public Education	Yes		Articles 5, 18, 20, and 22 of the General Education Law; Article 82 of LEPINA; Article 56 of the Constitution (23,25,32)

‡ Age calculated based on available information (25,32)

On November 5, 2019, the Legislative Assembly Committee of Labor voted to increase significantly fines for labor violations, to a minimum of \$57.14 and a maximum of \$304. Despite this effort, the maximum fine in the Labor Code remained at \$60 during the reporting period. (1,5) The revisions are still pending final approval in the full legislature. (33) In addition, as the minimum age for work is lower than the compulsory education age, children may be encouraged to leave school before the completion of compulsory education. (34–36)

III. ENFORCEMENT OF LAWS ON CHILD LABOR

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

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Table 5. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
Ministry of Labor and Social Welfare (MTPS)	Inspects worksites for labor violations, including child labor, and monitors working conditions for adolescents who are granted work authorization. (5,12) Maintains a child labor unit dedicated to child labor law enforcement issues. (37) Refers cases of the worst forms of child labor to the Office of the Attorney General (AG). (5)
Ministry of Justice and Public Security	Enforces criminal laws related to the worst forms of child labor through the AG and the National Civil Police (PNC), both of which maintain special trafficking in persons units to investigate and prosecute human trafficking, including child trafficking. (5,10,12,27,38) The PNC maintains a hotline that receives complaints about human trafficking for sexual and labor exploitation. (6)
Salvadoran Institute for Childhood and Adolescent Development	Receives referrals from law enforcement agencies on cases of criminal exploitation of children, including for forced labor, human trafficking, and commercial sexual exploitation. Provides child victims with services, including shelter, medical attention, psychological help, and legal advice. (39)

Labor Law Enforcement

In 2019, labor law enforcement agencies in El Salvador took actions to combat child labor (Table 6). However, gaps exist within the operations of the MTPS that may hinder adequate labor law enforcement, including financial resource allocation.

Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2018	2019
Labor Inspectorate Funding	Unknown	Unknown (5)
Number of Labor Inspectors	104 (1)	107 (40)
Inspectorate Authorized to Assess Penalties	Yes (1,24)	Yes (5,24)
Initial Training for New Labor Inspectors	Yes (1)	Yes (5)
Training on New Laws Related to Child Labor	Yes (1)	N/A
Refresher Courses Provided	Yes (1)	Yes (5)
Number of Labor Inspections Conducted	32,991 (41)	33,636 (41)
Number Conducted at Worksite	585 (1)	788 (5)
Number of Child Labor Violations Found	3 (1)	2 (5)
Number of Child Labor Violations for Which Penalties Were Imposed	3 (1)	0 (5)
Number of Child Labor Penalties Imposed that Were Collected	0 (35)	0 (5)
Routine Inspections Conducted	Yes (1)	Yes (5)
Routine Inspections Targeted	Yes (1)	Yes (5)
Unannounced Inspections Permitted	Yes (1)	Yes (5)
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)

In 2019, the labor inspectorate conducted 8,241 child labor-specific inspections and identified 12 minors working through child labor-specific inspections. (5,41) Two of these children were found without the appropriate work authorization, but penalties were not imposed because the cases were resolved upon re-inspection. (5) In 2019, the MTPS imposed approximately \$566,829 worth of labor violation fines, a significant increase compared to 2018, though none was for child labor violations. Furthermore, information was still not available to determine how much of those fines was collected. (5)

During the reporting period, inspectors received training on a range of topics, including human rights, jurisdiction law, administrative procedural law, labor rights and law, trafficking in persons, and sanctioning. However, none of the courses was child labor-specific and it is unclear if the courses offered included child labor themes. (5)

The MTPS has indicated that its budget is insufficient to address workers' rights and expressed concern that the Ministry's proposed 2019 budget did not include funds to specifically combat child labor. (1,5) Furthermore, the number of labor inspectors is likely insufficient for the size of El Salvador's workforce, which includes more than

2.7 million workers. According to the ILO’s technical advice of a ratio approaching 1 inspector for every 15,000 workers in industrializing economies, El Salvador would employ about 180 labor inspectors. (42) In addition, inspectors focus primarily on the formal sector in urban areas due to resource constraints, despite the size of El Salvador’s informal sector. (5,40)

Criminal Law Enforcement

Criminal law enforcement agencies in El Salvador took actions to combat child labor (Table 7). However, gaps exist within the operations of criminal enforcement agencies that may hinder adequate criminal law enforcement, including allocating financial resources.

Table 7. Criminal Law Enforcement Efforts Related to Child Labor

Overview of Criminal Law Enforcement	2018	2019
Initial Training for New Criminal Investigators	Yes (1)	Unknown (5)
Training on New Laws Related to the Worst Forms of Child Labor	N/A (1)	N/A
Refresher Courses Provided	Yes (1)	Yes (5)
Number of Investigations	40 (1)	Unknown (5)
Number of Violations Found	14 (35)	Unknown (5)
Number of Prosecutions Initiated	9 (1)	Unknown (5)
Number of Convictions	0 (1)	0 (5)
Imposed Penalties for Violations Related to The Worst Forms of Child Labor	Yes (1)	Yes (19)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (1)	Yes (1)

In 2019, El Salvador’s Specialized Anti-Trafficking in Persons Unit opened 45 cases of female commercial sexual exploitation involving girls between the ages of 10 and 17. It also initiated the prosecution of two defendants charged with trafficking and forced labor for pineapple sales in a case that includes minors. (5) The police and the Office of the Attorney General (AG) also carried out “Operation Turquoise” in October of 2019 in San Salvador, Sonsonate, and Chalatenango Departments. Because of this effort, nine individuals were arrested from various bars and charged with trafficking in persons for the sexual exploitation of minors. (19) However, the government did not provide for this report the total number of investigations conducted, violations found, or prosecutions initiated during the reporting period related to the worst forms of child labor.

El Salvador increased its number of prosecutors of anti-trafficking in persons from 5 in 2018 to 16 in 2019, including 2 prosecutors located in the remote regions of San Miguel and Ahuachapán, which have the highest rate of trafficking complaints. Even with this increase, the AG has indicated that the Ministry of Justice and Public Security is underfunded and unable to support a sufficient number of investigators to collect and analyze evidence to process case backlogs. (1,19,40) In addition, reports indicate that increased coordination between the National Civil Police (PNC) and the AG is needed to improve the investigation and prosecution of criminal child labor violations. (44) Salvadoran police chiefs and prosecutors indicated that difficulties in collecting, sharing, and gaining actionable insights from investigative information remain a challenge, especially because investigative bodies lack the capabilities to share information electronically. (4,6)

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 funding allocation. .

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

Coordinating Body	Role & Description
National Committee for the Eradication of Child Labor	Determines and implements government efforts to combat child labor. Chaired by MTPS, includes 12 government agencies, along with representatives from labor unions, business associations, and NGOs. (11,12,45) Maintains a web-based monitoring system that allows government agencies to share and analyze information to coordinate the implementation of the Roadmap. (12,46,47) In 2019, the committee worked with civil society organizations to draft and submit a request to the Legislative Assembly to reform Article 38 of the Comprehensive Law of Protection of Childhood and Adolescence (LEPINA in Spanish) to eliminate physical punishment of children. (5)
National Council Against Trafficking in Persons	Coordinates government efforts to combat human trafficking and implement the National Policy Against Trafficking in Persons. (12,36) Led by the Ministry of Justice and Public Security and composed of 11 government agencies. (12,27,48) Research was unable to identify specific activities undertaken during the reporting period.
National Council for Children and Adolescents (CONNA)	Develops policies to protect the rights of children, including those regarding child labor, and implements LEPINA and the National Policy for the Comprehensive Protection of Children and Adolescents in El Salvador (PNPNA). (12,25,49,50) Responds to cases involving the violation of children's rights by providing victim assistance. (51) In 2019, CONNA partnered with UNICEF and local NGOs to establish a free emergency hotline, "1-2-3 Habla Conmigo," designed specifically to report violations of children's rights, which may include child labor. (52)
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. (12,25,53–55) Research was unable to identify specific activities undertaken during the reporting period.

The budget for the National Council for Children and Adolescents (CONNA) is reported to have operated at a deficit from 2018 and into 2019 despite an increase of \$100,000 allocated due to a rise in the number of cases the council has received. (51)

V. GOVERNMENT POLICIES ON CHILD LABOR

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

Table 9. Key Policies Related to Child Labor

Policy	Description
National Policy for the Comprehensive Protection of Children and Adolescents in El Salvador (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. (11,50) Research was unable to identify specific activities undertaken during the reporting period.
National Action Plan for the PNPNA (2014–2019)	Set a framework for implementing the PNPNA from 2014 to 2019. Aimed to address PNPNA objectives, including the prevention of violence, the promotion of access to quality education, and the elimination of child labor by focusing on children's and adolescents' rights, gender equality, and social inclusion. (11,57,58) Research was unable to identify specific activities undertaken during the reporting period.
National Policy Against Trafficking in Persons	Defines a comprehensive plan to combat human trafficking of adults and children for labor and commercial sexual exploitation. Aims to improve prevention efforts, victim assistance, prosecution, inter-agency coordination, training, and anti-corruption efforts. (59,60) Research was unable to identify specific activities undertaken during the reporting period.
Educated El Salvador Plan	Outlines six priorities for improving El Salvador's national education system, including increasing security in schools and improving access to education for vulnerable groups, including children engaged in child labor. (12,61) In 2019, the government merged the plan with <i>Plan Cuscatlá</i> , which focuses on addressing the specific educational needs of different regions. (5,62)

‡ The government had other policies that may have addressed child labor issues or had an impact on child labor. (1,4,38,63–73)

The government has not incorporated child labor elimination and prevention strategies into the National Youth Policy (2010–2024). (74)

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2019, the government funded and participated in programs that include the goal of eliminating or preventing child labor (Table 10). However, gaps exist in these social programs, including the adequacy of programs to address the problem in all sectors.

Table 10. Key Social Programs to Address Child Labor

Program	Description
Human Trafficking Public Awareness Campaigns†	Government public awareness campaigns implemented by CONNA and the Ministry of Foreign Affairs to raise awareness about the dangers of human trafficking. Includes the “Protection Starts at Home” awareness program and the “Call 1 2 3” Hotline, which promote respect toward the physical, psychological, and sexual integrity of children and adolescents. (12,43,44,75) The “Call 1 2 3” Hotline was officially launched in 2019, and it offers children and adults the ability to consult specialists in emergency situations. The “Protection Starts at Home” campaign conducted public awareness campaigns during the reporting period about child sexual abuse. (5,76)
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. (59,80,81) During the reporting period, in cooperation with the EU, the program held focus groups in five municipalities as part of a gender study aimed at identifying how gender-related issues are being addressed by the strategy. (82)
School Prevention and Security Plan†	Programs implemented by the Ministry of Justice and Public Security and the PNC in schools with high levels of violence. Includes activities such as provision of psychological help, online classes, skills workshops for youth, and increased police patrols. (83–86) The government increased the number of the program’s training centers from 1,104 in 2018 to 1,123 in 2019. (85,86)
USDOL-Funded Projects	Projects which aim to reduce the incidence of child labor, including: Youth Pathways-Central America (2015–2019), \$16.5 million project implemented by Catholic Relief Services in El Salvador and Honduras; and Reducing Incidence of Child Labor and Harmful Conditions of Work in Economic Strengthening Initiatives (RICHES) (2017–2021), \$1.5 million project implemented by the Grameen Foundation in El Salvador and the Philippines. (75,87-89) For additional information, please see 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. (1,4,10,84,91–94)

Despite efforts to combat human trafficking, services for adolescent male human trafficking victims are limited, which may leave them vulnerable to being trafficked again. (6) Although the government implements several programs to reduce the worst forms of child labor by assisting poor families and school children, research found no evidence that the government has programs that assist child laborers who may not be living with their families and not attending school, such as children engaged in domestic work.

VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE CHILD LABOR

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

Table 11. Suggested Government Actions to Eliminate Child Labor

Area	Suggested Action	Year(s) Suggested
Legal Framework	Raise the minimum age for work from 14 years to the age up to which education is compulsory.	2018 – 2019
Enforcement	Publish or make publicly available the labor inspectorate’s level of funding.	2018 – 2019
	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 – 2019
	Increase the number of labor inspectors to meet the ILO’s technical advice.	2018 – 2019
	Ensure and verify that child labor themes are included in annual refresher courses for inspectors.	2018 – 2019
	Collect and publish information about fines collected for child labor violations.	2015 – 2019
	Establish monetary penalties for child labor violations that are proportionate to the nature and seriousness of the offense.	2009 – 2019
	Collect and publish complete information on training for new criminal investigators and data on the number of investigations conducted, criminal violations found, and penalties imposed related to the worst forms of child labor.	2019
	Improve coordination between the National Civil Police and the Office of the Attorney General in their investigation and prosecution of criminal cases related to the worst forms of child labor, including by developing information-sharing capabilities.	2014 – 2019

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

Area	Suggested Action	Year(s) Suggested
Coordination	Ensure actions are taken to carry out the mandates of the Departmental and Local Committees for Children's and Adolescents' Rights and the National Council Against Trafficking in Persons.	2018 – 2019
	Ensure coordinating bodies have sufficient funding to meet yearly operational and service demands.	2019
Government Policies	Integrate child labor elimination and prevention strategies into the National Youth Policy for 2010–2024.	2014 – 2019
	Ensure implementation of policies addressing the worst forms of child labor and report on yearly activities.	2019
Social Programs	Collect and publish government statistics evaluating the impact of collaborative projects targeting child labor in sugarcane production.	2016 – 2019
	Remove barriers to education, such as birth registration requirements, and ensure access for all children, including students of indigenous descent.	2011 – 2019
	Ensure adequate services are available for all human trafficking victims, including adolescent males.	2019
	Implement programs to support child laborers who may not be living with their parents, including child domestic workers.	2017 – 2019

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In 2019, Eritrea is receiving an assessment of no advancement. Despite initiatives to address child labor, Eritrea is receiving an assessment of no advancement because it had a policy of being complicit in the use of forced child labor in more than isolated incidents. Government officials continued to force students in grade 12, some of whom are under the age of 18, to participate in military training elements of the government's compulsory national service program. Otherwise, the government made efforts by acceding to ILO Convention 182 on the Worst Forms of Child Labor and, for the first time, providing data on sectors targeted for inspection and the number of labor inspectors on its payroll. Children in Eritrea engage in the worst forms of child labor, including in forced military training associated with national service and forced agricultural labor. The government also has not issued a list identifying hazardous occupations and activities prohibited for children. In addition, the government does not have a mechanism to coordinate its efforts to address the worst forms of child labor.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Eritrea engage in the worst forms of child labor, including in forced military training associated with national service and forced agricultural labor. Table 1 provides key indicators on children's work and education in Eritrea. Data on some of these indicators are not available from the sources used in this report.

Table 1. Statistics on Children's Work and Education

Children	Age	Percent
Working (% and population)	5 to 14	Unavailable
Attending School (%)	5 to 14	Unavailable
Combining Work and School (%)	7 to 14	Unavailable
Primary Completion Rate (%)		60.3

Source for primary completion rate: Data from 2018, published by UNESCO Institute for Statistics, 2020. (1)
Data were unavailable from International Labor Organization's analysis, 2020. (2)

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

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

Sector/Industry	Activity
Agriculture	Farming, activities unknown (3,4)
	Herding livestock (3-6)
Industry	Mining, including gold (7)
	Small-scale manufacturing (8)
Services	Domestic work, including fetching water and firewood (4,8)
	Working in auto mechanic shops, bicycle repair shops, tea and coffee shops, metal workshops, grocery stores, the Asmara bowling alley, and open markets (3,5,8-10)
	Street work, including vending, cleaning cars, working as crossing guards, and begging (4,8,11)
Categorical Worst Forms of Child Labor‡	Compulsory participation in national service or military training associated with national service prior to age 18, and in agricultural and domestic work (8,12-17)
	Commercial sexual exploitation, sometimes as a result of human trafficking (18)

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

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The Proclamation on National Service No. 82/1995 establishes compulsory military training and service, known as National Service, for all citizens ages 18 to 40. (15,61) To graduate from high school and meet the compulsory training component of national service, students are required to complete their final year of schooling (grade 12) at the Warsai Yekalo Secondary School located at the Sawa military complex. Each year 11,000 to 15,000 students enter grade 12 at Sawa, and while many of these students have reached age 18, some are reportedly as young as age 16. (12,15-17,19,20) Research suggests that at least half of the year spent at Sawa is devoted to mandatory military training, which includes military discipline and procedures, weapons training, a survival exercise, and a 2- to 4-week war simulation. Some conscripts were forced to perform agricultural labor on government-owned farms. (17,19,21, 61) 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. This leaves them vulnerable to becoming involved in illegal activity, including the worst forms child labor. (22)




Indefinite national service assignments, inability to earn higher wages in the private sector without completion of national service assignments, and notoriously harsh conditions at Sawa have led to an exodus of unaccompanied minors from the country. Many resort to enlisting international smuggling or human trafficking networks to abscond. (3,14,17-19,23-25) Adolescent children, some as young as age 14, who attempted to leave Eritrea were sometimes detained or forced to undergo military training, despite being younger than the minimum age of 18 for compulsory military recruitment. (3,12,17,19,26) It is unclear if age verification procedures are consistently applied prior to new Sawa graduates being sent to active military service. (27) 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. (13,17,28)

Children, particularly in some rural areas, face difficulty accessing education due to a shortage of schools and the inability to afford uniforms, supplies, and transportation. (8,17,21,29-31) To address the shortfall, the government deployed teachers to less populated regions to educate rural and nomadic children. (8,9) Teachers may also 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 to education. (17) The government did not collect or publish data on child work, child labor, or the worst forms of child labor during the reporting period. (8)

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	✓

On June 3, 2019, the Government of Eritrea ratified the Worst Forms of Child Labor Convention, 1999 (No. 182). Eritrea has now ratified all eight ILO fundamental Conventions. (32)

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

Table 4. Laws and Regulations on Child Labor

Standard	Meets International Standards	Age	Legislation
Minimum Age for Work	No	14	Article 3, 68 of the Labor Proclamation (33)
Minimum Age for Hazardous Work	No		Articles 3, 35, and 69 of the Labor Proclamation (33)
Identification of Hazardous Occupations or Activities Prohibited for Children	No		Article 69 of the Labor Proclamation (33)
Prohibition of Forced Labor	Yes		Articles 108(c), 297, and 316 of the Penal Code (34)
Prohibition of Child Trafficking	Yes		Articles 297, 315–318 of the Penal Code (34)
Prohibition of Commercial Sexual Exploitation of Children	No		Articles 305–306 and 313–318 of the Penal Code (34)
Prohibition of Using Children in Illicit Activities	No		Articles 390–392 of the Penal Code (34)
Minimum Age for Voluntary State Military Recruitment	No		
Prohibition of Compulsory Recruitment of Children by (State) Military	Yes		Articles 7–8 of the Proclamation on National Service (15)
Prohibition of Military Recruitment by Non-state Armed Groups	No		Articles 109(e) and 111(b) of the Penal Code (34)
Compulsory Education Age	No	14‡	
Free Public Education	No		Article 21 of the Constitution (35)

‡ Age calculated based on available information (36-38)

The law'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, which require minimum working age protections for all children. (33,39) Article 69 of the Labor Proclamation authorizes the Minister of Labor to issue a list of activities prohibited to children under age 18; however, the government has not determined by national law or regulation the types of hazardous work prohibited for children. (33,40)

Laws related to 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. (34) In addition, laws regarding the commercial sexual exploitation of children are insufficient because the use of a child for prostitution is not criminally prohibited. (34) Although the government announced in 2015 that it was considering drafting a new criminal code that contains prohibitions on the commercial sexual exploitation of children, it is unclear whether it was drafted or put into effect. (21,42,43) Furthermore, voluntary military service of children under 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. (15)

While Eritrea does not appear to have any laws guaranteeing free basic education or setting the compulsory education age, several of the government's policies call for the provision of 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. (44-46) In rural areas, fewer students attend school due to the distance between villages and schools and inadequate transportation. The government has articulated that expanding schooling in rural areas, aimed at ensuring universal access and participation, is one of its top two national development priorities. (8,45,47)

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III. ENFORCEMENT OF LAWS ON CHILD LABOR

The government has established institutional mechanisms for the enforcement of laws and regulations on child labor (Table 5). However, gaps exist within the operations of enforcement agencies that may hinder adequate labor law enforcement.

Table 5. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
Ministry of Labor and Social Welfare	Enforces labor laws and investigates labor abuses, including child labor. (20,42) According to the government, child labor inspectors operate in every administrative zone. (48)
Citizen Militia	Performs night patrols and refers cases of commercial sexual exploitation of children or other exploitative practices to the Eritrean police. (8)
Eritrean Police	Enforces laws and investigates referred cases of child trafficking and commercial sexual exploitation of children. (8)
National Security Administration	Works with the Eritrean police to combat the commercial sexual exploitation of children. (49)

Labor Law Enforcement

In 2019, labor law enforcement agencies in Eritrea took actions to combat child labor (Table 6). However, gaps exist within the operations of the Ministry of Labor and Human Welfare that may hinder adequate enforcement, including the lack of financial resources, complaint mechanisms, and referral mechanisms.

Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2018	2019
Labor Inspectorate Funding	Unknown (9)	Unknown (8)
Number of Labor Inspectors	Unknown (9)	28 (8)
Inspectorate Authorized to Assess Penalties	Unknown (50)	Yes (8)
Initial Training for New Labor Inspectors	Yes (9)	Yes (8)
Training on New Laws Related to Child Labor	Yes (9)	N/A (8)
Refresher Courses Provided	Yes (9)	Yes (8)
Number of Labor Inspections Conducted	985 (9)	1,166 (8)
Number Conducted at Worksite	985 (9)	1,166 (8)
Number of Child Labor Violations Found	0 (9)	0 (8)
Number of Child Labor Violations for Which Penalties Were Imposed	N/A (9)	N/A (8)
Number of Child Labor Penalties Imposed that Were Collected	N/A (9)	N/A (8)
Routine Inspections Conducted	Yes (9)	Yes (8)
Routine Inspections Targeted	Unknown (9)	Yes (8)
Unannounced Inspections Permitted	Unknown (9)	Yes (8)
Unannounced Inspections Conducted	Unknown (21)	Yes (8)
Complaint Mechanism Exists	Unknown (9)	Unknown (8)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Unknown (9)	Unknown (8)

In 2019, for the first time, the government released information on the size of its labor inspectorate and data on sectors targeted for inspections. (8) However, 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. (51) According to the ILO’s technical advice ratio approaching 1 inspector for every 40,000 workers in less developed economies, Eritrea would employ about 68 labor inspectors. (51-53)

The Ministry of Labor and Social Welfare’s labor inspection division conducted 1,166 unannounced inspections in 2019. Industries targeted for inspection included the hospitality, retail, and wholesale sectors (820 visits); manufacturing (233); social and personal services (54); communications and transportation (31); agriculture (9); electricity, gas and water (9); mining (4); construction (3); and financial services (3). (8,47) Inspectors cited 40 percent of inspected establishments for labor violations, while 31 percent were given official warnings to improve.

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Only 4 percent were reported to legal authorities for failing to comply with the minimum occupational safety and health standards, while the remaining 25 percent passed inspection. (54,47) Labor inspectors, in collaboration with the local administrations and police, are empowered to identify and bring offenders of child labor to justice. (8) However, the government did not report any child labor violations during the reporting period. (47)

In 2019, all labor inspectors went through two rounds of refresher trainings on labor laws and the principles of labor inspection. In addition, two inspectors attended specialized training at an ILO training center in Turin, which included training on child labor and its worst forms. (8,47) Although research was unable to determine whether reciprocal referral mechanisms exist between labor authorities and social services, the government maintains that penalties for labor violations are assessed in coordination with labor inspectors, administrators, and the police. (9) The government did not provide information on its labor inspectorate funding for inclusion in this report. Nevertheless, research suggests that inadequate resources, including transportation to remote areas, hinder inspectors' access to sites in which child labor is likely to occur. (8)

Criminal Law Enforcement

In 2019, criminal law enforcement agencies in Eritrea took actions to combat child labor (Table 7). However, gaps exist within the operations of the criminal enforcement agencies that may hinder adequate criminal enforcement, including lack of criminal law enforcement data.

Table 7. Criminal Law Enforcement Efforts Related to Child Labor

Overview of Criminal Law Enforcement	2018	2019
Initial Training for New Criminal Investigators	Unknown (9)	Unknown (8)
Training on New Laws Related to the Worst Forms of Child Labor	Yes (9)	N/A (8)
Refresher Courses Provided	Yes (9)	Yes (8)
Number of Investigations	Unknown (21)	Unknown (8)
Number of Violations Found	0 (9)	Unknown (8)
Number of Prosecutions Initiated	0 (9)	Unknown (8)
Number of Convictions	0 (9)	Unknown (8)
Imposed Penalties for Violations Related to The Worst Forms of Child Labor	Unknown (21)	Unknown (8)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Unknown (9)	Unknown (8)

Under the Proclamation on National Service (No. 82/199), all Eritreans over the age of 18 must undergo six months of compulsory military training at the National Military Training Center. Despite evidence that children younger than age 18 are forced to participate in military training, research did not identify measures taken by the government in 2019 to ensure children were not subjected to compulsory military training. (8,17,33) The government does not publicly release information on its criminal law enforcement efforts. (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.

Eritrea's 43 Child Wellbeing Committees, which operate at the local level, include representatives from the political, health, educational, legal, and civil society sectors. (8) While the committees were active in 2019, 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. (8,9)

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 implementation.

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Table 8. Key Policies Related to Child Labor

Policy	Description
Comprehensive National Child Policy	Addresses underlying causes of child labor through studies 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. (44,47) The policy calls for the provision of free and compulsory basic education to all children irrespective of gender, sex, ethnicity, religion, or disability. (50) Research was unable to determine if the policy was implemented during the reporting period.
Education Sector Development Plan (2018–2021)	Establishes 8 years of free and compulsory education for all children. (45,55) Includes a strategy to ensure equitable access to education for all children, including in nomadic communities, through the provision of mobile classrooms. (45,47) In 2019, the government assigned teachers to travel with nomadic groups. (8)

‡ The government had other policies that may have addressed child labor issues or had an impact on child labor. (46)

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2019, the government funded and participated in programs that may contribute to eliminating or preventing child labor (Table 9). However, gaps exist in these social programs, including the adequacy of efforts to address the problem in all sectors.

Table 9. Key Social Programs to Address Child Labor

Program	Description
Complementary Elementary Education†	Government program created 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. (4,21,45) In 2019, established 54 temporary classroom structures and provided 2,200 out-of-school children with access to education. (56)
UNICEF Country Program (2017–2021)	\$19.5 million (\$31 million requested) UNICEF-funded program nested under the UN-Eritrea Strategic Partnership Cooperation Framework (2017–2021); in collaboration with the government, expands access to quality basic education for all children, and protects children from violence, exploitation, and abuse. (57-59) In 2019, UNICEF developed a mine safety education program, and supported the Ministry of Education’s efforts to train 27 school health teachers using the Emergency and Safety Manual. UNICEF also provided 330 vulnerable households with cash stipends during the reporting period. (56)
Better Migration Management*	EU-led program which encompasses 11 countries in North, Central, and East Africa, and aims to address the international labor market, including trafficking of children. The Eritrean government joined the program on May 28, 2019. (8,60)

* Policy was launched 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 – 2019
	Establish a minimum age for hazardous work and determine the types of hazardous work prohibited for children, in consultation with employers’ and workers’ organizations.	2015 – 2019
	Criminally prohibit the use of a child for prostitution.	2014 – 2019
	Criminally prohibit procuring and offering a child for the production of drugs.	2013 – 2019
	Criminally prohibit the recruitment of children under age 18 by non-state armed groups.	2016 – 2019
	Establish by law free basic public education.	2016 – 2019

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Table 10. Suggested Government Actions to Eliminate Child Labor (Cont.)

Area	Suggested Action	Year(s) Suggested
Enforcement	Publish information on labor inspectorate funding, number of violations in which penalties were imposed and collected, and whether complaint mechanisms and reciprocal referral mechanisms are in place.	2009 – 2019
	Publish information on criminal law enforcement efforts, including initial training for new investigators, as well as data on criminal investigations, violations, prosecutions, and convictions related to the worst forms of child labor.	2019
	Increase the number of labor inspectors to meet the ILO's technical advice.	2018 – 2019
	Ensure labor inspectors are provided sufficient resources, including transportation, to access sites in which child labor is likely to occur.	2019
Coordination	Establish coordinating mechanisms to directly address child labor.	2009 – 2019
Government Policies	Ensure that activities are undertaken to implement the Comprehensive National Child Policy.	2009 – 2019
	Ensure that children under age 18 are not placed in military or hazardous labor assignments as part of national service.	2009 – 2019
Social Programs	Ensure that all children have access to education by building more schools and removing financial and religious barriers to attendance, as outlined in the 2018 Education Sector Development Plan.	2010 – 2019
	Collect and publish data on the extent and nature of child labor to inform policies and programs.	2009 – 2019
	Institute programs to address child labor, including in agriculture, domestic work, and street work, and the worst forms of child labor, including in commercial sexual exploitation.	2009 – 2019

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In 2019, Eswatini made a moderate advancement in efforts to eliminate the worst forms of child labor. The government launched a program with IOM to Strengthen the Coordination Mechanism to Respond to Trafficking in Persons and Ensure Justice and Protection for all Victims of Trafficking in Eswatini. The government also approved and formally launched a new Trafficking in Persons National Strategic Framework and Action Plan. In addition, the government sentenced one individual to 15 years in prison for subjecting a 16 year old to forced labor and arrested a senior government official for the sex trafficking of a minor. However, children in Eswatini engage in the worst forms of child labor, including in forced domestic work and herding livestock. Significant gaps in the legal framework remain, including a lack of legislation regulating the labor conditions under Kuhlehla and other customary practices, and a de facto compulsory education age that does not meet international standards. In addition, minimum age protections do not extend to children engaged in domestic work and agriculture, 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 engage in the worst forms of child labor, including in forced domestic work and herding livestock, each sometimes as a result of human trafficking. (1-4) Table 1 provides key indicators on children's work and education in Eswatini.

Table 1. Statistics on Children's Work and Education

Children	Age	Percent
Working (% and population)	5 to 14	11.7 (35,368)
Attending School (%)	5 to 14	92.5
Combining Work and School (%)	7 to 14	13.0
Primary Completion Rate (%)		95.8

Source for primary completion rate: Data from 2017, published by UNESCO Institute for Statistics, 2020. (5)

Source for all other data: International Labor Organization's analysis of statistics from Multiple Indicator Cluster Survey 4 (MICS 4), 2010. (6)

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

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

Sector/Industry	Activity
Agriculture	Farming, including growing corn and harvesting sugarcane (2)
	Raising and herding livestock, including cattle, buffalo, goats, swine, horses, donkeys, and sheep (2,4,7)
Services	Domestic work (2,8-10)
	Street work, including working as vendors, bus attendants, taxi conductors, porters, and car washers (1-3,8)
Categorical Worst Forms of Child Labor‡	Forced labor in livestock herding, domestic work, farming, and market vending, each sometimes as a result of human trafficking (1,3,11,12)
	Commercial sexual exploitation, sometimes as a result of human trafficking (1,3,10,12,13)
	Use in illicit activities, including growing, manufacturing, and selling drugs such as marijuana (4,10)

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

According to results from the 2014 Survey on Child Labor in Herding in Rural Areas in Eswatini published by the Government of Eswatini and the ILO, an estimated 72,332 child laborers under the age of 15 raise bovines and 20,680 raise sheep and goats, primarily in the rural areas of Hhohho, Manzini, Shiselweni, and Lumbobo. (7) Children perform physically arduous tasks while herding in the grasslands and mountainous regions, and risk

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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. (7)

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. (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.

Table 4. Laws and Regulations on Child Labor

Standard	Meets International Standards	Age	Legislation
Minimum Age for Work	No	15	Article 234 of the Children's Protection and Welfare Act; Section 97 of the Employment Act (15,16)
Minimum Age for Hazardous Work	Yes	18	Article 236 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 and 236–237 of the Children's Protection and Welfare Act (15)
Prohibition of Forced Labor	Yes		Article 75 of the Children's Protection and Welfare Act; Sections 144 and 145 of the Employment Act; Article 13 of the People Trafficking and People Smuggling (Prohibition) Act; Articles 17 and 29 of the Constitution (15,16,17,18)
Prohibition of Child Trafficking	Yes		Article 75 of the Children's Protection and Welfare Act; Article 13 of the People Trafficking and People Smuggling (Prohibition) Act (15,18)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Sections 42–46 of the Crimes Act; Sections 13–15 of the Sexual Offences and Domestic Violence Act (19,20)
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 Defence Force Order (21)
Prohibition of Compulsory Recruitment of Children by (State) Military	N/A*		Section 17 of The Umbutfo Swaziland Defence Force Order (21)
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	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)

* No conscription (21)

‡ Age calculated based on available information (23)

Both the Children's Protection and Welfare Act and Section 97 of the Employment Act apply minimum age protections to children working in industrial undertakings, but neither covers children working in domestic and agricultural work. (15,16) Children working in the agricultural sector often work long hours, carry heavy loads, work in remote areas, and risk exposure to harmful pesticides. (7) There is also no identification of hazardous occupations or activities prohibited for children based on the current legislation. (9,15,16)

Although Section 10 of the Free Primary Education Act requires parents to send their children to school for the completion of primary education, this educational attainment is typically at ages 12 or 13. As a result, children who complete primary education at ages 12 to 14 are vulnerable to child labor, as they are not required to be in school but also cannot legally work because they are under age 15, the minimum age for work. (9,22,23) 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*. (25) In 2019, there were no reports that local chiefs forced residents or children to work, and research indicates that the practice is rare or non-existent, and not innate to the customary practice of *Kuhlehla* (a practice in which people render services to the local chief or king). Still, the ILO has requested that the government issue legislation to regulate the nature and conditions of *Kuhlehla*, and ensure that the law explicitly states the voluntary nature of participation in such work. (25)

In 2019, a draft amendment to the Employment Act No. 5/1980 received initial feedback from Eswatini's Labor Advisory Board (LAB), and is 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. (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 authority of the Ministry of Labor and Social Security (MLSS) that may hinder adequate enforcement of child labor laws.

Table 5. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
Ministry of Labor and Social Security (MLSS)	Enforces child labor laws and promotes relations between labor, government, and business through tripartite dialogue. (14)
Royal Eswatini Police Services (REPS)	Investigate cases involving the worst forms of child labor. Inform victims of sexual offenses, including commercial sexual exploitation, of available counseling and other support services, including Post Exposure Prophylactics. (26,20,27)
Department of Social Welfare	Offers rehabilitative services to victims of child labor, including orphans, and refers suspected cases of child labor to REPS or MLSS. (14)
Director of Public Prosecutions	Prosecutes cases involving the worst forms of child labor, and refers child victims to social and legal support services. (12,20) Responsible for implementing victim identification guidelines and referral mechanisms for victims of human trafficking and those at risk. (23)

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Labor Law Enforcement

In 2019, labor law enforcement agencies in Eswatini took actions to combat child labor (Table 6). However, gaps exist within the authority of MLSS that may hinder adequate labor law enforcement, including the authority to assess penalties.

Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2018	2019
Labor Inspectorate Funding	\$1,023,128 (28)	\$900,000 (29)
Number of Labor Inspectors	15 (27)	15 (29)
Inspectorate Authorized to Assess Penalties	No (27)	No (14)
Initial Training for New Labor Inspectors	Yes (27)	Yes (14)
Training on New Laws Related to Child Labor	Yes (27)	N/A (14)
Refresher Courses Provided	No (27)	No (14)
Number of Labor Inspections Conducted	2,278 (27)	1,580 (29)
Number Conducted at Worksite	2,278 (27)	1,580 (29)
Number of Child Labor Violations Found	0 (27)	0 (29)
Number of Child Labor Violations for Which Penalties Were Imposed	N/A (27)	N/A (29)
Number of Child Labor Penalties Imposed that Were Collected	N/A (27)	N/A (29)
Routine Inspections Conducted	Yes (27)	Yes (14)
Routine Inspections Targeted	Yes (27)	Yes (14)
Unannounced Inspections Permitted	Yes (27)	Yes (14)
Unannounced Inspections Conducted	Yes (27)	Yes (14)
Complaint Mechanism Exists	Yes (27)	Yes (14)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (27)	Yes (14)

Research indicates that labor inspectors lacked sufficient resources, such as vehicles, to conduct inspections. (2,10,23,27) In addition, the number of labor inspectors is insufficient for the size of Eswatini's workforce, which includes approximately 427,900 workers. (30) According to the ILO's technical advice of a ratio approaching 1 inspector for every 15,000 workers in developing economies, Eswatini would employ about 29 labor inspectors, and would require the hiring of 14 additional inspectors to meet this threshold. (31,32)

Criminal Law Enforcement

In 2019, criminal law enforcement agencies in Eswatini took actions to combat child labor (Table 7). However, gaps exist within the operations of the Royal Eswatini Police Services (REPS) that may hinder adequate criminal law enforcement, including allocating financial resources.

Table 7. Criminal Law Enforcement Efforts Related to Child Labor

Overview of Criminal Law Enforcement	2018	2019
Initial Training for New Criminal Investigators	Yes (27)	Yes (14)
Training on New Laws Related to the Worst Forms of Child Labor	Yes (27)	Yes (14)
Refresher Courses Provided	Yes (27)	Yes (14)
Number of Investigations	5 (27)	5(29)
Number of Violations Found	5 (27)	0 (29)
Number of Prosecutions Initiated	1 (27)	4(33)
Number of Convictions	0 (27)	1 (33)
Imposed Penalties for Violations Related to The Worst Forms of Child Labor	No (34)	No (29)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (27)	Yes (14)

In 2019, security forces arrested one senior government official in the Deputy Prime Minister's Office on charges of trafficking in persons, rape, and kidnapping of a minor. He is currently awaiting trial. (35) In addition, another individual was prosecuted for forced child labor and sentenced to 15 years in prison. (35) Research indicates the Royal Eswatini Police Services (REPS) lacked sufficient resources to fulfill its full mandate in terms of carrying out investigations. (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. (27) Research was unable to determine whether the Children's Services Department was active during the reporting period.
Task Force for the Prevention of People Trafficking and People Smuggling	Coordinates the implementation of the People Trafficking and People Smuggling (Prohibition) Act of 2009 with the support from the Trafficking in Persons Secretariat. Formulates policies and programs to prevent and suppress human trafficking and people smuggling, including programs to provide assistance to victims and increase the public's awareness of the causes and consequences of human trafficking and smuggling, and exchanges information on cases of human trafficking among relevant stakeholders, including the police, immigration officers, social workers, and prosecutors. (18) In 2019, the government approved and formally launched a new National Strategic Framework and Action Plan to Combat People Trafficking. (33)

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 Task Force for the prevention of People Trafficking and People Smuggling has resulted in confusion about the mandates of these bodies, how to accomplish their missions, and the overall effectiveness of the task force. (10,14)

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 a lack of implementation.

Table 9. Key Policies Related to Child Labor

Policy	Description
National Strategic Framework and Action Plan to Combat People Trafficking (2019–2023)†	Assigns responsibilities to relevant government agencies on trafficking in persons and provides services to victims. (36) Aims to improve protection for victims, prosecution for offenders, and on continued prevention efforts. (36)
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. (37) Research was unable to determine whether actions were taken to implement this policy in 2019.

† Policy was approved during the reporting period.

The government worked with ILO to draft a new Action Plan on the Elimination of Child Labor for 2019–2025. The Action Plan has been reviewed and approved by the LAB and the Social Dialogue Committee, and will be presented to the Cabinet for adoption in 2020. (14)

Although the Government of Eswatini has adopted a policy related to human trafficking, research found no evidence of a policy on other relevant worst forms of child labor, including commercial sexual exploitation and the use of children in illicit activities. (14) Child labor elimination and prevention strategies are not included in the Eswatini Education and Training Sector Policy. (38)

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2019, the government funded and participated in programs that include the goal of preventing child labor (Table 10). However, gaps exist in these social programs, including the adequacy of programs to address the full scope of the child labor problem.

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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*	IOM-funded, 2 year project that aims to improve protection of trafficking victims by developing regulations and guidelines, including for shelters for human trafficking victims, and training staff from relevant Task Force ministries. (14)
Technical Assistance for Development of a Social Protection System in Swaziland (2016–2019)	\$46.8 million EU-funded, 3 year capacity building project that supported the development of a social protection system through strengthening government coordination, regulatory, and oversight functions. A component of the project directly addressed the needs of children, which included education support services to vulnerable populations. (38) Research was unable to determine whether activities were undertaken to implement this program during the reporting period.
Free Primary Education Program†	Provides funding to ensure free primary education to approximately 24,000 children starting from age 6 for a period of 7 years or up to grade seven. (2,23,27,40) Research was unable to determine whether activities were undertaken to implement this program during the reporting period.

* Program was launched during the reporting period.

† Program is funded by the Government of Eswatini.

During the year, the offices of the Prime Minister and the Deputy Prime Minister worked with the Trafficking in Persons Secretariat, and the Catholic Church to explore the establishment of a trafficking shelter in order to improve the quality of care available to victims. (33) Although the government is developing shelter policies and creating training programs for shelter staff, currently a minimum quality of standard care is not provided to all human trafficking victims. (10,12,23) Although the government collaborated with NGOs to provide child trafficking victims with necessities such as food, clothing, toiletries, counseling, and medical care, programs are not sufficient to address the problem consistently. (41,33,39)

VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE CHILD LABOR

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

Table 11. Suggested Government Actions to Eliminate Child Labor

Area	Suggested Action	Year(s) Suggested
Legal Framework	Ensure that minimum age provisions extend to all children, including those working in agriculture and domestic work.	2013 – 2019
	Ensure that the hazardous occupations and activities prohibited for children are comprehensive and cover agricultural undertakings and domestic work.	2012 – 2019
	Adopt legislation that prohibits the recruitment of children under age 18 by non-state armed groups.	2016 – 2019
	Establish a compulsory education age that is consistent with the minimum age for work.	2009 – 2019
	Establish by law free basic public education through lower secondary education.	2018 – 2019
	Adopt legislation that regulates the work performed through traditional practices like <i>Kuhlehla</i> .	2017 – 2019
Enforcement	Authorize the labor inspectorate to assess penalties.	2016 – 2019
	Provide labor inspectors with refresher courses on the worst forms of child labor.	2017 – 2019
	Provide adequate resources to labor inspectors and criminal investigators so they can fulfill their mandates.	2013 – 2019
	Increase the number of labor inspectors to meet the ILO's technical advice.	2016 – 2019
Coordination	Ensure all coordinating bodies are active and able to fulfill their mandates as intended.	2019
	Establish a coordinating mechanism that addresses all child labor issues, including children working in agriculture and domestic work.	2015 – 2019
	Improve coordination and communication among coordinating bodies to clarify mandates to combat all forms of child labor.	2018 – 2019
Government Policies	Implement child labor-related policies, including the National Children's Policy.	2017 – 2019
	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
	Integrate child labor elimination and prevention strategies into the Eswatini Education and Training Sector Policy.	2010 – 2019

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

Area	Suggested Action	Year(s) Suggested
Social Programs	Ensure that children are able to access free basic education, including paying or eliminating school fees for lower secondary education.	2013 – 2019
	Ensure that social programs to address child labor are implemented in accordance with their mandates.	2018 – 2019
	Ensure a minimum quality of standard care in shelters for victims of child trafficking.	2017 – 2019
	Develop social protection programs to assist children engaged in child labor in domestic work and herding.	2014 – 2019

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In 2019, Ethiopia made a moderate advancement in efforts to eliminate the worst forms of child labor. The government issued a new Labor Proclamation, raising the minimum age for work from 14 to 15 years, and approved the Organizations of Civil Societies Proclamation, replacing a 2009 law that limited the operations of organizations working on child and forced labor issues in Ethiopia. With external support, the government also launched the Effective Approaches in Ending the Worst Forms of Child Labor program to test and measure innovative approaches to address the worst forms of child labor. However, children in Ethiopia continue to engage in the worst forms of child labor, including in forced labor in domestic work and commercial sexual exploitation.

The law in Ethiopia does not include free basic education or a compulsory age for education, leaving children vulnerable to the worst forms of child labor. Social programs to combat child labor have also not sufficiently targeted sectors with high incidences of child labor.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Ethiopia engage in the worst forms of child labor, including in forced labor in domestic work and commercial sexual exploitation. (1-4) According to the results of a 2015 national child labor survey published in 2018, almost 16 million children from the ages of 5 to 17 engaged in child labor. The majority of these children were found in Oromia, Amhara, and the Southern Nations, Nationalities, and Peoples' regions. (5) Table 1 provides key indicators on children's work and education in Ethiopia.

Table 1. Statistics on Children's Work and Education

Children	Age	Percent
Working (% and population)	7 to 14	41.5 (10,202,669)
Attending School (%)	7 to 14	73.1
Combining Work and School (%)	7 to 14	30.8
Primary Completion Rate (%)		54.1

Source for primary completion rate: Data from 2015, published by UNESCO Institute for Statistics, 2020. (6)

Source for all other data: International Labor Organization's analysis of statistics from Socio Economic Survey (ESS 3), 2015–2016. (7)

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

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

Sector/Industry	Activity
Agriculture	Planting and harvesting apples, bananas, coffee, cotton, and <i>khat</i> (5,8-12)
	Herding livestock, including cattle (13)
	Fishing (2,5)
Industry	Mining† gold and quarrying† (5,8,14)
	Construction,† including carrying heavy loads and digging (2,5,8,10,13)
	Repairing motor vehicles and motorcycles (5)
	Producing handicrafts, including pottery and traditional handwoven textiles (2,5,8,15)
Services	Domestic work (5,9,10,16)
	Unpaid household services, including carrying heavy loads of water and firewood (5,8,16)
	Street work, including shoe shining, assisting taxi drivers, vending, portering, and begging (5,8,13,17)

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

Sector/Industry	Activity
Categorical Worst Forms of Child Labor†	Commercial sexual exploitation, sometimes as a result of human trafficking (3,10,13,18,19)
	Forced labor in domestic work, herding, street vending, and traditional weaving of handwoven textiles, each sometimes as a result of human trafficking (8,18,20)
	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.







There are reports that Ethiopian children voluntarily travel to Amhara, a region bordering a key irregular migration route to Europe, to harvest the sesame. This sector is allegedly linked to overland smuggling networks, with children earning enough to fund passage to Europe via North Africa. (12) Many others journey through Djibouti en route to the Gulf, where they are often intercepted, repatriated, and later routed to a transition center in Addis Ababa. (12,21) Somaliland intercepts between 50 and 100 children a week, many under the age of 13, from Amhara and Oromia on their way to the Middle East. (12,21) Children who begin as voluntary migrants may be forced into prostitution or become victims of forced labor. (19,22) Families continue to play a role in financing and coercing their children to go abroad or to urban areas to look for work. (19,20,22,23) Trusted community members, known as *manamasas*, recruit and groom vulnerable youth on behalf of local and international human trafficking syndicates. (24) Children are also trafficked from rural areas to Addis Ababa and other regions of the country for forced labor in the weaving industry, street vending, construction, and domestic work. (8,20,22) Girls trafficked to neighboring countries are exploited in commercial sex and domestic servitude. (22) In addition, children in Oromia and Amhara reportedly harvest and sell *khat*, a stimulant to which they may become addicted due to bodily contact with the plants’ excretions during harvest. (10-12)

Violent ethnic unrest continues to simmer in Oromia, Amhara, and the Southern Nations, Nationalities, and Peoples’ Region, igniting a wave of internally displaced persons (IDPs) during the reporting period. (25) Precise figures are in dispute, although the UN and other humanitarian organizations estimate that between 1.8 and 3.2 million people were displaced in 2019, 66 percent due to conflict. (10,26) More than half of Ethiopia’s IDPs are children. Non-state armed groups recruited and trained children in the western part of Oromia around Wellega, where schools were reportedly damaged or destroyed during the conflict. (10,21) Ethiopia’s out-of-school population is between 1.5 and 3 million, many of whom live in conflict-affected areas. (12,21) Children in rural areas face additional barriers to education, including the distance they must travel to reach school; a lack of sanitation, which especially affects adolescent girls; sexual harassment; the requirement to pay for uniforms and supplies; and a lack of teachers. Somali and Afar regions had the lowest rates of school attendance, with only 38.6 percent of school-age children enrolled in the Somali region and 50.2 percent enrolled in the Afar region. (5) These factors increase children’s risk of entering the workforce at a young age. (9,10,27,28)

II. LEGAL FRAMEWORK FOR CHILD LABOR

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

Table 3. Ratification of International Conventions on Child Labor

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

The government has established laws and regulations related to child labor (Table 4). However, gaps exist in Ethiopia's legal framework to adequately protect children from the worst forms of child labor, including the minimum age for work and the age for compulsory education.

Table 4. Laws and Regulations on Child Labor

Standard	Meets International Standards	Age	Legislation
Minimum Age for Work	Yes	15	Articles 4.1, 89.1, 89.2, and 89.3 of the Labour Proclamation 1156/2019 (29)
Minimum Age for Hazardous Work	No	18	Article 36.1(d) of the Constitution; Articles 89.3 and 89.4 of the Labour Proclamation 1156/2019 (29,30)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Articles 89.3, 89.4 and 186.1 of the Labour Proclamation 1156/2019; Directive on Prohibited Occupations for Young Workers (29,31)
Prohibition of Forced Labor	Yes		Article 18.3 of the Constitution; Article 596 of the Criminal Code; Articles 2.4 and 3–4 of the Proclamation to Provide for the Prevention and Suppression of Trafficking in Persons and Smuggling of Migrants (30,32,33)
Prohibition of Child Trafficking	Yes		Article 18.2 of the Constitution; Articles 597, 635, and 637 of the Criminal Code; Article 3.2 of the Proclamation to Provide for the Prevention and Suppression of Trafficking in Persons and Smuggling of Migrants (30,32,33)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Articles 634–636 of the Criminal Code; Articles 2.4 and 3–4 of the Proclamation to Provide for the Prevention and Suppression of Trafficking in Persons and Smuggling of Migrants (32,33)
Prohibition of Using Children in Illicit Activities	Yes		Article 525 of the Criminal Code (32)
Minimum Age for Voluntary State Military Recruitment	Yes	18‡	Article 270 of the Criminal Code (32)
Prohibition of Compulsory Recruitment of Children by (State) Military	N/A*		
Prohibition of Military Recruitment by Non-state Armed Groups	Yes		Article 2.3 of the Proclamation to Provide for the Prevention and Suppression of Trafficking in Persons and Smuggling of Migrants (33)
Compulsory Education Age	No		
Free Public Education	No		

* No conscription (32)

In 2019, the Government of Ethiopia issued a revised Labor Proclamation raising the minimum age for work from 14 to 15, significantly increasing penalties for child labor violations and extending protections to non-contractual workers. (10,29) Nevertheless, 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. (29,31) Moreover, Article 89.5 of the Labor Proclamation allows children ages 15 to 16 to engage in certain forms of hazardous work following the completion of a government-approved and inspected vocational training course. This contradicts ILO C. 138, which prohibits hazardous work for all children under age 16. (29,34) The Government of Ethiopia notes that, in practice, children begin apprenticeships after the completion of 10th grade, typically at age 16 or 17. (35) The Ministry of Labor and Social Affairs (MOLSA) is currently revising the accompanying Directive on Prohibited Occupations for Young Workers; research has not determined if this will extend further protections to young workers. (10) In February 2020, the government enacted Proclamation 1178/2020 – A Proclamation to Provide for the Prevention and Suppression of Trafficking in Persons and the Smuggling of Persons, and the law was published in April. (24,36)

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III. ENFORCEMENT OF LAWS ON CHILD LABOR

The government has established institutional mechanisms for the enforcement of laws and regulations on child labor (Table 5). However, gaps exist in MOLSA's authority that may hinder adequate enforcement of their child labor laws.

Table 5. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
Ministry of Labor and Social Affairs (MOLSA)	Conducts labor inspections of formal worksites through its regional Bureaus of Labor and Social Affairs. (10) Through its National Referral Mechanism, coordinates victim referral to social services providers. (23)
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) Combats child trafficking and assists vulnerable children through its Special Child Protection Units in Addis Ababa and other major cities. (10, 18, 37)
Office of the Attorney General	Prosecutes criminal violations of child labor laws, including through its Special Investigative Unit for Women and Children. (10)
Ministry of Women and Children's Affairs	Develops and implements programs to protect vulnerable children and monitor alleged violations of child protection laws, including the worst forms of child labor. (1, 38) Maintains rehabilitation centers and coordinates foster families for children rescued from the worst forms of child labor. (10)

Labor Law Enforcement

In 2019, labor law enforcement agencies in Ethiopia took actions to combat child labor (Table 6). However, gaps exist within the authority of MOLSA that may hinder adequate labor law enforcement, including the authority to assess penalties.

Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2018	2019
Labor Inspectorate Funding	\$205,743 (4)	\$220,673 (10)
Number of Labor Inspectors	541 (4)	685 (10)
Inspectorate Authorized to Assess Penalties	No (37)	No (10, 29)
Initial Training for New Labor Inspectors	No (4)	No (10)
Training on New Laws Related to Child Labor	N/A	Yes (10)
Refresher Courses Provided	Yes (4)	Yes (10)
Number of Labor Inspections Conducted	38,000 (4)	41,738 (10)
Number Conducted at Worksite	38,000 (4)	41,738 (10)
Number of Child Labor Violations Found	Unknown (4)	Unknown (10)
Number of Child Labor Violations for Which Penalties Were Imposed	Unknown (4)	Unknown (10)
Number of Child Labor Penalties Imposed that Were Collected	Unknown (4)	Unknown (10)
Routine Inspections Conducted	Yes (4)	Yes (10)
Routine Inspections Targeted	Yes (4)	Yes (10)
Unannounced Inspections Permitted	Yes (37)	Yes (10)
Unannounced Inspections Conducted	Yes (4)	Yes (10)
Complaint Mechanism Exists	Yes (4)	Yes (10)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (4)	Yes (10)

In 2019, labor inspections focused on the floricultural industry where child labor is known to occur; however, data on violations is not aggregated at the national level. (10) The Government of Ethiopia did not publish the number of child labor violations identified as a result of these inspections. (4, 10) Although labor inspectors are not authorized to assess penalties for violations related to child labor, Ethiopia's new Labor Proclamation significantly increased penalties. First-time violators are fined between \$154 to \$617 (5,000 and 20,000 birr), with penalties rising to \$2,161 (70,000 birr) for third infractions. (29) The government did not provide information on prosecutions or convictions related to child labor. (10)

The labor inspectorate hired 144 labor inspectors in 2019. (10) However, the number of labor inspectors remains insufficient for the size of Ethiopia's workforce, which includes 52.8 million workers. According to the ILO's technical advice of a ratio approaching 1 inspector for every 40,000 workers in less developed economies, Ethiopia should employ about 1,321 inspectors. (39,40) In addition, MOLSA and other stakeholders report that a lack of resources and poor coordination among agencies hampered their ability to enforce child labor laws. (4,10) In 2019, 120 inspectors attended national-level trainings, including one session devoted to evaluating progress on combating child labor. (10) MOLSA is also training about 13 labor officers to defend the labor rights of Ethiopians working in the Middle East, including in the Kingdom of Saudi Arabia, Qatar, and United Arab Emirates. (24)

Criminal Law Enforcement

In 2019, criminal law enforcement agencies in Ethiopia took actions to combat child labor (Table 7). However, gaps exist within the operations of the criminal enforcement agencies that may hinder adequate criminal law enforcement, including collecting and publishing enforcement statistics.

Table 7. Criminal Law Enforcement Efforts Related to Child Labor

Overview of Criminal Law Enforcement	2018	2019
Initial Training for New Criminal Investigators	N/A	Yes (10)
Training on New Laws Related to the Worst Forms of Child Labor	N/A	Unknown (10)
Refresher Courses Provided	Yes (23)	Yes (10)
Number of Investigations	Unknown (4)	Unknown (10)
Number of Violations Found	Unknown (4)	Unknown (10)
Number of Prosecutions Initiated	Unknown (4)	Unknown (10)
Number of Convictions	Unknown (4)	Unknown (10)
Imposed Penalties for Violations Related to The Worst Forms of Child Labor	Unknown (4)	Unknown (10)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (4)	Yes (10)

Although the Federal Police Commission and the Office of the Attorney General track all investigations, they lack a mechanism to disaggregate data by age and type of crime. (4) The government also continues to focus on transnational human trafficking for the purpose of forced labor, to the detriment of internal human trafficking, including child trafficking for commercial sexual exploitation, which is a known problem in Ethiopia. (10,22)

Ethiopian immigration and border patrol authorities refer human trafficking victims to NGO-run shelters, in which victims are given first aid and assistance to return home. Although the centers do not disaggregate data for children, NGOs reported that many of those receiving services were younger than age 18, some of whom may have been returning from the Gulf States. (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 inactivity during the reporting period.

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

Coordinating Body	Role & Description
National Steering Committees	The National Steering Committee on the Worst Forms of Child Labor coordinates activities on the worst forms of child labor. Members include MOLSA, the Ministry of Women and Children's Affairs, and the Ministry of Education. (4,19) The National Steering Committee Against Sexual Exploitation of Women and Children develops action plans and coordinates activities to combat the commercial sexual exploitation of children. (19,38) Research was unable to determine whether either committee was active during the reporting period.
MOLSA National Forum to Eliminate the Worst Forms of Child Labor	Combats the worst forms of child labor at the national level. Biannual meetings convene participants from the Ethiopian Employers' Federation and the Confederation of Ethiopian Trade Unions. (4) Research was unable to determine whether the forum was active during the reporting period.

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

Coordinating Body	Role & Description
National Anti-Human Trafficking and Smuggling Mechanisms	The National Anti-Human Trafficking and Smuggling Council addresses international exploitation, including the worst forms of child labor. Chaired by the Deputy Prime Minister, with representatives from five government ministries and regional presidents who meet twice a year. (23,33,41,42) Through its National Anti-Human Trafficking and Smuggling of Migrants Task Force, meets quarterly and coordinates activities against trafficking in persons and migrant smuggling. (23) Led by the Office of the Attorney General and includes representatives from 31 government stakeholders and international organizations such as IOM, ILO, and UNODC. (10,33) During the reporting period, carried out community awareness raising in rural areas that are vulnerable to human trafficking. The government's efforts are supplemented by the community awareness centers funded by IOM, and by the German Society for International Cooperation's (<i>Deutsche Gesellschaft für Internationale Zusammenarbeit</i>) Better Migration Management Project, which has built the capacity of Ethiopian NGOs that are combating human trafficking. (24)
National and Regional Task Forces on Orphans and Vulnerable Children	Promotes children's rights; chaired by members of the federal government and state ministers and led by the Ministry of Women and Children's Affairs in all nine regional capitals and two city administrations. (38,43) Research was unable to determine if the task force was 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. (19,23) In 2019, Ethiopia became 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 child labor by 2025, and forced labor, modern slavery, and human trafficking by 2030. (44) As part of those efforts, MOLSA convened a stakeholders' meeting on December 20, 2019, with Ethiopian government representatives and international NGOs who work on labor issues and the ILO. The purpose of the effort was to coordinate and develop a strategic plan for future activities. (10)

V. GOVERNMENT POLICIES ON CHILD LABOR

The government has established policies related to child labor (Table 9). However, lack of implementation continues to hinder efforts to address child labor.

Table 9. Key Policies Related to Child Labor

Policy	Description
National Action Plan to Eliminate the Worst Forms of Child Labor (2016–2020)	Includes guidelines on child labor identification, withdrawal, reintegration, and educational policies. Overseen by the National Steering Committee on the Worst Forms of Child Labor. (4) Research was unable to determine whether activities were undertaken to implement this policy during the reporting period.
National Plan of Action to Combat Trafficking in Persons (2015–2020)	Examines legal and institutional frameworks and responses related to the human trafficking situation in Ethiopia. Aims to provide guiding principles based on international best practices for anti-human trafficking action and the institutional structures and inputs needed to combat human trafficking. (45) In 2019, supported the overhaul of Ethiopia's human trafficking code, culminating in the 2020 passage of Proclamation 909/2019 – A Proclamation to Provide for the Prevention and Suppression of Trafficking in Persons and the Smuggling of Persons. (10,24)
National Education and Children's Policies	The National Children's Policy promotes children's rights and combats child trafficking, commercial sexual exploitation, and child labor. It also facilitates access to quality primary and secondary education for out-of-school youth, including in rural areas. (46) National policies related to education aim to improve access to quality education and include the Education Sector Development Program V (2015–2020); the Ethiopian Education Development Roadmap (2018–2030), which aims to implement compulsory education; Education and Training Policy, which prioritizes government support for education through grade 10; the Pastoralist Area Education Strategy, which provides for alternative education in pastoralist communities; and National Technical & Vocational Education & Training Strategy, which aims to improve access to vocational education for girls and out-of-school children. (28,47-50) The government has not included child labor elimination and prevention strategies in the Education Sector Development Program, the National Technical & Vocational Education & Training Strategy, or the National Youth Policy. (48-50)
The United Nations Development Assistance Framework (2016–2020)	Promotes improved access to education and livelihood services for vulnerable children. Seeks to protect children from abuse, violence, and exploitation, and to rehabilitate them. (51) Research was unable to determine whether activities were undertaken to implement this policy during the reporting period.

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

Policy	Description
National Human Rights Action Plan II (2016–2020)	Aims to promote human rights in line with Ethiopia's second Growth and Transformation Plan. Objectives include creation of detailed manuals on crime investigation, improving the ability of civil society organizations to secure local funding, and combating both domestic and international trafficking in persons. (52,53) The plan also covers human rights violations in the private sector and encourages private sector companies to undertake human rights due diligence to prevent child labor, forced labor, and other human rights violations. (52,53) 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. (38,54-59)

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2019, the government funded and participated in programs that include the goal of eliminating or preventing child labor (Table 10). However, gaps exist in these social programs, including lack of resources to address the problem in all sectors.

Table 10. Key Social Programs to Address Child Labor

Program	Description
World Bank-Funded Projects†	Includes ET Productive Safety Nets Project 4 (PSNP 4) (2014–2020)†, a \$2.77 billion project that aims to improve access to social safety nets, including cash and in-kind transfers to orphans and vulnerable children. As of June 2019, 7,997,218 individuals had benefited from the program. The Ethiopia General Education Quality Improvement Project II (GEQIP-2) (2014–2019) is a \$500 million project to improve learning conditions in Ethiopia through curriculum development, textbook assessment, teacher training, and school construction. As of June 2019, 25,934,981 students had benefited from direct interventions to enhance learning. By August, more than 177 million textbooks had been distributed or were under procurement, including 125 million mother-tongue textbooks. A total of 83,309 primary teacher trainees and 24,856 secondary teacher trainees received tertiary and post-graduate training under the program. (62-69) The Ethiopia General Education Quality Improvement Program for Equity (GEQIP-E) (2017-2022)† is a \$300 million program that works with the Ministry of Education to improve education quality and access. (62-65) GEQIP-E worked with the Ministry of Education to create budget lines for school grants and textbooks. (66,67)
UNICEF-Funded Programs	UNICEF-funded programs to improve social safety nets and improve access to education include Child-to-Child and Accelerated School Readiness programs, which extend educational opportunities to internally displaced children, and the Integrated Safety Nets Program (2017–2023). (10,70) UNICEF, the Swedish International Development Agency, and MOLSA are also jointly funding the Urban Productive Safety Net Programme, which aims to improve nutritional and educational outcomes in Amhara and Addis Ababa through cash transfers and linking participants to basic social services. (10,71) In 2019, UNICEF education services reached 1 in 5 vulnerable children in Ethiopia, providing them with early learning, informal and non-formal education services. (72)
World Vision Programs*	Effective Approaches in Ending the Worst Forms of Child Labor (EAPEC) (2019–2022)*, an international program designed to test and measure innovative approaches to reduce the worst forms of child labor, will target 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. (12,21,73,74) Additionally, in 2019 the UK's Department for International Development partnered with World Vision to develop a curriculum on forced and child labor detection for mid- to high-level law enforcement officers. (21) World Vision also signed a Memorandum of Understanding with MOLSA to create a National Action Plan to respond to child labor and clarify labor inspection guidelines. (12,21) In addition, World Vision is working directly with Ethiopia's nine regional governments to incorporate child labor issues into their action plans. Finally, World Vision expanded training programs designed to build detection capacity; efforts are concentrated in the south. (12,21)

† Program is co-funded by the Government of Ethiopia. (70)

‡ The government had other social programs that may have included the goal of eliminating or preventing child labor. (75,76)

* Program was launched during the reporting period.

In 2019, parliament approved the Organizations of Civil Societies Proclamation, replacing a 2009 law that limited the operations of organizations working on child and forced labor issues in Ethiopia. (77) The 2019 proclamation, which formally repealed the Charities and Societies Proclamation of 2009, dramatically opened up Ethiopia's civic space. (12,21) Although the government participates in and implements several programs to combat child labor, these programs do not sufficiently target sectors with high incidences of child labor, such as agriculture and domestic work. (4) There is also a paucity of rehabilitation and reintegration centers throughout the country for victims of child trafficking or commercial sexual exploitation. (3,19)

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VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE CHILD LABOR

Based on the reporting above, suggested actions are identified that would advance the elimination of child labor in 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 – 2019
	Ensure that the types of hazardous work prohibited for children are comprehensive, including hazardous tasks in traditional weaving.	2016 – 2019
	Establish by law free basic education and an age up to which education is compulsory that is consistent with the minimum age of employment.	2012 – 2019
Enforcement	Strengthen the labor inspectorate by permitting labor inspectors to assess penalties.	2013 – 2019
	Increase the number of labor inspectors to meet the ILO's technical advice.	2015 – 2019
	Ensure that labor inspectors receive initial training, have sufficient resources to conduct inspections in all sectors, and are able to coordinate adequately with other agencies.	2009 – 2019
	Ensure that both domestic and transnational child trafficking cases are investigated.	2013 – 2019
	Gather, disaggregate, and publish information on the number of child labor violations found and penalties applied and collected; and the number of investigations conducted, prosecutions initiated, and convictions obtained.	2009 – 2019
Coordination	Clarify individual mandates for coordinating mechanisms to combat child labor; provide for effective inter-committee communication, coordination, and collaboration; and ensure all committees are funded.	2015 – 2019
Government Policies	Integrate child labor elimination and prevention strategies in the Education Sector Development Program, the National Technical & Vocational Education & Training Strategy, and the National Youth Policy.	2013 – 2019
	Ensure existing policies and action plans to address the worst forms of child labor are implemented as intended.	2018 – 2019
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 – 2019
	Develop or expand social protection programs to prevent or withdraw children from all relevant sectors of child labor, including agriculture and domestic work, ensuring safeguards are in place to guard against child labor violations.	2009 – 2019
	Ensure that social services, such as rehabilitation and reintegration centers, are available throughout the country.	2009 – 2019

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Falkland Islands (Islas Malvinas)

MINIMAL ADVANCEMENT

Although research found no evidence that child labor exists in the Falkland Islands, in 2019 the government made a minimal advancement in efforts to prevent the worst forms of child labor. During the reporting period, the Safeguarding Children's Board convened multiple times to discuss issues related to the safety and wellbeing of children. However, the minimum ages for work and 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. (1-3) Data on key indicators on children's work and education in the Falkland Islands are not available from the sources used in this report.

II. LEGAL FRAMEWORK FOR CHILD LABOR

British Overseas Territories (BOTs) recognize the jurisdiction and sovereignty of the United Kingdom (UK), but are not constitutionally part of the UK. They are self-governing, except in the areas of foreign affairs and defense. (1) The Falkland Islands generally incorporate English Law Ordinances to the extent permitted by local circumstances and subject to modification by local laws. (1) Under Article 35(4) of the ILO Constitution, when the UK ratifies a Convention, the Territory must consider if it will accept the Convention. If the Convention is accepted, it is considered applicable to that territory. (1) The following Conventions have been extended to the Falkland Islands. The Falkland Islands has accepted some of them (Table 1).

Table 1. Ratification of International Conventions on Child Labor

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

The Government of the Falkland Islands has established laws and regulations related to child labor (Table 2). However, gaps exist in the Falkland Islands' legal framework to adequately protect children from the worst forms of child labor, including the minimum age for work and the prohibition of using children in illicit activities.

Table 2. Laws and Regulations on Child Labor

Standard	Meets International Standards	Age	Legislation
Minimum Age for Work	No	14	Section 3 of the Employment of Children Ordinance (4)
Minimum Age for Hazardous Work	No	16	Section 3 of the Employment of Children Ordinance; Sections 3 and 4A of the Employment of Women, Young Persons, and Children Act (4,5)
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 (4,5)
Prohibition of Forced Labor	No		Chapter 1, Section 4 of the Constitution Order (6)
Prohibition of Child Trafficking	No		Part 1, Sections 57–60 of the Sexual Offences Act (7)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Part 1 of the Sexual Offences Act (7)

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Table 2. 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	
Prohibition of Compulsory Recruitment of Children by (State) Military	N/A*		
Prohibition of Military Recruitment by Non-state Armed Groups	No		
Compulsory Education Age	Yes	16	Education Amendment Ordinance; Chapter 1, Section 12 of the Constitution Order (6,8)
Free Public Education	Yes		Education Amendment Ordinance; Chapter 1, Section 12 of the Constitution Order (6,8)

* No conscription (9)

The minimum age of 14 for work and the minimum age of 16 for hazardous work are not in compliance with international standards. (3-5) The Government of the Falkland Islands has not determined by national law or regulation the types of hazardous work prohibited for children, other than industrial undertakings. (4,5) The law does not prohibit forced labor of children. (6)

The law also does not prohibit adults from using, procuring, and offering a child in the production and trafficking of drugs in the Falkland Islands. Although child trafficking has not been identified as a problem, the law does not criminalize trafficking children for labor exploitation. (6,7) Also, the law does not criminally prohibit the recruitment of children by non-state armed groups.

III. ENFORCEMENT OF LAWS ON CHILD LABOR

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

Table 3. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
Royal Falkland Islands Police	Enforce laws protecting children against abuses, including sexual abuses. (10)

IV. COORDINATION OF GOVERNMENT EFFORTS ON CHILD LABOR

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

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

Coordinating Body	Role & Description
Falkland Islands Safeguarding Children's Board	Ensures children's welfare, including protection from sexual abuse. Chaired by the Director of Health and Social Services, members include the Education Department, the Attorney General's Chambers, Social Services, Royal Falkland Islands Police, healthcare professionals, members of the Legislative Assembly, and a representative from the military community. (11) Held meetings in 2019 to discuss the safe recruitment of youth in employment, the country's child sexual exploitation strategy, and training for panel members. (12-14)

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.

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VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

As there is no evidence of a problem, there appears to be no need for programs to address child labor.

VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE CHILD LABOR

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

Table 5. Suggested Government Actions to Eliminate Child Labor

Area	Suggested Action	Year(s) Suggested
Legal Framework	Raise the minimum age for work to at least 15 and up to the age to which education is compulsory in all sectors.	2017 – 2019
	Ensure that the minimum age for hazardous work is age 18 and that national law determines prohibited work activities for children.	2015 – 2019
	Ensure that the law prohibits the use of children in illicit activities, including in the production and trafficking of drugs.	2013 – 2019
	Ensure that the law protects all children under age 18 from being trafficked for any purpose, including labor exploitation.	2016 – 2019
	Ensure that the law criminally prohibits the recruitment of children under age 18 by non-state armed groups.	2012 – 2019
Social Programs	Collect and publish data on the extent and nature of child labor to inform policies and programs.	2017 – 2019

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In 2019, Fiji made a moderate advancement in efforts to eliminate the worst forms of child labor. During the reporting period, the government successfully prosecuted a case of domestic child trafficking, resulting in the first conviction of its kind since 2014. The Fiji police also formalized its Human Trafficking Unit and hired seven dedicated officers. In addition, the Ministry of Employment, Productivity, and Industrial Relations allocated \$160,000 to combat child labor, particularly in the sugarcane industry. However, children in Fiji engage in the worst forms of child labor, including in commercial sexual exploitation, sometimes as a result of human trafficking. Children also perform dangerous tasks in agriculture. In addition, there are no criminal prohibitions against the recruitment of children by non-state armed groups.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Fiji engage in the worst forms of child labor, including in commercial sexual exploitation, sometimes as a result of human trafficking. Children also perform dangerous tasks in agriculture. (1-4) Table 1 provides key indicators on children's work and education in Fiji. Data on some of these indicators are not available from the sources used in this report.

Table 1. Statistics on Children's Work and Education

Children	Age	Percent
Working (% and population)	5 to 14	Unavailable
Attending School (%)	5 to 14	Unavailable
Combining Work and School (%)	7 to 14	Unavailable
Primary Completion Rate (%)		107.0

Source for primary completion rate: Data from 2016, published by UNESCO Institute for Statistics, 2020. (6)

Data were unavailable from International Labor Organization's analysis, 2020. (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	Cutting,† loading,† weeding, and spraying chemicals† on sugarcane (1,2,8,9)
	Planting, picking, and using chemicals† on tobacco (1)
	Collecting and splitting coconuts; harvesting rice; planting, harvesting, weeding, and spraying fertilizers on roots (including <i>dalo</i> and <i>yaqona</i>); and planting and harvesting other kinds of fruits and vegetables† (1)
	Pig farming and goat and cattle herding (1)
	Fishing† and deep-sea diving† (1,2,8,9)
Services	Street work, including pushing wheelbarrows for shoppers in markets, vending, washing cars, shining shoes, and begging (1,8-12)
	Domestic work (1,8,9,12)
	Working in garages, in retail shops, or roadside stalls (2,8,9,12)
	Selling fruit (1)
	Collecting bottles† and scrap metal† (1,8,9,12)
Categorical Worst Forms of Child Labor‡	Commercial sexual exploitation, sometimes as a result of human trafficking (1,4,8,9,13-16)
	Forced labor in agriculture, begging, and domestic work, each sometimes as a result of human trafficking (4,17)
	Use in illicit activities, including drug trafficking (12,18,19)

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

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




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During the reporting period, the NGO Pacific Dialogue and the ILO stated that they have received reports of children engaging in organized prostitution, including being advertised online. (8,9) Commercial sexual exploitation of children continued to occur in Fiji, particularly by family members, taxi drivers, foreign tourists, businessmen, and crew on foreign fishing vessels. (1,4,13-15,20) Parents sometimes send their children to live with families in cities or near schools to facilitate their continuing education and to perform light household work. Research found that some of these children are vulnerable to involuntary domestic work or are forced to engage in sexual activity in exchange for food, clothing, or shelter. (4,20-23) During the reporting period, there were some media reports of children involved in selling drugs in Fiji. (18,19)

II. LEGAL FRAMEWORK FOR CHILD LABOR

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

Table 3. Ratification of International Conventions on Child Labor

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

The government has established laws and regulations related to child labor (Table 4). However, gaps exist in Fiji's legal framework to adequately protect children from the worst forms of child labor, including 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 20–21 of the Immigration Act; Articles 102–103 and 111–121 of the Crimes Decree (24,27,28)
Prohibition of Child Trafficking	Yes		Article 91 of the Employment Relations Promulgation; Article 20 of the Immigration Act; Articles 111–121 of the Crimes Decree (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)

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

Standard	Meets International Standards	Age	Legislation
Prohibition of Military Recruitment by Non-state Armed Groups	No		
Compulsory Education Age	Yes	15	Compulsory Education Order; Compulsory Education Regulations (32)
Free Public Education	Yes		Article 31 of the Constitution of Fiji (54)

* 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. (24,33)

III. ENFORCEMENT OF LAWS ON CHILD LABOR

The government has established institutional mechanisms for the enforcement of laws and regulations on child labor (Table 5). However, gaps exist within the operations of the Ministry of Employment, Productivity, and Industrial Relations (MEPIR) that may hinder adequate enforcement of their child labor laws.

Table 5. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
Ministry of Employment, Productivity, and Industrial Relations (MEPIR)	Lead agency responsible for enforcing laws related to child labor. Investigates places of employment and child labor law violations. (2,8-10) Monitors compliance with the minimum age for employment requirements and the Employment Relations Promulgation. Oversees 14 Divisional Labor Offices responsible for investigating cases of child labor and making appropriate referrals. (10) Coordinates activities at the national, divisional, and district levels through the regional Inter-agency Committees on Child Abuse, including conducting trainings on child labor. Maintains a 24-hour phone line to accept reports of child labor and refers children to social services when appropriate. (2,8,33) With the establishment of a Labor Inspection System on Child Labor, over 200 child labor cases have been investigated since 2011. (36,37)
Ministry of Women, Children, and Poverty Alleviation (MWCPA)	Responsible for women and gender issues, including protecting women and children from abuses. (38)
Employment Relations Tribunal	Adjudicates alleged violations of child labor provisions in the Employment Relations Promulgation. (2,8)
Fiji Police Force	Investigates criminal violations regarding child labor, child trafficking, and commercial sexual exploitation. (8) Enforces laws on child trafficking, commercial sexual exploitation, and illicit activities. Maintains a Human Trafficking Unit (HTU) and provides training to other police units focused on combating human trafficking. (10,20) Collaborates with the Australian Federal Police to combat potential child sex tourism by Australian nationals, who comprise the largest tourist group visiting Fiji. (21) In 2019, the Fiji Police Force formalized its HTU and employed seven officers responsible for enforcing criminal laws related to the worst forms of child labor. (8,9,33)
Department of Immigration	Responsible for immigration services, refugee services, and efforts to combat human trafficking. Administers and enforces Immigration, Passport, and Citizenship Acts. (8) 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. (8)
Departments of Social Welfare and Public Prosecutions	Enforce laws on child trafficking. Operate four homes and provide social services for child trafficking victims. (10)

In 2019, the Fiji Police Force and the Department of Immigration met quarterly to discuss human trafficking issues involving foreign nationals. (9) In addition, MEPIR maintains a database on child labor, which standardizes current and past data in all seven districts in Fiji. (8,9)

Labor Law Enforcement

In 2019, labor law enforcement agencies in Fiji took actions to combat child labor (Table 6). However, gaps exist within the operations of MEPIR that may hinder adequate labor law enforcement, including that inspections must first seek the business owners' permission before conducting inspections in the informal sector.

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Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2018	2019
Labor Inspectorate Funding	\$3.25 million (8)	\$3.9 million (9)
Number of Labor Inspectors	71 (8)	73 (9)
Inspectorate Authorized to Assess Penalties	Yes (8)	Yes (9)
Initial Training for New Labor Inspectors	Yes (8)	Yes (9)
Training on New Laws Related to Child Labor	N/A (8)	N/A (9)
Refresher Courses Provided	Yes (8)	Yes (9)
Number of Labor Inspections Conducted	3,800 (8)	3,562 (9)
Number Conducted at Worksite	3,800 (8)	3,562 (9)
Number of Child Labor Violations Found	13 (8)	41 (9)
Number of Child Labor Violations for Which Penalties Were Imposed	0 (8)	0 (9)
Number of Child Labor Penalties Imposed that Were Collected	0 (8)	N/A (9)
Routine Inspections Conducted	Yes (8)	Yes (9)
Routine Inspections Targeted	Yes (8)	Yes (9)
Unannounced Inspections Permitted	Yes (8)	Yes (9)
Unannounced Inspections Conducted	Yes (8)	Yes (9)
Complaint Mechanism Exists	Yes (8)	Yes (9)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (8)	Yes (9)

In 2019, MEPIR exceeded their goal of conducting 3,000 labor inspections per year and established the reduction of child labor as a strategic priority for the government. (8)

The Child Labor Unit within MEPIR was disbanded, and now all labor inspectors are expected to look for child labor violations during inspections. (8,9) Inspections are conducted in the workers' language, including English, Fijian Hindi, and vernacular Fijian. (2) Unannounced inspections are permitted within the informal sector, but inspectors must first seek the business owners' permission before conducting the inspection. If there is reasonable cause to believe that prior notification of an inspection will prejudice the performance of the inspector's duties, a police officer must accompany the inspector during the inspection. (8,9)

Criminal Law Enforcement

In 2019, criminal law enforcement agencies in Fiji took actions to combat child labor (Table 7).

Table 7. Criminal Law Enforcement Efforts Related to Child Labor

Overview of Criminal Law Enforcement	2018	2019
Initial Training for New Criminal Investigators	Yes (8)	Yes (9)
Training on New Laws Related to the Worst Forms of Child Labor	N/A (8)	N/A (9)
Refresher Courses Provided	Yes (8)	Yes (9)
Number of Investigations	2 (8)	2 (9)
Number of Violations Found	2 (8)	2 (9)
Number of Prosecutions Initiated	1 (8)	1 (9)
Number of Convictions	0 (8)	1 (9)
Imposed Penalties for Violations Related to The Worst Forms of Child Labor	Unknown (39)	Yes (9)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (8)	Yes (9)

MEPIR allocated a budget of \$160,000 from June 2018 to June 2019 to conduct 30 investigations, hold 5 training sessions for the sugarcane sector, and conduct outreach campaigns. (9) During the reporting period, subject matter experts conducted 10 lectures for law enforcement officials on human trafficking topics, including the exploitation of child labor. (9) Additionally, the Human Trafficking Unit conducted trafficking-in-persons awareness trainings, including for new police recruits and public prosecutors. (20)

In Fiji, criminal authority agencies, including the Fiji Police Force, can refer child labor cases on a case-by-case basis to the Departments of Social Welfare and Public Prosecution. (2,8,9)

In 2019, an ongoing child labor case involving aggravated sexual servitude and domestic trafficking of children was successfully prosecuted, the first conviction of its kind since 2014. The accused, who was charged with one count of aggravated sexual servitude and three counts of domestic trafficking, was sentenced to 14 years imprisonment for domestic trafficking and sexual servitude of a minor. (9,40)

IV. COORDINATION OF GOVERNMENT EFFORTS ON CHILD LABOR

The government has established mechanisms to coordinate its efforts to address child labor (Table 8). However, gaps exist that hinder the effective coordination of efforts to address child labor, including mechanisms to coordinate activities for commercial sexual exploitation and human trafficking.

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

Coordinating Body	Role & Description
Inter-Agency Network	Chaired by the Ministry of Employment, Productivity and Industrial Relations. (41) Focuses on child labor issues at the district and provincial level. Monitors and reports cases of non-compliance. (42) Comprises inter-agency committees in nine towns in Fiji. This body was active during the reporting period. (42)
Inter-Agency Taskforce on Beggars	Addresses issues concerning children who beg and other exploited children. Enforces zero-tolerance policy on child begging. (11) Ministry of Social Welfare, Women, and Poverty Alleviation and police regularly conduct patrols to identify and assist children. This body was active during the reporting period. (41)
Inter-Agency Committee on Child Abuse	Investigates child labor cases, refers children to school, and monitors the cases when a referral is made to the Department of Social Welfare. (2,3,43) Shares information on child labor cases, including the worst forms of child labor. (8,9) This body was active during the reporting period. (9)
Regional Inter-Agency Committees on Child Abuse	Work on child labor issues. Comprising NGOs, Fiji Police Force, Public Prosecutor's Office, Solicitor General's Office, Department of Social Welfare, MEPIR, Ministry of Health, and Ministry of Education (MOE). (8) This body was inactive during the reporting period. (42)

Although the Government of Fiji has established mechanisms to coordinate efforts to address child labor, it does not have coordinating mechanisms to address other forms of child labor, including commercial sexual exploitation and human trafficking.

V. GOVERNMENT POLICIES ON CHILD LABOR

The government has established policies related to child labor (Table 9). However, policy gaps exist that hinder efforts to address child labor, including the lack of a national policy to address child labor and human trafficking.

Table 9. Key Policies Related to Child Labor

Policy	Description
United Nations Pacific Strategy (2018–2022)	A multinational strategic framework, comprising 14 South Pacific nations, created to address, develop, and implement strategic economic development priorities in the South Pacific, including eliminating child labor and the worst forms of child labor. (46) During the reporting period, UNICEF worked with the Government of Fiji to review its child protection laws and inter-agency guidelines and plan a training for social welfare officers in 2020. (42)
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. In 2019, \$93,000 from MOE paid for the provision of boats and outboard motors to assist students in island maritime and rural areas. (9,42)

In 2019, the Government of Fiji set a goal to accelerate the eradication of child labor by 2025, and forced labor, modern slavery, and human trafficking by 2030. (8,9) Although the government has drafted action plans to combat child labor and human trafficking, these have not been approved. (4,8,9,20,22,33,43,44,47,48)

In 2019, Fiji became 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. Fiji held a National Strategic Planning Forum to develop a roadmap to achieve Sustainable Development Goal Target 8.7, which includes stronger national

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legislation, policies, and compliance mechanisms to protect children from all forms of child labor; data collection; expansion of social programs; and targeted policies to combat the worst forms of child labor. (49)

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2019, the government funded and participated in programs that include the goal of eliminating or preventing child labor (Table 10). However, gaps exist in these social programs, including addressing the needs of victims of child trafficking and commercial sexual exploitation.

Table 10. Key Social Programs to Address Child Labor

Program	Description
UNICEF Pacific Multi-Country Child Protection Program (2018–2022)	Multi-country program in 14 Pacific Island countries. (51) Prioritizes children's rights including the elimination of the worst forms of child labor. Aligned with the UN Pacific Strategy 2018–2022. (51) During the reporting period, sponsored trainings for government officials on the rights of children, including trainings on child abuse and child labor. Provided \$126,000 to MOE to enhance government capacity to provide child protection services. (41)
Education Assistance Programs†	MOE Food Voucher and Bus Fare Assistance program provides \$24 in food vouchers and subsidized bus fares to families with combined annual income of less than \$7,382 to offset the cost of education for children attending remote schools. (34,43) MOE Tuition Fee Free Grant program provides subsidized tuition fee free grants for early childhood education centers or students attending preschool. (22) These programs were active in 2019. (41)
Child Protection Program and Allowance‡	MWCPA Child Protection Program raises awareness of, and enacts recommendations from, the UN CRC. (8,9) In 2019, the government allocated \$230,000 for child protection programs to raise awareness on the UN CRC. MWCPA Child Protection Allowance assists single mothers, widows, and children. (8) In 2019, the government provided \$4 million for the Child Protection Allowance. (9)
Trafficking Victims Rehabilitation Programs†	Safety Net Project funds rehabilitation services for females who are under 18 and victims of commercial sexual exploitation. Receives referrals from various entities, including the Fiji Police. (41) This program was active during the reporting period. (41) Homes of Hope is an NGO program that assists victims of sexual abuse and human trafficking. MWCPA contributed \$69,000 during the reporting period. (8,9)

† Program is funded by the Government of Fiji.

‡ The government had other social programs that may have included the goal of eliminating or preventing child labor. (9,11,52)

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 in human trafficking and commercial sexual exploitation, and children who may be sent to live with other families. (4,9) While NGOs provide limited support services, these are concentrated in the capital city of Suva. (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 Fiji (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 – 2019
	Accede to the UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography.	2013 – 2019
	Ensure that the law criminally prohibits the recruitment of children under age 18 by non-state armed groups.	2016 – 2019
	Ensure that the law's light work provisions are specific enough to prevent children from involvement in child labor.	2015 – 2019
Enforcement	Ensure that penalties are assessed for child labor violations detected.	2019
	Allow unannounced inspections within the informal sector without having to first request permission from the business owner.	2018 – 2019
Coordination	Establish a coordinating mechanism to address all of the worst forms of child labor, including commercial sexual exploitation and child trafficking.	2019
	Ensure that Regional Inter-Agency Committees on Child Abuse are active and fulfill their mandate to combat child labor and abuse.	2018 – 2019

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

Area	Suggested Action	Year(s) Suggested
Government Policies	Adopt policies to combat child labor and human trafficking.	2013 – 2019
Social Programs	Collect and publish data on the extent and nature of child labor to inform policies and programs.	2017 – 2019
	Increase the availability of support services for children vulnerable to commercial sexual exploitation, human trafficking, and involuntary domestic work from living with other families.	2010 – 2019

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In 2019, Gabon made a minimal advancement in efforts to eliminate the worst forms of child labor. The government convicted two individuals of child trafficking and successfully extradited from the Republic of Congo a prominent businessman and parliamentarian accused of trafficking children for commercial sexual exploitation. However, despite new initiatives to address child labor, Gabon is receiving an assessment of minimal advancement because it continued a regression in 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 engage in the worst forms of child labor, including in commercial sexual exploitation, sometimes as a result of human trafficking. Children also engage in child labor in domestic work. Gabonese law lacks prohibitions against the use of children in illicit activities and the minimum age for work provisions only apply to children in formal employment relationships, which does not conform to international standards that require all children to be protected by the minimum age for work. In addition, labor inspectors do not have the authority to assess penalties, and they lack the basic resources necessary to conduct investigations.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Gabon engage in the worst forms of child labor, including in commercial sexual exploitation, sometimes as a result of human trafficking. Children also engage in child labor in domestic work. (1-7) Table 1 provides key indicators on children’s work and education in Gabon. Data on some of these indicators are not available from the sources used in this report.

Table 1. Statistics on Children’s Work and Education

Children	Age	Percent
Working (% and population)	5 to 14	22.3 (83,073)
Attending School (%)	5 to 14	94.4
Combining Work and School (%)	7 to 14	23.3
Primary Completion Rate (%)		Unavailable

Primary completion rate was unavailable from UNESCO Institute for Statistics, 2020. (8)

Source for all other data: International Labor Organization’s analysis of statistics from Deuxième Enquête Démographique et de Santé au Gabon (EDSG-II), 2012. (9)

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

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

Sector/Industry	Activity
Agriculture	Fishing, including the production and sale of smoked fish (10)
Industry	Working in sand quarries† (1-3)
	Working in brick factories (10)
Services	Domestic work (4-7,10)
	Street vending, including windshield cleaning, cleaning market spaces at night, and carrying heavy loads† (1,7,10)
	Garbage scavenging (10)
	Working in restaurants (2,3)
	Working in transportation† and as mechanics (1-3,10)

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

Sector/Industry	Activity
Categorical Worst Forms of Child Labor‡	Forced labor in markets, restaurants, handicraft shops, sand quarries, farming, animal husbandry, fishing, domestic work, and as mechanics, each sometimes as a result of human trafficking (1,5,11,12)
	Commercial sexual exploitation, sometimes as a result of human trafficking (6,7,11,13,14)

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

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







Gabon is primarily a destination and transit country for victims of child trafficking from other countries in Central and West Africa. (10,13,15-17) Some parents entrust their children to intermediaries who promise education and safe work opportunities; instead, these children are sometimes subjected to child trafficking for labor exploitation. However, there is limited evidence of child trafficking occurring within Gabon. (13,17) While data on child labor have not been collected in Gabon since 2012, 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 hours. (10,13)

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. (18) Rural areas also lack schools and teachers, and education beyond primary school is often unavailable. (1,19,20) Reports suggest that some children, especially girls, are sexually abused at school. (2,11,21) In addition, children living in remote areas may not receive birth certificates, which are often required for school enrollment, and children who do not attend school are more vulnerable to child labor. (1,2)

II. LEGAL FRAMEWORK FOR CHILD LABOR

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

Table 3. Ratification of International Conventions on Child Labor

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

The government has established laws and regulations related to child labor (Table 4). However, gaps exist in Gabon’s legal framework to adequately protect children from the worst forms of child labor, including the minimum age for work.

Table 4. Laws and Regulations on Child Labor

Standard	Meets International Standards	Age	Legislation
Minimum Age for Work	No	16	Article 177 of the Labor Code; Article 2 of the Decree on Establishing Individual Exceptions to the Minimum Age for Admission to Employment (22-24)
Minimum Age for Hazardous Work	Yes	18	Article 1 of the Hazardous Work List (22,23,25)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Articles 2, 3, and 5 of the Hazardous Work List (22,23,25)

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

Standard	Meets International Standards	Age	Legislation
Prohibition of Forced Labor	Yes		Article 4 of the Labor Code; Articles 3, 11–13, and 20 of Law N° 09/04 Preventing and Fighting Against Child Trafficking (22,26)
Prohibition of Child Trafficking	No		Articles 3, 11–14, and 20 of Law N° 09/04 Preventing and Fighting Against Child Trafficking; Article 278 <i>bis</i> of the Penal Code; Articles 342-350 of Gabon’s Revised Criminal Code (26-28)
Prohibition of Commercial Sexual Exploitation of Children	No		Articles 260–261 and 263 of the Penal Code (28)
Prohibition of Using Children in Illicit Activities	No		
Minimum Age for Voluntary State Military Recruitment	Yes	18	Article 17 of the Law on the Organization of National Defense and Public Security (29)
Prohibition of Compulsory Recruitment of Children by (State) Military	Yes*		Article 17 of the Law on the Organization of National Defense and Public Security (29)
Prohibition of Military Recruitment by Non-state Armed Groups	No		
Compulsory Education Age	Yes	16	Article 1 of the Constitution; Article 2 of Act N° 21/2011 on General Education; Article 344.8 of the Penal Code (18,28,30)
Free Public Education	Yes		Articles 1.18 and 1.19 of the Constitution; Article 2 of Act N° 21/2011 on General Education (18,30)

* No conscription (31)

In July 2019, the president signed Gabon’s revised penal code into law, which explicitly included a trafficking in persons offense for the first time. Articles 342-350 of the revised penal code prescribed penalties of up to seven years’ imprisonment and a fine of one million Central African francs (CFA) (\$1,730) for trafficking offenses involving adult victims and up to 15 years imprisonment and a fine of up to 100 million CFA (\$172,970) for those involving child victims. However, the new anti-trafficking provisions only criminalized some forms of sex trafficking and labor trafficking. (22,26-28) Specifically, the penal code limited the definition of trafficking in persons to crimes involving an “exchange for remuneration or any other advantage or the promise of remuneration or other advantage,” thereby not encompassing all forms of trafficking. (22,26-28)

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. (24) In addition, although the Labor Code prohibits work by children under age 16, the minimum age protections do not apply to children outside of formal work relationships, which does not conform to international standards that require all children be protected under the law. (3,22)

The law does not criminally prohibit the use of children for prostitution, or the use, procuring or offering of a child for the production of pornography or pornographic performances. (3,22)

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, the absence of worksite inspections conducted at the national level may have impeded the 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. (19) Refers cases of child trafficking to the Ministry of the Interior's Police Force for investigation and the Ministry of Health, Social Protection and National Solidarity (MSPNS) for social services. (1)
Ministry of the Interior's Police Force	Enforces laws, investigates child labor violations, and refers cases to the Ministry of Justice for prosecution. (10,19) The Ministry of Interior through the police refers cases of child labor to the MSPNS. The shelters for referred children are run by or work in close coordination with MSPNS. (1,13)
Ministry of Justice	Enforces child labor laws by prosecuting child labor cases. Assists in supporting victims of child trafficking while prosecutors and investigators prepare their cases. (1)
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, who may pursue criminal charges. (10,13)

Labor Law Enforcement

In 2019, 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	2018	2019
Labor Inspectorate Funding	Unknown (1)	Unknown (10)
Number of Labor Inspectors	Unknown (1)	Unknown (10)
Inspectorate Authorized to Assess Penalties	No (22)	No (10)
Initial Training for New Labor Inspectors	No (1)	No (10)
Training on New Laws Related to Child Labor	N/A (1)	N/A (10)
Refresher Courses Provided	Yes (19)	Yes (10)
Number of Labor Inspections Conducted	0 (1)	0 (10)
Number Conducted at Worksite	N/A	N/A (10)
Number of Child Labor Violations Found	0 (19)	0 (10)
Number of Child Labor Violations for Which Penalties Were Imposed	0 (1)	N/A (10)
Number of Child Labor Penalties Imposed that Were Collected	N/A	N/A (10)
Routine Inspections Conducted	No (1)	Yes (10)
Routine Inspections Targeted	N/A	Unknown (10)
Unannounced Inspections Permitted	Yes (32)	Yes (10)
Unannounced Inspections Conducted	No (1)	Unknown (10)
Complaint Mechanism Exists	Yes (1)	Yes (10)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (1)	Yes (10)

While the government did not provide information on labor inspectorate funding or the number of labor inspectors, research indicates inadequate resources, including an insufficient number of inspectors, may hamper the labor inspectorate's capacity to adequately enforce labor laws throughout the country. (3,10,19) In addition, labor inspectors in Gabon are responsible for reconciling labor disputes, which may detract from their primary duty of inspection. (33)

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. This is the purview of the court. (10)

Criminal Law Enforcement

In 2019, criminal law enforcement agencies in Gabon took actions to combat child labor (Table 7). However, gaps exist within the operations of the criminal enforcement agencies that may hinder adequate criminal law enforcement, including insufficient financial resources.

Table 7. Criminal Law Enforcement Efforts Related to Child Labor

Overview of Criminal Law Enforcement	2018	2019
Initial Training for New Criminal Investigators	No (1)	No (10)
Training on New Laws Related to the Worst Forms of Child Labor	N/A	N/A (10)
Refresher Courses Provided	Yes (34,35)	Unknown (10)
Number of Investigations	0 (1)	1 (10)
Number of Violations Found	50 (19)	28 (10)
Number of Prosecutions Initiated	0 (36)	3 (10)
Number of Convictions	0 (1)	2 (10)
Imposed Penalties for Violations Related to the Worst Forms of Child Labor	No (1)	Yes (10)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (1)	Yes (10)

In 2019, the Ministry of Justice successfully convicted two individuals for child trafficking and exploitation under Gabon’s 2004 child trafficking law. One defendant received a 10-year sentence, the other 8 years. (10) With the assistance of The International Criminal Police Organization, authorities extradited from the Republic of Congo a prominent businessman and politician accused of trafficking minors for sex. On January 9, 2020, prosecutors charged the defendant with trafficking minors for sex and running a child trafficking ring. (10,37) Police, embassies, and neighbors referred 28 children to social services for allegations related to the worst forms of child labor. All 28 children received services. (10)

Despite these efforts, however, a lack of resources, training, infrequent convening of the Criminal Court, a backlog of cases, and weak coordination among enforcement agencies hampered criminal enforcement efforts. In addition, research indicates that some child trafficking perpetrators falsified documents to make victims appear older than age 18 to avoid punishment under Gabon’s child trafficking laws. (7,13)

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
Inter-ministerial Committee for the Fight Against Child Trafficking (CNSLTE)	Coordinates national efforts against child trafficking and other worst forms of child labor. Led by the Ministry of Labor, includes representatives from four other ministries and civil society. (1,19) Removes children from exploitative labor situations, provides social services, and repatriates victims when appropriate. (13,19) Disseminates the National Manual of Procedures for the Care of Child Victims of Trafficking, which establishes a series of procedures to return victims of child trafficking to their country of origin or facilitate their integration into Gabon. (35) Due to changes in the penal code, the CNSLTE became inactive during the reporting period. (10)
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. (38)
Local Vigilance Committees	Administered by CNSLTE and located in provincial capitals, identify potential cases of child trafficking, intercept victims, and assist children at risk of child trafficking. (39)

Due to changes in the penal code criminalizing all forms of trafficking, the Inter-ministerial Committee for the Fight Against Child Trafficking (CNSLTE) was inactive pending corresponding changes to the 2004 law on child trafficking. Instead, the Ministries of Justice and Interior were charged with coordinating action to enforce criminal laws against the worst forms of child labor, including child trafficking. (10) Research also indicates that the CNSLTE lacked sufficient funding, and members sometimes used their own funds to support trafficking victims. (1,35) The National Observatory for Children’s Rights and Local Vigilance Committees were also inactive during the reporting period. (1)

Gabon

MINIMAL ADVANCEMENT – EFFORTS MADE BUT CONTINUED PRACTICE THAT DELAYED ADVANCEMENT

V. GOVERNMENT POLICIES ON CHILD LABOR

The government has established policies related to child labor (Table 9). However, policy gaps exist that hinder efforts to address child labor, including failure to implement a policy covering all relevant forms of child labor.

Table 9. Key Policies Related to Child Labor

Policy	Description
Economic Recovery Plan (2017–2019)	Aimed to balance public finances, diversify the economy, and reduce poverty. Included the goals of improving the quality of public education, addressing the teacher deficit, and accelerating the construction of classrooms. (40) This plan was not implemented during the reporting period. (36)

The government has not included child labor elimination and prevention strategies in the UNDAF (2018–2022) or the Education Policy (2010–2020). (5,41,42) Research found no evidence of an active policy to address child labor during the reporting period. (10)

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2019, the government participated in programs that may contribute to preventing child labor (Table 10). However, gaps exist in these social programs, including the adequacy of programs to address the full scope of the problem.

Table 10. Key Social Programs to Address Child Labor

Program	Description
Shelters for Children in Need	Shelters that provide social services to victims of child labor and child trafficking. The government provides in-kind support to shelters run by civil society organizations. (1,5,13,16,32) Victims receive medical care, literacy training, and reintegration support. (1) In 2019, provided services to 28 victims of child trafficking and repatriated 13 victims. (10)

‡ The government had other social programs that may have included the goal of eliminating or preventing child labor. (35)

Although Gabon has programs that target child labor, the scope of these programs is insufficient to fully address the extent of the problem. (1) Research also indicates that shelter space is insufficient to accommodate all victims, and the government decreased funding for shelters and NGOs that provide social services to human trafficking victims and other vulnerable children. (1,5,13,14,39)

VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE CHILD LABOR

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

Table 11. Suggested Government Actions to Eliminate Child Labor

Area	Suggested Action	Year(s) Suggested
Legal Framework	Ensure that minimum age protections are extended to children working outside of formal employment relationships.	2017 – 2019
	Establish criminal prohibitions for child trafficking = even when not done in exchange for remuneration or other advantage	2015 – 2019
	Establish criminal prohibitions for the use, procurement, and offering of children for the production of pornography and pornographic performances, and the use of children in prostitution.	2015 – 2019
	Establish criminal prohibitions for using children in illicit activities, including both producing and trafficking of drugs.	2009 – 2019
	Establish criminal prohibitions for the recruitment of children under age 18 for use in armed conflict by non-state armed groups.	2016 – 2019
	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 – 2019

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

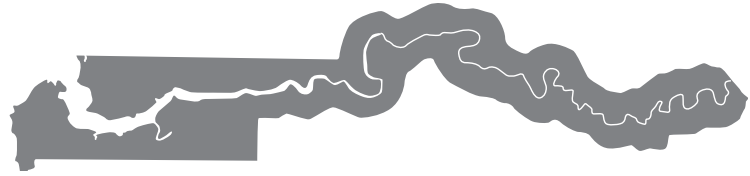
Area	Suggested Action	Year(s) Suggested
Enforcement	Publish information on the funding level for the labor inspectorate and number of labor inspectors, and ensure both inspectors and investigators receive adequate funding, training, and resources to carry out inspections and investigations.	2009 – 2019
	Strengthen the labor inspectorate by having inspectors to assess penalties and conduct routine and unannounced inspections, including in the informal sector.	2014 – 2019
	Ensure that labor inspectors are not tasked with conciliation or arbitration duties, and that they can carry out their primary duties of inspection and monitoring throughout the country.	2009 – 2019
	Ensure that the government conducts an adequate number of labor inspections and criminal investigations.	2018 – 2019
Coordination	Ensure that coordinating bodies have sufficient funds to carry out their mandates and that all coordinating bodies are active.	2013 – 2019
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 – 2019
	Integrate child labor elimination and prevention strategies into existing relevant policies.	2014 – 2019
Social Programs	Conduct a national child labor survey or similar research to determine the specific activities carried out by working children to inform policies and programs.	2014 – 2019
	Ensure that children have access to education by eliminating school fees, increasing the number of teachers and schools in rural areas, and ensuring that schools are free from sexual abuse; and make efforts to provide all children with birth registration.	2010 – 2019
	Expand existing programs to address the scope of the child labor problem and ensure that the government continues to provide adequate support to victims of child labor, including sufficient shelter space for victims.	2010 – 2019

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In 2019, The Gambia made a moderate advancement in efforts to eliminate the worst forms of child labor. During the reporting year, the government signed the UN CRC Optional Protocol on Armed Conflict. The Government of the Gambia also signed a Memorandum



of Understanding with the Government of the United Arab Emirates to put in place formal protections for Gambian workers employed in the United Arab Emirates. In addition, the National Agency Against Trafficking in Persons held trainings, some in conjunction with local and international partners, for government officials at border posts, school-aged children, The Gambia Police, travel agencies, airlines, and the Tourism Security Unit, on trafficking in persons issues. However, children in The Gambia engage in the worst forms of child labor, including in commercial sexual exploitation, sometimes as a result of human trafficking, and in forced begging. Gaps in the law remain, including that children may commence an apprenticeship in the informal sector at the age of 12, an age below the compulsory education age of 16. Although the government has adopted various policies addressing human trafficking, research found no evidence of a policy on other worst forms of child labor. In addition, the scope of social programs is insufficient to fully address the extent of the problem, as programs do not reach all children working in agriculture and domestic work, or those vulnerable to human trafficking, commercial sexual exploitation, forced begging, and street work.

I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in The Gambia engage in the worst forms of child labor, including in commercial sexual exploitation, sometimes as a result of human trafficking, and in forced begging. (1-5) Table 1 provides key indicators on children's work and education in The Gambia.

Table 1. Statistics on Children's Work and Education

Children	Age	Percent
Working (% and population)	5 to 14	22.6 (Unavailable)
Attending School (%)	5 to 14	78.2
Combining Work and School (%)	7 to 14	21.7
Primary Completion Rate (%)		69.3

Source for primary completion rate: Data from 2016, published by UNESCO Institute for Statistics, 2020. (6)

Source for all other data: International Labor Organization's analysis of statistics from the Multiple Indicator Cluster Survey 6 (MICS), 2018. (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 protecting crops against animals (1,8)
Industry	Working in carpentry, masonry, sewing, plumbing, and in metal welding workshops† (1,3,9) Mining† and quarrying† (3)
Services	Domestic work (1-3) Street work, including begging and vending (1-3,10) Scavenging for scrap metal and jewelry at dump sites (1,11) Working as taxi and bus attendants (1) Working as auto mechanics† (1,3,9)
Categorical Worst Forms of Child Labor‡	Commercial sexual exploitation, sometimes as a result of human trafficking (1-4,12-15) Forced begging by Koranic teachers (1-4,8) Forced labor in domestic work and street vending, each sometimes as a result of human trafficking (2,12)

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

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

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In The Gambia, children are trafficked internally and subjected to commercial sexual exploitation, forced labor, and domestic work. Girls and boys from other West African countries are allegedly trafficked for commercial sexual exploitation from their countries into The Gambia. (3,4,16,17) Tourists from Canada, Germany, Great Britain, the Netherlands, and Scandinavia also allegedly subject children to commercial sexual exploitation in brothels and motels in tourist areas, as well as in private homes. (4,17-20) In The Gambia, as well as in neighboring countries such as Senegal, it is a common practice to send boys to receive education from Koranic teachers, or *marabouts*, who sometimes force Koranic students, or *almudus*, to beg in the streets for money and food and to conduct street vending. (5,16,19-21)

Article 30 of the Constitution mandates free compulsory education. However, families are sometimes required to buy books and uniforms, contribute to examination fees, and provide direct financial support to the school through a school fund, which families often cannot afford. Absence from school due to unpaid school fees increases children's vulnerability to child labor. (22,23) In addition, inadequate teaching facilities, low numbers of teachers in rural areas, and limited access to clean water in schools create barriers for children to access education. (3,19,21)

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	✓

During the reporting period, the government signed the Optional Protocol on the Involvement of Children in Armed Conflict. (24)

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	16	Article 43 of the Children's Act (25)
Minimum Age for Hazardous Work	Yes	18	Article 44 of the Children's Act; Article 46 of the Labour Act (25,26)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Articles 44–45 of the Children's Act (25)
Prohibition of Forced Labor	Yes		Articles 41 and 47 of the Children's Act (25)
Prohibition of Child Trafficking	Yes		Articles 30 and 39 of the Children's Act; Articles 28 and 56 of the Trafficking in Persons Act; Article 13 of the Tourism Offences Act (25,27,28)

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

Standard	Meets International Standards	Age	Legislation
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 (25,28)
Prohibition of Using Children in Illicit Activities	Yes		Articles 31 and 36–37 of the Children’s Act (25)
Minimum Age for Voluntary State Military Recruitment	Yes	18	Article 59 of the Children’s Act (25)
Prohibition of Compulsory Recruitment of Children by (State) Military	N/A*		
Prohibition of Military Recruitment by Non-state Armed Groups	Yes		Article 31(c) of the Children’s Act (25)
Compulsory Education Age	Yes	16‡	Article 18 of the Children’s Act (25)
Free Public Education	Yes		Article 30 of the Constitution; Article 18 of the Children’s Act (23,25)

* No conscription (29)

‡ Age calculated based on available information (23,25,30,31)

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. (25,32)

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 the Ministry of Trade, Industry, Regional Integration and Employment’s Department of Labor that may hinder adequate enforcement of their child labor laws.

Table 5. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
Ministry of Trade, Industry, and Regional Integration and Employment	Conducts labor inspections and enforces labor laws pertaining to hazardous child labor through its Department of Labor. (3,22)
Department of Social Welfare (DSW)	Combats forced child labor; coordinates the protection of human trafficking victims, and works closely with social welfare officers in police units. (19,20) Operates a 24-hour hotline to address human trafficking. (12,19) Maintains an electronic database that contains information on cases requiring child protection, including those involving labor and human trafficking violations. (12,19,29) Housed under the Ministry of Health and Social Welfare. (3)
Children’s Court	Adjudicates on criminal, civil, and care and protection cases involving children and determines guardianship of child abuse victims, including child laborers, referred to the court by DSW. (20,33)
National Agency Against Trafficking in Persons (NAATIP)	Investigates suspected cases of human trafficking. Staff include investigators, police, members of the National Intelligence Agency, and five prosecutors. (17,21,34) Gathers evidence for the NAATIP director, who can recommend that the NAATIP prosecutor file charges for human trafficking violations. (21,34)
The Gambia Police Force Child Welfare Unit	Oversees all situations involving children’s welfare. Collaborates with CPA, DSW, NGOs, and other agencies as the designated governmental coordinating body for all child welfare activities in The Gambia. (3,19,35)
Child Protection Alliance (CPA)	Promotes children’s rights and child protection services. Raises awareness about child exploitation. (19) Members include government departments, civil society organizations, UN agencies, NGOs, child and youth organizations, and bilateral institutions. (19) Trains journalists about child sex tourism and government officials on the UN Convention on the Rights of the Child. (36,37) Maintains 15 child protection centers across the country to monitor, identify, and report potential cases of child abuse and trafficking in persons. (19,21)
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. (19,22,38)

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

Organization/Agency	Role
Local Enforcement Agencies	Monitors neighborhoods for child exploitation with support from DSW. Maintains six Neighborhood Watch Groups established by DSW in urban areas near tourist resorts. (18-21) Serves as volunteer arbiters and mediators for community disputes involving children and other matters through Village Development Committees. (3) Raises awareness and reports cases of labor issues, including child labor, to the authorities through 15 Community Child Protection Committees, in operation throughout the country. (21,29)
The Gambia Tourism Board	Combats commercial sexual exploitation of children in tourist areas. (19) Educates the public about child sex tourism and the consequences for violating the Code of Conduct of The Gambia Tourism Authority for the Protection of Children. In collaboration with DSW, maintains a database of individuals suspected of pedophilia or child trafficking. (19,21,39)

Reports indicate that the Neighborhood Watch Groups remain largely inadequate, as they are not empowered to monitor or report cases, are untrained, and only some groups are occasionally active. (5,19) In 2019, research was unable to determine whether members of the 1,500 Village Development Committees were trained on child protection and the worst forms of child labor. (3,21,40)

Labor Law Enforcement

In 2019, labor law enforcement agencies in The Gambia took actions to combat child labor (Table 6). However, gaps exist within the authority of the Ministry of Trade, Industry, Regional Integration and Employment that may hinder adequate labor law enforcement, including the lack of authorization of labor inspectors to enter private homes or farms for inspection of possible labor violations.

Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2018	2019
Labor Inspectorate Funding	Unknown (21)	Unknown (19)
Number of Labor Inspectors	7 (21)	7 (19)
Inspectorate Authorized to Assess Penalties	Yes (21)	Yes (19)
Initial Training for New Labor Inspectors	Yes (21)	Yes (19)
Training on New Laws Related to Child Labor	N/A (21)	N/A (19)
Refresher Courses Provided	Yes (21)	Yes (19)
Number of Labor Inspections Conducted	Unknown (21)	Unknown (19)
Number Conducted at Worksite	Unknown (21)	Unknown (19)
Number of Child Labor Violations Found	1 (21)	1 (19)
Number of Child Labor Violations for Which Penalties Were Imposed	0 (21)	0 (19)
Number of Child Labor Penalties Imposed that Were Collected	N/A (21)	N/A (19)
Routine Inspections Conducted	Yes (21)	Yes (19)
Routine Inspections Targeted	Yes (21)	Yes (40)
Unannounced Inspections Permitted	Yes (21)	Yes (19)
Unannounced Inspections Conducted	Yes (21)	Yes (19)
Complaint Mechanism Exists	Yes (21)	Yes (19)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (21)	Yes (19)

The number of labor inspectors is likely insufficient for the size of The Gambia's workforce, which includes more than 700,000 workers. According to the ILO's technical advice of a ratio approaching 1 inspector for every 40,000 workers in less-developed economies, The Gambia would employ about 19 labor inspectors. (41,42) Per the law, inspectors are not authorized to inspect private homes or farms in which children may be working in violation of the minimum age for work. (3,21) The government did not provide information for inclusion in this report on its labor inspectorate funding, the number of labor inspections conducted, or the number of inspections conducted at worksites.

Criminal Law Enforcement

In 2019, criminal law enforcement agencies in The Gambia took actions to combat child labor (Table 7). However, gaps exist within the operations of the criminal enforcement agencies that may hinder adequate criminal law enforcement, including enforcement of penalties.

Table 7. Criminal Law Enforcement Efforts Related to Child Labor

Overview of Criminal Law Enforcement	2018	2019
Initial Training for New Criminal Investigators	Yes (21)	Yes (19)
Training on New Laws Related to the Worst Forms of Child Labor	N/A (21)	N/A (19)
Refresher Courses Provided	Yes (21)	Yes (19)
Number of Investigations	1 (21)	0 (19)
Number of Violations Found	3 (21)	0 (19)
Number of Prosecutions Initiated	1 (21)	1 (19)
Number of Convictions	0 (21)	0 (19)
Imposed Penalties for Violations Related to The Worst Forms of Child Labor	N/A (35)	N/A (19)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (21)	Yes (19)

Although Articles 39 and 40 of the Children’s Act prohibit human trafficking and slave dealing of children, and although these crimes carry a penalty of life imprisonment, a source indicates that penalties are not fully applied, possibly hindering enforcement and emboldening violators. (29,35) The government’s standard operating procedures for child sex trafficking victims are yet to be implemented and, as a result, the government’s ability to proactively identify and remedy child sex trafficking victims is limited. (5,19,20) Moreover, despite the prevalence of child sex tourism in The Gambia, international law enforcement cooperation to prevent and investigate cases of child sex trafficking is weak. (5,19,20) The government continued prosecution of two Nigerian nationals for commercial sexual exploitation of four Nigerians—one minor and three adults—trafficked to The Gambia. An additional Gambian citizen is under prosecution as well. (17,19,21,29,43)

The IOM held a 3-day training for 27 members of the Tourism Security Unit on identifying trafficking in persons and victim referral to social welfare agencies; this is part of a larger 3-year U.S government-funded project related to efforts to combat trafficking in persons. Tourism accounts for 20 percent of the country’s GDP and is beset with issues of trafficking in persons. (38,43-45)

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 the lack of adequate funding and the inactivity of some coordinating bodies during the reporting period.

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

Coordinating Body	Role & Description
National Coordination Committee on Child Labor	Coordinates child labor enforcement processes, including prosecutions of the worst forms of child labor. Led by DSW, comprises representatives from UNICEF, Department of Labor, NAATIP, Action Aid, Ministry of Basic and Secondary Education, Gambia Teachers Union, Young People in the Media, and the Inspector General of Police. (3) Research was unable to determine whether the coordinating body was active in 2019.
National Agency Against Trafficking in Persons (NAATIP) Task Force	Coordinates, administers, and monitors the implementation of the Trafficking in Persons Action Plan and shares information among law enforcement agencies. (19,45) The Task Force includes NAATIP, Ministry of Justice, Department of Immigration, DSW, Ministry of Foreign Affairs, Women’s Bureau, Gambia Radio and Television Services, Center for Street Children, and The Gambia Police Force. (46) In 2019, government funding for NAATIP was \$72,000, double that of the prior year. During the reporting period, activities included awareness-raising workshops attended by 150 people at border posts at Farafeni and Kerr Ayeeb, Giboro Seliti, and Omorto. (40,43,44,47) The Task Force, led by NAATIP, also held trainings for school-aged children and The Gambia Police Force on the dangers of trafficking in persons, and a separate training for 30 travel agencies, airlines, and the Tourism Security Unit, in conjunction with several other partners. (43)

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In spite of an increase in the National Agency Against Trafficking in Persons' budget, reporting indicates that funding is still insufficient for training of officials, thus hindering the agency's ability to conduct investigations on trafficking in persons. (3,4,14,15,18,21,40)

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 the lack of a national child labor policy.

Table 9. Key Policies Related to Child Labor

Policy	Description
National Child Protection Strategy (2016–2020)	Outlines strategies to improve child protection, including addressing the worst forms of child labor, by increasing awareness and strengthening coordination among government agencies. (48) Research was unable to determine whether actions were undertaken to implement this policy in 2019. (40)
National Trafficking in Persons Action Plan (2016–2020)	Organizes governmental efforts to combat human trafficking. (4,21,29,49) In 2019, the government continued efforts to coordinate activities of the policy through the reformation and revitalization of the inter-agency Trafficking in Persons Task Force. (43)
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. (21) Research was unable to determine whether actions were undertaken to implement this policy in 2019. (40)
Code of Conduct of The Gambia Tourism Authority for the Protection of Children	Raises awareness of commercial sexual exploitation of children in the tourism industry and among tourists. (19,50) In 2019, the Gambia Tourism Board participated in tandem with other partners on a training for 27 Tourism Security Unit personnel on trafficking in persons. (43)

‡ The government had other policies that may have addressed child labor issues or had an impact on child labor. (21)

The Government of the Gambia signed a Memorandum of Understanding with the Government of the United Arab Emirates (UAE) to put in place formal protections for Gambian workers employed in the UAE. (17) Although the government has adopted various policies addressing human trafficking, research found no evidence of a policy on other worst forms of child labor. (21)

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2019, the government funded and participated in programs that include the goal of eliminating or preventing child labor (Table 10). However, gaps exist in these social programs, including the adequacy of programs to address the full scope of the problem.

Table 10. Key Social Programs to Address Child Labor

Program	Description
Combating Child Sex Tourism Project	CPA project, funded by End Child Prostitution and Trafficking Netherlands, that raises awareness about commercial sexual exploitation of children, the Tourism Offences Act, and the Code of Conduct among Tourism Security Unit personnel, hoteliers, travel agencies, and other tourism stakeholders. (1) Research indicated that the project was active during the reporting year, but research did not determine whether specific activities were undertaken relative to the project. (40)
Street Children Center†	Drop-in centers run by DSW with support from international organizations, foreign NGOs, and local businesses. Provides medical care, food, and counseling to street children, including human trafficking victims and <i>almudus</i> . (19) In 2019, research indicated that this center continued to operate with DSW providing a monetary allocation to the shelter for meals. (4,19)
Conditional Cash Transfers to Islamic Religious Schools (Majaalis)†	Ministry of Education program in partnership with the Institute for Social Reformation, an Islamic NGO based in The Gambia, that gives <i>marabouts</i> food rations and approximately \$2 monthly for each student if the <i>marabouts</i> do not force students to beg. (18,21) Provides teachers for English, mathematics, and science subjects to Koranic schools. (1) In 2019, support for the program continued at existing levels with the program reaching 17 schools throughout all regions and encompassing 1,500 children, with activities undertaken related to inspection and payment. (19,40)

† Program is funded by the Government of The Gambia

‡ The government had other social programs that may have included the goal of eliminating or preventing child labor, including its worst forms. (51)

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. (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	Harmonize provisions of the Children's Act and the labor code that regulate apprenticeships and ensure that children attain at least 14 years of age before beginning workplace apprenticeships.	2017 – 2019
Enforcement	Ensure neighborhood watch groups are properly trained to monitor and report cases of child labor.	2018 – 2019
	Ensure that the village development committees receive training on the worst forms of child labor.	2017 – 2019
	Publish information on the labor inspectorate's funding levels and total inspections, including those conducted at worksites.	2012 – 2019
	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 – 2019
	Ensure the labor inspectorate has authority to conduct inspections on farms and in homes.	2017 – 2019
	Ensure penalties for child trafficking are comprehensively applied to deter violations and government officials are trained in the application of those penalties.	2016 – 2019
	Implement standard operating procedures to provide for proactive child sex trafficking victim identification and access to remedy.	2019
	Strengthen international law enforcement cooperation to prevent and investigate child sex tourism.	2019
Coordination	Ensure that the National Coordination Committee on Child Labor meets regularly and carries out activities to support its mandate.	2018 – 2019
	Ensure the National Agency Against Trafficking in Persons Task Force has sufficient funding to conduct investigations on trafficking in persons.	2012 – 2019
Government Policies	Undertake activities in support of the National Child Protection Strategy and The Gambia and Senegal Trafficking Memorandum of Understanding.	2017 – 2019
	Adopt a policy that addresses all relevant worst forms of child labor, including commercial sexual exploitation.	2015 – 2019
Social Programs	Undertake activities in support of the Combating Child Sex Tourism Project.	2017 – 2019
	Expand existing programs to address the full scope of the child labor problem.	2010 – 2019
	Ensure that children can complete compulsory schooling by subsidizing or defraying the cost of books, uniforms, and other fees.	2010 – 2019
	Enhance opportunities for children to access education by providing adequate teaching facilities and clean water, and increasing the number of teachers in rural areas.	2017 – 2019

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In 2019, Georgia made a moderate advancement in efforts to eliminate the worst forms of child labor. The government passed and implemented the 2019 Law on Occupational Safety, which grants labor inspectors the ability to enter any business for occupational health and safety reasons without prior notification. In addition, law enforcement agencies increased their efforts to combat child begging by investigating, prosecuting, and convicting individuals who force children to beg and providing services to child victims of forced begging. However, children in Georgia engage in the worst forms of child labor, including in forced begging, sometimes as a result of human trafficking. The labor inspectorate did not conduct inspections in the agriculture sector, and the labor law governing the minimum age for work is not in compliance with international standards because it does not apply to informal work. In addition, the compulsory education age leaves children who are 15 years of age vulnerable to the worst forms of child labor, as they are not required to be in school but are not legally permitted to work full time.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Georgia engage in the worst forms of child labor, including in forced begging, sometimes as a result of human trafficking. (1-3) Table I provides key indicators on children’s work and education in Georgia.

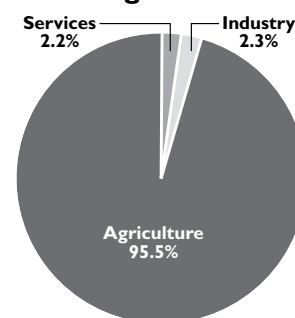
Table I. Statistics on Children’s Work and Education

Children	Age	Percent
Working (% and population)	5 to 14	2.9 (13,547)
Attending School (%)	5 to 14	96.9
Combining Work and School (%)	7 to 14	3.7
Primary Completion Rate (%)		95.5

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

Source for all other data: International Labor Organization’s analysis of statistics from National Child Labor Survey (NCLS), 2015. (5)

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



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

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

Sector/Industry	Activity
Agriculture	Farming, activities unknown (1,6)
Services	Street work, including begging and vending (1,7,8)
Categorical Worst Forms of Child Labor‡	Commercial sexual exploitation, sometimes as a result of human trafficking (2,3) Forced begging, sometimes as a result of human trafficking (1-3)

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

Georgia is a source and transit country for child trafficking, especially of girls, to Turkey, China, the United Arab Emirates, and Cyprus. (2,7) Limited evidence indicates that children may perform hazardous activities in construction. (9) Sources report that Roma and Azerbaijani Kurd ethnic minorities and refugee and internally displaced children from Georgia, Armenia, and Moldova are subjected to forced begging in Georgia. (2,3,7,8,10) Estimates suggest that 1,000 to 2,000 children earn a living by begging, primarily caused by poverty or domestic violence. (1,7,8) Many of the child beggars are from Roma communities. (7,8)

Some children from Roma communities lack identity documents and, therefore, have challenges accessing education. (10) This challenge remains despite changes to the Rule on Issuance of Identification and Passport

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under the Law on Registration of Georgian and Foreign Citizens to ease restrictions on obtaining government identification. However, UNICEF noted that some families continue to destroy identification and other documents in an effort to avoid interaction with state officials. (8,11) In addition, socially vulnerable children, children from impoverished families, and those who live in rural areas have difficulty accessing education. (10-13) Children who do not attend school are vulnerable to the worst forms of child labor.

Lack of information limits an assessment of the types of work that children perform and the sectors in which they work in the breakaway regions of Abkhazia and South Ossetia, which are occupied by Russian forces and not under control of the central government. (1,2,14)

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 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 (15)
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 (15,16)
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 (15-17)
Prohibition of Forced Labor	Yes		Article 30 of the Constitution of Georgia; Articles 143-i, 143-ii, and 143-iii of the Criminal Code of Georgia; Law of Georgia on Combating Human Trafficking; Article 55 of the Children's Rights Code (18-21)
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 (19,20)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Articles 143(1), 143(2), 143(3), 253, 254 255, 255-1, and 255-2 of the Criminal Code of Georgia; Article 56 of the Children's Rights Code (20,21)
Prohibition of Using Children in Illicit Activities	No		Article 171 of the Criminal Code of Georgia (20)
Minimum Age for Voluntary State Military Recruitment	Yes	18	Article 10 of the Law of Georgia on Military Duty and Military Service (22)
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 (22)
Prohibition of Military Recruitment by Non-state Armed Groups	No		Article 410 of the Criminal Code of Georgia; Article 59 of the Children's Rights Code (20,21)

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

Standard	Meets International Standards	Age	Legislation
Compulsory Education Age	Yes	15‡	Articles 2 and 9 of the Law of Georgia on General Education (23)
Free Public Education	Yes		Article 22 of the Law of Georgia on General Education (23)

‡ Age calculated based on available information (23)

In 2019, the government passed the Children’s Rights Code, which establishes children’s rights to be protected from harmful activities, such as engaging in hazardous child labor, and forbids forms of exploitation of children, including forced child labor and commercial sexual exploitation. (21)

The labor law governing the minimum age for work is not in compliance with international standards because it does not apply to informal work. (15,24) 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. Article 4 of the Labor Code specifies conditions under which 14 and 15 year olds may perform light work, and Article 14 prescribes the hours, but the law does not specify the activities in which light work is permissible. (15,24) Article 4 of the Labor Code stipulates that children under the age of 14 are allowed to work only in sport, art, and culture, as well as some advertising activities. (15,24)

Georgia’s laws do not criminally prohibit the use, procuring, and offering of children for 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 the Ministry of Labor, Health, and Social Affairs (MoLHSA) that may hinder effective enforcement of their child labor laws.

Table 5. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
Ministry of Labor, Health, and Social Affairs (MoLHSA)	Oversees child welfare issues and pursues enforcement of labor laws. (10) Through the Department of Labor Inspection, enforces occupational safety and health laws, including those related to hazardous child labor, and enforces prohibitions on forced labor and human trafficking. (1) Through the Department of Labor and Employment Policy, revises laws and policies to be in accordance with international standards. (25) 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. (1) Receives complaints through the Child Protection and Social Programs sub-department, and refers complaints of child labor violations to law enforcement agencies for investigation. (25)
Ministry of Internal Affairs (MoIA)	Enforces criminal laws related to child labor and child trafficking. (1) Through District Police Units, collects information on minors in each jurisdiction and visits minors’ families to inform them of their rights. (25) Through the Human Rights Department, ensures prompt responses to human trafficking crimes and suggests recommendations for investigations. (7) Operates a hotline that is available in Georgian, Russian, and English. (7)
Central Criminal Police Department within MoIA	Leads criminal investigations of trafficking in persons, including the trafficking of children, through the Division for Combating Human Trafficking and Illegal Migration. (7) Identifies human traffickers and collates data on traffickers across various agencies through the Information-Analytical Department. (26) Investigates possible human trafficking schemes by deploying teams of two law enforcement officials in Mobile Units to investigate companies offering suspicious work opportunities abroad. (27)
Prosecutor General’s Office	Prosecutes cases of child trafficking. (3) Since 2018, operates as an independent entity separate from the Ministry of Justice. (28)
Joint Child Referral Mechanism	Ensures inter-agency coordination of the enforcement of child labor laws and enumerates the procedures for referring children subject to any form of violence, including labor exploitation, to child protective services. (7,10) Through MoIA, registers cases of child exploitation identified by any government ministry. Through MoLHSA, assesses the child’s condition, provides shelter and rehabilitation services to the child as needed, and monitors the child’s case. (29)

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In 2019, the government adopted the Law on Occupational Safety, which empowers labor inspectors to enter any business for occupational health and safety reasons without prior notification and removes previous requirements that the MoLHSA's Department of Labor Inspection acquire a court order to inspect private businesses. (1,7,16,30) In addition, the government drafted a law on labor inspection that will make the labor inspectorate an independent legal entity and expand its mandate to include oversight of all labor rights, including those related to all forms of child labor. (30) Until this law is approved, however, labor inspectors will remain severely limited in their ability to conduct inspections and assess penalties on labor laws that are not related to occupational safety and health (OSH).

The 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. (14)

Labor Law Enforcement

In 2019, labor law enforcement agencies in Georgia took actions to combat child labor (Table 6). However, gaps exist within the operations of MoLHSA that may hinder adequate labor law enforcement, including resource allocation.

Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2018	2019
Labor Inspectorate Funding	\$340,800 (10)	\$517,241 (1)
Number of Labor Inspectors	40 (10)	40 (1,30)
Inspectorate Authorized to Assess Penalties	Yes (10)	Yes (1)
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	511 (10)	1,530 (1)
Number Conducted at Worksite	511 (10)	1,530 (1)
Number of Child Labor Violations Found	0 (10)	2 (1)
Number of Child Labor Violations for Which Penalties Were Imposed	0 (10)	2 (1)
Number of Child Labor Penalties Imposed that Were Collected	0 (10)	2 (1)
Routine Inspections Conducted	Yes (10)	Yes (1)
Routine Inspections Targeted	Yes (10)	Yes (1,30)
Unannounced Inspections Permitted	Yes (10)	Yes (1,30)
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)

Beginning on September 1, 2019, the Law on Occupational Safety empowered labor inspectors to conduct OSH inspections on an unannounced basis in all industries and assess penalties for any hazardous child labor violations identified. During the reporting period, MoLHSA conducted 14 unannounced inspections under this authority. (1) The government reported that it targeted planned inspections to the mining and construction sectors, partially in response to a series of public reports on OSH violations and accidents. At least one such accident at a construction site involved a child. (9,30,31) Labor inspectors suspended work at two companies in which children were working in violation of prohibitions against hazardous child labor. (1) Although inspections took place throughout the country and in a range of economic sectors, no inspections were conducted in agriculture. (1)

In 2019, the government significantly increased the budget for the labor inspectorate compared to 2018, although sources note that further funding increases are needed to improve the inspectorate's capacity. (1) The government reported that it approved a twofold budget increase for the labor inspectorate in 2020. (30) The number of labor inspectors is likely insufficient for the size of Georgia's workforce, which includes more than 1.9 million workers. (32) According to the ILO's technical advice of a ratio approaching 1 inspector for every

20,000 workers in transition economies, Georgia would employ about 100 labor inspectors. (33,34) However, the government has reported that it adopted a decree to increase the number of inspectors to 100 by the end of 2020. (30)

During the reporting period, labor inspectors received training on new labor laws from the ILO, IOM, and the German government's international development agency, GIZ. (1) New inspectors also received training on human trafficking from the Ministry of Internal Affairs (MoIA) and the Georgian Ministry of Justice. (3)

Criminal Law Enforcement

In 2019, 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	2018	2019
Initial Training for New Criminal Investigators	Yes (10)	Yes (1)
Training on New Laws Related to the Worst Forms of Child Labor	Yes (10)	Yes (1)
Refresher Courses Provided	Yes (10)	Yes (1)
Number of Investigations	7 (10)	6 (3)
Number of Violations Found	2 (10)	29 (1)
Number of Prosecutions Initiated	2 (10)	4 (3)
Number of Convictions	2 (10)	2 (1)
Imposed Penalties for Violations Related to The Worst Forms of Child Labor	0 (35)	2 (1)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (10)	Yes (1)

In 2019, the MoIA investigated one case of child labor exploitation, one case of child prostitution, two potential cases of forced begging, and two cases involving the production of child pornography. (1,3) Investigations in all of the forced begging and child pornography cases concluded during the reporting period and were referred to the Prosecutor General's Office for prosecution, and are ongoing. The other two investigations initiated in 2019, of child labor exploitation and child prostitution, respectively, are ongoing. (1,3) As a result of these investigations authorities identified 23 child victims of commercial sexual exploitation and 2 victims of forced begging. (1) Law enforcement agencies also identified four additional victims of forced begging based on an investigation initiated in 2018. All of these victims were referred to social services. (1) Authorities convicted two individuals on charges brought against them in 2018 related to their participation in the worst forms of child labor. Each individual received a 10-year prison sentence for forcing children to beg. (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 are outside of central government control. (7,35)

In September, the MoIA increased the number of mobile law enforcement groups from four to six. These mobile groups operate in high-risk areas for human trafficking, and inspected 107 organizations during the reporting period. (3) Between January and October, the Social Services Agency provided services to 355 children in Tbilisi, Rustavi, and Kutaisi, and directed 248 of these children to crisis centers. (1) Criminal investigators, prosecutors, and judges participated in regular trainings and conferences on human trafficking throughout the year, including a Council of Europe conference on online child sexual exploitation and an IOM-facilitated training on child begging. (3)

IV. COORDINATION OF GOVERNMENT EFFORTS ON CHILD LABOR

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

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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	Monitors implementation of the Child Rights chapter of the National Human Rights Action Plan, which is based on provisions of the UN CRC. In 2019, drafted a strategy and action plan to end violence against children in Georgia, and a concept paper and plan to provide services to minors who are victims of violence. (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 victims. (3) Refers child victims to shelters to receive social services. Chaired by the Minister of Justice and comprises representatives from state agencies and non-state entities. (3,7) In 2019, convened several meetings of its Working Group on Street Children. (1)
Prosecution Service of Georgia Working Group	Addresses labor trafficking issues under the framework of the Prosecution Service Strategy for 2017–2021. (10,36) Met four times in 2019 to discuss progress implementing the 1-year National Action Plan for 2019 to strengthen responses to labor exploitation. (1)

Reports indicated that in 2019 cooperation between MoLHSA’s Labor Inspectorate and MoIA’s Criminal Police Department increased, and that the Labor Inspectorate contacted MoIA immediately when it found criminal violations. However, the existing cooperation agreement between the Labor Inspectorate and the Criminal Police Department lacks clarity on their specific roles and functions and does not establish a common operating procedure. (7,11)

V. GOVERNMENT POLICIES ON CHILD LABOR

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

Table 9. Key Policies Related to Child Labor

Policy	Description
National Human Rights Action Plan (2018–2020)	Includes a chapter on children’s rights and lays out actions for government commitment toward developing a broad-based approach to fighting violence against children. (10,37) The government continued to implement this plan in 2019. (1)
National Action Plan on Trafficking in Persons (2019–2020)	Supports the development of policy and the implementation of activities to address human trafficking. Commits the government to protect and effectively integrate street children, through measures such as issuing identify documents and increasing school enrollment. (3,10,38,39) The government continued to implement this plan in 2019. (1,3)
Children’s Rights Code†	Commits the government to establish or implement a range of measures aiming to protect children from violence and hazardous child labor. (1,21)

† 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. (10,40)

Although the government has established policies to address child begging, child trafficking, child labor in street work, and hazardous child labor, it does not have a policy to address child labor in agriculture.

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2019, the government funded and participated in programs that include the goal of eliminating child labor (Table 10). However, gaps exist in these social programs, including the adequacy of programs to address the full scope of the problem.

Table 10. Key Social Programs to Address Child Labor

Program	Description
Improved Compliance with Labor Laws in the Democratic Republic of Georgia	\$2 million USDOL-funded grant implemented by ILO to work with the Government of Georgia to improve its ability to enforce labor laws, including child labor laws, and adhere to international labor standards. Key objectives include supporting the establishment of adequate labor law enforcement mechanisms in Georgia through labor inspection and promoting effective tripartite cooperation. (41) Additional information is available on the USDOL website.
Targeted Social Assistance Program and Child Benefit Program†	Social services agency-administered social assistance programs designed to eliminate poverty, especially child poverty. The Child Benefit Program is intended to halve extreme poverty among children, and covers about a quarter of the most vulnerable families with children. (42) In 2019, provided a variety of services, including shelters for homeless children, support for impoverished families, and daycare for vulnerable children. (1)

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

Program	Description
Social Rehabilitation and Childcare Program†	Provides assistance to children at high risk of abandonment and children with disabilities; places abandoned children in appropriate care. In 2019, received a budget of \$12.37 million. (1)
State Fund for Protection and Assistance of (Statutory) Victims of Human Trafficking‡	MoLHSA program to protect, assist, and rehabilitate human trafficking and domestic violence victims, including minors. (29) Implements the government's Rehabilitation and Reintegration Strategy, which includes operating shelters for victims of human trafficking in Batumi and Tbilisi. (10) In 2019, recognized and provided services to two children who were victims of labor exploitation. (1)
Education-Focused Programs for Vulnerable Children†	Ministry of Education and Science-funded programs that promote the inclusion of vulnerable children in education. (10) Initiatives include a program designed to increase the participation in school by street children, victims of forced begging, and children who are seasonal agricultural workers; a program to increase the number of Georgian language teachers in communities with large ethnic minority populations; and a program to distribute free textbooks to public school students. (10,43) In 2019, the government continued to fund inclusive education and allocated money to develop or renovate the infrastructure of education facilities. (1)

† 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. (7,10,44)

During the reporting period, the government conducted regular awareness-raising campaigns related to trafficking in persons. (3) Although Georgia has programs that target child labor, the scope of these programs is insufficient to fully address the extent of the problem, especially regarding street children. (1,45)

VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE CHILD LABOR

Based on the reporting above, suggested actions are identified that would advance the elimination of child labor in 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 – 2019
	Increase the age up to which education is compulsory to age 16, the minimum age for work.	2009 – 2019
	Ensure that the law's light work provisions are sufficiently specific to prevent children from involvement in child labor.	2016 – 2019
	Ensure that the law criminally prohibits the use, procuring, and offering of children for the production and trafficking of drugs.	2019
	Ensure that the law criminally prohibits the recruitment of children under age 18 by non-state armed groups.	2016 – 2019
Enforcement	Ensure that legislation permits the Department of Labor Inspection within the Ministry of Labor, Health, and Social Affairs to conduct targeted, complaint-based, and unannounced inspections related to all labor laws and empowers inspectors to assess penalties for all violations detected.	2015 – 2019
	Ensure that inspections are conducted in all economic sectors in which child labor violations may be present, including agriculture.	2019
	Ensure that the Department of Labor Inspection within the Ministry of Labor, Health, and Social Affairs has funding to employ a sufficient number of inspectors and that inspectors are capable of performing quality targeted, complaint-based, and unannounced inspections in all sectors and businesses on all labor laws.	2009 – 2019
	Increase the number of labor inspectors to monitor and combat child labor.	2018 – 2019
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 – 2019
Government Policies	Adopt a policy that addresses all relevant forms of child labor, including child labor in agriculture.	2017 – 2019
Social Programs	Collect and publish data on the extent and nature of child labor, including in agriculture, to inform policies and programs.	2018 – 2019
	Make additional efforts to register children from Roma communities and provide them with identity documents, and ensure that these groups can access education.	2018 – 2019
	Ensure that socially vulnerable children, children from impoverished families, and children who live in rural areas have access to education.	2019
	Expand existing programs to address the scope of the child labor problem, especially for street children.	2018 – 2019

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In 2019, Ghana made a minimal advancement in efforts to eliminate the worst forms of child labor. The government committed to use the Trafficking in Persons Information System developed by the International Organization for Migration to improve case tracking and inter-ministerial coordinated responses. However, children in Ghana continue to engage in the worst forms of child labor, including in fishing and cocoa harvesting, each sometimes as a result of human trafficking. Prohibitions related to the commercial sexual exploitation of children do not meet international standards as the use of children in pornographic performances is not criminally prohibited, and the law also does not prohibit the use of children for illicit activities, including for the production and trafficking of drugs. Additionally, the government has not acceded to the United Nations Convention on the Rights of the Child Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography, and resource constraints severely limited the government's abilities to adequately enforce labor laws and implement social programs during the reporting period.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Ghana engage in the worst forms of child labor, including in fishing and cocoa harvesting, each sometimes as a result of human trafficking. (1,2) Table I provides key indicators on children's work and education in Ghana.

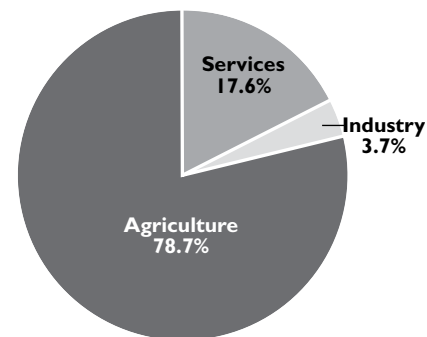
Table I. Statistics on Children's Work and Education

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, 2020. (3)

Source for all other data: International Labor Organization's analysis of statistics from Living Standard Survey, 2016–2017. (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	Producing cocoa,† including land clearing, using machetes and cutlasses for weeding, collecting cocoa pods with a harvesting hook, breaking cocoa pods, working in the vicinity of pesticide spraying, and carrying heavy loads† of water (1,2,5-10)
	Production of palm oil† and cotton, including weeding, harvesting, and acting as scarecrows (7,11)
	Herding livestock, including cattle,† hunting, and work in slaughterhouses (12,13)
Industry	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 (2,6,8,11,14-17)
	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† (7,8,14,18,19)
	Manufacturing† (7,10)
Services	Construction and bricklaying or carrying brick (2,7,10)
	Domestic work† (5,9,14)

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

Sector/Industry	Activity
Services	Transporting heavy loads as <i>kayayei</i> † (14,20,21)
	Work in transportation† (10)
	Electronic waste and garbage scavenging,† including sorting scavenged items† and transporting items for sale† (22-24)
	Street work,† including begging,† small-scale vending, and working at restaurants or bars† (7,18,25)
Categorical Worst Forms of Child Labor‡	Commercial sexual exploitation, sometimes as a result of human trafficking (2,9,13,14,26-29)
	Forced labor in begging; agriculture, including cocoa, including herding; fishing, including for tilapia; artisanal gold mining; domestic work; and street work, including vending and carrying heavy loads; sometimes as a result of human trafficking (2,13,15,16,29-33)
	Forced ritual servitude for girls known as <i>trokosi</i> , including in domestic work for priests (8,14,26,28,32,34)

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

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







The majority of children subject to human trafficking within Ghana are exploited for labor in cocoa, domestic work, commercial sexual exploitation, gold mining, and fishing. Children as young as age 4 are subjected to forced labor in fishing in the areas around Lake Volta, sometimes as a result of human trafficking. (13,16,26,31-33) Children also use sharp tools and are exposed to agro-chemicals while working in the cocoa sector. (1,7) In addition, girls as young as age 13 from rural northern regions of Ghana travel to urban centers to work as *kayayei*, or female porters, carrying heavy loads on their heads in markets and are particularly vulnerable to sexual abuse and exploitation. (35)

According to the Constitution and the Education Act, primary education in Ghana is free and compulsory from kindergarten through junior high school. (36,37) However, impoverished families often struggle to pay administrative fees and to purchase school supplies and uniforms. (38) The government said that students are not prevented from enrolling due to a lack of uniform or birth certificate. (39) 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. (20,40) However, reports suggest that such opportunities are often not readily available or affordable. As a result, these children are vulnerable to exploitation in child labor during the times when they are not in school. (2,5,8,28,29,41,42) In addition, factors such as a shortage of classrooms, long distance to schools, absence of sanitation facilities, overcrowding in urban areas, sexual harassment of girls in schools, physical violence, verbal abuse, and poor infrastructure, particularly in rural areas, severely limit access to education for many children. (2,5,8,28,42,43) In response, the government has made efforts to increase the accessibility of public education, including by building schools to reduce the distance students must travel, providing school uniforms, lifting birth registration requirements for enrollment, and extending free education through high school. (40,42) The government operates 14 national schools for visually and hearing impaired students. (39,42)

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 of the Children's Act (44)
Minimum Age for Hazardous Work	Yes	18	Section 91 of the Children's Act (44)
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 91–92 of the Children's Act; Article 58 of the Labor Act (36,44-47)
Prohibition of Forced Labor	Yes		Articles 16.1 and 16.2 of the Constitution; Articles 116–117 of the Labor Act; Sections 1–3 and 42 of the Human Trafficking Act; Sections 1–2 of the Human Trafficking Prohibition Legislative Instrument (36,45,48,49)
Prohibition of Child Trafficking	Yes		Sections 1–2 of the Human Trafficking Act; Sections 1–2 of the Human Trafficking Prohibition Legislative Instrument; Articles 21–25 of the Labor Regulations Legislative Instrument (46,48,49)
Prohibition of Commercial Sexual Exploitation of Children	No		Sections 101A, 107–108, 110–111, 274–277, and 279–283 of the Criminal Offenses Act (50)
Prohibition of Using Children in Illicit Activities	No		
Minimum Age for Voluntary State Military Recruitment	Yes	18	Ghana Armed Forces General Eligibility (Recruits) (51)
Prohibition of Compulsory Recruitment of Children by (State) Military	Yes*		Ghana Armed Forces General Eligibility (Recruits) (51)
Prohibition of Military Recruitment by Non-state Armed Groups	No		
Compulsory Education Age	Yes	15‡	Article 2.2 of the Education Act (37)
Free Public Education	Yes		Article 25.1.a of the Constitution; Articles 1.1, 1.2, and 2.2 of the Education Act (36,37)

* No conscription (52)

‡ Age calculated based on available information (52)

Ghana's laws do not cover the procuring or offering of children in the production of pornography or the use, procuring, or offering of children for pornographic performances. (2,46, 53)

III. ENFORCEMENT OF LAWS ON CHILD LABOR

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

Table 5. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
Ministry of Employment and Labor Relations (MELR)	Enforces child labor laws. (20) Conducts national dialogue on Child Labor Free Zones and a workshop on Child Labor Free Zones to discuss child labor in the cocoa industry. (2)
Ministry of Local Government and Rural Development's District Assemblies	Through labor inspectors, investigates child labor violations, educates employers on compliance with child labor laws, and conducts inspections. (2,53) Through social services subcommittees, enforces child labor provisions in the informal sector. (2,44)
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. (2) Within the Ghana Police Service, the Domestic Violence and Victim Support Unit and Anti-Human Trafficking Unit investigate cases and provide support to victims. (2,30) Through its Ghana Immigration Service, combats human trafficking through Anti-Human Smuggling and Trafficking Units. (2,54,55)

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

Organization/Agency	Role
Ministry of Justice's Office of the Attorney General	Combats child labor by prosecuting child labor and child trafficking crimes. (2) 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. (56,57)
Ministry of Gender, Children, and Social Protection (MOGCSP)	Combats child labor and leads government efforts to combat human trafficking. (2) Through its Department of Social Welfare, operates shelters for vulnerable and abused children, administers juvenile justice, and implements programs to combat child labor. (8,58) Through its Human Trafficking Secretariat, oversees the creation, implementation, and review of human trafficking policies and ensures proper monitoring, evaluation, and data collection. (2) Operates a hotline to facilitate access to social services, including for victims of human trafficking. Through its Community Child Protection Committees/District Child Protection Committees, fields complaints of child labor violations at the community and district levels and reports them to appropriate actors; also participates in the Ghana Child Labor Monitoring System (GCLMS) to monitor, prevent, and withdraw children from the worst forms of child labor as part of the Child and Family Welfare Policy. (25,41)

Although the Office of the Attorney General is responsible for prosecuting child trafficking violations, there was an insufficient number of state attorneys designated to prosecute human trafficking crimes. The majority of cases were handled by the Ghana Police Service (GPS) prosecutors, whose lack of formal legal training impedes their ability to prosecute complex criminal cases. (38,39,62) Research indicates that slow communication, as well as challenges in evidence collection between the Ghana Police Service and Attorney General's office, may have further hampered efforts to prosecute cases of child trafficking. (2)

Labor Law Enforcement

In 2019, labor law enforcement agencies in Ghana took actions to combat child labor (Table 6). However, gaps exist within the authority of the MELR that may hinder adequate labor law enforcement, including the authority of labor inspectors to assess penalties.

Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2018	2019
Labor Inspectorate Funding	Unknown (20)	Unknown (2)
Number of Labor Inspectors	97 (20)	57 (2)
Inspectorate Authorized to Assess Penalties	No (20)	No (2)
Initial Training for New Labor Inspectors	No (20)	No (2)
Training on New Laws Related to Child Labor	No (20)	N/A (2)
Refresher Courses Provided	No (20)	Yes (2)
Number of Labor Inspections Conducted	283† (20)	328 (39)
Number Conducted at Worksite	Unknown (20)	160‡ (2)
Number of Child Labor Violations Found	Unknown (20)	32 (39)
Number of Child Labor Violations for Which Penalties Were Imposed	Unknown (20)	Unknown (2)
Number of Child Labor Penalties Imposed that Were Collected	Unknown (20)	Unknown (2)
Routine Inspections Conducted	Unknown (20)	Yes (2)
Routine Inspections Targeted	Unknown (20)	Yes (2)
Unannounced Inspections Permitted	Yes (20)	Yes (2,45)
Unannounced Inspections Conducted	Unknown (20)	Yes (2)
Complaint Mechanism Exists	Yes (20)	Yes (2)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (20)	Yes(2)

† Data are from January 1, 2018 to November 30, 2018.

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

The number of labor inspectors is likely insufficient for the size of Ghana's workforce, which includes about 12,490,000 workers in both the formal and informal sectors. (2,39,63) 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. (63,64) 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. (2,53) Formal referral mechanisms continued to be hindered by lack of funding, shelter space, and transportation for victims. (2)

Criminal Law Enforcement

In 2019, criminal law enforcement agencies in Ghana took actions to combat child labor (Table 7). However, gaps exist within the operations of the criminal law enforcement agencies that may hinder adequate criminal law enforcement, such as financial resource allocation.

Table 7. Criminal Law Enforcement Efforts Related to Child Labor

Overview of Criminal Law Enforcement	2018	2019
Initial Training for New Criminal Investigators	Yes (20)	Yes (2)
Training on New Laws Related to the Worst Forms of Child Labor	N/A (20)	N/A (2)
Refresher Courses Provided	Yes (20)	Yes (2)
Number of Investigations	22 (39)	36 (39)
Number of Violations Found	229 (65)	152 (39)
Number of Prosecutions Initiated	14 (20)	4 (2)
Number of Convictions	14 (65)	4 (2)
Imposed Penalties for Violations Related to The Worst Forms of Child Labor	Yes (20)	Yes (2)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (20)	Yes (2)

During the reporting period, several hundred police officers received training on forced labor, Ghana's anti-Trafficking in Persons laws, and identifying forced labor and child labor. (39) However, research indicates that poor inter-agency coordination and insufficient resources for transportation and victim support resulted in under-reporting of cases and hampered criminal enforcement efforts. (8,26,30,32,62) In addition, members of parliament have attempted to discourage investigations or prosecutions of child trafficking offenses, and high staff turnover limits the government's ability to investigate and prosecute these offenses. (2,55) Although coordination among government officials on human trafficking issues improved during the year, it was uneven across the country and the government relies heavily on NGOs to identify cases of child trafficking. (2,39) Criminal enforcement agencies lack the resources to properly monitor sectors where the worst forms of child labor are known to occur. For example, on Lake Volta, the police do not have boats to patrol for forced child labor in fishing. (29)

However, despite these challenges, the government identified 36 children who were victims of sex trafficking and successfully prosecuted four defendants for crimes related to child trafficking. These cases resulted in two defendants receiving 5-year jail terms and the other two receiving a fine. (2,39)

Four ministries, MELR, the Ministry of Gender, Children, and Social Protection, the Ministry of Justice, and the Ministry of the Interior, committed to using the Trafficking in Persons Information System (TIPIS), developed by the IOM. During the reporting period, TIPIS was piloted in three regions to enhance data collection to improve inter-ministerial coordinated responses to cases of trafficking. (2)

IV. COORDINATION OF GOVERNMENT EFFORTS ON CHILD LABOR

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

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

Coordinating Body	Role & Description
National Steering Committee on Child Labor (NSCCL)	Coordinates government efforts to combat the worst forms of child labor, and oversees implementation of the National Plan of Action Phase II on the Elimination of the Worst Forms of Child Labor (NPA2), which includes implementation of the GCLMS. (2,66,67) Led by MELR's Child Labor Unit (CLU), includes representatives from other ministries, employers' and workers' organizations, and civil society. (2,66,68,69) In 2019, NSCCL organized sensitization programs through school quizzes and media discussions, and held community-level ceremonies along with a national review of GCLMS, and the creation of Child Labor Free Zones. NSCCL met four times in 2019. (2)
Inter-Ministerial Committee to Combat Human Trafficking MELR's CLU	Aims to prevent Ghanaian migrants from becoming victims of human trafficking. Comprising MELR, MOGCSP, Ministry of Justice, and the Ministry of the Interior. This committee was active during the reporting period and continued its ban on recruitment of Ghanaians for domestic work and hospitality jobs in the Middle East. (2,39) Facilitates the development of policies and laws to combat child labor; coordinates interventions to combat child labor, and oversees child protection committees at the district level. (60,66) 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. (2) During the reporting period, CLU wrote a report on the status of child labor in 2018. (2)
Human Trafficking Management Board (HTMB)	Advises the Ministry of Gender, Children and Social Protection on anti-trafficking policy, promotes prevention efforts, facilitates the protection and reintegration of trafficking victims, and administers the Human Trafficking Fund. Met four times in 2019. (39)

V. GOVERNMENT POLICIES ON CHILD LABOR

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

Table 9. Key Policies Related to Child Labor

Policy	Description
NPA2 (2017–2020)	Aims to address gaps identified in the first NPA (2009–2015), improve coordination, and reduce the worst forms of child labor to 10 percent by 2021, with a focus on the fishing, mining, and cocoa sectors. (7,38,67,68) In 2019, provided school uniforms and supplies to needy students, improved access of older children to apprenticeship opportunities, and improved enrollment of vulnerable families in areas with a high prevalence of child labor. Also developed guidelines and protocols for assessing Child Labor Free Zones, trained labor inspectors on conducting inspections in the informal sector, and organized awareness programs for the general public. (7)
National Plan of Action for the Elimination of Human Trafficking in Ghana (2017–2021)	Aims to improve data collection, enhance victim protection, increase accountability for perpetrators, and conduct prevention and outreach, including an expansion of the Livelihood Empowerment Against Poverty (LEAP) Program. (72) In 2019, the government conducted a mid-way assessment of progress, gaps, and challenges that indicated the importance of continued funding to ensure success. (29) The government also took additional steps to operationalize a shelter for child victims of trafficking, but did not admit and care for child trafficking victims during the reporting period. (39)
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. (47,70,71) 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. (73-75) Provides resources and coordinates with key stakeholders on efforts to reduce the worst forms of child labor in cocoa-producing areas. (73,74) Ensures that all project efforts implemented under the Declaration and Framework align with Ghana's national action plans to promote coherence and sustainability. (73-75) USDOL-funded projects and some industry-funded projects carried out activities in support of this policy during the reporting period. (39)
Minerals and Mining Policy of Ghana	Prohibits child labor in mining and stipulates that children who visit mining sites must be supervised. (80) In May 2019, held a 2-day conference discussing formalizing small-scale artisanal mining operations, in which the majority of child labor in mining occurs. (81,82)
Strategy on Anti-Child Labor and Trafficking in Fisheries (2016–2020)	Ministry of Fisheries and Aquaculture Development policy that aims to significantly reduce the incidence of child labor in fisheries by improving child protection systems and increasing prosecution of offenders. (83) With USAID support, 10 coastal District Assemblies in the Central Region received \$934,674 to mainstream activities to combat child labor and trafficking activities in their 2018-2021 Medium-Term Development Plans. (39)

† 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. (30,76,84)

Although the government made strides in the implementation of its National Plan of Action for the Elimination of Human Trafficking in Ghana, research indicates that the government relied heavily on NGOs to implement the mandates of this policy. Other areas that required further government attention included provisioning of shelters in more regions and districts, and adequate funding and logistics for rescue operations and victim protection. (29)

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2019, the government funded and participated in programs that include the goal of eliminating or preventing child labor (Table 10). However, gaps exist in these social programs, including funding and adequacy of programs to address the problem in all sectors.

Table 10. Key Social Programs to Address Child Labor

Program	Description
Industry-Funded Projects	Projects that aim to increase sustainability in the cocoa sector, improve farmer livelihoods, improve access to education, and combat the worst forms of child labor in cocoa-growing areas. Some projects may be in support of the World Cocoa Foundation's CocoaAction (2014–2020) initiative and the spirit of the 2010 Declaration. (75) During the reporting period, the Governments of Ghana and Côte d'Ivoire worked with industry to set a floor price for cocoa in order to reduce the demand for child labor. (94,95)
Educational Programs†	Programs that aim to increase access to education. Ministry of Education-funded programs under the Free Compulsory Universal Basic Education aim to increase school attendance and enrollment. (84,102) 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. (99,100,103,104) As of September 2019, 16,000 students were newly enrolled under the Ministry of Education's Right Age Enrollment Campaign, which is active in 19 districts. (29) The Ghana Cocoa Board's Child Education Support Program rehabilitates and builds schools in cocoa-growing areas. (101,102)
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. (55,58,98-100)
USDOL-Funded Projects	USDOL projects that aim to eliminate child labor. These projects include: Adwuma Pa (2018–2022), a \$5 million project implemented by CARE; Combating Forced Labor and Labor Trafficking of Adults and Children in Ghana (2017–2021), a \$2 million project implemented by Verité; Assessing Progress in Reducing Child Labor in Cocoa-Growing Areas of Côte d'Ivoire and Ghana (2015–2019), a \$3 million project implemented by NORC at the University of Chicago; Mobilizing Community Action and Promoting Opportunities for Youth in Ghana's Cocoa-Growing Communities (MOCA) (2015–2019), a \$4.5 million project implemented by Winrock International; and the CARING Gold Mining Project (2015-2019), a \$5 million project implemented by ILO. (85-88) Additional information is available on the USDOL website.
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; LEAP 1000 (2014–2019), a \$12 million USAID-funded project implemented by UNICEF to strengthen the existing LEAP program and fund cash transfers to 6,200 poor households; Sustainable Fisheries Management Project (2014–2020), a \$24 million USAID-funded project implemented by CRC/URI; the Complementary Basic Education Program, a \$40 million joint contribution between USAID and the United Kingdom's Department for International Development (DFID) to support Ghana's Ministry of Education's efforts to educate and re-integrate out-of-school children into the basic school system; and the Learning Support program, a \$37 million USAID-UNICEF funded program which helps increase inclusive education services for special needs children in primary schools. (20,89-93)

† 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. (62,103,105,106)

Research indicates a lack of funding as one of the primary obstacles in implementing programs to address child labor. (2,55) In addition, government-run shelters for abused children are few, and the government relies significantly on NGO-run shelters to which they can refer rescued children. (2,32,39) The shelter in Madina, was opened in July 2018, and is intended to serve child victims of trafficking, remains un-operational. (39) During the reporting period, the Ministry of Gender, Children, and Social Protection program "Get Off the Street" program was underfunded. (2)

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Although the government has worked closely with industry, NGOs, and international organizations to implement child labor programs in cocoa, fishing, and mining, the magnitude of these programs remains insufficient to address the scope of the problem. (52)

VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE CHILD LABOR

Based on the reporting above, suggested actions are identified that would advance the elimination of child labor in 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 – 2019
	Ensure that laws criminally prohibit all forms of commercial sexual exploitation of children, including the procuring or offering of children in the production of pornography or the use, procuring, or offering of children for pornographic performances.	2009 – 2019
	Ensure that laws criminally prohibit the use of children in all illicit activities, including for the production and trafficking of drugs.	2016 – 2019
	Ensure that the law criminally prohibits the recruitment of children under age 18 by non-state armed groups.	2015 – 2019
Enforcement	Ensure that prosecutors who have received sufficient legal training oversee and lead the prosecution of cases involving the worst forms of child labor and that an adequate number of state attorneys are available to prosecute cases.	2015 – 2019
	Ensure that government officials do not intervene in criminal investigations and that these cases are prosecuted according to the law.	2015 – 2019
	Publish information on the amount of funding allocated to the labor inspectorate and ensure that inspectorates have adequate resources, including office space, transportation, and supplies to adequately carry out their mandate throughout the country.	2009 – 2019
	Strengthen the labor inspectorate by authorizing inspectors to assess penalties for labor violations.	2014 – 2019
	Ensure labor inspectors receive adequate training, including initial training for new inspectors.	2014 – 2019
	Publish data on the number of penalties imposed and collected for child labor violations identified.	2019
	Significantly increase the number of labor inspectors to meet the ILO's technical advice.	2010 – 2019
	Strengthen and fully fund the mechanism to track cases of child labor for referral between law enforcement and social services providers.	2019
	Improve communication and coordination among criminal enforcement agencies to prosecute cases of the worst forms of child labor and provide adequate victim support.	2015 – 2019
	Government Policies	Ensure that government policies are active, adequately funded, and publish information on their activities.
Social Programs	Improve access to education by eliminating school-related fees, increasing the number of classrooms, improving access to schools, providing sanitation facilities, and prohibiting sexual harassment in schools.	2010 – 2019
	Ensure that opportunities such as vocational training are available to secondary school students enrolled in the dual-track system.	2019
	Ensure that social programs are active and receive sufficient funding to carry out their objectives.	2014 – 2019
	Expand the availability of government-supported shelter services for child victims and ensure that all shelters are operational.	2016 – 2019
	Create, replicate, and expand effective models for addressing exploitative child labor in the cocoa, fishing, and mining sectors.	2009 – 2019

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In 2019, Grenada made no advancement in efforts to prevent the worst forms of child labor. Although research found no evidence that child labor exists in Grenada, no study of child labor has been done to confirm this. The government's ability to prevent children from becoming engaged in the worst forms of child labor is limited because existing laws do not comprehensively prohibit child trafficking and the commercial sexual exploitation of children. In addition, there is no explicit prohibition against children's involvement in hazardous work and illicit activities, including the production and trafficking of drugs.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR




Research found no evidence that child labor exists in Grenada. (1,2) According to the Education Act, public education is free and all children are required to attend school until age 16. (3) However, pregnant and adolescent mothers are removed from the formal education system and placed into a different education system, where they may also face barriers. (4,5) According to the most recently available data, the primary completion rate for Grenada was 123.0 percent in 2018. (6)

Data on key indicators on children's work and education are not available from the sources used in this report.

II. LEGAL FRAMEWORK FOR CHILD LABOR

Grenada has ratified all key international conventions concerning child labor (Table 1).

Table 1. Ratification of International Conventions on Child Labor

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

The government has established laws and regulations related to child labor (Table 2). However, gaps exist in Grenada's legal framework to adequately protect children from the worst forms of child labor, including the prohibition of using children in illicit activities.

Table 2. Laws and Regulations on Child Labor

Standard	Meets International Standards	Age	Legislation
Minimum Age for Work	No	16	Article 32 of the Employment Act (7)
Minimum Age for Hazardous Work	No		
Identification of Hazardous Occupations or Activities Prohibited for Children	No		
Prohibition of Forced Labor	Yes		Article 25 of the Employment Act; Article 4 of the Constitution; Articles 9–11 of the Prevention of Trafficking in Persons Act (7-9)

NO ADVANCEMENT

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

Standard	Meets International Standards	Age	Legislation
Prohibition of Child Trafficking	No		Articles 9–11 of the Prevention of Trafficking in Persons Act (9)
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 (9-11)
Prohibition of Using Children in Illicit Activities	No		
Minimum Age for Voluntary State Military Recruitment	N/A†		
Prohibition of Compulsory Recruitment of Children by (State) Military	N/A†		
Prohibition of Military Recruitment by Non-state Armed Groups	No		
Compulsory Education Age	Yes	16	Articles 2 and 15 of the Education Act (3)
Free Public Education	Yes		Articles 15 and 16 of the Education Act (3)

† No standing military (12)

Grenada’s minimum age for work does not meet international standards because Article 32 of the Employment Act allows holiday employment for children under age 16 without specifying the minimum age, types of work, or number of hours permitted for such work. (7,13) The Prevention of Trafficking in Persons Act does not sufficiently prohibit the trafficking of children, despite establishing heightened penalties for traffickers of children, because it requires the use of force, threats, abuse of power, or other forms of coercion to classify an act as human trafficking. (9) The Criminal Code, Electronic Crimes Bill, and Prevention of Trafficking in Persons Act do not comprehensively prohibit the commercial sexual exploitation of all children. (9-11) The government also has not established laws that prohibit the use of children in illicit activities.

III. ENFORCEMENT OF LAWS ON CHILD LABOR

The government has established institutional mechanisms for the enforcement of laws and regulations on child labor (Table 3). However, gaps exist within the authority of the Ministry of Labor that may hinder adequate enforcement of their child labor laws.

Table 3. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
Ministry of Labor	Enforces laws related to child labor through its Labor Commission, which generates a list of workplaces to inspect and employs labor officers who make unannounced visits to all workplaces on the list. (1,2)
Royal Grenada Police Force	Investigates crimes and enforces laws related to child labor. Helps the Child Protection Agency and the Ministry of Social Development and Housing provide emergency services to children. (1,2)
Ministry of Legal Affairs	Prosecutes criminal cases of child abuse in consultation with the Child Protection Agency. (1,2)
Child Protection Agency	Enforces laws related to child labor by receiving and investigating reports of child abuse. Provides social and protective services to abused children, including by requesting court emergency protection orders. (14-17)
Ministry of Social Development and Housing	Oversees the Child Abuse Hotline and investigates reports of child abuse. Refers child abuse cases to the Child Protection Agency and criminal cases to the police. (16,17) Enforces laws related to school attendance and provides programs to support school attendance. (17,18)
Ministry of Education	Enforces laws related to school attendance through employment of truancy officers. Combats student absenteeism by monitoring students’ attendance and facilitating students’ access to school transportation and meals. (13,18,19)

Labor Law Enforcement

In 2019, labor law enforcement agencies in Grenada took actions to combat child labor (Table 4). However, gaps exist within the authority of the Ministry of Labor that may hinder adequate labor law enforcement, including penalty assessment authorization.

Table 4. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2018	2019
Labor Inspectorate Funding	Unknown (1)	Unknown (2)
Number of Labor Inspectors	6 (1)	6 (2)
Inspectorate Authorized to Assess Penalties	No (1)	No (2)
Initial Training for New Labor Inspectors	N/A (1)	N/A (2)
Training on New Laws Related to Child Labor	N/A (1)	N/A (2)
Refresher Courses Provided	Unknown (1)	Unknown (2)
Number of Labor Inspections Conducted	Unknown (1)	Unknown (2)
Number Conducted at Worksite	Unknown (1)	Unknown (2)
Number of Child Labor Violations Found	Unknown (1)	Unknown (2)
Number of Child Labor Violations for Which Penalties Were Imposed	N/A (1)	N/A (2)
Number of Child Labor Penalties Imposed that Were Collected	N/A (1)	N/A (2)
Routine Inspections Conducted	Unknown (1)	Yes (2)
Routine Inspections Targeted	Unknown (1)	Unknown (2)
Unannounced Inspections Permitted	Unknown (1)	Yes (2)
Unannounced Inspections Conducted	Unknown (1)	Yes (2)
Complaint Mechanism Exists	No (1)	No (2)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (1)	Yes (2)

The government employs six inspectors, two of whom have responsibility for inspections on child labor as part of their portfolios. (1,2) If inspectors find a violation, they must inform the Royal Grenadian Police Force (RGPF), which then conducts a criminal investigation. If the RGPF finds sufficient evidence of a violation, the RGPF may submit findings for possible prosecution by the public prosecutor's office. (1,2) 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. In 2019, inspectors from the Ministry of Labor enforced the minimum age provision in the formal sector through periodic checks. However, enforcement in the informal sector was insufficient, particularly for family farms. It is unclear how many child labor inspections were conducted. (1,2) The government has not created or implemented a specific mechanism for filing and responding to complaints about child labor. Due to limited resources, labor inspection and enforcement is not a top priority for the Government of Grenada. (1,2) The government did not provide complete data on labor and criminal law enforcement efforts. (2)

Criminal Law Enforcement

Research did not find information on whether criminal law enforcement agencies in Grenada took actions to combat child labor. Gaps exist within the operations of the criminal enforcement agencies that may hinder adequate criminal law enforcement, including training for criminal investigators.

Table 5. Criminal Law Enforcement Efforts Related to Child Labor

Overview of Criminal Law Enforcement	2018	2019
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	Yes (1)	Yes (2)

The government does not publicly release information on its criminal law enforcement efforts.

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. However, adolescent mothers and girls are removed from the formal education system and placed into a different education system, where they may also face barriers. (5,17,20)

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

As there is no evidence of a problem, there appears to be no need for programs to address child labor. However, research found no evidence of current research on the worst forms of child labor in Grenada. (1,2)

VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE CHILD LABOR

Based on the reporting above, the following actions would advance the continued prevention of child labor in Grenada (Table 6).

Table 6. Suggested Government Actions to Eliminate Child Labor

Area	Suggested Action	Year(s) Suggested
Legal Framework	Establish the minimum age for hazardous work at age 18 and identify hazardous occupations and activities prohibited for children.	2009 – 2019
	Prohibit the use of children in illicit activities, including drug production.	2011 – 2019
	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 – 2019
	Ensure that the law establishes sanctions for all perpetrators of child trafficking, including in cases that do not show force, threats, or coercion.	2015 – 2019
	Enact legislation prohibiting the use, procuring, or offering of a child for all forms of commercial sexual exploitation.	2016 – 2019
	Ensure that the law criminally prohibits the recruitment of children under age 18 by non-state armed groups.	2016 – 2019
Enforcement	Provide sufficient funding and resources to allow agencies responsible for the enforcement of labor laws to fulfill their mission, including in the informal sector.	2015 – 2019
	Publish labor and criminal law enforcement data, including the following: information on the number and type of labor inspections; information on criminal inspectors' training; and the number of investigations, violations found, prosecutions initiated, and convictions in criminal law enforcement of the worst forms of child labor.	2016 – 2019
	Authorize the labor inspectorate to assess penalties.	2015 – 2019
	Ensure that labor inspectors and criminal investigators receive training related to the worst forms of child labor.	2015 – 2019
	Publish data on labor inspectorate funding.	2018 -- 2019
	Ensure that labor inspectors conduct labor inspections.	2018 -- 2019
	Create and implement a complaint mechanism specifically for filing and responding to complaints on child labor.	2018 -- 2019
Government Policies	Adopt and implement a policy to address the reintegration of pregnant girls and adolescent mothers in mainstream education.	2016 – 2019
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 – 2019

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SIGNIFICANT ADVANCEMENT

In 2019, Guatemala made a significant advancement in efforts to eliminate the worst forms of child labor. The government introduced new protections for adolescent workers to ensure that they do not participate in the worst forms of child labor. Guatemala also adopted the new Model for Comprehensive Care for Children and Adolescents, a multi-agency mechanism designed to provide care for child trafficking victims. In addition, government agencies began implementing the Child Labor Risk Identification Model, which is designed to identify child labor vulnerabilities and develop strategies in response. Furthermore, Guatemala developed a monitoring and evaluation tool in anticipation of a new national action plan to combat child labor and launched the next phase of its Blue Heart campaign to raise awareness about human trafficking. However, children in Guatemala are engaged in the worst forms of child labor, including in commercial sexual exploitation, sometimes as a result of human trafficking. Children also perform dangerous tasks in agriculture, such as in the production of coffee. The lack of a sufficient number of labor inspectors and resources limited the Ministry of Labor and Social Welfare's ability to combat the worst forms of child labor. In addition, existing social programs are insufficient to reach all children engaged in exploitative labor and, in particular, do not target children engaged in domestic work or agriculture.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Guatemala are engaged in the worst forms of child labor, including in commercial sexual exploitation, sometimes as a result of human trafficking. Children also perform dangerous tasks in agriculture, such as in the production of coffee. (1-5) Table 1 provides key indicators on children's work and education in Guatemala.

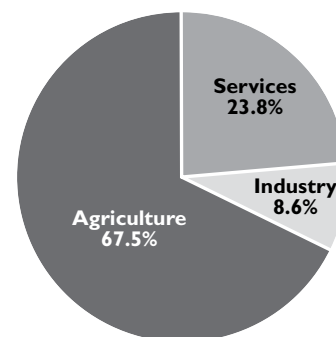
Table 1. Statistics on Children's Work and Education

Children	Age	Percent
Working (% and population)	7 to 14	9.3 (286,823)
Attending School (%)	7 to 14	89.9
Combining Work and School (%)	7 to 14	5.6
Primary Completion Rate (%)		79.7

Source for primary completion rate: Data from 2018, published by UNESCO Institute for Statistics, 2020. (6)

Source for all other data: International Labor Organization's analysis of statistics from Encuesta Nacional de Empleo e Ingreso I (ENEI I), 2017. (7)

Figure 1. Working Children by Sector, Ages 7-14



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

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

Sector/Industry	Activity
Agriculture	Picking macadamia nuts and tea leaves (8)
	Planting and harvesting coffee, sugarcane, corn, broccoli, bananas, plantains, and flowers (1,8-13)
	Harvesting palm kernels and producing palm oil (8,11,14)
	Ranching (1)

Guatemala

SIGNIFICANT ADVANCEMENT

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

Sector/Industry	Activity
Industry	Mining,† including silver mining† (2,15,16)
	Construction, including as bricklayers and mason helpers (1,17,18)
	Production of garments, activities unknown (2,16)
	Manufacturing gravel (crushed stones)† and fireworks† (1,12,16,17,19,20)
Services	Domestic work and house-sitting† (4,11,12,21,22)
	Street work,† including vending,† performing,† cleaning windshields and windows,† begging, and shoe shining† (2,11,15-17,23-25)
	Making corn tortillas (12,26-28)
	Working as store clerks in small family-owned corner stores (<i>abarroterías</i>) (11-13,28)
	Garbage scavenging† and working in garbage dumps† (4,17)
	Working as servers in restaurants (<i>comedores</i>) (11)
Categorical Worst Forms of Child Labor‡	Forced labor in agriculture, production of garments, domestic work, street begging, making corn tortillas, and vending (1,24-26,28-31)
	Use in the production of pornography (1,2,5,16,25)
	Commercial sexual exploitation, sometimes as a result of human trafficking (1,4,11,24-26,30,31)
	Use in illicit activities, including drug trafficking, and stealing and transporting contraband as a result of criminal and gang recruitment (4,16,24-26,28)

† 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.

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. (25,32,33) In agriculture, working conditions for children involve using machetes and other dangerous tools, including the cultivation of sugar. (16,34) Children as young as age 5 work in coffee fields picking and carrying heavy loads of coffee beans and mixing and applying pesticides. (35-37) In 2019, a 9-year old child died on a coffee plantation in Baja Verapaz, though reports were conflicting as to the cause of death. (38) Recently corroborated reports indicate that children are often sent into the 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 toxic paint to attract more attention. (25,39)

Children, both Guatemalan-born and from other countries, are victims of commercial sexual exploitation, including in sex tourism. (22,30) Girls, LGBTI persons, and indigenous Guatemalans are particularly vulnerable to human trafficking. (30) Children are exploited for forced labor in Guatemala, particularly in agriculture and domestic work. (22) Children are also forced to engage in street begging and vending in Guatemala City and along the border with Mexico. (31) Traffickers are increasingly using social media to recruit children. (29) Multiple sources indicate that children are recruited into gangs to serve as lookouts, couriers, and drug dealers, or to commit extortion. Criminal organizations, including gangs, also exploit girls in sex trafficking. (1,22,25)

Significant barriers to accessing education exist in Guatemala, particularly for girls, indigenous children, and children in rural areas. (1,16) Education is free in Guatemala, although only through grade 6, and there is an insufficient number of primary and secondary schools. (25,40) A lack of teachers, transportation, and sanitary facilities at public schools, and fees charged at private schools, all create barriers to education. (1,25) Over 70 percent of secondary schools are private, requiring families to pay school fees, transportation costs, and for supplies and lodging. (25)




Reports conclude that there is a high degree of illiteracy among girls. (5,41,42) 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. (25,26) Indigenous children in general have lower enrollment rates compared to other children. (5) There are not enough qualified teachers to provide instruction in the predominant native languages and classroom materials available in these languages are

insufficient. (16,42,43) Furthermore, the education system is unable to address the needs of students with disabilities. (1,25,26)

II. LEGAL FRAMEWORK FOR CHILD LABOR

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

Table 3. Ratification of International Conventions on Child Labor

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

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

Table 4. Laws and Regulations on Child Labor

Standard	Meets International Standards	Age	Legislation
Minimum Age for Work	Yes	15	Articles 31 and 148 of the Labor Code; Article 6 and 32 of Government Accord 112-2006; Ministerial Agreement Number 260-2019 (44,46)
Minimum Age for Hazardous Work	Yes	18	Article 148 of the Labor Code; Article 1 of Government Accord 250-2006 (44,47)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Article 4 of Ministerial Accord 154-2008 (48)
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 (49-51)
Prohibition of Child Trafficking	Yes		Article 202 <i>bis</i> and <i>quater</i> of the Penal Code, as amended by Articles 47–48 of the Law against Sexual Violence, Exploitation, and Trafficking in Persons, No. 9-2009; Article 108 of the Migration Law (49,52,53)
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 (52)
Prohibition of Using Children in Illicit Activities	Yes		Article 27 of the Penal Code (49)
Minimum Age for Voluntary State Military Recruitment	Yes	18	Article 57 of the Law of Integral Protection of Children and Adolescents (50)
Prohibition of Compulsory Recruitment of Children by (State) Military	Yes		Articles 68–69 of the Constitutive Law of the Guatemalan Army (54)
Prohibition of Military Recruitment by Non-state Armed Groups	No		Article 245 of the Constitution; Article 57 of the Law of Integral Protection of Children and Adolescents (50,55)
Compulsory Education Age	Yes	15‡	Article 74 of the Constitution; Article 33 of the National Education Law; Ministerial Agreement 1055-2009 (55-57)
Free Public Education	Yes		Article 74 of the Constitution; Article 1 of Government Agreement 226-2008 (55,58)

‡ Age calculated based on available information (2,55,59,60)

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In 2019, the Ministry of Labor and Social Welfare (MTPS) 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 15 and 18 years of age and ensuring that they do not participate in the worst forms of child labor. The agreement also establishes procedures for protecting adolescent workers and for improving coordination between MTPS’s Unit for the Protection of Working Adolescents and the General Labor Inspectorate (UPAT). (46,61) However, the agreement does not explicitly cover children 14 years of age, who are allowed to work under Guatemala’s Labor Code (or children under 14 who are allowed to work in exceptional circumstances). Therefore, it is unclear if this mechanism effectively raises the minimum age to 15.

Although Articles 32 and 150 of the Labor Code allow MTPS to authorize children under age 14 to work under exceptional circumstances—including if MTPS determines that children must work to support their family due to poverty—the law does not define the total number of hours, kinds of tasks, or age range applicable for this exception, which is inconsistent with international standards on light work. (44) MTPS indicated that no such exceptions have been granted since 2016. (1,62)

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 MTPS that may hinder adequate enforcement of their child labor laws.

Table 5. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
Ministry of Labor and Social Welfare’s (MTPS) Inspection Division	Enforces child labor laws, including prohibitions on the worst forms of child labor, by inspecting businesses and responding to child labor complaints. (2,25) Refers children found in child labor to government social services and refers complaints to the MTPS Adolescent Workers Protection Unit. (63-65) Refers cases of worst forms of child labor to the Secretariat Against Sexual Violence, Exploitation, and Trafficking in Persons (SVET) and unresolved cases to labor courts for review and sanctions, as appropriate. (2)
National Civil Police	Investigates cases of child trafficking through the Trafficking in Persons and Forced Labor Unit located within the Special Investigation Police, and operate a hotline to receive reports of suspected child trafficking cases. Also conduct welfare inspections in child labor cases and refer cases to civil court. (15,25)
Public Ministry, Special Prosecutor’s Office	Receives case referrals involving the worst forms of child labor from labor inspectors. Investigates cases of human trafficking and forced labor through the Special Prosecutor’s Office Against Human Trafficking. (2)
Solicitor General’s Office	Receives complaints regarding the exploitation of children. Initiates legal proceedings, refers cases to the National Civil Police, and ensures the legal representation of children whose rights have been violated. (25)
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. (66,67)

Labor Law Enforcement

In 2019, labor law enforcement agencies in Guatemala took actions to combat child labor (Table 6). However, gaps exist within the operations of MTPS that may hinder adequate labor law enforcement, including financial resource allocation and inspection planning.

Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2018	2019
Labor Inspectorate Funding	\$601,687 (1,68)	\$402,597 (25)
Number of Labor Inspectors	234 (68,69)	203 (70)
Inspectorate Authorized to Assess Penalties	Yes (1,44)	Yes (25,44)
Initial Training for New Labor Inspectors	N/A (1)	Yes (25)

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

Overview of Labor Law Enforcement	2018	2019
Training on New Laws Related to Child Labor	Yes (1)	Yes (34)
Refresher Courses Provided	Yes (1)	Yes (25)
Number of Labor Inspections Conducted	34,035 (1)	34,439 (25)
Number Conducted at Worksite	17,851 (1)	18,426 (25)
Number of Child Labor Violations Found	10 (1)	10 (25)
Number of Child Labor Violations for Which Penalties Were Imposed	10 (1)	3 (25)
Number of Child Labor Penalties Imposed that Were Collected	Unknown	Unknown (25)
Routine Inspections Conducted	Yes (1)	Yes (25)
Routine Inspections Targeted	Yes (68)	Yes (25)
Unannounced Inspections Permitted	Yes (1)	Yes (25)
Unannounced Inspections Conducted	Yes (1)	Yes (25)
Complaint Mechanism Exists	Yes (1)	Yes (25)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (1)	Yes (25)

In 2019, the General Labor Inspectorate conducted 2,580 child labor-specific inspections, an increase from 2018, all at worksites. The inspections were targeted at sectors in which children are most vulnerable to exploitative labor, such as in agriculture, construction, street work, and other informal work. (25) In addition, from December 9 through December 13, 2019, the inspectorate cooperated with UPAT to carry out planned inspections targeting the worst forms of child labor in the manufacturing and handling of explosive and pyrotechnic substances. (25) MTPS removed 14 children from child labor as a result of inspections, while the Public Ministry's (MP) unit against trafficking in persons reported removing 40 children from child labor who were all referred to the Solicitor General's Office for social services. (25)

All of Guatemala's inspectors received training during the reporting period, including in the enforcement of laws related to child labor and the worst forms of child labor. Eleven new inspectors hired in 2019 began initial training in December and 60 inspectors participated in an Office of the United Nations High Commissioner for Human Rights training titled "International Standards on Human and Labor Rights: Trafficking in Persons for Purposes of Labor Exploitation and Other Contemporary Forms of Slavery." (25) Sixty inspectors also took part in a mediation techniques training offered by the U.S. Federal Mediation and Conciliation Service, with select inspectors receiving follow-up "train the trainer" courses. (25)

Guatemala's General Labor Inspectorate received less funding in 2019 compared to 2018 and MTPS has indicated that the funding level was insufficient to cover the inspectorate's needs, particularly for transportation, fuel, and per diem costs. (25) Furthermore, the number of labor inspectors is likely insufficient for the size of Guatemala's workforce, which includes more than 4.6 million workers. According to the ILO's technical advice of a ratio approaching 1 inspector for every 15,000 workers in developing countries, Guatemala would employ about 308 labor inspectors. (71,72)

Although laws governing the minimum age for work and hazardous work apply in both the formal and informal sectors, labor inspectors rarely inspect informal workplaces in which child labor violations are most likely to occur. (1,2,25,26) Some reports question the quality of inspections for child labor violations, particularly the scope and coverage across industries. (15,16) Civil society organizations state that, during worksite inspections, labor inspectors often meet only with business owners or supervisors and bypass conducting worker interviews. (8,39) Civil society organizations also report that labor inspectors are not appropriately trained to perform inspections for child labor. (1,11,13)

The government has created a mechanism for filing complaints regarding child labor, but reports state that the mechanism is not efficient in responding to those complaints. (1,25,26) Furthermore, while Guatemala has established a referral mechanism between responsible agencies in cases of child labor, coordination between

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these agencies remains a challenge and requires the intervention of NGOs or international missions. (25) 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. While MTPS reported it issued 1,374 fines to non-compliant companies between 2018 through the end of 2019 for all violations, information regarding how much was collected in penalties in 2019 for child labor violations was still not available during the reporting period. (25)

Criminal Law Enforcement

In 2019, criminal law enforcement agencies in Guatemala took actions to combat child labor (Table 7). However, gaps exist within the operations of the National Civil Police that may hinder adequate criminal law enforcement, including training for criminal investigators.

Table 7. Criminal Law Enforcement Efforts Related to Child Labor

Overview of Criminal Law Enforcement	2018	2019
Initial Training for New Criminal Investigators	Yes (1)	N/A (25)
Training on New Laws Related to the Worst Forms of Child Labor	Yes (1)	N/A (25)
Refresher Courses Provided	Yes (1,69)	Yes (25)
Number of Investigations	112 (1)	Unknown (25)
Number of Violations Found	44 (68)	Unknown (25)
Number of Prosecutions Initiated	55 (1)	67 (25)
Number of Convictions	12 (1)	20 (25)
Imposed Penalties for Violations Related to The Worst Forms of Child Labor	Yes (30)	Yes (25)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (1)	Yes (25)

In 2019, Guatemala's Secretariat Against Sexual Violence, Exploitation, and Trafficking in Persons (SVET) rescued 154 child and adolescent victims of human trafficking. Of these cases, 48 involved commercial sexual exploitation of children as a result of human trafficking. (25) The total number of child labor violations found during the reporting period was unknown, however.

The Attorney General's Office reported 13 convictions in 2019 related to the commercial sexual exploitation of children, including for use in pornographic performances and for online sexual exploitation. Individuals convicted in 2019 for trafficking in persons crimes received non-commutable prison sentences between 8 to 14 years and fines of \$38,960. (25) Notably, eight prison guards were convicted in February 2019 for their role in facilitating the trafficking of a girl aged 17, and were sentenced to 3 years in prison, while two other individuals were charged with human trafficking and have cases pending. (22) The government reported 221 investigations but did not clearly indicate which of these involved minors in labor exploitation. Thus, the total number of investigations involving the worst forms of child labor is unknown. (25)

Guatemala made efforts to increase anti-trafficking resources and capacity outside of Guatemala City, and the MP began making social workers and psychologists available to human trafficking victims to serve as liaisons as victims navigated proceedings and sought medical care. (22) The MP established two new Special First Instance criminal courts in Quetzaltenango and Guatemala City specialized in prosecuting trafficking in persons and trafficking in persons-related crimes. (31) In 2019, criminal law enforcement investigators received training on issues related to forced labor and labor exploitation, including child labor. (25) However, the Attorney General's Office noted that training was insufficient regarding laws against sexual violence, exploitation, and trafficking in persons, particularly in relation to the recruitment of minors by organized criminal organizations. (25)

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. (31,39) However, during the

reporting period, the MP and the Judiciary developed the Model for Comprehensive Care for Children and Adolescents, a cooperative initiative that brings 11 government institutions under one mechanism to provide specialized, 24/7 care to child victims of trafficking during the investigative process. The model is also designed to significantly reduce case processing times. (31)

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 a small budget that limits its reach beyond urban areas. (31) Local NGO reports indicate that training is insufficient outside the capital. (1,26) Law enforcement agencies also lack sufficient vehicles, fuel, and criminal investigators, particularly outside Guatemala City. (16,73) MTPS has noted that resources are still insufficient to carry out complex criminal investigations. (1)

IV. COORDINATION OF GOVERNMENT EFFORTS ON CHILD LABOR

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

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

Coordinating Body	Role & Description
Specific Cabinet on Social Development (GEDS in its Spanish initials)*	Coordinates, articulates, and manages policies related to development, social protection, and violence prevention for vulnerable populations such as children, women, indigenous populations, the elderly, individuals with disabilities, and people from rural areas. Created in 2019 through Government Agreement 11-2019, which transferred the National Commission for the Eradication of Child Labor (CONAPETI) to GEDS. (25) Established via Agreement 2-2019 the thematic working group “Prevention and Eradication of Child Labor,” which assumes CONAPETI’s duties of coordinating government policies and efforts to combat child labor. (25) The working group began the implementation process of the Child Labor Risk Identification Model, a tool to design and implement preventative strategies at the local level based on prior identification of child labor vulnerabilities. The tool is being implemented with support from ILO and the Economic Commission for Latin America and the Caribbean. (25)
Departmental Committees for the Eradication of Child Labor (CODEPETIS)	Coordinate government efforts to combat child labor at the departmental or regional level. Comprising department-level representatives of CONAPETI member agencies and NGO and business representatives. (2,15) As part of the CONAPETI restructuring, the Thematic Working Group for the Prevention and Eradication of Child Labor in 2019 voted to continue the work of the CODEPETIS. In Quetzaltenango and San Marcos, comprehensive care centers were established to remove child and adolescent laborers from exploitative child labor situations. (25)
Secretariat Against Sexual Violence, Exploitation, and Trafficking in Persons (SVET)	Coordinates all government efforts against human trafficking, including for commercial sexual exploitation of children and forced child labor, by responding to cases and providing support for victims. Operates shelters to serve minor victims of human trafficking and a hotline to file child sex tourism complaints. Led by the Vice President’s Office. (74) In 2019, coordinated with the Ministry of Interior and MTPS to train National Civil Police staff on “Prevention and Fighting of Exploitation and Trafficking in Persons as one of the Worst Forms of Child Labor.” (25) During the reporting period, developed a mobile app to provide emergency attention to trafficking in persons victims and created a virtual reality video game designed to teach children and adolescents about the dangers of trafficking in persons. (31)
Inter-Institutional Commission Against Trafficking-in-Persons	Develops and manages initiatives to combat human trafficking. Relunched by SVET in 2016, co-chaired by the Ministry of Foreign Affairs, and includes 28 government and civil society institutions. (31) During the reporting period, under SVET’s lead, developed the National Database of Trafficking in Persons Victims, creating the first detailed Trafficking in Persons victim information system in Central America. (31)
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. (21) 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. (21) Held its inaugural yearly meeting in January of 2019 to review successes from 2018 and to establish an operating plan for 2019. (75) In October, partnered with the Guatemalan Airline Association to train airline industry professionals on detecting cases of exploitation in travel and tourism. (76)

* 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. (48,68)

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In 2019, SVET established the Inter-Agency Commission for Information Technology and Communication via Secretarial Agreement 66-2019. The commission, which is tasked with preventing the violence and sexual exploitation of children and adolescents through trafficking in persons crimes that utilize technology, will serve as a forum for consultation, coordination, policy development, consensus building, and action planning among 11 government institutions. (31,77)

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. (4,15,78) 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. (31) Furthermore, although it plays a significant role in combating human trafficking in Guatemala, reporting suggests that SVET lacks political support from other parts of the government. (31)

V. GOVERNMENT POLICIES ON CHILD LABOR

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

Table 9. Key Policies Related to Child Labor

Policy	Description
Roadmap for the Prevention and Elimination of the Worst Forms of Child Labor (2016–2020)	Aims to prevent and eradicate child labor by addressing poverty; guaranteeing rights to health for children and adolescents; guaranteeing access to education, especially for children in or at risk of child labor; coordinating and enforcing child labor laws; raising awareness regarding risks and consequences of child labor; and implementing a system to monitor and evaluate child labor. (19,78-81) In anticipation of the effective end of the Roadmap in 2020, MTPS and the Thematic Working Group for the Prevention and Eradication of Child Labor, in cooperation with the ILO, developed a tool to enable the monitoring and evaluation of the roadmap. (25)
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. (82-84) Research did not reveal whether any actions were taken under this policy in 2019.
Protocol for Identifying and Assisting Child and Adolescent Victims of Commercial Sexual Exploitation	Establishes procedural guidelines for government agencies and NGOs responsible for the protection and care of child and adolescent victims of commercial sexual exploitation. Overseen by the Secretariat of Social Welfare and Departmental Social Welfare Offices and implemented by SVET. (2,66) Research did not reveal whether any actions were taken under this policy in 2019.
Inter-Institutional Protocol for the Protection and Attention of Victims of Human Trafficking	Provides instruction on how to process sex crimes, including commercial sexual exploitation of children, and how to assist prospective victims of trafficking in persons. (21,48,84) Research did not reveal whether any actions were taken under this policy in 2019.
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. (85) Includes a National Plan of Strategic Action that directs the government's actions on preventing and combating human trafficking. (15,30,86) The government noted that as part of the policy, since 2016 officials have identified 232 victims and provided services to 750 individuals, and brought charges against 508 individuals and sentenced 113 of them. During the reporting period, the government further implemented the policy by launching the second phase of the <i>Corazon Azul</i> (Blue Heart) public awareness campaign. (31,87)

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2019, the government funded and participated in programs that include the goal of eliminating or preventing child labor (Table 10). However, gaps exist in these social programs, including the adequacy of efforts to address the problem in all sectors.

Table 10. Key Social Programs to Address Child Labor

Program	Description
Ministry of Development Social Poverty Reducing Programs†	Conditional Cash Transfer for Education and Health Program (<i>Mi Bono Seguro</i>) provides cash assistance to families with school-age children, conditioned on children's school attendance. (26,65,88) Food Assistance Program (<i>Mi Bolsa Segura</i>) provides food assistance to poor families, with the requirement that their children attend school. (26,65) Young Protagonists (<i>Jóvenes Protagonistas</i>) provides at-risk adolescents with training and formative activities outside school hours. (26,88) My Secure Dining Hall (<i>Mi Comedor Seguro</i>) provides access to food to people in situations of poverty, crisis, and emergency, including children. (89) My First Employment (<i>Mi Primer Empleo</i>) places working-age youth in apprenticeship programs and grants them on-the-job training and a monthly stipend. (26,88) My Middle School Scholarship (<i>Mi Beca Educación Media</i>), for children between ages 11 and 24, and My College Scholarship (<i>Mi Beca Educación Superior</i>), for children between ages 16 and 28, promote access to school and college through cash assistance to children who are in situations of poverty and extreme poverty in rural and urban areas. (89) In 2019, the Ministry of Development modified its direct assistance programs to increase payments to certain families and to prioritize certain departments. The Ministry also renamed the programs as <i>Mi Bono Social</i> , <i>Mi Comedor Social</i> , <i>Mi Bolsa Social</i> , and <i>Mi Beca Social</i> . (90,91)
Committed to First (<i>Comprometidos con Primero</i>) Program (2017–2019)	Seeks to decrease school dropout rates and increase enrollment and advancement to the next grade at a national level. (26,92) Goals include generating conditions to achieve competency in reading and writing, providing teacher training, conducting diagnostic evaluations, and supplying educational materials and pedagogical support. (92,93) Aims to serve 35,000 first grade students. (93) Relaunched in 2019 through Ministerial Accord 2669-2019 with a focus on improving indicators of success and conditions for learning for first graders. (94)
I Don't Allow Sexual Exploitation of Children in Tourism†	SVET-administered national campaign against the commercial sexual exploitation of children in tourism. (3) SVET launched the campaigns "Be Careful with Grooming" to prevent online grooming for sexual abuse of children and adolescents between ages 10 and 15, and "Protecting Our Greatest Treasure" to create awareness of sexual exploitation of children in tourism and travel activities. (29,82) Research could not identify actions undertaken during the reporting period to carry out this program.
Human Trafficking Awareness Campaigns*	SVET and Office of the Human Rights Ombudsman (PDH) campaigns that aim to educate the public about trafficking in person issues. (31) As part of World Day Against Trafficking in Persons in 2019, SVET launched the second phase of its <i>Corazon Azul</i> (Blue Heart) campaign, which raises awareness about human trafficking and coordinates government and social responses to trafficking in persons crimes. (31) PDH meanwhile held 46 trafficking in persons-related training sessions for a variety of audiences in 2019, including for professionals and potential victims of human trafficking, as part of its public awareness campaign. (31)
Business Network for the Prevention and Elimination of Child Labor in Guatemala (<i>Red Empresarial</i>)	Program that aims to promote prevention and eradication of child labor. Created in 2015, members include the Ministries of Education and Agriculture, MTPS, CONAPETI, ILO, UNICEF, the UN Food and Agriculture Organization, and representatives from the private sector. (17,95 -98) The network continued to implement a variety of health, nutrition, education, and awareness programs in a variety of agricultural sectors. The Agricultural Chamber of Commerce meanwhile coordinated with the ILO during the reporting period to update the Strategy for the Prevention and Eradication of Child Labor in the Private Sector. (99)

† 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. (21, 100-102)

Preliminary data from the Finance Ministry indicates that social program funding in 2019 fell by 6.8 percent compared to 2018. (25) 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. (1,25) Although the government has implemented programs to assist children and families, research found no evidence of government programs specifically designed to assist children engaged in hazardous work, including those in agriculture and domestic service. (4) Reporting also indicates that SVET and PDH fail to regularly monitor the effectiveness of awareness campaigns beyond tracking the number of individuals reached. (31)

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. (31,41) 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. (103)

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VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE CHILD LABOR

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

Table II. Suggested Government Actions to Eliminate Child Labor

Area	Suggested Action	Year(s) Suggested
Legal Framework	Eliminate the exception allowing some children under age 14 to work, or establish a light work framework for children ages 12 to 14 outlining restrictions on working conditions, type of work, and number of hours of work.	2010 – 2019
	Criminally prohibit the recruitment of children under age 18 into non-state armed groups.	2016 – 2019
	Clarify whether Ministerial Agreement 260-2019 raises the minimum working age to 15.	2019
Enforcement	Increase the number of labor inspectors to meet the ILO's technical advice.	2015 – 2019
	Collect and report data on the total amount in fines collected in relation to child labor violations.	2019
	Provide sufficient funding and resources to the labor inspectorate to ensure operational needs are met.	2017 – 2019
	Ensure that criminal investigators have sufficient resources and staff to conduct quality criminal investigations in all geographical areas of the country.	2009 – 2019
	Ensure that inspectors carry out inspections in the informal sector, an area in which child labor is known to occur.	2018 – 2019
	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 – 2019
	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 – 2019
	Disaggregate enforcement data to identify child-labor related investigations and report on the number of violations for the worst forms of child labor.	2018 – 2019
	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 – 2019
	Improve effectiveness of child labor complaint and referral mechanisms to ensure timely responses to complaints.	2018 – 2019
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 – 2019
	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
Government Policies	Undertake activities to implement the key policies related to child labor.	2017 – 2019
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, and removing school fees and transportation costs.	2015 – 2019
	Ensure that social programs are implemented, well funded, able to carry out their objectives, reach populations outside urban centers, and report on yearly activities.	2018 – 2019
	Regularly monitor the effectiveness and impact of social programs such as awareness campaigns beyond number of citizens reached.	2017 – 2019
	Initiate social programs to address child labor in agriculture and domestic work, and for children who perform other types of hazardous work.	2009 – 2019
	Ensure high standards of safety and care for children in government-run shelters.	2016 – 2019
	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 – 2019

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In 2019, Guinea made a minimal advancement in efforts to eliminate the worst forms of child labor. The National Assembly adopted a revised Child Code that must be enacted by the President, which includes a more specific list of hazardous child labor activities and more severe penalties for violations related to child labor. However, children in Guinea engage in the worst forms of child labor, including in mining, sometimes as a result of human trafficking, and in forced begging. Children also perform dangerous tasks in mining. 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 do not meet international standards because they do not include children working outside of a formal employment relationship and children who are self-employed. In addition, the government does not implement sufficient social programs to address the extent of the child labor problem.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Guinea engage in the worst forms of child labor, including in mining, sometimes as a result of human trafficking, and in forced begging. (1,2) Children also perform dangerous tasks in mining. (2-5) Table 1 provides key indicators on children's work and education in Guinea.

Table 1. Statistics on Children's Work and Education

Children	Age	Percent
Working (% and population)	5 to 14	31.2 (Unavailable)
Attending School (%)	5 to 14	54.2
Combining Work and School (%)	7 to 14	17.3
Primary Completion Rate (%)		59.7

Source for primary completion rate: Data from 2016, published by UNESCO Institute for Statistics, 2020. (6)

Source for all other data: International Labor Organization's analysis of statistics from the Multiple Indicator Cluster Survey 5 (MICS 5), 2016. (7)

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

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

Sector/Industry	Activity
Agriculture	Farming and carrying heavy loads† in the production of cashews, cocoa, coffee, and rubber (5,8-13)
	Herding livestock (8,9)
	Fishing, including capturing and processing fish (8-10,14-16)
Industry	Mining† granite, gold, and diamonds (1,3,8-10,12)
	Manufacturing, activities unknown (9)
	Construction,† including carrying materials and the fabrication of construction materials, such as bricks (4,9,17,18)
Services	Street work, including as market vendors, beggars, petty traders, shoe shiners, and porters in the transportation sector (3,4,8-10,15,19-21)
	Working in restaurants and informal cottage industries, including as waitresses (8,9)
	Domestic work (3,8,10,12,14,16,22)
Categorical Worst Forms of Child Labor‡	Forced labor as market vendors and in domestic work, mining, herding, fishing, and farming, each sometimes as a result of human trafficking (8-10)
	Commercial sexual exploitation, sometimes as a result of human trafficking (8,20,22)
	Forced begging by Koranic teachers (8,10,22)

† 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.

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Children in Guinea are subjected domestically and abroad for forced labor, commercial sexual exploitation, and domestic servitude. Some Guinean boys are subjected to forced labor in gold and diamond mining, including in Senegal and Mali, while Guinean girls are involved in domestic work and commercial sexual exploitation in various West African and Middle Eastern countries. (8-25)




Boys placed in the care of Koranic schools in Guinea are sometimes forced by their teachers to beg on the street or to work in fields, and must then surrender the money they have earned to their teachers. (8,10,11,24) In addition, through the system of *confiage*, parents who are unable to care for their children send them to relatives or strangers who are expected to provide food, shelter, and schooling to the children in exchange for housework. In practice, some of these children receive care and an education, while many become domestic workers and are victims of labor exploitation and abuse. (10,15,23)

The Government of Guinea guarantees free compulsory primary education, but many children do not attend school. Birth registration is required to attend school in Guinea, and some Guinean children lack identity documents, which may affect their access to education. (26) In addition, the lack of school infra-structure, cost of school fees and supplies, shortage of teachers, and reported school violence impede access to education, which may increase the vulnerability of children to the worst forms of child labor. (2,3,10,15)

II. LEGAL FRAMEWORK FOR CHILD LABOR

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

Table 3. Ratification of International Conventions on Child Labor

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

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

Table 4. Laws and Regulations on Child Labor

Standard	Meets International Standards	Age	Legislation
Minimum Age for Work	No	16	Article 137.5 of the Labor Code; Article 412 of the Child Code (27,28)
Minimum Age for Hazardous Work	Yes	18	Articles 2–4 of Order 2791 Working Conditions for Employees Aged Under 18 Years; Article 137.4 of the Labor Code (17,28)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Articles 415–418 of the Child Code; Articles 2 and 4 of Order 2791 Working Conditions for Employees Aged Under 18 Years; Article 135 of the Mining Code; Article 137.6 of the Labor Code (17,27-29)
Prohibition of Forced Labor	Yes		Articles 194–195 and 323 of the Penal Code; Articles 4 and 137.6 of the Labor Code; Articles 356–360, 385, and 397–399 of the Child Code (27,28,30)
Prohibition of Child Trafficking	Yes		Articles 195 and 323–324 of the Penal Code; Articles 356–360 and 385 of the Child Code (27,30)

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

Standard	Meets International Standards	Age	Legislation
Prohibition of Commercial Sexual Exploitation of Children	Yes		Articles 346–348 and 355 of the Penal Code; Articles 356–360 of the Child Code (27,30)
Prohibition of Using Children in Illicit Activities	Yes		Article 137.6 of the Labor Code; Article 383 of the Child Code; Article 344 of the Penal Code (27,28,30)
Minimum Age for Voluntary State Military Recruitment	Yes	18	Article 429 of the Child Code (27)
Prohibition of Compulsory Recruitment of Children by (State) Military	N/A*		
Prohibition of Military Recruitment by Non-state Armed Groups	Yes		Article 792.7 of the Penal Code; Article 429 of the Child Code (27,30)
Compulsory Education Age	Yes	16	Article 6, Title I of Education Decree 97/196/PRG/SGG (31)
Free Public Education	No		

* No conscription (33)

In December 2019, the revised Child Code was adopted by the National Assembly and is now awaiting enactment by the President. Furthermore, the revised Child Code provides additional definitions and associated fines for violations of child trafficking. (5,34,35) Guinean law prohibits hazardous occupations and activities for children; however, these prohibitions do not cover agriculture. Children working in this sector may be exposed to unhealthy environments, including hazardous substances and dangerous equipment. (9,10,17,28,36)

Guinean law allows children between the ages of 12 and 14 to perform light work in the domestic work and agriculture sectors. (17,27,37) The light work framework does not meet international standards as it applies to children under the age of 13. Additionally, the law does not prescribe the number of hours per week permitted for light work, nor does it specify the conditions under which light work may be done as defined by international standards on child labor. The Labor Code imposes only a minimum age for children employed by employers and does not address situations in which children work on their own account, which does not conform to international standards that require all children to be protected under the law establishing a minimum age for work. (26,28,37-39)

III. ENFORCEMENT OF LAWS ON CHILD LABOR

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

Table 5. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
Ministry of Labor (MOL)	Enforces all labor laws, including those related to child labor, through its labor inspectorate. (15,36,40) Oversees the Child Labor Monitoring and Surveillance System, which aims to identify and remove children from exploitative labor conditions. (41)
Office for the Protection of Gender, Children, and Morals (OPROGEM) Special Police Unit	Investigates cases related to the protection of minors, including the worst forms of child labor. (4,8,15,20,33) Formulates, plans, and monitors all activities, programs, and policy measures for safeguarding vulnerable population groups and protecting morality. (16) There is one OPROGEM representative in each of the 33 central police stations of the country who specializes in issues related to the trafficking of women and children. (35)
Ministry for Social Action, Promotion of Women and Children (MASPFE)	Provides protection and social services for victims of child labor and human trafficking. (10,15)
Ministry of Justice	Monitors cases of children referred to social services centers through its National Directorate of Supervised Education and Youth Protection. (4)

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Labor Law Enforcement

In 2019, labor law enforcement agencies in Guinea took actions to combat child labor (Table 6). However, gaps exist within the operations of the MOL that may hinder adequate labor law enforcement, including allocation of financial and other resources.

Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2018	2019
Labor Inspectorate Funding	Unknown (4)	Unknown (34)
Number of Labor Inspectors	200 (4)	189 (34)
Inspectorate Authorized to Assess Penalties	Yes (4)	Yes (34)
Initial Training for New Labor Inspectors	No (4)	No (34)
Training on New Laws Related to Child Labor	N/A (4)	N/A (34)
Refresher Courses Provided	No (4)	Yes (34)
Number of Labor Inspections Conducted	488 (4)	376‡ (34)
Number Conducted at Worksite	488 (4)	Unknown (34)
Number of Child Labor Violations Found	5 (4)	9‡ (34)
Number of Child Labor Violations for Which Penalties Were Imposed	5 (4)	9‡ (34)
Number of Child Labor Penalties Imposed that Were Collected	0 (4)	0 (34)
Routine Inspections Conducted	Yes (4)	Yes (34)
Routine Inspections Targeted	Yes (4)	Yes (34)
Unannounced Inspections Permitted	Yes (4)	Yes (34)
Unannounced Inspections Conducted	Yes (4)	Yes (34)
Complaint Mechanism Exists	Yes (4)	Yes (34)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	No (4)	No (34)

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

During 2019, the government employed 189 individuals as part of its labor inspectorate and conducted 376 inspections, 11 of which focused exclusively on child labor. Many of the inspections conducted during the reporting period took place in mining areas, specifically Boke, Boffa, Sigui, and Dubreka. (4,34) During the reporting period, the ILO funded a 3-day refresher training for the labor inspectorate that focused on social dialogue and the status of the labor administration system. (5,34) The Office for the Protection of Gender, Children, and Morals (OPROGEM) noted that 29 cases of child labor were identified, 14 of which were referred to the Ministry of Justice. (35) The labor inspectorate does not have a dedicated budget and maintains only a single vehicle, with a portion of each inspector's salary used to cover fuel costs for inspection trips, restricting its ability to conduct labor inspections. (4,22,26,34)

The government did not provide information on its labor inspectorate funding and the number of labor inspections conducted at worksites for inclusion in this report.

Criminal Law Enforcement

In 2019, criminal law enforcement agencies in Guinea took actions to combat child labor (Table 7). However, gaps exist within the operations of the criminal enforcement agencies that may hinder adequate criminal law enforcement, including with the allocation of financial and human resources.

Table 7. Criminal Law Enforcement Efforts Related to Child Labor

Overview of Criminal Law Enforcement	2018	2019
Initial Training for New Criminal Investigators	No (4)	No (34)
Training on New Laws Related to the Worst Forms of Child Labor	N/A	N/A (34)
Refresher Courses Provided	Yes (4)	Yes (34)
Number of Investigations	20 (4)	Unknown (34)
Number of Violations Found	Unknown (4)	Unknown (34)

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

Overview of Criminal Law Enforcement	2018	2019
Number of Prosecutions Initiated	Unknown (4)	Unknown (34)
Number of Convictions	Unknown (4)	Unknown (34)
Imposed Penalties for Violations Related to The Worst Forms of Child Labor	Unknown (18)	Unknown (34)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (4)	Yes (34)

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. (4,15,33,42) The government did not provide information on its criminal law enforcement efforts, including the number of investigations, violations found, prosecutions initiated, convictions, and imposed penalties for violations for inclusion in this report.

IV. COORDINATION OF GOVERNMENT EFFORTS ON CHILD LABOR

The government has established mechanisms to coordinate its efforts to address child labor (Table 8). However, gaps exist that hinder the effective coordination of efforts to address child labor, including ensuring that coordinating bodies are provided budgets in line with their responsibilities.

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

Coordinating Body	Role & Description
National Committee to Combat Trafficking in Persons and Similar Practices (CNLTPPA)	Coordinates anti-human trafficking efforts, including for children. Led by MASPFE, includes representatives from OPROGEM, MOL, and other ministries. (8,10,20,24) In 2019, the CNLTPPA organized training sessions in Conakry, Mamou, Kankan, and N'zerekore. (35)
Committee for Monitoring, Protection, and Defense of the Rights of the Child (CGSDE)	Implements, coordinates, and monitors government efforts on child protection. Led by MASPFE. (20,33,43) Research was unable to determine specific activities undertaken by CGSDE during the reporting period.

Limited budgets for the National Committee to Combat Trafficking in Persons and Similar Practices (CNLTPPA) and the Committee for Monitoring, Protection, and Defense of the Rights of the Child affect their ability to operate and coordinate efforts to address child labor. (2,15,33,42,44) Although the government has established a coordination mechanism on human trafficking, research found no evidence of mechanisms to coordinate the government's efforts to address child labor.

V. GOVERNMENT POLICIES ON CHILD LABOR

The government has established policies related to child labor (Table 9). However, policy gaps exist that hinder efforts to address child labor, including covering all worst forms of child labor.

Table 9. Key Policies Related to Child Labor

Policy	Description
National Development Plan (2016–2020)	Seeks to promote sustainable development and social equality. Overseen by the Ministry of Planning and International Cooperation and supported by the World Bank. (45,46) Includes activities to combat commercial sexual exploitation of children, human trafficking, and child labor. (45) Research was unable to determine whether activities were undertaken to implement the National Development Plan during the reporting period.

Guinea's National Plan of Action to Fight Against Trafficking in Persons expired in 2019, yet CNLTPPA is developing a new 5-year action plan in 2020. (35) Research, however, found no evidence of a generalized child labor policy. (4,16,34,38)

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2019, the government participated in programs that include the goal of eliminating or preventing child labor (Table 10). However, gaps exist in these social programs, including the adequacy of efforts to address the problem in all sectors.

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Table 10. Key Social Programs to Address Child Labor

Program	Description
Decent Work Country Program (2016–2019)	Sought to develop a National Action Plan for the elimination of child labor, including all its worst forms. Overseen by MOL and supported by ILO. (47) In 2019, research was unable to determine whether any actions were undertaken to implement the program.
World Bank Country Program	World Bank projects in Guinea that aim to increase access to quality basic education and youth employment, improve school infrastructure, and strengthen safety nets for vulnerable populations, especially those affected by the Ebola virus disease outbreak. (48-51) In 2019, research was unable to determine whether any actions were undertaken to implement this program.

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. (41)

Reports indicate that social services available are not effective to meet the needs of the victims, and, as a result, the government relied on NGOs to provide shelter and other basic services to victims. Moreover, financial shortfalls still constrain services. (4,8,15,22,24,33,42)

VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE CHILD LABOR

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

Table 11. Suggested Government Actions to Eliminate Child Labor

Area	Suggested Action	Year(s) Suggested
Legal Framework	Ensure that the hazardous occupations and activities prohibited for children are comprehensive and include sectors in which child labor is known to occur, including agriculture.	2014 – 2019
	Raise the minimum age for light work to 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 – 2019
	Ensure that all children are protected by law, including children working outside of a formal employment relationship and children who are self-employed.	2009 – 2019
	Establish by law free basic education and an age up to which education is compulsory that is consistent with the minimum age of employment.	2019
Enforcement	Provide consistent initial training and refresher training for labor law enforcement officials and initial training for criminal law enforcement officials along with increased resources to effectively enforce child labor laws.	2009 – 2019
	Publish information on labor inspectorate funding and the number of labor inspections conducted at worksites and the numbers of violations, prosecutions, convictions, and imposed penalties related to the criminal enforcement of child labor laws.	2011 – 2019
	Establish a referral mechanism between the Ministry of Labor and the Ministry for Social Action, Promotion of Women and Children to protect and rehabilitate children involved in child labor.	2016 – 2019
Coordination	Establish coordinating mechanisms to combat child labor.	2010 – 2019
	Ensure that the National Committee to Combat Trafficking in Persons and Similar Practices and the Committee for Monitoring, Protection, and Defense of the Rights of the Child receive adequate funding to fulfill their missions.	2010 – 2019
	Ensure that Committee for Monitoring, Protection, and Defense of the Rights of the Child is active and undertake activities.	2018 – 2019
Government Policies	Adopt a policy that addresses all relevant worst forms of child labor.	2014 – 2019
	Undertake activities in support of the National Development Plan.	2018 – 2019
Social Programs	Enhance efforts to eliminate barriers and make education accessible for all children by assisting unregistered children to obtain birth and identity documentation that entitles them to attend school; improve school infrastructure and increase teacher availability; remove school-related fees; and ensure the safety of children in schools.	2010 – 2019
	Ensure that social services are properly funded and adequately meet the needs of victims of the worst forms of child labor.	2010 – 2019
	Institute programs to address the worst forms of child labor, including in agriculture, domestic work, forced begging, mining, and street work.	2010 – 2019

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In 2019, Guinea-Bissau made a minimal advancement in efforts to eliminate the worst forms of child labor.

The National Institute for Women and Children and the National Guard for Migration Services conducted human trafficking trainings for law enforcement officials, including on a national referral mechanism, assistance to victims, and data management. The government also approved the National Action Plan to Eliminate and Combat Trafficking in Persons, which aims to strengthen legislation and promote coordination among relevant government agencies. However, children in Guinea-Bissau engage in the

worst forms of child labor, including in forced begging, sometimes as a result of human trafficking. Children also engage in child labor in agriculture. In addition, the minimum age for work is not in compliance with international standards, because the law's minimum age protections do not apply to children without a work contract. 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 engage in the worst forms of child labor in forced begging, sometimes as a result of human trafficking. (1-3) 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. (5) Table 1 provides key indicators on children's work and education in Guinea-Bissau.

Table 1. Statistics on Children's Work and Education

Children	Age	Percent
Working (% and population)	5 to 14	57.4 (Unavailable)
Attending School (%)	5 to 14	68.1
Combining Work and School (%)	7 to 14	48.4
Primary Completion Rate (%)		65.1

Source for primary completion rate: Data from 2010, published by UNESCO Institute for Statistics, 2020. (6)

Source for all other data: International Labor Organization's analysis of statistics from Multiple Indicator Cluster Survey 5 (MICS 5), 2014. (7)

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

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

Sector/Industry	Activity
Agriculture	Farming, including the production of cashews (1,4,5,8)
	Fishing, activities unknown (1,4,5)
Services	Domestic work (1,5,9,10)
	Street work, including car washing, shoe shining, and vending (1,3)
Categorical Worst Forms of Child Labor‡	Commercial sexual exploitation, sometimes as a result of human trafficking (1,3,9,11)
	Forced labor in domestic work, agriculture, and street work, including begging, each sometimes as a result of human trafficking (1-3,9-11)

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

In Guinea-Bissau, organized networks of human traffickers affiliated with Koranic schools force boys to beg within the country and in The Gambia, Guinea, Mali, and Senegal. Although many Koranic school teachers provide religious education as traditionally intended, some force the students, known as *talibés*, to beg on the streets for money and food. (1-3,10) Most *talibés* originate from the areas of Bafatá and Gabú in the eastern region of the country. (1-3,12)

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Bissau-Guinean boys are forced to work in street vending domestically; they also are trafficked 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. (1,3,8,10,11) Girls are subjected to forced labor in street vending and domestic work in Guinea-Bissau and Senegal. Girls also are engaged in commercial sexual exploitation, including in sex tourism, in the Bijagós Archipelago of Guinea-Bissau, on mainland Guinea-Bissau in bars and hotels, and in Senegal. (1,3,9,11)




Barriers to education for children include lack of schools, poor infrastructure, long distances, and a lack of trained teachers, particularly in rural areas. Reports indicate that only one in three children have access to primary education in Guinea-Bissau. (1,10,13) Although the Ministry of Public Education continued to raise awareness of the need to enroll and keep children in school, most children did not attend school during the reporting period due to continuous strikes by teachers over unpaid salaries. (1,2,10,13)

Political instability may have affected the government's ability to address the worst forms of child labor. (1,14)

II. LEGAL FRAMEWORK FOR CHILD LABOR

Guinea-Bissau has ratified all key international conventions concerning child labor (Table 3).

Table 3. Ratification of International Conventions on Child Labor

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

The government has established laws and regulations related to child labor (Table 4). However, gaps exist in Guinea-Bissau's legal framework to adequately protect children from the worst forms of child labor, including the minimum age for work.

Table 4. Laws and Regulations on Child Labor

Standard	Meets International Standards	Age	Legislation
Minimum Age for Work	No	14	Article 146 of the General Labor Law (15)
Minimum Age for Hazardous Work	Yes	18	Article 148 of the General Labor Law (15)
Identification of Hazardous Occupations or Activities Prohibited for Children	No		Article 148 of the General Labor Law (15)
Prohibition of Forced Labor	Yes		Articles 2, 4, and 15 of the Law to Prevent and Combat Human Trafficking; Article 106 of the Penal Code (16,17)
Prohibition of Child Trafficking	Yes		Articles 2, 4, and 15 of the Law to Prevent and Combat Human Trafficking (17)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Articles 3–5 of the Law to Prevent and Combat Human Trafficking; Articles 134 and 136 of the Penal Code (16,17)
Prohibition of Using Children in Illicit Activities	Yes		Articles 3 and 7 of the Decree on Narcotic Substances (18)
Minimum Age for Voluntary State Military Recruitment	Yes	17	Article 31 of Law No. 4/99 (19)
Prohibition of Compulsory Recruitment of Children by (State) Military	Yes		Article 2 of Law No. 4/99 (19)

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

Standard	Meets International Standards	Age	Legislation
Prohibition of Military Recruitment by Non-state Armed Groups	No		
Compulsory Education Age	Yes	15‡	Articles 12–13 of the Education System Law (20)
Free Public Education	No		Article 12 (2) of the Education System Law (20)

‡ Age calculated based on available information (20,21)

The minimum age for work is not in compliance with international standards because the law's minimum age protections do not apply to children working without a work contract. (15,21) Moreover, the government has not determined by national law or regulation the types of hazardous work prohibited for children. (15,21)

The Education System Law states that basic education is compulsory and lasts 9 years; however, it only makes basic education free through grade six, leaving children in grades seven through nine without access to free basic education. (20) In addition, 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. (15,20)

III. ENFORCEMENT OF LAWS ON CHILD LABOR

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

Table 5. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
Ministry of Labor and Public Administration	Enforces child labor legislation in collaboration with the ministries of the Interior and Justice, and the National Institute for Women and Children (IMC). (1)
Ministry of the Interior's Public Order Police and National Guard	Combat child labor through the prevention of child trafficking. (1)
Judicial Police's Women and Children Brigade	Investigates the worst forms of child labor and refers cases to the IMC and NGOs. Comprising eight officers. (1)

Labor Law Enforcement

In 2019, labor law enforcement agencies in Guinea-Bissau took actions to combat child labor (Table 6). However, gaps exist within the operations of the Ministry of Labor and Public Administration that may hinder adequate labor law enforcement, including complaint and referral mechanisms.

Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2018	2019
Labor Inspectorate Funding	Unknown	Unknown
Number of Labor Inspectors	30 (22)	28 (1)
Inspectorate Authorized to Assess Penalties	Unknown	Yes (1)
Initial Training for New Labor Inspectors	No (22)	No (1)
Training on New Laws Related to Child Labor	N/A (22)	N/A
Refresher Courses Provided	No (22)	Yes (1)
Number of Labor Inspections Conducted	121 (22)	49 (1)
Number Conducted at Worksite	121 (22)	49 (1)
Number of Child Labor Violations Found	0 (22)	0 (1)
Number of Child Labor Violations for Which Penalties Were Imposed	N/A	N/A
Number of Child Labor Penalties Imposed that Were Collected	N/A	N/A
Routine Inspections Conducted	No (22)	No (1)
Routine Inspections Targeted	No (22)	No (1)

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

Overview of Labor Law Enforcement	2018	2019
Unannounced Inspections Permitted	Yes (22)	Yes (1)
Unannounced Inspections Conducted	Yes (22)	Yes (1)
Complaint Mechanism Exists	No (22)	No (1)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	No (22)	No (1)

In November 2019, labor inspectors received training during a 3-day workshop that included capacity building and the analysis of labor laws. (1,23) Reports indicate that not only is the number of labor inspectors not sufficient to target the scope of the problem in the country, but limited resources, such as 1 vehicle shared among 28 inspectors with no budget for fuel, severely hinders the Ministry of Labor and Public Administration's abilities to enforce child labor laws. (1)

Criminal Law Enforcement

In 2019, criminal law enforcement agencies in Guinea-Bissau took actions to combat child labor (Table 7). However, gaps exist within the operations of the criminal enforcement agencies that may hinder adequate criminal law enforcement, including financial resources.

Table 7. Criminal Law Enforcement Efforts Related to Child Labor

Overview of Criminal Law Enforcement	2018	2019
Initial Training for New Criminal Investigators	No (22)	Yes (24)
Training on New Laws Related to the Worst Forms of Child Labor	N/A	N/A
Refresher Courses Provided	No (22)	Yes (1)
Number of Investigations	Unknown	4 (1)
Number of Violations Found	7‡ (22)	Unknown
Number of Prosecutions Initiated	Unknown	Unknown
Number of Convictions	Unknown	Unknown
Imposed Penalties for Violations Related to The Worst Forms of Child Labor	No (22)	Unknown
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	No (22)	No (1)

‡ Data are from January 2018 to August 2018.

In 2019, the National Institute for Women and Children (IMC) and the National Guard for Migration Services conducted trafficking in persons training for law enforcement officials. The UN and other bilateral donors funded the training, which covered a national referral mechanism, victim assistance and communication, and data management. (1) The IMC also identified 105 children engaged in forced begging as a result of human trafficking, and in partnership with NGO stakeholders, assisted these children with reintegration, medical assistance, and shelter placement. (14) However, the government reported that training resources for criminal law enforcement officials were insufficient, and reports indicate that due to the lack of an operating budget, criminal investigators are hindered from investigating cases outside the capital of Bissau, including Gabú and Bafatá, where child labor is known to occur. (1,2,8,14)

IV. COORDINATION OF GOVERNMENT EFFORTS ON CHILD LABOR

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

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

Coordinating Body	Role & Description
Inter-Ministerial Commission to Fight Child Labor	Coordinates the government's efforts to prevent and eliminate child labor. Established in 2010. (22) In 2019, met semi-regularly. (14)
National Committee to Prevent and Combat Trafficking in Persons	Coordinates government efforts to combat human trafficking. Led by IMC. (22,25) In 2019, collaborated in the drafting of the National Action Plan to Eliminate and Combat Trafficking in Persons. (26)

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

Coordinating Body	Role & Description
National Institute for Women and Children (IMC)	Coordinates with NGOs and other partner organizations to rehabilitate and reintegrate child victims of exploitation. (1) In 2019, organized a conference to discuss and validate the National Action Plan to Eliminate and Combat Trafficking in Persons, which was attended by the Anti-Trafficking Coordination Committee, including National Guard, Judicial Police, Labor Inspectorate General, Public Prosecutor, Ministry of Tourism, NGOs, and religious leaders. (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 implementation.

Table 9. Key Policies Related to Child Labor

Policy	Description
National Policy for the Protection of Children and Adolescents (2018–2030)	Guides the government's policies for combating violence toward children, including child labor. (27) Research was unable to determine whether activities were undertaken to implement this policy during the reporting period.
Code of Conduct Against Sexual Exploitation in Tourism	Seeks to raise awareness on commercial sexual exploitation of children and child trafficking in Guinea-Bissau, particularly in the Bijagós Archipelago. (28) In 2019, the policy was implemented by the Ministry of Tourism and IMC, within the regions of Bubaque, São Domingos, and Bissau. (14)
UN Country Partnership Framework (2016–2020)	Aims to assist in promoting free and universal birth registration, and enforcing human trafficking and child labor provisions. (29) Since 2016, helped IMC reintegrate 132 <i>talibés</i> with their families; and provided access to shelter, schools, and psychological and medical assistance. (30)
National Action Plan to Eliminate and Combat Trafficking in Persons†	Aims to prevent and reduce human trafficking by strengthening legislation, coordinating actions and initiatives among government agencies, promoting the coordination and collaboration of relevant stakeholders, and improving protective services and assistance to victims. Led by IMC with collaboration from national and international NGOs and relevant government entities. (26)

† Policy was approved during the reporting period.

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2019, the government funded and participated in programs that include the goal of eliminating and preventing child labor (Table 10). However, gaps exist in these social programs, including the adequacy of programs to address the full scope of the problem.

Table 10. Key Social Programs to Address Child Labor

Program	Description
UNICEF Country Program (2016–2020)	UNICEF-funded program, in collaboration with the government, that aims to prevent and combat child trafficking through education, social protection mechanisms, and capacity building for law enforcement officials. (31)
Friends of the Child Shelters (Associação dos Amigos da Crianças)†	Donor-funded program, with government support, implemented by an NGO that provides social services to vulnerable children, including victims of the worst forms of child labor. (32,33) In 2019, provided services to seven child victims of forced labor on cashew plantations. (1) In addition, provided identification and reintegration services to 127 child victims of exploitation. (14)

† 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. (34)

During the reporting period, local vigilance committees in Gabú and Bafatá conducted awareness-raising activities, which resulted in a decrease of trafficking in persons activities throughout official border checkpoints. (14) Reports suggest, however, that the government has not conducted any national public awareness-raising campaigns on human trafficking, including child trafficking. (35)

Reports indicate that services provided by shelters do not meet international standards due to funding constraints. (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.

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VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE CHILD LABOR

Based on the reporting above, suggested actions are identified that would advance the elimination of child labor in Guinea-Bissau (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 children without a work contract.	2015 – 2019
	Determine by national law or regulation the types of hazardous work prohibited for children, after consultation with employers' and workers' organizations.	2009 – 2019
	Ensure that the law criminally prohibits the recruitment of children under age 18 by non-state armed groups.	2016 – 2019
	Ensure that all 9 years of basic education are free.	2015 – 2019
	Raise the minimum age for work to the age up to which education is compulsory.	2018 – 2019
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 – 2019
	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 – 2019
	Establish a mechanism to receive child labor complaints.	2016 – 2019
	Establish referral mechanisms to ensure that children found during labor inspections and criminal investigations are referred to social services providers.	2016 – 2019
	Publish labor and criminal enforcement data, including information on labor inspectorate funding, the number of violations found, prosecutions initiated, convictions secured, and penalties imposed.	2009 – 2019
Government Policies	Ensure that National Policy for the Protection of Children and Adolescents is implemented.	2017 – 2019
Social Programs	Enhance efforts to eliminate barriers and make education accessible for all children, including in rural areas, by increasing school infrastructure, increasing teacher availability and capability, and providing transportation.	2019
	Significantly increase efforts to raise national awareness of human trafficking, including child trafficking.	2018 – 2019
	Ensure that facilities, including shelters, have adequate resources to assist victims of the worst forms of child labor.	2015 – 2019
	Expand existing programs to address the scope of the child labor problem.	2009 – 2019

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In 2019, Guyana made a moderate advancement in efforts to eliminate the worst forms of child labor. The government drafted and began implementation of the National Action Plan for the Elimination of Child Labor and launched an updated Inter-Ministerial Task Force on Combating Trafficking in Persons National Plan of Action, which establishes mechanisms to address human trafficking, including child trafficking. In addition, the government drafted a revised Combating Trafficking in Persons Bill, which would increase the legislative protection for victims, including children. However, children in Guyana are engaged in the worst forms of child labor, including in commercial sexual exploitation, sometimes as a result of human trafficking. Children also perform dangerous tasks in mining. Law enforcement agencies have insufficient financial and human resources to enforce laws related to child labor, including its worst forms, and existing laws do not fully prohibit using children in certain forms of child labor. Moreover, the government does not have targeted social programs to fully address the extent of the child labor problem in the country.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Guyana engage in the worst forms of child labor, including in commercial sexual exploitation, sometimes as a result of human trafficking. Children also perform dangerous tasks in mining. (1-7) The 2014 Multiple Indicator Cluster Survey 5 indicated that children living in Guyana's interior are more likely than other children to be engaged in child labor, with 37 percent of children ages 5 to 17 living in the interior engaged in child labor. The survey also indicated that 41 percent of children living in Amerindian households engage in child labor, with 34 percent of these children engaged in hazardous work. (3) Table 1 provides key indicators on children's work and education in Guyana.

Table 1. Statistics on Children's Work and Education

Children	Age	Percent
Working (% and population)	5 to 14	20.1 (Unavailable)
Attending School (%)	5 to 14	97.1
Combining Work and School (%)	7 to 14	22.1
Primary Completion Rate (%)		97.4

Source for primary completion rate: Data from 2012, published by UNESCO Institute for Statistics, 2020. (4)

Source for all other data: International Labor Organization's analysis of statistics from Multiple Indicator Cluster Survey 5 (MICS 5), 2014. (5)

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

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

Sector/Industry	Activity
Agriculture	Farming,† including the production of cabbage, cherries, limes, rice, squash, sugarcane, and charcoal (1,6-14)
	Forestry, including logging,† preservation of lumber, and work in sawmills† (1,3,8,10,14)
	Raising animals, including chickens (8)
	Fishing,† activities unknown (1,8,15)
Industry	Construction,† activities unknown (8,14,15)
	Mining,† including gold mining and bauxite mining (3,8,10,14)
Services	Domestic work (1,6,8)
	Welding† and working in scrap iron yards (1,6,8)

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

Sector/Industry	Activity
Services	Working in stores, bars, and restaurants (1,6,8,16)
	Street work, including selling fruit, washing cars, and begging (1,6,8,11,12,17)
	Cleaning boats and ferries, and helping load luggage and goods (8)
Categorical Worst Forms of Child Labor†	Commercial sexual exploitation, sometimes as a result of human trafficking (1,2,7,8,10-12,14,15,18)
	Use in illicit activities, including planting marijuana and smuggling drugs, weapons, and goods (6,8)

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

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




Children in Guyana, including girls as young as age 12, are involved in commercial sexual exploitation in Georgetown and in the country’s interior. There are reports of young girls in mining communities being subjected to commercial sexual exploitation as a result of human trafficking. (1,6-9) Children are engaged in informal, small-scale mining in which they wash gold, operate dangerous machinery, and are exposed to hazardous chemicals. (8,9)

Children in Guyana’s interior and rural areas have limited access to education due to poor infrastructure, long distances to schools, transportation costs, and a shortage of qualified teachers. This leads to decreasing enrollment and high dropout rates among students, particularly in secondary school. (6,8,9,19,20)

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 (21,22)
Minimum Age for Hazardous Work	Yes	18	Part 1, Article 2, and Part 2, Article 3 of the Employment of Young Persons and Children Act; Articles 17, 41, 46, and 75 of the Occupational Safety and Health Act (21,23)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		List of Hazardous Occupations and Processes in Guyana; Part 1, Article 2 of the Employment of Young Persons and Children Act; Articles 17, 41, and 75 of the Occupational Safety and Health Act (21,23,24)

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

Standard	Meets International Standards	Age	Legislation
Prohibition of Forced Labor	No		Article 40 of the Constitution; Article 3 of the Combating of Trafficking in Persons Act (25,26)
Prohibition of Child Trafficking	Yes		Article 3 of the Combating of Trafficking in Persons Act (26)
Prohibition of Commercial Sexual Exploitation of Children	No		Article 50(3) of the Protection of Children Act; Article 3(2) of the Combating of Trafficking in Persons Act (26,27)
Prohibition of Using Children in Illicit Activities	No		Article 50(1) of the Protection of Children Act (27)
Minimum Age for Voluntary State Military Recruitment	Yes	18	Article 18 of the Defense Act and Defense Amendment Act (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	15	Articles 13 and 22 of the Education Act (22)
Free Public Education	Yes		Article 27 of the Constitution (25)

* No conscription (1)

Guyanese law does not criminally prohibit forced labor. (25, 26) Guyanese law does not sufficiently prohibit all commercial sexual exploitation of children as it does not prohibit the use of children for prostitution or pornographic performances or production of pornography. The law does, however, adequately prohibit the procuring and offering of children in prostitution and pornography, as Guyana's Combating of Trafficking in Persons Act prohibits the recruitment, transportation, transfer, harboring, or receipt of a child for the purpose of exploitation, which in turn includes prostitution and child pornography. (9,26,30) Although Article 50(1) of the Protection of Children Act prohibits selling or giving drugs to children, the law does not specifically prohibit the use, procuring, or offering of a child for the production and trafficking of drugs. (18,27) During the reporting year, Guyana acceded to the 1996 Hague Convention on Jurisdiction, Applicable Law, Recognition, Enforcement and Co-operation in Respect of Parental Responsibility and Measures for the Protection of Children (the Child Protection Convention) and the 1980 Hague Convention on the Civil Aspects of International Child Abduction. (1,31)

III. ENFORCEMENT OF LAWS ON CHILD LABOR

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

Table 5. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
Ministry of Social Protection	Monitors and enforces child labor laws in collaboration with the Ministry of Education, Forestry Commission, Geology and Mines Commission, National Insurance Scheme, and Guyana Police Force. The Chief Labor Officer handles special investigations stemming from child labor complaints and oversees routine labor inspections. (9) Includes a Trafficking in Persons Unit and the Childcare and Protection Agency, to which children identified during labor inspections are referred. (9) Reported six new investigations of child labor during the reporting period, two of which were for commercial sexual exploitation of a child. (1)
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 Public Security, Ministry of Social Protection, Ministry of Education, and Ministry of Indigenous Peoples' Affairs, depending on the circumstances of each case. (9)
Ministry of Public Security	Leads enforcement of human trafficking laws. Chairs the Inter-Ministerial Task Force on Combating Trafficking in Persons. (9)

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Labor Law Enforcement

In 2019, labor law enforcement agencies in Guyana took actions to combat child labor (Table 6). However, gaps exist within the operations of the Ministry of Social Protection that may hinder adequate labor law enforcement, including human resource allocation.

Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2018	2019
Labor Inspectorate Funding	\$235,000 (9)	Unknown (1)
Number of Labor Inspectors	15 (9)	14 (1)
Inspectorate Authorized to Assess Penalties	No (9)	No (1)
Initial Training for New Labor Inspectors	Yes (9)	Yes (1)
Training on New Laws Related to Child Labor	N/A (9)	N/A (1)
Refresher Courses Provided	Yes (9)	Yes (1)
Number of Labor Inspections Conducted	1,733 (9)	1,306 (1)
Number Conducted at Worksite	1,733 (9)	1,306 (1)
Number of Child Labor Violations Found	21 (9)	6 (1)
Number of Child Labor Violations for Which Penalties Were Imposed	0 (9)	Unknown (1)
Number of Child Labor Penalties Imposed that Were Collected	0 (9)	Unknown (1)
Routine Inspections Conducted	Yes (9)	Yes (1)
Routine Inspections Targeted	No (9)	Yes (1)
Unannounced Inspections Permitted	Yes (9)	Yes (1)
Unannounced Inspections Conducted	Yes (9)	Yes (1)
Complaint Mechanism Exists	Yes (9)	Yes (1)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (9)	Yes (1)

In 2019, the government conducted routine inspections that targeted high-risk sectors, including agriculture and mining, while no targeted inspections were conducted in 2018. (1) However, the number of labor inspectors is likely insufficient for the size of Guyana's workforce, which includes more than 313,000 workers. According to the ILO's technical advice of a ratio approaching 1 inspector for every 15,000 workers in developing economies, Guyana would employ roughly 21 inspectors. (32,33) In 2019, the number of labor inspectors decreased to 14. The government recognizes that the number of inspectors is not sufficient to adequately monitor Guyana's workforce, including in the interior where child labor is most prevalent. (1,8,9,14) Furthermore, inspectors have insufficient resources to conduct inspections in remote areas, including transportation and accommodation. (9)

The government has acknowledged challenges in monitoring and enforcing the provisions established in Articles 41 and 46 of the Occupational Safety and Health Act, which aim to protect children from work that may harm their physical health or emotional development. (34)

Criminal Law Enforcement

In 2019, criminal law enforcement agencies in Guyana took actions to combat child labor (Table 7). However, gaps exist within the operations of the criminal enforcement agencies that may hinder adequate criminal law enforcement, including human resource allocation.

Table 7. Criminal Law Enforcement Efforts Related to Child Labor

Overview of Criminal Law Enforcement	2018	2019
Initial Training for New Criminal Investigators	Yes (9)	Unknown (1)
Training on New Laws Related to the Worst Forms of Child Labor	N/A (9)	Unknown (1)
Refresher Courses Provided	Yes (9)	Unknown (1)
Number of Investigations	30 (35)	6 (1)
Number of Violations Found	21 (9)	Unknown (1)
Number of Prosecutions Initiated	11 (35)	6 (1)

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

Overview of Criminal Law Enforcement	2018	2019
Number of Convictions	1 (35)	1 (1,2)
Imposed Penalties for Violations Related to The Worst Forms of Child Labor	0 (9)	Unknown (1)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (9)	Yes(1)

The government has acknowledged that there is an insufficient number of staff members in the Ministry of Social Protection's Trafficking in Persons Unit. (13,36) In addition, with only 33 justices and magistrates, the courts have a backlog of cases and more than a 2-year waiting period on all legal matters. (17,37) In 2019, the Director of Public Prosecutions prosecuted nine persons suspected of human trafficking. Of these, six prosecutions were initiated during the previous reporting period. (2) The government convicted one person for human trafficking and commercial sexual exploitation of a child during the reporting period. (2)

IV. COORDINATION OF GOVERNMENT EFFORTS ON CHILD LABOR

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

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

Coordinating Body	Role & Description
Inter-Ministerial Task Force on Combating Trafficking in Persons	Reports on the nature and magnitude of human trafficking in Guyana and documents the government's response. Carries out public education campaigns and promotes prevention measures. (1,9) Combats commercial sexual exploitation of children and the use of children in illicit activities. Members include participants from 16 government ministries. (1,17,38) Chaired by the Minister of Public Security. Participating member agencies include: the Ministries of Amerindian Affairs, Natural Resources and Environment, Education, Legal Affairs, and Foreign Affairs. (1,17,39) In 2019, drafted and began implementing the Inter-Ministerial Task Force on Combating Trafficking in Persons National Plan of Action. Also led a number of successful raids at suspected human trafficking sites; conducted awareness and sensitization campaigns across Guyana; trained law enforcement officers, social workers, and prosecutors in victim-centered investigations and prosecutions; and drafted a revised Combating Trafficking in Persons Bill, which would increase legislative protection for victims, including children. (1,2)
National Tripartite Committee	Addresses national labor legislation and policy. Includes representatives from government agencies, labor unions, and employers, including the Ministry of Social Protection, Consultative Association of Guyanese Industries, Guyana Trades Union Congress, and the Federation of Independent Trade Unions of Guyana. (17,40,41) Research was unable to determine whether the National Tripartite Committee was active during the reporting period.
Commission on the Rights of the Child	Protects and promotes children's rights in accordance with the UN CRC, which includes addressing the worst forms of child labor. Reported to be active in 2019, but did not finalize its new strategic plan. (1)

Although the government has established the Inter-Ministerial Task Force on Combating Trafficking in Persons, research found no evidence of mechanisms to coordinate efforts to combat other worst forms of child labor.

V. GOVERNMENT POLICIES ON CHILD LABOR

The government has established policies related to child labor (Table 9). However, policy gaps exist that hinder efforts to address child labor, including a lack of child labor elimination and prevention strategies in the National Education Policy.

Table 9. Key Policies Related to Child Labor

Policy	Description
National Policy Toward the Elimination of Child Labor (2018–2025)	Aims to prevent and eliminate child labor in all its forms by 2025 by reconciling gaps and inconsistencies between existing national policies and ratified international conventions. Establishes a national framework to coordinate, enforce, monitor, and evaluate all efforts to combat child labor, and increases protections for vulnerable indigenous children in the hinterland. (42) Approved in April 2019. (1,43)

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

Policy	Description
Inter-Ministerial Task Force on Combating Trafficking in Persons Action Plan (2019–2020)†	Seeks to prevent and raise awareness about human trafficking, provide direct assistance to victims, improve law enforcement's capacity to identify and respond to human trafficking, and strengthen interagency coordination and referral mechanisms. (1,44) Establishes mechanisms to protect victims of all forms of human trafficking, prevent trafficking in persons, and prosecute human traffickers. Provides for the review and amendment of the Combating Trafficking in Persons Act. (2)

† Policy was approved during the reporting period.

‡ The government had other policies that may have addressed child labor issues or had an impact on child labor. (45)

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. (9,34,45) In 2019, the government drafted a National Action Plan for the Elimination of Child Labor (2019–2025). (1)

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2019, the government funded and participated in programs that include the goal of eliminating or preventing child labor (Table 10). However, gaps exist in these social programs, including adequacy to address the problem in all sectors.

Table 10. Key Social Programs to Address Child Labor

Program	Description
Guyana Decent Work Country Program (2017–2021)†	Aims to improve working conditions and increase respect for international standards, social protection, economic opportunities, and social dialogue. Includes plans to conduct research and raise awareness on child labor, develop a national child labor policy, and establish coordination mechanisms to prevent and respond to child labor and forced labor. (46) During the reporting period, the government began the implementation of its Decent Work Country Program. (1) However, research was unable to determine whether activities were undertaken to implement the Guyana Decent Work Country Program during the reporting period.
Shelter for Domestic Violence Victims†	Government-funded, NGO-run shelter that houses victims of domestic violence and human trafficking, including children. Provides services, including psychological counseling and practical skills training. (9) Accommodates teenage girls under age 16 who are placed at the shelter at the request of the government's Childcare and Protection Agency. (9) Receives \$50,000 annually from the government, and continued to receive funding during the reporting period. (1,48)
Government-Funded School Programs†	School Meals and Uniforms provides hot meals to 16,000 students at schools in the interior and transportation for students in several remote areas. All students in government-run schools, from nursery to secondary school, receive vouchers to purchase school uniforms, shoes, and backpacks. (17) Active in 2019. (1,9) The 5Bs Program provides boats, buses, bicycles, books, and breakfast to school children to improve access to education. (1,14,20,49)
Child Advocacy Centers	Funded by private sector donations and UNICEF, and implemented by the Ministry of Social Protection and NGOs to provide services for abused children. (50) The Ministry of Social Protection's Childcare and Protection Agency oversees the centers and makes referrals. (50) During the reporting period, the government increased the number of Child Advocacy Centers to seven, and the centers were functioning during the reporting period. (1)
Board of Industrial Training†	Government-funded program that aims to deter early school dropouts by providing job skills to at-risk youth between ages 15 and 17 who may not otherwise be able to complete their formal education. (9) Research was unable to determine whether activities were undertaken to implement the Board of Industrial Training during the reporting period.

† Program is funded by the Government of Guyana.

The scope of government programs targeting the worst forms of child labor is insufficient to fully address the extent of the problem, including child labor in the mining industry and the commercial sexual exploitation of children. (14,48)

VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE CHILD LABOR

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

Table 11. Suggested Government Actions to Eliminate Child Labor

Area	Suggested Action	Year(s) Suggested
Legal Framework	Ensure that the law sufficiently prohibits forced labor.	2019
	Ensure that the law sufficiently prohibits all commercial sexual exploitation of children by prohibiting the use of children in pornography and prostitution, including in prostitution outside establishments.	2010 – 2019
	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 – 2019
	Ensure that the law criminally prohibits the recruitment of children under age 18 by non-state armed groups.	2016 – 2019
Enforcement	Increase the number of labor inspectors trained and responsible for providing enforcement of child labor laws to ensure that a sufficient number of inspectors are available to carry out labor inspections.	2015 – 2019
	Publish information on the Labor Inspectorate's funding, as well as other labor law and criminal law enforcement efforts.	2015 – 2019
	Authorize the Labor Inspectorate to assess penalties.	2016 – 2019
	Ensure that the Labor Inspectorate receives sufficient resources to monitor the interior, where child labor is most prevalent, and in other remote areas.	2011 – 2019
	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 – 2019
	Ensure that the Ministry of Social Protection's Trafficking in Persons Unit is sufficiently staffed to carry out its mandate.	2018 – 2019
	Dedicate more resources, including judicial personnel, to address the backlog of cases and ensure that cases are concluded in a timely manner, including cases related to the worst forms of child labor.	2010 – 2019
Coordination	Establish coordinating mechanisms to combat child labor, including all of its worst forms.	2014 – 2019
	Ensure that the National Tripartite Committee engages in regular meetings and coordination efforts.	2014 – 2019
Government Policies	Ensure that child labor elimination and prevention strategies are integrated into the newly drafted 5-Year Strategic Plan on the Rights of the Child and the National Education Policy.	2010 – 2019
Social Programs	Ensure that children are not prevented from attending school because of transportation costs and lack of infrastructure.	2014 – 2019
	Increase the number of qualified teachers, particularly in rural and interior areas.	2015 – 2019
	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 – 2019
	Ensure that activities are undertaken to implement the Guyana Decent Work Country Program and the Board of Industrial Training.	2018 – 2019

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In 2019, Haiti made a minimal advancement in efforts to eliminate the worst forms of child labor. During the reporting period, the National Tripartite Commission for the Elimination of the Worst Forms of Child Labor made updates to the draft hazardous work list and draft National Action Plan to Combat Child Labor. However, children in Haiti perform dangerous tasks in agriculture and domestic work. Children are placed in orphanages where some are subsequently used for domestic work. Minimum age protections apply only to children with a formal employment contract, which does not comply with international standards requiring all children to be protected. In addition, Haiti lacks a clear, easily applicable minimum age for domestic work and a list of hazardous occupations prohibited to children. Also, labor inspectors are not authorized to assess penalties and social programs to combat child labor are insufficient to adequately address the extent of the problem.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Haiti perform dangerous tasks in agriculture and domestic work. (1-6) Table I 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 I. 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, 2020. (7)

Source for all other data: International Labor Organization's analysis of statistics from *Enquête Mortalité, Morbidité et Utilisation des Services (EMMUS-V)*, 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	Harvesting sugarcane, collecting cut sugarcane, grinding sugarcane, and clearing land for sugarcane production (1)
	Raising livestock (2,9)
	Capturing and processing fish (1,3,9,10)
Industry	Construction, including transport of construction materials such as sand and rocks (1,3,4,10)
	Producing metal crafts (11)
Services	Domestic work (5,12,13)
	Transporting and selling alcohol† and tobacco (3,9)
	Street work, including vending, begging, shining shoes, washing cars; and carrying water, firewood, goods, and luggage in public markets and bus stations (2-4,6,10)
Categorical Worst Forms of Child Labor‡	Forced labor in domestic work, agriculture, street vending, and begging, each sometimes as a result of human trafficking (3-6,15,16)
	Use in illicit activities, including by criminal groups in drug trafficking (9,17)
	Commercial sexual exploitation, sometimes as a result of human trafficking (4,6,10,18,19)

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

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

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A 2015 study found that there were approximately 286,000 child domestic workers in Haiti, 207,000 of whom were lagging behind in school or had significantly lower school enrollment rates. (6,10,13,20) 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. (4,5,12,21)

In addition, Haiti has over 750 orphanages that house over 25,000 children who may be vulnerable to human trafficking and child labor in lieu of attending school. (20) According to a Ministry of Social Affairs and Labor's Institute of Social Welfare and Research (IBESR) study, the majority of Haiti's orphanages fail to comply with government standards for care. There is evidence that some children in orphanages engage in child labor for domestic work and are prevented from attending school. (20,22-25) In the last 5 years, the government has closed 160 unaccredited orphanages, and is focusing instead on promoting child fostering to prevent child labor in institutions. (20,22-25)

Haitian children are victims of human trafficking internally and externally, primarily to the Dominican Republic, other Caribbean countries, South America, and the United States. NGOs have reported that children illegally crossing the Haiti-Dominican Republic border are often accompanied by adults paid to act as the children's parents or guardians until they reach the Dominican Republic. (3,10,14,26) Some of these children are re-united with relatives in the Dominican Republic, while others engage in commercial sexual exploitation, domestic work, agriculture, street vending, and begging. (3,6,10,27)

In 2019, the Government of the Dominican Republic continued involuntarily repatriating individuals with irregular migration status to Haiti, pursuant to Dominican law. (28,29) Some of these individuals, including children, are Dominican-born persons of Haitian descent. (30) Some of these repatriated children were residing in Haiti in camps near the Dominican Republic border, where schools and other basic services are not available. In addition, these children may not speak French or Haitian Creole, the languages of instruction in public Haitian schools. (4,16,31,32) These children, including those who have been deported to Haiti or who left voluntarily, are vulnerable to the worst forms of child labor. (6,32)




The Constitution of Haiti provides free and compulsory primary education. (33-35) However, public schools often charge fees for textbooks, uniforms, and school materials. Because private schools represent approximately 90 percent of existing schools, most Haitian children are enrolled in private schools that charge tuition and other fees, which make education prohibitive to many families. (2-4,36,37) In addition, many children in Haiti are not registered at birth, and unregistered children are not able to access social assistance services and educational programs provided by the government. (9)

Other children, especially in rural areas, do not attend school due to the lack of school infrastructure and limited availability of teachers. Out-of-school children are more vulnerable to the worst forms of child labor. (2,4,16) In addition, the Ministry of Education recommends that a child be between ages 11 and 13 when transitioning to secondary school. Overage children must integrate into a special group that attends school during the evening. (33,34,38) However, research did not find evidence that schools provide instruction during the evening for special groups. (39)

II. LEGAL FRAMEWORK FOR CHILD LABOR

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

Table 3. Ratification of International Conventions on Child Labor

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

The government has established laws and regulations related to child labor (Table 4). However, gaps exist in Haiti's legal framework to adequately protect children from the worst forms of child labor, including the minimum age for work and the age for compulsory education.

Table 4. Laws and Regulations on Child Labor

Standard	Meets International Standards	Age	Legislation
Minimum Age for Work	No	16	Article 340 of the Labor Code; Article 10 of the Law Organizing and Regulating Labor (40,41)
Minimum Age for Hazardous Work	Yes	18	Articles 333-334 of the Labor Code; Article 2 of the Act on the Prohibition and Elimination of All Forms of Abuse, Violence, Ill Treatment, or Inhumane Treatment Against Children (Act of 2003) (40,42)
Identification of Hazardous Occupations or Activities Prohibited for Children	No		Articles 333–336 of the Labor Code (40)
Prohibition of Forced Labor	No		Article 4 of the Labor Code; Article 2 of the Act of 2003 (40,42)
Prohibition of Child Trafficking	Yes		Article 2 of the Act of 2003; Article 1.1.1 of the Anti-Trafficking in Persons Law (42,43)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Article 2 of the Act of 2003; Articles 279–281 of the Penal Code; Article 1.1.17 of the Anti-Trafficking in Persons Law (38,42,43)
Prohibition of Using Children in Illicit Activities	Yes		Article 72 of the Law on the Control and Suppression of Illicit Drug Trafficking; Article 2 of the Act of 2003 (42,44)
Minimum Age for Voluntary State Military Recruitment	No		
Prohibition of Compulsory Recruitment of Children by (State) Military	Yes		Article 268 of the Constitution (33)
Prohibition of Military Recruitment by Non-state Armed Groups	Yes		Article 70 of the Penal Code; Article 2 of the Act of 2003 (38,42)
Compulsory Education Age	No	15	Article 23 of the Decree on the Reorganization of the Haitian Education System (35)
Free Public Education	Yes		Articles 32.1 and 33 of the Constitution (33)

The Labor Code, which supplies the penalty for violations of the minimum age for work, applies only to workers who perform work under a formal employment agreement, which does not conform to international standards that require all children to be protected under the law establishing a minimum age for work. (2,39,40) Furthermore, as the minimum age for work is 16, children age 15 are vulnerable to child labor because they are not required to attend school but also are not yet legally permitted to work. (35,40)

In addition, it is unclear whether there is a minimum age for domestic work because the Act on the Prohibition and Elimination of All Forms of Abuse, Violence, Ill Treatment, or Inhumane Treatment Against Children of 2003 (Act of 2003) annulled Chapter 9 of the Labor Code, which set a minimum age for domestic work at age 12. (2,39,40,42)

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The Labor Code prohibits children under age 18 from working in establishments that sell alcohol and from working at night in industrial enterprises. (41) However, the types of hazardous work prohibited for children do not cover agriculture, an area of work in which children are exposed to hazardous substances and agents and to temperatures that can damage their health. (3,17,18,44-47) In 2019, 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 fifth consecutive year. Research indicates the list will be officially published once a government is ratified. (9,45) However, Haiti has been without a ratified government since March 2019. (9)

Laws related to forced labor are not sufficient, as forced labor is not criminally prohibited. The Anti-Trafficking in Persons Law criminalizes trafficking for forced labor, including recruitment, transportation, and accommodation for that purpose, but does not independently criminalize forced labor. (43) Research could not find evidence of any other legal provision criminally prohibiting forced labor.

Although Haiti’s Constitution establishes the age for compulsory military recruitment at age 18, and sources suggest recruitment materials set the minimum age for voluntary recruitment at age 18, research could not find evidence of a law that establishes the age for voluntary military recruitment. (9,48,49)

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

Table 5. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
Ministry of Social Affairs and Labor (MAST)	Enforces laws related to child labor by receiving complaints, conducting investigations, and referring cases to juvenile courts. (41,50) MAST’s Institute of Social Welfare and Research (IBESR) agents perform child protection inspections and are responsible for accrediting residential care centers. Develops and implements programs to raise awareness of child labor and provide social services to child victims of labor exploitation. (5,10,50)
Brigade for the Protection of Minors (BPM)	Investigates crimes of the worst forms of child labor, including child trafficking and commercial sexual exploitation. Submits investigations to judicial authorities for criminal prosecutions and refers child victims to IBESR. (5) Housed under the Haitian National Police, the BPM maintains 24 offices around the country, including 4 offices along the Haiti-Dominican Republic border. (10,17)
POLIFRONT	Enforces Haiti’s Customs Code and investigates transnational crimes, including child trafficking. Cooperates with the Dominican Republic Border Police. (51,52) The POLIFRONT operates at the border crossings of Ouanaminthe and Anse-a-Pitres, and reportedly plans to have a permanent presence in Malpasse and Belladere (the other two official border crossing points) by 2021. (17,51,53-55)

Labor Law Enforcement

In 2019, labor law enforcement agencies in Haiti took actions to combat child labor (Table 6). However, gaps in MAST’s authority, including lack of authority to assess penalties, may hinder adequate labor law enforcement.

Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2018	2019
Labor Inspectorate Funding	Unknown (17)	Unknown (9)
Number of Labor Inspectors	Unknown (17)	Unknown (9)
Inspectorate Authorized to Assess Penalties	No (17,40)	No (9,40)
Initial Training for New Labor Inspectors	Unknown (17)	N/A (9)
Training on New Laws Related to Child Labor	No (56)	N/A
Refresher Courses Provided	Yes (17)	Yes (9)

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

Overview of Labor Law Enforcement	2018	2019
Number of Labor Inspections Conducted	Unknown (17)	Unknown (9)
Number Conducted at Worksite	Unknown (17)	Unknown (9)
Number of Child Labor Violations Found	Unknown (17)	Unknown (9)
Number of Child Labor Violations for Which Penalties Were Imposed	Unknown (17)	Unknown (9)
Number of Child Labor Penalties Imposed that Were Collected	Unknown (17)	Unknown (9)
Routine Inspections Conducted	Yes (17)	Yes (9)
Routine Inspections Targeted	No (17)	Yes (9)
Unannounced Inspections Permitted	Yes (45)	Yes (9)
Unannounced Inspections Conducted	Unknown (17)	Yes (9)
Complaint Mechanism Exists	Yes (17)	Yes (9)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (17)	Yes (9)

In 2019, MAST allocated \$624,500 to the Institute of Social Welfare and Research (IBESR), which employed 103 agents throughout Haiti, in line with the budget and staff for 2018. UNICEF also supported staff salaries and costs of other services. (9,17,45) These agents included 48 child protection agents and approximately 20 social workers to handle child protection cases, including those involving child labor. (9,10,17,45) However, research indicates that the lack of sufficient resources, such as means of transportation, fuel, and appropriately equipped workplaces, hampered MAST's enforcement efforts, including IBESR's capacity to enforce child labor laws by conducting an adequate number of labor inspections. (3,9,17,57,58)

IBESR also manages the "1-3-3" hotline that receives complaints about situations requiring child protection. (10,14,59) However, the hotline functions exclusively in Port-au-Prince, leaving rural areas without a mechanism to receive child labor complaints. (16) The number of calls related to child labor received during 2019 is unknown.

Criminal Law Enforcement

In 2019, criminal law enforcement agencies in Haiti took actions to combat child labor (Table 7). However, gaps exist within the operations of the criminal enforcement agencies that may hinder adequate criminal law enforcement, including financial and human resources.

Table 7. Criminal Law Enforcement Efforts Related to Child Labor

Overview of Criminal Law Enforcement	2018	2019
Initial Training for New Criminal Investigators	No (17)	Yes (9)
Training on New Laws Related to the Worst Forms of Child Labor	Yes (17)	N/A
Refresher Courses Provided	Yes (17)	Yes (9)
Number of Investigations	834 (17)	744 (9)
Number of Violations Found	345 (17)	284 (9)
Number of Prosecutions Initiated	17 (17)	33 (9)
Number of Convictions	17 (17)	1 (9)
Imposed Penalties for Violations Related to The Worst Forms of Child Labor	Yes (17)	1 (9)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (17)	Yes (9)

In 2019, the Brigade for the Protection of Minors (BPM) investigated 744 cases of child trafficking, forced child labor, use of children in illicit activities, and commercial sexual exploitation of children, and reported 284 violations. In addition, the BPM reported that 33 defendants were prosecuted by the judicial system for forced labor of minors. (9) Despite these efforts, reports indicate that the BPM's number of agents is inadequate and lack of training, equipment, transportation, and funding hampers its ability to enforce laws related to the worst forms of child labor. (3,10,14,53,60)

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In 2019, the POLIFRONT arrested 51 individuals in connection with 34 suspected cases of human trafficking, and has identified over 120 potential victims of human trafficking since its initial deployment in January 2018. One individual was convicted of human trafficking, and was sentenced to 15 years imprisonment and fined \$1,000. (55)

An informal referral mechanism between BPM, IBESR, and NGOs is in place to provide reintegration services to victims of the worst forms of child labor. (9,10,14) BPM also manages the “1-8-8” hotline that receives notifications of alleged violations related to the worst forms of child labor. (9,61) However, like 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. (10,20)

IV. COORDINATION OF GOVERNMENT EFFORTS ON CHILD LABOR

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

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

Coordinating Body	Role & Description
National Tripartite Commission for the Elimination of the Worst Forms of Child Labor	Develops policies, approves programs, and coordinates, monitors, and evaluates efforts to combat child labor in Haiti. Chaired by MAST, includes representatives from IBESR, BPM, and local and international organizations. (62) During the reporting period, the National Tripartite Commission for the Elimination of the Worst Forms of Child Labor met and made updates to the draft hazardous work list and the draft National Action Plan to Combat Child Labor. (9)
National Committee for the Fight Against Trafficking in Persons (CNLTP)	Coordinates actions against human trafficking and provides protection and rehabilitation services to victims. Chaired by IBESR, includes representatives from MAST, BPM, and other ministries. (20,43,63) During the reporting period, the CNLTP helped to organize trafficking in persons trainings for journalists, immigration officials, and representatives from the Office of the Human Rights Ombudsman. In July 2019, members of the CNLTP and the USAID-funded Project BEST visited the Northeast Department on a fact-finding mission to learn about existing anti-trafficking efforts in the region and identify potential partners. (55) During the reporting period, CNLTP also collaborated with Project BEST to train 19 immigration officials on the profile of traffickers and potential victims. (55)
Child Protection Working Group	Implements, coordinates, and monitors efforts on child protection, including protection for child domestic workers. Chaired by IBESR, comprises non-governmental stakeholders and officials from various ministries. (64) Holds regular meetings between enforcement agencies (IBESR, BPM, and MAST) with the participation and technical support of UNICEF and other child protection partners. (9)

V. GOVERNMENT POLICIES ON CHILD LABOR

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

Table 9. Key Policies Related to Child Labor

Policy	Description
National Child Protection Policy (2016–2020)	Aims to protect children from abuse, violence, and labor exploitation, and promotes improved access to education and livelihood services for vulnerable children, with a focus on domestic workers. Led by IBESR and supported by international donors. (65,66) Research was unable to determine whether activities were undertaken to implement the National Child Protection Policy during the reporting period.
National Strategic Development Plan (2014–2019)	Highlighted the need to prohibit child labor to ensure sustained and equitable economic growth. Overseen by the Ministry of Planning and External Cooperation and the Ministry of Economy and Finance. (67) Research was unable to determine whether activities were undertaken to implement the National Strategic Development Plan during the reporting period.

In 2019, the government resumed activities under the National Action Plan to Combat Trafficking in Persons. (17,46,71)

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2019, the government funded and participated in programs that include the goal of eliminating or preventing child labor (Table 10). However, gaps exist in these social programs, including the adequacy of efforts to address the problem in all sectors.

Table 10. Key Social Programs to Address Child Labor

Program	Description
Protecting the Working Conditions of People/ Proteje Kondisyon Travay Moun (2013–2019)	\$9.99 million USDOL-funded project implemented by Catholic Relief Services to provide services to households and children engaged in or at risk of engaging in child labor or other exploitative working conditions in agriculture. Concluded in March 2019. (72,73) The project reached roughly 7,343 children with educational services and 4,946 households to improve their livelihoods. In addition, the project supported the capacity of the Haitian Civil Registrar system to legally document more than 3,100 individuals. (74,75) Additional information is available on the USDOL website.
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. (80) 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. (81,82) 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. (83) In 2019, PROSGATE disbursed 16 million and 540,000 Gourdes in the departments of South, Southeast and Nippes to support school budgets. (84)
UNICEF Country Program (2017–2021)	\$24 million UNICEF-funded program supporting the government's efforts to improve education, health, social inclusion, and protection for children in Haiti. In 2019, provided 37,346 children with school supplies. (80,85-90)
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. (91,92) As of June 2019, provided community education grants to 8,546 primary school students. (93)

† Program is funded by the Government of Haiti.

‡ The government had other social programs that may have included the goal of eliminating or preventing child labor. (79,94)

Despite IBESR's efforts to collect information for the National Child Protection Database, it does not fully capture all relevant information, including the number of displaced street children and children engaged in domestic work. Although Haiti has programs that target the worst forms of child labor, the scope of these programs is insufficient to fully address the extent of the problem, particularly in domestic work, agriculture, and child trafficking. (10,95)

VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE CHILD LABOR

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

Table 11. Suggested Government Actions to Eliminate Child Labor

Area	Suggested Action	Year(s) Suggested
Legal Framework	Ensure that minimum age protections apply to all children, including those without formal employment contracts.	2014 – 2019
	Clarify the minimum age for work, including for domestic work.	2009 – 2019
	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 – 2019
	Ensure the law criminally prohibits forced labor.	2019
	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 – 2019
	Establish by law a compulsory education age equal to the minimum age for work.	2017 – 2019
Enforcement	Publish information on labor inspectorate funding, the number of labor inspectors and whether labor inspectors received adequate training, the number and type of labor inspections, and violations and penalties related to child labor.	2013 – 2019
	Authorize the inspectorate to assess penalties.	2013 – 2019
	Ensure that the number of labor and criminal law enforcement agents, and 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 – 2019
	Establish penalties that are sufficient to serve as a deterrent for employing children in contravention of the Labor Code.	2009 – 2019

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

Area	Suggested Action	Year(s) Suggested
Enforcement	Expand the hotlines operated by the Brigade for the Protection of Minors and the Institute of Social Welfare and Research to facilitate reporting of child exploitation cases in areas beyond Port-au-Prince, including in rural areas; publish information on the number of hotline calls related to child labor.	2013 – 2019
Government Policies	Ensure that policies to prevent or combat child labor are implemented, including the National Child Protection Policy and the National Strategic Development Plan.	2017 – 2019
Social Programs	Enhance efforts to eliminate barriers and make education accessible for all children by removing school-related fees in public schools; increase the number of schools and teachers, especially in rural areas and camps near the border with the Dominican Republic; ensure that public schools address language barriers; meet the specific educational needs of vulnerable populations, including recent arrivals from the Dominican Republic, unregistered children, and child domestic workers; and ensure that children who start their education late or repeat grades are allowed to transition to secondary school.	2009 – 2019
	Expand the National Child Protection Database, including by identifying displaced street children and children in domestic work.	2010 – 2019
	Expand existing social programs to address the scope of the child labor problem, particularly in domestic work, agriculture, and child trafficking.	2010 – 2019
	Ensure that all social programs are active and implemented, including the Government Child Shelter, Census, and National Child Protection Database.	2019

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In 2019, Honduras made a moderate advancement in efforts to eliminate the worst forms of child labor.

The government established reciprocal referral mechanisms to ensure child laborers and victims of child-related crimes receive access to social services. It also began implementing its new National Labor Inspection Strategy, which includes monitoring and evaluation of child labor-specific inspections and identifies child labor as an enforcement priority.

Furthermore, government agencies coordinated to conduct multiple joint operations targeting child labor in San Pedro Sula and Cortes.

However, children in Honduras engage in the worst forms of child labor, including in commercial sexual exploitation, sometimes as a result of human trafficking, and use in illicit activities, including selling and trafficking drugs. Children also engage in child labor in the production of coffee and melons. Labor and criminal law enforcement agencies lacked financial and human resources and the government did not adequately report comprehensive data related to its criminal law enforcement efforts. In addition, the government's social programs that address child labor in agriculture have not addressed the problem nationwide, and the government lacks social programs to eliminate child labor in other sectors, including fishing, mining, and domestic work.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Honduras engage in the worst forms of child labor, including in commercial sexual exploitation, sometimes as a result of human trafficking, and use in illicit activities, including selling and trafficking drugs. Children also engage in child labor in the production of coffee and melons. (1-5) Table I provides key indicators on children's work and education in Honduras.

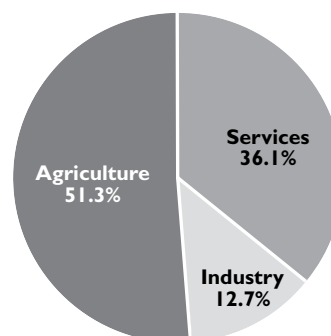
Table I. Statistics on Children's Work and Education

Children	Age	Percent
Working (% and population)	5 to 14	10.6 (199,954)
Attending School (%)	5 to 14	85.6
Combining Work and School (%)	7 to 14	7.5
Primary Completion Rate (%)		81.6

Source for primary completion rate: Data from 2017, published by UNESCO Institute for Statistics, 2020. (6)

Source for all other data: International Labor Organization's analysis of statistics from Encuesta Permanente de Hogares de Propósitos Múltiples (EPHPM), 2018. (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	Production of melon, coffee, corn, and okra (8-13)
	Harvesting mollusks† and shrimp (12,14,15)
	Fishing, including working as divers' assistants,† and diving for lobster† (2,4,5,16)
Industry	Quarrying limestone† and production of lime† (17)
	Artisanal mining† (18,19)
	Production and sale of fireworks† (20-24)
	Construction,† activities unknown (1,2,4,10,25,26)

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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 (1,4,22,25,27-29)
	Work in repair shops,† including in mechanical repair† (25)
	Scavenging in garbage dumps† (28,30,31)
	Work in hotels and laundromats, activities unknown (25,28)
	Domestic work† (10,28)
Categorical Worst Forms of Child Labor‡	Commercial sexual exploitation, sometimes as a result of human trafficking (4,5,32,33)
	Use in illicit activities, including by gangs in committing homicides, extortion, selling and trafficking drugs, and in forced commercial sexual exploitation (1,4,22,26,34-36)
	Forced begging, street vending, and domestic service (4,5,22,37)
	Forced labor in fishing, mining, construction, and in the service industry (5)

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

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

Children in Honduras are subject to commercial sexual exploitation by family members and friends. (4,5) Children are also forced to work as street vendors and domestic servants. Gangs force children to commit extortion and murder, engage in prostitution, transport weapons, traffic drugs, and serve as lookouts. (4,5) In addition, Honduras is a destination country for child sex tourists from the United States and Canada. (5)




In 2019, Honduras’ National Institute of Statistics published updated data on child labor which showed that 364,765 children between the ages of 5 and 17 were working in 2019, with 67 percent working in rural areas and over half engaged in labor in agriculture. (4) Reports indicate that children from indigenous and African-descendant groups are particularly vulnerable to child labor, including its worst forms. (1,32,35,38) Boys from the Miskito Afro-descendant community are vulnerable to forced labor in fishing, mining, construction, hospitality, and in the service sector. (5) Children who lack economic and educational opportunities are the most vulnerable to child labor and are among the most likely to migrate to other countries. Once en route, migrant children are vulnerable to human trafficking and commercial sexual exploitation. (32,33,39)

In Honduras, access to education is often limited, and some reports indicate that 220,000 to 1.5 million children around the country lack access to education. More than 75 percent of these children live in rural areas, where the lack of funding for schools, and in many cases lack of secondary schools, remains a problem. (1,36) Furthermore, some families are unable to afford costs such as uniforms, school fees, and transportation. (4) Violence originating from gang activity also presents barriers to access for both children and educators. (1,4)

II. LEGAL FRAMEWORK FOR CHILD LABOR

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

Table 3. Ratification of International Conventions on Child Labor

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

The government has established laws and regulations related to child labor (Table 4). However, gaps exist in Honduras' legal framework to adequately protect children from the worst forms of child labor, including the minimum age for work compared to the compulsory education age.

Table 4. Laws and Regulations on Child Labor

Standard	Meets International Standards	Age	Legislation
Minimum Age for Work	Yes	14	Article 120 of the Code on Childhood and Adolescence; Article 15 of the Executive Agreement STSS-211-01; Article 32 of the Labor Code (40-42)
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 (40,41,43)
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 (40,43)
Prohibition of Forced Labor	Yes		Articles 6 and 52 of the Law Against Trafficking in Persons (Decree 59-2012); Articles 2 and 10 of the Executive Agreement STSS211-01; Articles 179E–179F, and 192 of the Penal Code (40,44,45)
Prohibition of Child Trafficking	Yes		Articles 6 and 52 of the Law Against Trafficking in Persons (Decree 59-2012); Articles 2 and 10 of the Executive Agreement STSS211-01; Article 8 of the Legislative Decree 35-2013 (40,44,46)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Article 134 of the Code on Childhood and Adolescence; Articles 6 and 52 of the Law Against Trafficking in Persons (Decree 59-2012); Articles 2 and 10 of the Executive Agreement STSS211-01; Articles 148 and 149A-E of the Penal Code (40,41,44,45)
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 (40,41,44,46)
Minimum Age for Voluntary State Military Recruitment	Yes	18	Articles 2 and 12 of the Executive Agreement STSS211-01 (40)
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 (40)
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 (41,47)
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 (41,47,48)

* No conscription (41)

Honduras' new Penal Code, which would have broadened, and in some cases lowered, some penalties for a range of crimes including human trafficking, did not take effect as anticipated in 2019 due to objections from international organizations and local NGOs. Critics argued that penalties in the law for official corruption were weak relative to other crimes and that certain measures limited the freedom of the press. (49-51)

As the minimum age for work is lower than the compulsory education age, children may be encouraged to leave school before the completion of compulsory education.

III. ENFORCEMENT OF LAWS ON CHILD LABOR

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

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Table 5. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
Secretariat of Labor and Social Security (STSS)	Conducts labor inspections and enforces child labor laws through the General Directorate of Labor Inspections, which was created by the 2017 labor inspection law. (4,52,53)
Public Ministry's Office of the Special Prosecutor for Children (OSPC)	Prosecutes crimes with child victims, including crimes related to child trafficking, forced child labor, and the commercial sexual exploitation of children. Coordinates with the National Police to investigate crimes and protect victims. (4,26,54)
Public Ministry's Technical Agency for Criminal Investigations	Investigates and provides technical support for criminal prosecutions conducted by the Public Ministry, including by OSPC, such as those related to human trafficking, commercial sexual exploitation, and child pornography. (4,18,22,26)
Public Ministry's Unit Against Trafficking in Persons, Commercial Sexual Exploitation and Illicit Traffic in Persons (UTESCTP)	Established in 2018 under the Attorney General's office, coordinates with domestic and international law enforcement agencies to carry out anti-trafficking in persons operations and prosecutions. Manages a hotline to register trafficking in persons complaints. (5,55)
Directorate of Childhood, Adolescence, and Family (DINAF)	Formulates, coordinates, and implements national plans concerning children and their families; monitors children's rights, including by investigating complaints of child labor and ensuring that victims receive government services; and coordinates state efforts with civil society institutions to protect children. Overseen by the Secretariat of Development and Social Inclusion. (4,22,56-58)

Labor Law Enforcement

In 2019, labor law enforcement agencies in Honduras took actions to combat child labor (Table 6). However, gaps exist within the operations of the STSS that may hinder adequate labor law enforcement, including the lack of human resources.

Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2018	2019
Labor Inspectorate Funding	\$3,300,000 (1)	\$3,100,000 (4)
Number of Labor Inspectors	169 (1)	154 (4)
Inspectorate Authorized to Assess Penalties	Yes (1,42)	Yes (4,42)
Initial Training for New Labor Inspectors	Yes (1)	Yes (4)
Training on New Laws Related to Child Labor	Yes (1)	N/A (4)
Refresher Courses Provided	Yes (1)	Yes (4)
Number of Labor Inspections Conducted	25,546 (1)	21,949 (4)
Number Conducted at Worksite	Unknown	Unknown
Number of Child Labor Violations Found	2 (1)	Unknown
Number of Child Labor Violations for Which Penalties Were Imposed	0 (1)	2 (59)
Number of Child Labor Penalties Imposed that Were Collected	0 (1)	0 (4)
Routine Inspections Conducted	Yes (1)	Yes (60)
Routine Inspections Targeted	No (1)	Yes (60)
Unannounced Inspections Permitted	Yes (1)	Yes (4)
Unannounced Inspections Conducted	Yes (1)	Yes (55)
Complaint Mechanism Exists	Yes (1)	Yes (4)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	No (1)	Yes (4)

In 2019, Honduras established a reciprocal referral mechanism, which directs authorities and specialists in the country responsible for responding to child labor situations to refer children to various government-sponsored social programs. The government also published implementing regulations in support of the 2017 labor inspection law, which created the General Directorate for Labor Inspections (DGIT) under STSS and significantly increased penalties for labor violations. (4,53,61)

During the reporting period, DGIT conducted 32 routine, child labor-specific inspections nationwide. Meanwhile, the National Commission for Human Rights coordinated with the Sub-Commission on the Gradual and Progressive Eradication of Child Labor to inspect 10 companies in the city of La Ceiba, and encountered three cases of children involved in hazardous work. (62) STSS and civil society partners have all indicated that the

number of inspections conducted is insufficient to address the scope of labor violations in the country, including child labor violations. (1,4,36,63) In particular, reports indicate that the STSS conducts most inspections in the urban areas of Tegucigalpa and San Pedro Sula, while rural areas and indigenous communities, in which hazardous activities in agriculture and fishing or diving are concentrated, have had insufficient inspections to address the scope of the problem. (64) In 2019, no inspections were conducted in the informal sector, in which child labor is often encountered in Honduras. (4)

Labor union confederations, employer organizations, and human rights organizations have indicated that the level of funding and resources for DGIT is insufficient to enforce child labor laws nationwide. (1,36) In 2019, inspectors did not have sufficient funds to cover the supplies and transportation necessary to conduct inspections. (4) Furthermore, reports indicate that the Directorate of Childhood, Adolescence, and Family (DINAF) lacks sufficient resources to adequately carry out its mandates. (22,26,36)

The number of labor inspectors is likely insufficient for the size of Honduras' workforce, which includes over 3.7 million workers. According to the ILO's technical advice of a ratio approaching 1 inspector for every 15,000 workers in industrializing economies, Honduras would employ about 249 labor inspectors. (65,66) The STSS noted that the number of labor inspectors is insufficient. (4) Furthermore, while inspectors received training in 2019 on child labor issues, STSS indicated that more training is needed. (4,62)

Criminal Law Enforcement

In 2019, criminal law enforcement agencies in Honduras took actions to combat child labor (Table 7). However, gaps exist within the operations of the criminal enforcement agencies that may hinder adequate criminal law enforcement, including the lack of financial resources.

Table 7. Criminal Law Enforcement Efforts Related to Child Labor

Overview of Criminal Law Enforcement	2018	2019
Initial Training for New Criminal Investigators	Unknown	Unknown
Training on New Laws Related to the Worst Forms of Child Labor	Unknown	N/A
Refresher Courses Provided	Unknown	Yes (55)
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	Yes (3)	Yes (55)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	No (1)	Yes (4)

In 2019, DINAF and the Unit Against Trafficking in Persons, Commercial Sexual Exploitation and Illicit Traffic in Persons (UTESCTP) coordinated with the Public Ministry's Women and Children's Unit to investigate cases related to human trafficking, child pornography, and other worst forms of child labor. (4) DINAF housed 23 children and adolescent victims of trafficking in persons in specialized protection centers in 2019. (55)

During the reporting period, a local NGO that cooperates with the government identified 277 child victims of human trafficking, including victims of commercial sexual exploitation and forced labor. Honduras' Immediate Response Team of the Inter-Institutional Commission Against Sexual, Commercial, and Trafficking Exploitation (CICESCT) rescued 23 minors from sexual trafficking, forced servitude, and other exploitative crimes. (4) Two individuals were prosecuted during the reporting period for the commercial sexual exploitation of a girl age 17. One of the individuals was sentenced to 11 years in prison and fined \$48,000 and the other is awaiting trial. (55) In 2019, the Supreme Court of Justice convicted four individuals on child pornography charges. (55) The National Police, meanwhile, executed 12 operations as part of its Odysseus campaign targeting organized criminal groups, trafficking in persons, and other crimes. The operations resulted in 32 arrests and the rescue of 41 minors from

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criminal organizations. (55) The total number of investigations, violations found, prosecutions, and convictions related to the worst forms of child labor in 2019 was unknown because the government did not provide disaggregated data for inclusion in this report. It also did not provide information on initial training for criminal investigators.

In 2019, CICESCT trained approximately 36,200 people on trafficking in persons prevention, victim identification, risks, and providing adequate protection to victims. The training sessions were conducted throughout the country for government employees, lawyers, judges, prosecutors, law enforcement agents, tourism professionals, and civil society. (55) CICESCT also trained 440 tourism professionals on the risks of child sex tourism and convened 32 government and civil society organizations during the reporting period to coordinate responses to human trafficking crimes. (55)

Reports indicate that the level of funding and resources available to criminal law enforcement agencies is insufficient to meet agency needs. (58) For example, CICESCT indicated that it has only five staff members on the Immediate Response Team and limited resources inhibits its ability to respond to human trafficking cases countrywide. Similarly, the Public Ministry was also understaffed and lacked sufficient resources to investigate and prosecute human trafficking crimes. (55)

IV. COORDINATION OF GOVERNMENT EFFORTS ON CHILD LABOR

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

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

Coordinating Body	Role & Description
National Commission for the Gradual and Progressive Eradication of Child Labor	Coordinates government policies and efforts on child labor issues. Chaired by STSS and includes officials from eight government ministries, DINAF, the Supreme Court, and other government entities. (52,67,68) Oversees regional sub-commissions, led by STSS and DINAF officials, which implement national efforts at the local level. (52,67,68) During the reporting period, STSS continued to carry out joint actions with partners under the commission, including joint operations ODISEO VI and <i>Abeono</i> , both aimed at targeting child labor in high-risk neighborhoods in San Pedro Sula and Cortes. (4) The committee convened twice during the reporting period. (62)
Inter-Institutional Commission Against Sexual, Commercial, and Trafficking Exploitation (CICESCT)	Prevents, tends to the victims of, and prosecutes crimes of sexual exploitation and trafficking in persons. Comprising representatives from 35 organizations, including several government ministries, NGOs, and private companies. (69) Oversees 19 local CICESCT committees and implements the Strategic Plan to Combat Commercial Sexual Exploitation and Human Trafficking. (35) During the reporting period, referred 20 child victims of exploitation to DINAF to receive services such as protection, food, health care, and psychological support. (4) In 2019, launched a website to provide the public with information on trafficking in persons. (56) Also in 2019, joined the United Nation's Blue Heart Campaign against Trafficking in Persons. (55,70)
Migration Task Force	Convenes several government ministries to collaborate on addressing irregular migration, including combating the risks associated with trafficking in persons. Initiated in 2018 and chaired by Honduras' First Lady Ana Garcia de Hernandez. (3) In 2019, First Lady Garcia de Hernandez met with U.S. officials to highlight the task force's work, including focusing on the reintegration of returned child migrants. (71,72)
Secretariat of Social Development and Inclusion (SEDIS)	Coordinates social protection policies and the provision of services to vulnerable populations. (73) SEDIS reported that in 2019, it provided services to 2 million Hondurans through various assistance programs. (74)

V. GOVERNMENT POLICIES ON CHILD LABOR

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

Table 9. Key Policies Related to Child Labor

Policy	Description
Roadmap for the Eradication of Child Labor in Honduras	Aims to eradicate all forms of child labor by 2020 and improve the government's response to child labor issues. Works at the national, regional, and sub-regional levels and addresses poverty, health education, and social development. (75) Implemented by STSS. (22) World Vision and the National Commission for Gradual and Progressive Eradication of Child Labor collaborated to develop a new country prevention strategy (2021–2025). (4)
Strategic Plan to Prevent and Eliminate Child Labor (2016–2020)	Identifies lines of action for preventing and eliminating child labor, including by increasing child labor law enforcement, strengthening engagement with the private sector, developing procedures for inter-agency coordination, and developing social programs to support children removed from child labor. (68) Implemented by STSS and other executive and judicial branch agencies, and employers', workers', and other civil society organizations. (68) Includes the United States–Honduras Labor Rights Monitoring and Action Plan, which aims to improve the enforcement of labor laws, including laws related to child labor, by implementing legal and policy reforms, strengthening STSS, enhancing enforcement activities, and increasing outreach efforts. (76) As part of the Strategic Plan, in 2019 Honduras began implementing its National Labor Inspection Strategy in cooperation with ILO and the U.S. Department of Labor. (4,77)
Strategic Plan to Combat Commercial Sexual Exploitation and Human Trafficking in Honduras (2016–2022)	Establishes national priorities to combat commercial sexual exploitation and human trafficking in four principal areas: (1) prevention and awareness; (2) investigation, prosecution, and punishment of violations; (3) detection, assistance, and protection of victims; and (4) coordination and cooperation. (78) During the reporting period, STSS participated in the Latin American and Caribbean Free of Child Labor Regional Initiative, an effort to strengthen coordination in the elimination of child labor, forced labor, and human trafficking. (4)
National Labor Inspection Strategy †	Aims to adopt a results-driven focus to the overhaul of Honduras' labor inspection processes. Highlights child labor inspections as a priority for targeting and evaluation, and identifies other groups vulnerable to labor exploitation, such as indigenous and rural communities. It was finalized in December of 2018 and implemented in 2019. (77)
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 the STSS, enhancing enforcement activities, and increasing outreach efforts. (76) In 2019, Honduras established a reciprocal referral mechanism as part of the plan. (4) The action plan was extended through 2019 and extended again for an undetermined period into 2020. (82)

† 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. (79–81,83–87)

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2019, the government funded and participated in programs that include the goal of eliminating or preventing child labor (Table 10). However, gaps exist in these social programs, including the adequacy of programs to address the full scope of the problem.

Table 10. Key Social Programs to Address Child Labor

Program	Description
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 their children participate in health, education, nutrition, and other programs. (39,88) The Honduran government announced that it succeeded in distributing approximately \$20 million in cash transfers during the reporting period. (89)
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 media. (64,90) DINAF indicated during the reporting period that it had initiated a collaborative program with UNICEF to begin formally registering children who receive comprehensive care to obtain better statistics on the number of street children in Honduras. (90)
Program for the Reintegration of Returned Unaccompanied Migrant Children †	Government program that assists unaccompanied migrant children who have been returned to Honduras. Implemented by the National Institute for Migration, the Ministry of Foreign Affairs, DINAF, SEDIS, and the National Center for Social Sector Information. (91) In 2019, Honduras hosted the regional summit of experts on the Return and Adequate and Comprehensive Reintegration of Child and Adolescent Migrants in Northern Central America, Mexico, and the United States. Honduras was chosen as the host because of its work on the issue through its return and reintegration program. (92)
Program to Prevent Sex Tourism Involving Children and Adolescents †	Government program that aims to raise awareness and provide training on sex tourism for the tourism industry. Implemented by the Honduran Tourist Board, the Ministry of Tourism, and the Honduras Tourism Institute. (93) In 2019, Honduras hosted local and regional government ministries, law enforcement personnel, and tourism industry representatives in Roatan for a day-long training on the Prevention of Child and Adolescent Sexual Exploitation in Tourism. (94)

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

Program	Description
USDOL-Funded Projects	USDOL projects that aim to eliminate child labor through direct services to Honduran youth, capacity building with the Honduran government, and technical assistance to businesses. These projects include: \$2 million Addressing Child Labor and Forced Labor in the Coffee Supply Chain in Honduras (2017–2020); \$16.5 million Youth Pathways Central America (2015–2020); and \$8.7 million Bright Futures (2014–2019). During the reporting period, Bright Futures established 87 Child Labor Prevention Committees in various municipalities to work at a local level to monitor and prevent child labor abuses. (4) Additional information is available on the USDOL website.

† Program is funded by the Government of Honduras.

‡ The government had other social programs that may have included the goal of eliminating or preventing child labor. (67)

Although the Government of Honduras funds or participates in social programs to address child labor, research did not identify programs that specifically target children working in sectors, such as fishing, mining, and domestic work, or that address the illegal recruitment of children into gang-related activities. In addition, social programs that address child labor in agriculture do not appear to be sufficient to address the scope of the problem nationwide.

VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE CHILD LABOR

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

Table 11. Suggested Government Actions to Eliminate Child Labor

Area	Suggested Action	Year(s) Suggested
Legal Framework	Raise the minimum working age of 14 to conform to the compulsory education age of 17.	2018 – 2019
Enforcement	Ensure that labor and criminal law enforcement agencies have sufficient funding and resources to carry out their mandates nationwide.	2010 – 2019
	Increase the number of labor inspectors to meet ILO's technical advice.	2010 – 2019
	Carry out labor inspections in areas in which child labor is prevalent, such as rural areas, the informal sector, and indigenous communities in which children engage in agriculture and fishing or diving.	2017 – 2019
	Ensure that all labor inspectors receive adequate training on child labor issues.	2014 – 2019
	Provide complete information on labor law enforcement efforts related to the worst forms of child labor, such as the number of worksite inspections conducted and number of child labor violations identified.	2019
	Provide complete information on criminal efforts related to the worst forms of child labor, such as training for new investigators, total number of investigations conducted, violations found, prosecutions initiated, and number of convictions obtained.	2015 – 2019
Social Programs	Increase access to education by increasing funding to schools, building more schools, particularly in rural areas, enhancing efforts to protect students from gang recruitment and violence, and removing barriers such as school fees and costs for uniforms, and transportation.	2014 – 2019
	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 – 2019
	Ensure social programs reach the children who are most vulnerable to child labor, including children of African descent and indigenous children.	2017 – 2019

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In 2019, India made a moderate advancement in efforts to eliminate the worst forms of child labor. The government began digitizing the records of shelter homes throughout the country; shut down 539 illegal shelter homes in Maharashtra, Jharkand, Karnataka, Uttar Pradesh and Madhya Pradesh; and convicted a Bihar shelter owner and 18 others of sex trafficking 44 girls from a shelter. In addition, the National Child Labor Project Scheme rescued from child labor and rehabilitated 66,169 children in 2018–2019, up from 47,635 during 2017–2018. The government enacted the Protection Of Children From Sexual Offences (Amendment) Act, which includes new penalties for perpetrators of the worst forms of child labor, and approved a Memorandum of Understanding with the Government of Burma on enhancing bilateral cooperation for the prevention of trafficking in persons. Furthermore, the Tamil Nadu State Government issued standard operating procedures to support efforts to eradicate the bonded labor system in the state by 2021. However, children in India engage in the worst forms of child labor, including in forced labor producing garments and quarrying stones. Children also perform dangerous tasks in the production of thread and yarn. Although the government made meaningful efforts in all relevant areas during the reporting period, 1,300 of India’s approximately 9,000 government-run, government-funded shelters that house children continued to lack official registration from the government, allowing them to operate with little or no oversight and putting children at risk for exploitation, including commercial sexual exploitation. In addition, despite the identification of grievous abuses – including child trafficking of residents – found in over 100 government-funded and/or government-run shelters in Bihar state in 2018 and additional instances identified in other states in 2019, the government only prosecuted and convicted individuals in one of these cases in 2019. Hazardous work prohibitions do not include all occupations in which children work for long periods of time in unsafe and unhealthy environments, and penalties for employing children are insufficient to deter violations.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in India engage in the worst forms of child labor, including in forced labor producing garments and quarrying stones. Children also perform dangerous tasks in the production of thread and yarn. (1,2) Table 1 provides key indicators on children’s work and education in India.

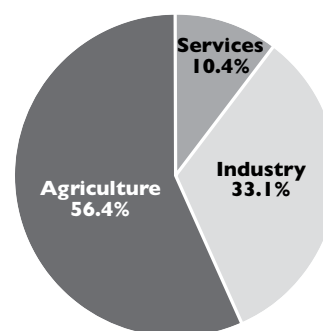
Table 1. Statistics on Children’s Work and Education

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 (%)		91.6

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

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

Sector/ Industry	Activity
Agriculture	Farming, including producing hybrid cottonseed and hybrid vegetable seeds, cultivating cotton and rice, and harvesting sugarcane, tobacco, and tea (5-16) Processing cashew nuts and seafood (17-20)
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>) (16,21-26) Manufacturing glass bangles,† imitation jewelry, locks,† and brassware,† and polishing gems (16,27-33) Rolling cigarettes (<i>bidis</i>)† and manufacturing incense sticks (<i>agarbatti</i>),† fireworks,† and matches† (16,34,35) Manufacturing footwear and bags, producing leather goods and/or accessories,† and stitching soccer balls (16,36-39) Producing bricks,† quarrying and breaking sandstone† and granite,† and mining and collecting mica† and coal† (2,16,40-48)
Services	Domestic work (16,49-51) Working in hotels, food service, and tourism services (16,48,52-55) Street work, including scavenging, sorting garbage, and selling trinkets (16,48,56,57)
Categorical Worst Forms of Child Labor‡	Forced labor in agriculture, including producing hybrid cottonseed and harvesting sugarcane, each sometimes as a result of human trafficking (48,58,59) Forced labor in producing bricks, quarrying stones, and in rice mills (2,48,60-65) Forced labor in producing garments and carpets, spinning cotton thread and yarn, and embroidering silver and gold into textiles (<i>zari</i>) (1,23,25,48,66,67) Forced labor in producing bangles, imitation jewelry, leather goods, plastic goods, footwear, and bags (30,32,33,68-72) Forced labor in domestic work and begging, each sometimes as a result of human trafficking (49,57,59,73-75) Commercial sexual exploitation, sometimes as a result of human trafficking (16,48,59,76) Recruitment of children by non-state armed groups for use in armed conflict (59,77) 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 (16,59,78-80)

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

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

Within India, children are trafficked for commercial sexual exploitation and for forced labor in domestic service. (57,59) Apprehending child traffickers has become more challenging for law enforcement because traffickers are utilizing technology to reach customers and receive electronic payment, eliminating the need to be centrally located in brothels. (57) Children are also forced to work as bonded laborers in brick kilns and stone quarries to pay off family debts owed to moneylenders and employers. (2,48,57) Children from India’s rural areas migrate or are trafficked for employment in industries such as spinning mills and cottonseed production in which they are forced to work in hazardous environments for little or no pay. (48,58)

Non-state armed groups reportedly force children to serve as spies, couriers, and soldiers in the states of Bihar, Chhattisgarh, Jharkhand, and Maharashtra, and as soldiers in Jammu and Kashmir. (59,77,81,82) Maoist groups sometimes used children as human shields in confrontations with security forces. (59,81,83) In addition, some female child soldiers reported that commanders of these non-state armed groups recruited and used them in part for sexual exploitation, including practices indicative of sexual slavery. (59,81) Unverified reports from the UN indicated that national security forces used children as informants and spies. (59,81, 161)




Child victims of commercial sexual exploitation, forced labor, and human trafficking are more likely to be from marginalized groups, such as low-caste Hindus, members of tribal communities, and religious minorities. (48,57,84,85) Children from marginalized groups also face barriers to accessing education. Teachers sometimes subject these children to discrimination and harassment. (81,86) In addition, the lack of well-trained teachers, schools, separate washrooms for girls, inadequate infrastructure, and transportation options creates barriers and limits access to education. Refugees who are not granted visas or provided identity cards by the UNHCR often are not able to access education services. (48) However, children up to the age of 14, rescued from child labor, have the ability to attend school, including the option to take vocational trainings. (57)

The Government of India does not collect or publish data specifically on exploitative child labor, nor does it make available the raw data from the national census. (48)

II. LEGAL FRAMEWORK FOR CHILD LABOR

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

Table 3. Ratification of International Conventions on Child Labor

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

The government has established laws and regulations related to child labor (Table 4). However, gaps exist in India's legal framework to adequately protect children from the worst forms of child labor, including the prohibition of recruitment of children by non-state armed groups.

Table 4. Laws and Regulations on Child Labor

Standard	Meets International Standards	Age	Legislation
Minimum Age for Work	Yes	14	Section 3(1) of the Child and Adolescent Labour (Prohibition and Regulation) Act (87)
Minimum Age for Hazardous Work	Yes	18	Section 3A of the Child and Adolescent Labour (Prohibition and Regulation) Act (87)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Schedule to the Child and Adolescent Labour (Prohibition and Regulation) Act (88)
Prohibition of Forced Labor	Yes		Section 4 of the Bonded Labour System (Abolition) Act; Sections 370 and 374 of the Penal Code; Section 79 of the Juvenile Justice (Care and Protection of Children) Act (89-91)
Prohibition of Child Trafficking	Yes		Sections 366A, 366B, 370, 372, and 373 of the Indian Penal Code; Section 5 of the Immoral Traffic (Prevention) Act (90,92)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Sections 366A, 366B, 370A, 372, and 373 of the Indian Penal Code; Sections 4–7 of the Immoral Traffic (Prevention) Act; Sections 13–15 of the Protection of Children from Sexual Offences Act; Section 67B of the Information Technology Act (90,92-94)
Prohibition of Using Children in Illicit Activities	Yes		Sections 76 and 78 of the Juvenile Justice (Care and Protection of Children) Act; Section 32B(c) of the Narcotic Drugs and Psychotropic Substance Act (91,95)
Minimum Age for Voluntary State Military Recruitment	Yes	16	Military Rules (96)
Prohibition of Compulsory Recruitment of Children by (State) Military	N/A*		
Prohibition of Military Recruitment by Non-state Armed Groups	No		
Compulsory Education Age	Yes	15	Section 3 of the Right of Children to Free and Compulsory Education Act (97)
Free Public Education	Yes		Section 3 of the Right of Children to Free and Compulsory Education Act (97)

* No conscription (98)

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In August 2019, Parliament passed amendments to the Protection Of Children From Sexual Offences (Amendment) Act, 2019 (POCSO) which includes new penalties allowing the death penalty in particular cases, including those involving the gang rape or rape of a child below the age of 12. (57,81,162,164) In addition, in 2018 the Code of Criminal Procedure was amended to require investigations for the rape of a child to be completed within two months. (57,96,162)

The Trafficking of Persons (Prevention, Protection and Rehabilitation) Bill, which was drafted in 2018, seeks to criminalize and enhance penalties for aggravated forms of trafficking, including trafficking for the purposes of forced labor, bonded labor, and begging. (99) However, the draft legislation has to be approved by both houses of parliament and then approved by the President of India to become law; no progress was made toward enacting the bill in 2019. (100,101)

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. (87,97) Despite evidence that children work for long periods in unsafe and unhealthy environments in spinning mills, garment production, and carpet making, children ages 14 to 18 are not prohibited from working in occupations related to these sectors. (16,21,22,81,88) Lastly, while sources report that the minimum age for voluntary recruitment into India's Armed Forces is age 16 and that individuals must be age 18 to be deployed, research could not pinpoint where this criteria resides in Indian law or regulation. (102,103)

III. ENFORCEMENT OF LAWS ON CHILD 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 state government labor inspectorates that may hinder adequate enforcement of child labor laws.

Table 5. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
State Government Labor Inspectorates	Conduct labor inspections, including inspections for child labor. Enforce child labor laws, including assessing penalties for violations found during inspections. (100) Refer children to Child Welfare Committees for protection and rehabilitation services. (91)
State and Local Police	Enforce laws pertaining to child labor and human trafficking. (102) Submit information to District Magistrates to determine if a case should be prosecuted in District Court. (104) Refer children to Child Welfare Committees for protection and rehabilitation services. (91)
Ministry of Home Affairs – Anti-Trafficking Operations Division – State and District-Level Anti-Human Trafficking Units (AHTUs)	Report to district police chiefs. (57) Investigate cases of domestic and international human trafficking. (57,102) Established in approximately 350 local police jurisdictions throughout India, but many AHTUs lack sufficient funding, human resources, and infrastructure - including vehicles and computers - needed to adequately perform their work. (57,96) During the reporting period, the Ministry of Home Affairs delegated \$131,000 for establishing AHTUs in the 62 districts of the country without them. (101) In August, operationalized a Cyber Crime Reporting Portal - overseen by the Ministry of Home Affairs - to enable online reporting of complaints, including those related to child pornography and online solicitation of children. (57,96)
Central Bureau of Investigation – Anti-Human Trafficking Unit and Criminal Investigation Department (CID)	Investigates and prosecutes cases involving the kidnapping and trafficking of women and children by professional gangs operating across multiple states. Takes on cases by request of, or in agreement with, state governments. (105) During the reporting period, 250 officers attended a first of its kind training on recognizing precursors and indicators of human trafficking through the misuse of U.S. and Schengen travel documents. (57) The Criminal Investigation Department (CID) (also referred to as “Crime Branch”) is a unit of the police force in each state. There are 36 CIDs across India. (96) Manages the 24-hour Helpline No. 011 for reporting cases of “Illegal Human Trafficking Especially Trafficking of Children & Women.” (57,106)
National Investigation Agency (NIA)	Investigates terror-related cases. (48) Mandate expanded by the central government in 2019 to investigate and prosecute trafficking in persons cases that have multiple state or international ramifications. (48,57,96,107)
Child Welfare Committees	Refer children in need of care and protection to welfare services providers under the Integrated Child Protection Scheme, including children involved in hazardous work, begging, human trafficking, and those living on the streets. (57,91) 710 committees exist across the 660 districts in India. (75)
Vigilance Committees	Rescue, release, and rehabilitate bonded laborers and family members. Assembled at the district and sub-division levels by the District Magistrate. (89)

In July 2019, the government passed the National Investigation Agency (Amendment) Act, which expanded the National Investigation Agency's (NIA) mandate to allow for the investigation of human trafficking cases. (48,57,101,107) Egregious cases of human trafficking that have trans-state or international border ramifications will now be transferred from state authorities to the NIA and can be tried in special courts constituted for this purpose. (48,57) As a result, in September 2019, the NIA began investigating cases in Hyderabad, West Bengal, Jharkhand, and Bangladesh, which resulted in the disruption of several interstate and cross-border human trafficking rings, including the arrest and prosecution of multiple suspected traffickers. (96)

The enforcement of labor laws is overseen by state government 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. (48)

Labor Law Enforcement

In 2019, labor law enforcement agencies in India took actions to combat child labor (Table 6). However, gaps exist within the operations of the state government labor inspectorates that may hinder adequate labor law enforcement, including training for labor inspectors.

Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2018	2019
Labor Inspectorate Funding	Unknown (100)	Unknown† (48)
Number of Labor Inspectors	Unknown (100)	Unknown† (48)
Inspectorate Authorized to Assess Penalties	Yes (100)	Yes† (48)
Initial Training for New Labor Inspectors	Yes (100)	Yes† (48)
Training on New Laws Related to Child Labor	Yes (100)	Yes† (48)
Refresher Courses Provided	Yes (100)	Yes† (48)
Number of Labor Inspections Conducted	338,696 (48)	Unknown† (48)
Number Conducted at Worksite	Unknown (100)	Unknown† (48)
Number of Child Labor Violations Found	1,636† (108)	Unknown† (48)
Number of Child Labor Violations for Which Penalties Were Imposed	Unknown (100)	Unknown† (48)
Number of Child Labor Penalties Imposed that Were Collected	Unknown (100)	Unknown† (48)
Routine Inspections Conducted	Yes (100)	Yes† (48)
Routine Inspections Targeted	Yes (100)	Yes† (101)
Unannounced Inspections Permitted	Yes (100)	Yes† (48)
Unannounced Inspections Conducted	Yes (100)	Yes† (48)
Complaint Mechanism Exists	Yes (109)	Yes† (48)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (100)	Yes† (48)

† Data are from April 1, 2018 to March 31, 2019.

The Constitution of India gives state governments primary responsibility for the enforcement of labor laws. (100) Although the central government seeks to collect data on national and state actions to address child labor violations, the Government of India did not provide information on the number of violations for which financial or other penalties were imposed and collected. Yet, in an answer to a Parliamentary question, the MOLE stated that 2,451,390 rupees (approximately \$35,000) had been collected by all state governments in fines imposed on child labor violators during the reporting period; the number of cases that yielded these penalties is unknown. (48,96) Penalties available under the law include imprisonment for a minimum of 6 months up to 2 years and/or fines ranging from \$300 to \$700. (48,110-113) However, current laws are insufficient to deter employers from hiring children because imprisonment is rare and maximum fines are infrequently levied. (87)

The government neither releases data on the labor inspectorate budget nor the number of labor inspectors, but reports that it has a sufficient number of inspectors and that inspectors have sufficient office facilities,

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transportation, fuel, and other necessities to carry out inspections. (48,114) However, ILO and NGOs reports indicate 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 the response time to complaints is too long. (48,96,114)

State government labor inspectors plan and conduct labor inspections, which are generally targeted at specific sectors or geographical areas known to involve child labor. Although labor inspectors are permitted to conduct unannounced inspections, due to social and cultural barriers, inspections of private homes and farms are done only on receipt of a complaint. (48) In addition, The Occupational Safety, Health and Working Conditions Code, 2019, which was introduced by the Lower House of Parliament in July 2019, remains pending in the Upper House of Parliament. (96,114, 163)

During the reporting period, authorities in some states acted to identify child bonded labor victims, but penalties assessed were insufficient to deter violations and criminal prosecutions were rarely initiated. Authorities in Rajasthan state rescued and released 77 child bonded laborers, but only filed one First Information Report (FIR). (96,115) While Telangana authorities identified more than 2,499 bonded labor victims through its annual child labor identification drive, and levied fines against 431 offenders totaling INR 1.87 million (\$26,338), it only registered criminal cases against seven suspects. The National Human Rights Commission (NHRC) ordered law enforcement and district officials to provide release certificates to bonded labor victims, but did not enforce a penalty for non-compliance. (96,115) Research indicates that while the NHRC was often effective in securing release certificates, it required significant time and persistent follow-up from NGOs in order to do so. (96,115)

The V.V. Giri National Labor Institute, an autonomous body of MOLE, conducted six training programs in 2019, with participants from state labor departments, local village-level elected representatives, state and federal government police officials, trade union leaders, and civil society representatives. These trainings focused on proper interpretation of the Child Labor Act, how to identify and rescue child laborers, and the roles of stakeholders and government agencies in the rescue and rehabilitation of child laborers. (96,101)

Criminal Law Enforcement

In 2019, criminal law enforcement agencies in India took actions to combat child labor (Table 7). However, gaps exist within the operations of the criminal enforcement agencies that may hinder adequate criminal law enforcement, including the lack of data on state government efforts to investigate, prosecute, and convict crimes involving child labor.

Table 7. Criminal Law Enforcement Efforts Related to Child Labor

Overview of Criminal Law Enforcement	2018	2019
Initial Training for New Criminal Investigators	Unknown (100)	Yes (96)
Training on New Laws Related to the Worst Forms of Child Labor	N/A (100)	Yes (96)
Refresher Courses Provided	Yes (100)	Yes (48)
Number of Investigations	Unknown (100)	Unknown (48)
Number of Violations Found	942 (113)	Unknown (48)
Number of Prosecutions Initiated	1,168 (48)	Unknown (48)
Number of Convictions	690 (48)	Unknown (48)
Imposed Penalties for Violations Related to The Worst Forms of Child Labor	Unknown (100)	Yes (96)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (100)	Yes (48)

Police officers have limited access to training opportunities on laws related to the worst forms of child labor and access to trainings varies from state to state. Some NGOs claim the training is inadequate. (48)

State governments have primary responsibility for criminal law enforcement. (110,116) In July 2019 in Hyderabad, India's Vice President released and distributed 300 copies of the "Training Manual on Home Management for Homes Meant for Sex Trafficked Victims" to state governments in Telangana, Andhra Pradesh, Odisha, and Jharkhand for use by shelter homes in these states. Sources report changes in caregivers' perceptions since the release of the manual, from seeing victims as being custodial responsibilities to viewing them with more compassion and empathy. (57,96,116) A total of 87 government officials in all four states, as well as staff from one shelter home in each of the four states, received training using this manual from the Ministry of Women and Child Development. (96,116) The special Protection Of Children From Sexual Offences Act Courts are designated to hear POCSO cases related to trafficking of minors for the purposes of commercial sexual exploitation, and according to information presented by the Minister for Law and Justice, there were 240,000 pending POCSO cases in the country as of December 31, 2019. (57,116)

During the reporting period, police and child protection officers in some states successfully conducted raids and other law enforcement actions to rescue children from hazardous child labor and forced labor, with large numbers of children withdrawn in Gujarat, Telangana, and Delhi states. (81,101,108) In addition, some officials suspected of child sex trafficking were arrested during the reporting period, including in Bihar and Maharashtra states. (96) In addition, in June 2019, four police officers were convicted for the 2018 gang rape and murder of a girl in Jammu and Kashmir, with one police officer given a life sentence in jail and the remaining three police officers given 5-year jail sentences. (81,96)

Despite these positive efforts, there were credible allegations during the reporting period of government officials and police officers accepting bribes from traffickers in return for protection from prosecution, as well as unconfirmed allegations of leaks from police to sites where investigations would be occurring, allowing enough notice for suspected traffickers to escape. Tamil Nadu state authorities, for example, acknowledged that some local politicians benefited with impunity from child sex trafficking and forced begging rings. (57,96) In the Delhi capital region, while the Delhi Commission for Women (DCW) identified multiple cases of child sex trafficking in unregistered spas in 2019, in some cases police reportedly did not file the required FIRs following arrests. (96,115) In one such case, the DWC summoned local police to explain its delay to file an FIR against the suspects. (115)

In late 2019 and early 2020, the National Crime Records Bureau, which collects law enforcement data from state governments regarding criminal cases involving the worst forms of child labor, released a report containing data from 2017 and 2018. (57,101,117,118) The report indicates that Rajasthan state had the highest identification of child trafficking, with 886 cases, followed by West Bengal with 450 cases. (117) In addition, the Bihar government reportedly rescued 395 children from traffickers in 2017, 366 of whom were engaged in forced child labor. The Bihar Police also registered 121 alleged cases against traffickers in 2017, but failed to file any charges against the suspects and achieved no convictions. (117) In addition, the data show an overall decrease of 38 percent in the number of victims of human trafficking identified in 2017 and 2018 compared to 2016 data. (57,101) Data also report a 30 percent increase in sexual abuse of young women in shelter homes in 2018 compared with the previous year. (57)

Efforts to combat bonded labor are hampered by a lack of awareness among workers that they are being exploited and employers who may be ignorant to the crimes they are committing. (51,57,76,116,119) Perpetrators of bonded labor must be convicted before freed laborers are able to receive a release certificate that is required for obtaining compensation under the Central Sector Scheme for Rehabilitation of Bonded Laborer or other welfare schemes, which provide access to cash rehabilitation awards, subsidized housing, and free healthcare and education to children. (57,76,81,96,119) The Government of the National Capital Territory of Delhi has issued standard operating procedures for the immediate release of financial assistance to adults and children rescued from bonded labor. However, some other state governments lack similar procedures, sometimes failed to recognize bonded labor cases, and often did not issue release certificates or provide more than the

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initial financial assistance to bonded labor victims. (57,81,101,112,120,121) In addition, an absence of fast-track courts to handle bonded labor cases and low conviction rates make it difficult for victims to receive benefits, including cash rehabilitation awards ranging from \$1,300-3,900. (57,76,96,119) Delays in distributing financial assistance reportedly contributed to the re-victimization of bonded laborers, including children. (59,122)

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. State-level Social Welfare Departments (SWDs) responsible for issuing operating licenses were slow to do so, which allowed shelters to operate with little or no oversight. (59,81,116) According to local NGOs, in some states where SWDs were not issuing licenses, unscrupulous entities took advantage of the situation and operated shelters illegally without a license. In other instances, shelter owners received grant funding from the government using their old licenses, while in the process of applying for a new license as stipulated in the amended Juvenile Justice Act. (96) In several instances, despite allegations of abuse, some shelters continued operating due to political connections. (59,81,96) During the reporting period, a continued lack of oversight and failure to investigate suspected trafficking crimes created an atmosphere of impunity for shelter home employees and government officials in government-run, government-funded shelter homes across the country. (57,59,96,115) Children residing in shelter homes were sometimes subject to child trafficking, commercial sexual exploitation, and forced labor in domestic work. (57,115) In addition, unsafe conditions and forcible detention in these shelter homes prompted some commercial sexual exploitation victims—including children—to run away from the facilities. (57,59)

As of March 2019, police had documented at least 156 children, including victims of commercial sexual exploitation, missing from 6 shelters across the country. (59,81,116) At least one shelter owner reportedly sold residents for purposes of commercial sexual exploitation, and an NGO in Andhra Pradesh operating two government-funded child care institutions (CCIs) forced children in their care into commercial sexual exploitation and domestic labor. (57,59,81,115) After repeated recommendations by the Child Welfare Committee, officials closed the CCIs and moved the children to government-run shelters. However, the criminal investigations into the abuse at these CCIs were dropped because police failed to file the charge sheets within the required timeframe. (57,115) In 2018, two police superintendents in Uttar Pradesh allegedly sent more than 405 children to a government-funded shelter home in violation of the district government's orders; the destination shelter was accused of drugging and forcing 23 children into trafficking for the purposes of commercial sexual exploitation. The Central Bureau of Investigation (CBI) conducted investigations into both of these allegations, and filed two FIRs in this case during the reporting period. (51,96,115,161)

A 2018 report commissioned by the Bihar state government noted abuse “varying in forms and degrees of intensity,” was reported to be prevalent in almost all 110 government-run, government-funded women and childcare institutions surveyed, and the report also noted “grave concerns” in 17 institutions that required immediate attention. (96) The CBI filed First Information Reports (FIRs)—written documents detailing complaints lodged with the police—against some of the Bihar state-funded shelter homes in which the TISS report had noted abuse, including charges such as “causing death by negligence.” (81,115) The Bihar state government took over the management of all NGO-run, government-funded shelters in the state. (57) The CBI also completed investigations into all 17 shelters flagged for immediate attention. (81,115) Of the 17 investigations, the CBI filed charges against 13 shelter homes and successfully prosecuted one case. The CBI filed an additional 19 FIRs against some of the other 94 Bihar state-funded shelter homes in which the audit had noted abuse, including for charges such as “causing death by negligence.” (96) On January 20, 2020, Brajesh Thakur, owner of the Muzaffarpur shelter and former legislator, was convicted along with 18 others of abuses under the POCSO Act and the Juvenile Justice Act for victimizing 44 girls between the ages of 7 and 17 for the purposes of commercial sexual exploitation; the trial's venue was moved to New Delhi to ensure accountability. (96,115,123,124) Of the 18 convicted individuals, 12 were sentenced to life in prison, including Thakur, a former chairperson of the Child Welfare Committee, a current member of the Child Welfare Committee, and a District Child Protection Officer. (57,115,125) Although the CBI recommended filing additional

cases against 70 central government and Bihar state government officials responsible for management and oversight of the homes, the local government did not act upon these recommendations. (57,123)

Despite the aforementioned notable convictions, there were reports of inconsistencies in the investigation of the Muzaffarpur case, as well as allegations that the government shielded higher-level officials from prosecution. (123,115,126,127) Reporting found evidence that enforcement officials instructed CBI investigators to make errors on the official Muzaffarpur investigation report. (51) In addition, research indicates the CBI failed to investigate high-level officials allegedly involved in child trafficking, including politicians whom victims had repeatedly identified as sex traffickers to social services officials. (115)

IV. COORDINATION OF GOVERNMENT EFFORTS ON CHILD LABOR

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

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

Coordinating Body	Role & Description
Task Force to Implement the Child Labor Act	Coordinates the oversight mechanism to ensure the effective implementation of the Child and Adolescent Labor (Prohibition and Regulation) Act. Led by the Ministry of Labor and Employment (MOLE) and consists of 12 officials from the federal and state governments. (128) Convened two meetings during the reporting period. (48)
Central Advisory Board on Child and Adolescent Labor	Convenes board members to review the implementation of existing legislation and programs related to child labor and proposes new welfare measures for child labor. Chaired by MOLE and consists of 45 board members, including government officials and NGO representatives. (129) Met twice during the reporting period. (48)
National Commission for the Protection of Child Rights	Ensures that all laws, policies, programs, and administrative mechanisms are in accordance with the constitutional protections for children and the UN CRC. Inquires about child rights violations and failures to properly implement laws relating to child protection. (130) State Commissions for Protection of Child Rights have also been established in all 29 states and in 6 territories, including Delhi. (131) In 2018–2019, received 26 complaints regarding abuse, including sexual exploitation of children in child care institutions (CCIs) and shelter homes from April 1, 2018–March 31, 2019, as compared to eight complaints in 2017–2018. Referred these cases to police or other relevant government entities. (57,96) In addition, registered several cases of children running away from CCIs in 2019, including government-run shelters, with some alleging abuse at the hands of caretakers, including sexual abuse. (57,96)
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. (132,133) During the reporting period, organized a one-day workshop on "Elimination of Bonded Labor System including Child Labor, Inter-State Migrant Workers and Human Trafficking" in Mizoram. Participants included senior officers from the Government of India and the Government of Mizoram. (57)
Platform for Effective Enforcement for No Child Labor Portal	MOLE-operated online portal that allows government officials, NGOs, and law enforcement to share information and coordinate on child labor cases at the national, state, and local levels in an attempt to improve enforcement of child labor laws and the implementation of the National Child Labor Project (NCLP) scheme. (134) Allows citizens to lodge child labor complaints. (48) Rescued child laborers are put through a rehabilitation program that includes formal education and vocational skills training. Those eligible are mainstreamed into formal education. (96) Since launching in 2017, 165,770 child laborers have been identified, and 73,130 children mainstreamed through Special Training Centers (STCs) vis-à-vis the NCLP; 72,036 children remain in STCs. (48) STCs are located across the country and provide a stipend to children, free meals, vocational training, and bridge education for eligible children. Length of stay ranges from 6 to 18 months. (96)

On November 27, 2019 the federal Cabinet approved a Memorandum of Understanding (MOU) signed between India and Myanmar on enhancing bilateral cooperation for the prevention of trafficking in persons. The agreement will increase bilateral cooperation on issues of prevention, rescue, recovery, and repatriation related to human trafficking. (57,119,135) The MOU will allow for: further strengthening of investigations, prosecutions, and immigration and border control; development and implementation of anti-trafficking in persons strategies with relevant government ministries; the creation of a working group and a task force to help build the capacities of both governments to combat trafficking in persons; development and sharing of a database on traffickers and victims of trafficking in a safe and confidential manner; and formulation of Standard Operating Procedures for Rescue, Recovery, Repatriation and Integration of the victims of trafficking. (57,119,135)

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In addition, at the 48th Annual Director General-level talks in June 2019, the Indian and Bangladeshi border guard forces discussed issues surrounding cross-border human trafficking in order to create a joint strategy to address the problem. The formal strategy has not yet been created. (57,96)

V. GOVERNMENT POLICIES ON CHILD LABOR

The government has established policies related to child labor (Table 9). However, policy gaps exist that hinder efforts to address child labor, including lack of state action plans for the elimination of child labor for all state governments.

Table 9. Key Policies Related to Child Labor

Policy	Description
National Policy on Child Labor	Describes actions for combating hazardous labor for children, including implementing legislation and providing direct assistance to children. (136) During the reporting period, implemented through programs operated by MOLE and the Ministry of Women and Child Development (MWCD), including the National Child Labor Project Scheme, Grants in Aid, the Integrated Child Development Scheme, the National Children’s Fund, and the National Creche Scheme. (48,96,137,138)
National Plan of Action for Children	Identifies priority actions for achieving the objectives set out in the National Policy for Children (NPC). (48,139,140) 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. (139,140) During the reporting period, implemented through programs operated by MOLE and MWCD, including the Integrated Child Development Scheme, the National Children’s Fund, and the National Creche Scheme. (48,96,137,138)
State Action Plans on Child Labor	Details state governments’ activities and programs to eliminate child labor. Child labor action plans are in place in only 11 states: Andhra Pradesh, Bihar, Delhi, Gujarat, Jharkhand, Karnataka, Meghalaya, Orissa, Punjab, Tamil Nadu, and Uttar Pradesh. (100,101,141-148) Research was unable to determine actions taken to implement these policies during the reporting period. (161)

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. (101,112,149)

On August 21, 2019, the Tamil Nadu State Government issued a Standard Operating Procedure (SOP) to support efforts to eradicate the bonded labor system in the state by 2021. The SOP contains guidelines to facilitate the implementation of the “Bonded Labor System (Abolition) Act (1976)” and the “Central Sector Scheme for Rehabilitation of Bonded Laborers (2016).” (57,150) No other Indian states have similar SOPs to address bonded labor. (116)

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2019, the government funded and participated in programs that include the goal of eliminating or preventing child labor (Table 10). However, gaps exist in these social programs, including in the oversight of government-run, government-funded, and privately-run shelter homes that provide assistance to victims of the worst forms of child labor.

Table 10. Key Social Programs to Address Child Labor

Program	Description
National Child Labor Project (NCLP) Scheme†	MOLE program that operates at the district level to identify working children, withdraw them from hazardous work, and provide them with education and vocational training. (16,137) Sets up and administers NCLP schools, mainstreams children into formal education, and provides them with stipends, meals, and health checkups. (137) Comprises approximately 3,000 NCLP STCs that accommodate approximately 120,000 children. (137) Between April 1, 2018 and March 31, 2019, the program rehabilitated 66,169 children who were rescued from child labor compared to 47,635 children rescued in 2017–2018. (48,57)

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

Program	Description
Ministry of Women and Child Development Programs - Integrated Child Protection Scheme (ICPS)†, Childline‡, TrackChild and Khoya-Paya†	<p>Integrated Child Protection Scheme (ICPS) provides children in need of protection—including children withdrawn from hazardous work, forced labor, and human trafficking—with food and accommodation in government-run shelter homes and non-institutional care in foster homes and adoptive families. (48,57,138) Provides rehabilitation and reintegration services to rescued children. (138) 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. (138) This program was active during the reporting period and supported approximately 75,000 children from April 1, 2019-January 1, 2020, including trafficked children, in approximately 2,000 CCIs. (48,57,96)</p> <p>Childline is a 24-hour toll-free emergency telephone service for children in distress. (57,81,138,151) Includes Childline India Foundation-operated telephone service in cities across India, which connects children in need of assistance with hospitals, child welfare committees, shelter homes, and police; 60-70 percent of received calls result in the rescue of a child. (57,96,138,151) From April 1, 2019-January 28, 2020, assisted in over 285,000 cases of children in need, including trafficking in person cases. (48,57)</p> <p>TrackChild is an online portal that tracks missing children and facilitates information sharing about missing and vulnerable children among stakeholders, including child protection units, police stations, and Child Welfare Committees. (48,138,152) TrackChild's Khoya-Paya (Lost and Found) website allows parents and the public to report and search for missing children. Program was active during the reporting period. (48,96)</p>
Central Sector Scheme for Rehabilitation of Bonded Laborers, 2016†	MOLE program that rescues and rehabilitates adult and child bonded laborers. (48,137) Provides rescued bonded laborers with financial assistance and social protection services. (137) Supports funding of surveys at the district level on the prevalence of bonded labor and the rehabilitation of bonded laborers identified through the surveys. According to the 2019 MOLE Annual Report, covering data collected from 2017–2018, state governments received \$877,765 for the rehabilitation of 6,413 bonded laborers. (153) Between April 1, 2018 and February 1, 2019, 2,276 bonded laborers were rescued and rehabilitated in various states. (48)
Anti-Human Trafficking Activities†	MWCD-operated anti-human trafficking activities, in collaboration with NGOs and state governments. (154) Supports projects to help reintegrate, rehabilitate, and repatriate human trafficking victims, including children, through the <i>Ujjawala</i> and <i>Swadhar Greh</i> schemes. (154) Ujjawala is a comprehensive scheme launched in 2007. Combats trafficking in persons of women and children, including for commercial sexual exploitation. (154) In addition, facilitates the rescue of victims, places them in safe custody, provides rehabilitation services, facilitates reintegration of victims, and facilitates repatriation of foreign victims. (154) The Swadhar Greh 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. (57,154) During the reporting period, both programs were active and provided sensitization workshops, awareness generation through print and audio media, medical care, professional counseling, legal aid, vocational training, and returned victims to their families. (96)
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 combat child labor and forced labor. (155) In June 2019, organized a joint program with MOLE to mark the World Day Against Child Labor. In addition, ILO staff, including the MAPI6 National Project Manager, met with MOLE's Joint Secretary in charge of child labor to provide a briefing on the joint program and to understand the view of the Government of India. (156) For additional information, please see the USDOL 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. (157)

After a 2018 TISS report uncovered ongoing issues in Bihar's shelters, Delhi's state government requested the DWC conduct an independent audit of Delhi's shelters. TISS conducted this audit in 2019, which revealed that 47 of 83 shelter homes in Delhi state were operating with a valid license and that facilities were short-staffed, potentially allowing for the mistreatment of children to go unnoticed or underreported. (57,96) The Delhi audit also reported "grievous sexual and physical abuse" in at least 14 shelters, prompting the Delhi government to remove children from one of these shelters and file a FIR against the shelter owners. Delhi authorities reported no other cases of criminal negligence and did not report initiating criminal investigations into the operations of any other shelters. (96,115)

Authorities in several other states, including Andhra Pradesh, Chhattisgarh, Telangana, Jharkhand, and Odisha also ordered audits of their shelters, some of which uncovered significant problems; however, no criminal investigations were initiated in these states as a result of these audits. (57,115,158,159) Despite encouragement by the Supreme Court, none of the other 29 states reported conducting, funding, or approving independent audits. (51,59,96,115,160) As a result of these findings, Child Welfare Committees (CWCs) across the country

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have been working to digitize records in all shelter homes in a centralized system, so officials can monitor the number of residents in real time. As a part of this digitization of records, there will be an option within the system to note how the shelter is functioning, which will assist officials in monitoring shelter homes for potential exploitation. (96) Additionally, CWCs in most states have begun to schedule and implement regular monitoring visits of shelters, and District Inspection Committees – wherever they did not previously exist – have been established to meet regularly and assist in the monitoring of shelter homes. (57,96,116) According to local media reports, by the end of December 2019, the Government of India shut down 539 illegal shelter homes in Maharashtra, Jharkand, Karnataka, Uttar Pradesh, and Madhya Pradesh that were found to not be in compliance with requisite standards. (57,96) Children residing in the shelter homes that were shut down, were relocated to other functioning shelter homes. (96)

VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE CHILD LABOR

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

Table 11. Suggested Government Actions to Eliminate Child Labor

Area	Suggested Action	Year(s) Suggested
Legal Framework	Raise the minimum age for work to the age up to which education is compulsory.	2018 – 2019
	Ensure that the types of hazardous work prohibited for children under age 18 are comprehensive, especially in the sectors in which children work in unsafe and unhealthy conditions for long periods of time, such as in spinning mills, garment production, carpet making, and domestic work.	2016 – 2019
	Ensure that the law criminally prohibits the recruitment of children under age 18 by non-state armed groups.	2016 – 2019
	Publish the legal instrument that establishes the minimum age for voluntary recruitment into India's armed forces.	2018 – 2019
Enforcement	Ensure that Anti-Human Trafficking Units have sufficient funding and human resources to adequately perform their work.	2019
	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 – 2019
	Create meaningful penalties for employment of children in prohibited child labor to ensure that penalties adequately deter violations.	2014 – 2019
	Ensure adequate training for labor and criminal law inspectors, that an adequate number of labor inspections are conducted, and that the complaint mechanism response time is efficient.	2019
	Ensure that labor inspections are regularly conducted in all sectors in which child labor occurs.	2019
	Collect and publish national-level data from all state governments on the number of criminal investigations, the number of violations found, the number of prosecutions initiated, and the number of convictions.	2009 – 2019
	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 – 2019
	Fully implement the standard operating procedures that provide financial assistance to victims, including children, rescued from bonded labor, and ensure that bonded labor cases are fast-tracked to ensure that victims receive financial assistance in a timely manner.	2018 – 2019
	Ensure that state governments are issuing release certificates and financial assistance to victims, including children, rescued from bonded labor.	2018 – 2019
	Investigate suspected abuses and misconduct at government-run, government-funded shelter homes, and prioritize the official registration of all government-run, government-funded shelters to ensure government oversight.	2018 – 2019
	Ensure that shelter homes are free of abuses, including forced labor and commercial sexual exploitation of children, and are fully staffed to support victims.	2018 – 2019
	Ensure the remaining 29 state governments conduct audits of all government run, government-funded shelters as mandated by the Supreme Court.	2019

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

Area	Suggested Action	Year(s) Suggested
Government Policies	Work with state governments that do not currently have state action plans for the elimination of child labor to establish such plans.	2011 – 2019
	Publish information about activities that were undertaken to implement the state action plans during the reporting period.	2018 – 2019
	Approve and implement a national policy to combat trafficking in persons and support victims.	2019
Social Programs	Cease using children as informants and spies by national security forces.	2019
	Penalize education officials who engage in discrimination and harassment of children, and reduce barriers to education, in particular for refugee children and children from marginalized communities, by providing sufficient training for teachers, providing separate washrooms for girls, and increasing the number of available schools, especially in rural areas in which inadequate infrastructure and transportation options limit access to education.	2014 – 2019
	Ensure collection, findings, and publication of data on exploitative child labor are made available to the public, including findings from district-level bonded labor surveys and raw data from the national census.	2009 – 2019

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In 2019, Indonesia made a moderate advancement in efforts to eliminate the worst forms of child labor.

The government published the Indonesian Children Profile report, which provides the most recent government source of publicly available child labor data. The government also substantially increased its labor inspectorate funding from \$10.2 million in 2018 to \$16.7 million in 2019, with specific funds allocated to enforcing child labor regulations.

In addition, the Indonesian National Police investigated cases of child trafficking involving 28 child victims. However, children in Indonesia engage in the worst forms of child labor, including in commercial sexual exploitation, sometimes as a result of human trafficking. Children also perform dangerous tasks in plantation agriculture, including in palm oil and tobacco production. The Ministry of Manpower continued to lack the financial resources and personnel necessary to fully enforce child labor laws throughout the country. In addition, the government did not publish criminal enforcement information on the number of investigations conducted, violations found, prosecutions initiated, and convictions for crimes relating to the worst forms of child labor.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Indonesia engage in the worst forms of child labor, including in commercial sexual exploitation, sometimes as a result of human trafficking. Children also perform dangerous tasks in plantation agriculture, including in palm oil and tobacco production. (I-9) Table I provides key indicators on children's work and education in Indonesia. Although the government has not historically published data on child labor, during the reporting year, the Ministry of Women Empowerment and Child Protection published the 2019 Indonesian Children Profile report with data on child laborers between ages 10 and 17. (10) However, data are still missing for child laborers ages 5 through 10.

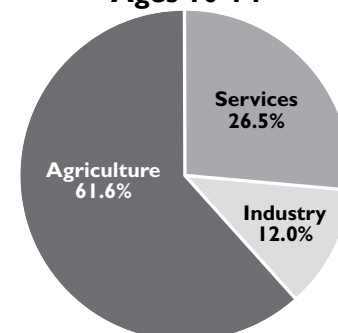
Table I. Statistics on Children's Work and Education

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, 2020. (11)

Source for all other data: International Labor Organization's analysis of statistics from National Labor Force Survey (Sakernas), 2010. (12)

Figure I. Working Children by Sector, Ages 10-14



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

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

Sector/Industry	Activity
Agriculture	Production and harvesting of palm oil, including growing, fertilizing,† cutting, spraying, collecting, and loading palm oil fruits (4,13,14)
	Planting, watering, harvesting, and applying fertilizer† to tobacco (2,3,10)
	Production of rubber,† including tapping trees and using acid† to thicken latex (2,5,10,15)
	Fishing, including on fishing vessels, in processing facilities, and on offshore platforms† (2,10,16-19)
Industry	Mining,† including gold, tin, and sand (2,10,15,18)
	Construction,† activities unknown (2,10,18,19)
	Production of footwear, including sandals (2,15)

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

Sector/Industry	Activity
Industry	Production of bricks, tile, furniture, and textiles (20)
	Manufacturing pyrotechnics† (2,21,22)
Services	Street work, activities unknown (23)
	Garbage scavenging† (6,25)
	Horse jockeying (10,26-28)
	Domestic work (2,10)
Categorical Worst Forms of Child Labor‡	Use in illicit activities, including forced begging and the sale, production, and trafficking of drugs, each sometimes as a result of human trafficking (2,29-31)
	Forced domestic work and fishing, sometimes as a result of human trafficking (2,10,17,19,31,32)
	Commercial sexual exploitation, including use in the production of pornography, sometimes as a result of human trafficking (2,10,19,31-33)

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

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

Children, mostly girls, are subjected to forced domestic work and commercial sexual exploitation abroad, primarily in Malaysia, Taiwan, and the Middle East; within the country, children are also subjected to forced domestic work and commercial sexual exploitation, particularly in Batam, Jakarta, Bali, Bandung, Bogor, Surabaya, and Medan. (2,7,10,32,34) Children also work as horse jockeys and face a number of health and safety hazards, including risk of bone injuries and fatal falls. In addition to safety concerns, participation in horse racing may impact school attendance. (26-28)




Children working in tobacco farming—especially in the provinces of East Java, Central Java, and West Nusa Tenggara—are exposed to pesticides, work long hours, and work in extreme heat. (2,3,8,10,35,36) Children working on agricultural plantations, including palm oil, coffee, and rubber plantations, collect fallen palm fruitlets and plants, and spray toxic herbicides. (2,4,9,37,38) 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. (14,39,40)

Although the Act on National Education System mandates free education, research indicates that schools impose additional fees on students to cover school activities and educational items. These added expenses may hinder students’ ability to attend school. (2) Refugee children, as well as Indonesian children without proper birth documentation, face a barrier to accessing education because the government requires children to possess a government-sponsored student identification number to sit for exams and obtain a school completion certificate. During the reporting period, the government continued to implement an online application system to process birth certificates for its citizens inside and outside Indonesia. (10,13,41) The online application system helps Indonesian children obtain birth documentation more quickly so they can attend school. Also in 2019, the Ministry of Foreign Affairs and Ministry of Education and Culture established a total of 313 Community Learning Centers near the Indonesia-Malaysia border state of Sarawak, and in Sabah, Malaysia, to increase access to education for children of palm oil migrant laborers. (10,19) The government deployed teachers and community members to provide approximately 12,470 elementary students, 3,800 secondary school students, and 1,660 high school students with non-formal education equivalent to the regular elementary, secondary, and high school levels. (42)

II. LEGAL FRAMEWORK FOR CHILD LABOR

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

Table 3. Ratification of International Conventions on Child Labor

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

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

Table 4. Laws and Regulations on Child Labor

Standard	Meets International Standards	Age	Legislation
Minimum Age for Work	Yes	15	Article 69 of the Manpower Act; Law on the Ratification of ILO C. 138 (43,44)
Minimum Age for Hazardous Work	Yes	18	Article 74 of the Manpower Act; Article 2 of Ministerial Decree No. 235 (44,45)
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 (45)
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 (44,46,47)
Prohibition of Child Trafficking	No		Article 83 of the Law on Child Protection; Articles 1–6 and 17 of the Law on the Eradication of the Criminal Act of Trafficking in Persons (46,47)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Article 74 of the Manpower Act; Articles 81–82 of the Law on Child Protection; Article 297 of the Penal Code; Section 3 of the Law on the Ratification of the Rights of the Child Optional Protocol on the Sale of Children, Child Prostitution, and Child Pornography; Articles 4–12 and 37 of Law on Anti-Pornography (48,44,47-50)
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 (44,47)
Minimum Age for Voluntary State Military Recruitment	Yes		Article 28 of Law No. 34/2004 on the Indonesian National Armed Forces (51)
Prohibition of Compulsory Recruitment of Children by (State) Military	Yes		Article 28 of Law No. 34/2004 on the Indonesian National Armed Forces (51)
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 (52)
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 (47,53)
Free Public Education	Yes		Article 34 of the Act on the National Education System (53)

The legislature has yet to pass the draft Domestic Workers Protection Law. 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 employment contract and prohibiting work at night. (20,31,42,54-57) 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

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to be established for the crime of child trafficking. (32,46,47) However, it is reported that judicial officials at the national and provincial level continued to assert that the law implicitly established that force, fraud, or coercion were not required to constitute child sex trafficking and that this therefore was not a barrier in successfully prosecuting and obtaining convictions in child sex trafficking cases. (58) In addition, the types of hazardous work prohibited for children do not cover horse jockeying, a type of work in which there is evidence that Indonesian children are exposed to physical dangers. (45)

III. ENFORCEMENT OF LAWS ON CHILD LABOR

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

Table 5. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
Ministry of Manpower, Directorate General of Labor Development and Supervision and Directorate of Norms Supervision of Women and Child Workers	Provides information to employers on child labor laws and regulations, and works with law enforcement officials to prosecute child labor violators. (59) Refers children found during inspections to the local Women's Empowerment and Family Planning Body or to the Integrated Service Center for Empowering Women and Children for appropriate social services. In the case of the Directorate of Norms Supervision of Women and Child Workers, receives complaints of child labor by telephone, fax, or e-mail. (13)
National Police, including Women and Children's Service Unit	Conducts inspections and raids, and makes arrests in response to crimes, including those related to the worst forms of child labor. (10)
Ministry of Women Empowerment and Child Protection (MoWECP)	Coordinates the provision of social services to children, including those involved in child labor. In cooperation with the Ministry of Communications, operates a Children's Helpline in 20 provinces to receive complaints regarding child protection. (13,42)

Labor Law Enforcement

In 2019, labor law enforcement agencies in Indonesia took actions to combat child labor (Table 6). However, gaps exist within the operations of MOM that may hinder adequate labor law enforcement, including an insufficient number of labor inspectors.

Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2018	2019
Labor Inspectorate Funding	\$10,200,000 (13)	\$16,700,000 (10)
Number of Labor Inspectors	1,619 (13)	1,574 (10)
Inspectorate Authorized to Assess Penalties	Yes (13)	Yes (10)
Initial Training for New Labor Inspectors	Yes (13)	Yes (10)
Training on New Laws Related to Child Labor	N/A (13)	N/A (10)
Refresher Courses Provided	No (13)	Yes (10)
Number of Labor Inspections Conducted	19,792 [†] (13)	16,857 [‡] (10)
Number Conducted at Worksite	19,792 [†] (13)	16,857 [‡] (10)
Number of Child Labor Violations Found	0 (13)	1 (10)
Number of Child Labor Violations for Which Penalties Were Imposed	0 (13)	0 (10)
Number of Child Labor Penalties Imposed that Were Collected	0 (13)	0 (10)
Routine Inspections Conducted	Yes (13)	Yes (10)
Routine Inspections Targeted	Yes (13)	Yes (10)
Unannounced Inspections Permitted	Yes (13)	Yes (10)
Unannounced Inspections Conducted	No (13)	Yes (10)
Complaint Mechanism Exists	Yes (13)	Yes (10)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (13)	Yes (10)

[†] Data are from January 2018 to September 2018.

[‡] Data are from January 2019 to September 2019.

Despite increasing its labor inspectorate funding in 2019, the government noted that there are still insufficient funds to cover office infrastructure, transportation, and fuel for vehicles, which hampered labor inspectors' ability to carry out inspections. (10) Inspectors have the authority to conduct unannounced inspections in the formal sector; however, they lack authority to inspect private farms and homes, in which child labor often occurs. (3,13) Despite this prohibition, the Ministry of Women Empowerment and Child Protection responds to reports of child labor in the informal sector. (15)

MOM officials disclosed that there are insufficient inspectors to cover the entire country, and MOM continued to employ and rely on community-based monitors and neighborhood chiefs to report incidences of children engaged in domestic work. (13) In 2019, MOM employed 1,574 labor inspectors, down from 1,619 labor inspectors in 2018. According to MOM, the number of labor inspectors decreased due to the shift in authority from regencies/cities to provinces, and some inspectors were unwilling to relocate and resigned. (10) The number of labor inspectors is likely insufficient for the size of Indonesia's workforce, which includes approximately 126 million workers. According to the ILO's technical advice of a ratio approaching 1 inspector for every 15,000 workers in less developed economies, Indonesia would employ about 8,407 labor inspectors. (13,60,61) MOM trained 120 new labor inspectors and investigators on child labor, hazardous child labor, and worst forms of child labor law enforcement, and provided refresher training to 120 currently employed labor inspectors. Despite institutionalized refresher training provided during the reporting period, government officials noted that the amount of refresher training was insufficient, given the total number of labor inspectors. (10,42)

During the reporting period, MOM found one case that involved a child labor violation. As of early 2020, the case is undergoing a court process. (10) ILO and MOM officials suspect that additional child labor violations occur, but the government's inability to conduct inspections in the informal sector and an insufficient number of inspectors prevent identification of all child labor violations. (10)

Criminal Law Enforcement

In 2019, criminal law enforcement agencies in Indonesia took actions to combat child labor (Table 7). However, gaps exist within the operations of the criminal enforcement agencies that may hinder adequate criminal law enforcement, including insufficient training for criminal investigators.

Table 7. Criminal Law Enforcement Efforts Related to Child Labor

Overview of Criminal Law Enforcement	2018	2019
Initial Training for New Criminal Investigators	Yes (13)	Yes (10)
Training on New Laws Related to the Worst Forms of Child Labor	Yes (13)	Yes (10)
Refresher Courses Provided	Yes (13)	Yes (58)
Number of Investigations	Unknown (13)	Unknown (10)
Number of Violations Found	Unknown (13)	Unknown (10)
Number of Prosecutions Initiated	Unknown (13)	Unknown (10)
Number of Convictions	Unknown (13)	Unknown (10)
Imposed Penalties for Violations Related to The Worst Forms of Child Labor	Unknown (38)	Unknown (10)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (13)	Yes (10)

In 2019, the Indonesian National Police investigated 28 child trafficking cases and recorded 530 cases of pornography and cybercrime involving children. However, government data on criminal law enforcement efforts specific to child labor, including the number of investigations, violations found, prosecutions initiated, and convictions, are not available. The government has a system to aggregate this information, but it has encountered challenges in classifying child labor cases, including developing case tags to accurately represent and aggregate comprehensive child labor data. (10,13,38) Although criminal law enforcement personnel received training on human trafficking laws that covered children, research found training on current child labor-specific regulations to be insufficient. (10)

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IV. COORDINATION OF GOVERNMENT EFFORTS ON CHILD LABOR

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

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

Coordinating Body	Role & Description
Provincial-Level and District-Level Regional Action Committees	Coordinate and monitor policy and program efforts and develop action plans to eliminate the worst forms of child labor at the local level. (62) Indonesia has provincial-level task forces in 32 provinces and 194 district-level committees. In 2019, these action committees were active and continued developing, coordinating, and monitoring action plans at the local level. (10)
National Task Force to Combat Trafficking in Persons	Coordinates anti-trafficking efforts across 21 ministries and government agencies, including efforts to combat child trafficking. (61) Chaired by the Coordinating Ministry of Human Development and Culture, with task force meetings organized by MoWECP. (10,60) Provides vocational training and scholarships to school-aged children to reduce susceptibility to human trafficking. (63) In 2019, MoWECP expanded the Community Watch groups, a collaboration among local governments, NGOs, community figures, and village stakeholders, with 502 villages in 31 provinces to combat human trafficking at the local level. (10) In addition, the National Task Force required anti-trafficking initiatives be a significant element of the 2019 National Development Plan requiring local governments to prioritize protections for women and children victims of violence, including victims of child trafficking and child labor. (58)
Provincial and District Task Forces for the Prevention and Handling of Human Trafficking	Coordinate prevention and anti-trafficking efforts at the local level. (63) Commonly chaired by the local Integrated Service Center for Women and Children or the local Office of Social Affairs. Operate in 32 provinces and 191 out of 438 districts. (32,34)
Sub-Task Force on the Prevention of Child Participation in Trafficking in Persons	Organizes regular coordination meetings, provides technical trainings on human trafficking for government officials, and produces publications on the prevention of trafficking in persons. (13) Chaired by the Ministry of Education and Culture. (10,61) In 2019, 150 education officials for junior and senior high schools, as well as vocational schools, attended a workshop on preventing trafficking in persons in the Malaka Regency, East Nusa Tenggara. (10)
Indonesian Child Protection Commission (KPAI)	Monitors the implementation of the Child Protection Law and child protection policies and provides recommendations on the child protection framework to the President of Indonesia. (47,64) From January to November 2019, KPAI reported 198 cases of child sexual exploitation: 40 cases of human trafficking, 48 cases of child labor, 53 cases of commercial sexual exploitation, and 57 cases of child prostitution. KPAI also recorded 530 cases of pornography and cybercrime involving children in 2019. (10,19)

The National Task Force to Combat Trafficking in Persons previously noted that some Provincial and District Task Forces lack sufficient funding and fail to incorporate its recommendations into their plans of action to adequately guide efforts to eliminate the trafficking of women and children. (20,58,65)

V. GOVERNMENT POLICIES ON CHILD LABOR

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

Table 9. Key Policies Related to Child Labor

Policy	Description
National Plan of Action (NPA) for the Elimination of the Worst Forms of Child Labor (2002–2022)	Provides a policy framework for the elimination of child labor. Specific activities include improving data collection on the worst forms of child labor; increasing awareness-raising and advocacy efforts, and formulating regulations and policies to prohibit the worst forms of child labor. (66,67) In 2019, the government disseminated “Norms for the NPA” to businesses, agencies, NGOs, and village authorities in three regions: Central Kalimantan, Riau Island, and West Sumatra. (10)
National Action Plan on Preventing Trafficking in Persons (2015–2019)	Guided the work of the National Task Force to Combat Trafficking in Persons. Aimed to improve health and social rehabilitation services, as well as repatriation and social reintegration services, for human trafficking victims; update anti-human trafficking regulations; and strengthen the investigation of human trafficking cases and the prosecution of perpetrators. (68) Enhanced coordination among task force members and between national and international stakeholders. (68) The Task Force, led by the Coordinating Ministry of Human Development and Culture, is currently working on the 2020–2024 National Action Plan. (42)

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

Policy	Description
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. (61,69) In 2019, the government assisted 41 companies in implementing norms for the elimination of child labor, encouraged businesses to eliminate child labor by using Corporate Social Responsibility funds, and encouraged local governments to allocate a portion of their budget toward eliminating child labor. (10)

‡ 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 2019, the government funded and participated in programs that include the goal of eliminating or preventing child labor (Table 10). However, gaps exist in these social programs, including education-related fees for children in school.

Table 10. Key Social Programs to Address Child Labor

Program	Description
USDOL-Funded Projects	USDOL projects aim to build government capacity to address child labor by improving occupational safety and health for young workers, strengthening legal protections and social services delivery for child domestic workers, and improving child labor and forced labor data collection and research methodology. Include Building a Generation of Safe and Healthy Workers: Safe and Healthy Youth (2014–2019), an \$11.5 million project implemented by ILO with Indonesia as one of the countries. (70) Additional information is available on the USDOL website.
Child Trafficking Services‡	Ministry of Social Affairs and other government agency programs that provide social rehabilitation and shelter services for child victims of trafficking. (71) In 2019, the government allocated \$4,338,235 to the Directorate of Indonesian Nationals and Indonesian Legal Entities Protection in the Ministry of Foreign Affairs to implement programs related to trafficking in persons, including maintenance on shelters. (42)
Cash Transfer Programs‡	Provide conditional cash transfers to help with formal and informal education opportunities and health expenses for vulnerable groups, including street children, abandoned children and infants, children facing criminal charges, children with disabilities, the poorest families, and child laborers who dropped out of school. Includes Smart Indonesia Program (KIP), a card that provides educational grants to all school-aged children whose families have a Family Welfare card or meet eligibility criteria covering both formal and informal education; Child Social Welfare Program (<i>Program Kesejahteraan Sosial Anak</i>), which provides conditional cash transfers to children; and Family Welfare Card (<i>Kartu Keluarga Sejahtera</i>), which provides a bank account and consolidates all financial assistance programs, including children's education and health funds, for low-income families. (10,13) In 2019, the government provided KIP cards to 20.1 million students from poor families, allocated \$497,000 to 5,000 street and abandoned children under age 18 through cash transfers, and extended the previous Cash Transfers for Poor Students program by replacing it with KIP and extending coverage to 20.3 million children and including coverage for children in both the formal and informal education systems. (10)
Education Programs‡	Block Grants for Schools (<i>Bantuan Operasional Sekolah</i>) grant program compensates schools for the loss of income from waiving school fees for poor and vulnerable children in primary, junior secondary, and senior high schools. (13,40) 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. (72,73) Community Learning Centers provide education for children of palm oil workers. (34,42,74) Reducing Child Labor to Support the Family Hope Program provides special education services to prepare children who dropped out of school to work so they can return to school and aims to reduce child labor among targeted households. (10,13) In 2019, the program assisted 10,964 families in 72 districts and cities in 14 provinces across Indonesia. Also in 2019, through the Family Hope Program, the government removed 18,000 children from child labor, bringing the total number of children removed from child labor between 2008 and 2019 to 134,064; all children were subsequently enrolled in school. (10)

‡ Program is funded by the Government of Indonesia.

‡ The government had other social programs that may have included the goal of eliminating or preventing child labor. (2,10)

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 Indonesia (Table 11).

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Table 11. Suggested Government Actions to Eliminate Child Labor

Area	Suggested Action	Year(s) Suggested
Legal Framework	Ensure that threats, the use of force, or coercion does not need to be established for the crime of child trafficking.	2018 – 2019
	Ensure that the hazardous occupations and activities prohibited for children are comprehensive and include sectors in which child labor is known to occur, including jockeying in horse racing, in which there is evidence that children are exposed to physical dangers.	2019
Enforcement	Ensure that labor inspectorate funding is sufficient to cover infrastructure, transportation, and fuel requirements to enable labor inspectors to carry out inspections.	2018 – 2019
	Ensure labor inspectors have authority to inspect the informal sector, including private farms and homes, for child labor violations.	2018 – 2019
	Significantly increase the number of labor inspectors to meet the ILO's technical advice to provide adequate coverage of the workforce.	2010 – 2019
	Publish criminal law enforcement information, including the number of investigations conducted, violations found, prosecutions initiated, and convictions for crimes relating to child labor, including its worst forms.	2009 – 2019
	Ensure that all criminal law enforcement personnel receive training on child labor regulations.	2017 – 2019
Coordination	Sufficiently fund Provincial and District Task Forces and require them to incorporate the recommendations of the National Task Force to Combat Trafficking in Persons into their plans of action on the elimination of trafficking of women and children.	2016 – 2019
Social Programs	Collect and publish data on child laborers ages 5 through 10.	2019
	Conduct research to determine the types of activities carried out by children, including in construction and street work sectors, to inform social policies and programs.	2014 – 2019
	Enhance efforts to eliminate barriers to education, including removing school-related fees and ensuring that all children are able to obtain a government-issued student identification number so they can attend school.	2016 – 2019

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MINIMAL ADVANCEMENT – EFFORTS MADE BUT CONTINUED PRACTICE THAT DELAYED ADVANCEMENT

In 2019, Iraq made a minimal advancement in efforts to eliminate the worst forms of child labor. The Kurdistan Regional Government established an Inter-ministerial Committee on Trafficking in Persons to oversee implementation of its Anti-Trafficking in Persons Law. However, Iraq is receiving an assessment of minimal advancement because it continued a practice that delayed advancement in eliminating the worst forms of child labor. Iraqi and Kurdistan Regional Government authorities continued to inappropriately detain and prosecute without legal representation children allegedly affiliated with ISIS—some of whom were victims of forcible recruitment and use—including using abusive interrogation techniques and torture to gain children’s confessions instead of screening these children as potential victims of the worst forms of child labor. In addition, NGOs reported that in 2019, some militia groups affiliated with the Popular Mobilization Forces, including Iranian-backed groups, recruited boys younger than age 18 to fight in Syria and Yemen. While these forces operated under the umbrella of the Popular Mobilization Forces—which was legally incorporated into the Iraqi defense forces in 2016—they generally remained outside of the command and control of the Iraqi government. Children in Iraq engage in the worst forms of child labor, including in forced begging and in commercial sexual exploitation, each sometimes as a result of human trafficking. The government did not provide information on its labor or criminal law enforcement efforts for inclusion in this report. The government also continues to lack programs that focus on assisting children involved in the worst forms of child labor.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Iraq engage in the worst forms of child labor, including in forced begging and commercial sexual exploitation, each sometimes as a result of human trafficking. (1-5) Household surveys, such as the 2018 Multiple Indicator Cluster Survey (MICS) in Iraq, are not designed to capture the labor performed by IDPs living in camps and, therefore, the 2018 MICS survey does not capture children in this population involved in child labor. Table 1 provides key indicators on children’s work and education in Iraq. Data on some of these indicators are not available from the sources used in this report.

Table 1. Statistics on Children’s Work and Education

Children	Age	Percent
Working (% and population)	5 to 14	4.8 (Unavailable)
Attending School (%)	5 to 14	78.4
Combining Work and School (%)	7 to 14	4.2
Primary Completion Rate (%)		Unavailable

Primary completion rate was unavailable from UNESCO Institute for Statistics, 2020. (6)

Source for all other data: International Labor Organization’s analysis of statistics from Multiple Indicator Cluster Survey 6 (MICS 6), 2018. (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 dairy products (4,8-10)
	Herding livestock (10)
	Fishing, activities unknown (4,8)

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

Sector/Industry	Activity
Industry	Construction (9,10)
	Working in carpentry workshops (10,11)
	Making bricks, including transporting bricks and working in kilns (4,8,12,13)
	Working in factories, including glass, household cleaners, paint, steel, garments and textiles, perfume, electrical materials, and plastic recycling (4,8-10,12,14,15)
Services	Street work, including selling goods, pushing carts, cleaning cars, and begging (4,8,13,15-17)
	Working at gas stations† and auto repair and other shops (8,12,18-20)
	Working in landfills, scavenging and collecting garbage† and scrap metal (12,13,15,16,21,22)
	Domestic work (10)
	Working in hotels, restaurants, and tea houses (4,8,10,20)
	Working at cemeteries, including digging graves and selling items (13,23)
Categorical Worst Forms of Child Labor‡	Use in illicit activities, including cross-border smuggling and drug and weapon trafficking, sometimes as a result of human trafficking (3,4,8,24-26)
	Domestic work as a result of human trafficking (27-30)
	Forced begging, sometimes as a result of human trafficking (3-5,8)
	Commercial sexual exploitation, sometimes as a result of human trafficking (1-5,13,28,31)
	Recruitment of children by non-state armed groups for use in armed conflict (3-5,8,32)

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

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

Despite ISIS losing control over the last remaining territory in Iraq in 2017, ISIS carried out deadly attacks in Iraq throughout 2019. (33) ISIS continued to abduct and forcibly recruit and use children in combat and support roles, including as human shields, informants, bomb makers, executioners, and suicide bombers; some of these children were as young as eight years old and some were mentally disabled. (3,34)

In 2019, NGOs reported that some Popular Mobilization Forces (PMF)-affiliated militias—including Iranian-backed Harakat Hezbollah al-Nujaba (HHN), Asaib Ahl al-Haq (AAH), and Kataib Hizballah (KH)—recruited boys younger than the age of 18 to fight in Syria and Yemen, most commonly out of schools. (3,4) Some of the forces in HHN, AAH, and KH militias operate under the umbrella of the PMF, which was legally incorporated into the Iraqi defense forces in 2016, but generally operates outside of the command and control of the Iraqi government. (3,4,8,35) During the reporting period, sources reported the Kurdistan Worker’s Party and People’s Protection Units, operating in the Iraqi Kurdistan Region and Sinjar, continued to recruit and use children. (5) Local NGOs reported that Yezidi militias in Sinjar, including the Yezidkhan Protection Force and Sinjar Command Force, recruited Yezidi boys. (4)

Throughout the country, some girls were subjected to commercial sexual exploitation through temporary marriages. (27) Sources reported that AAH and HHN profited from offices facilitating temporary marriage and provided protection to them. (5) 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. (27) NGOs report that women and girls in IDP camps, whose family members have alleged ties to ISIS, continued to endure a complex system of sexual exploitation, sex trafficking, and abuse by armed actors residing in the camps, security and military officials, and camp personnel controlling access to humanitarian assistance and services. Iranian girls were subjected to commercial sexual exploitation in the Kurdistan Region and Iraqi girls were trafficked to other Arab states in the region and to Europe for commercial sexual exploitation. (3) Child laborers were also exposed to sexual violence and abuse. (13)

In previous years, ISIS sold boys who they considered too young or too weak to engage in armed conflict into forced domestic work. (29,30) ISIS kidnapped and trafficked Yezidi children to Turkey for exploitation. (3) Some children in IDP camps who were suspected of having ties to ISIS were blocked from obtaining civil documentation and returning home or were subjected to commercial sexual exploitation. (3,36)

MINIMAL ADVANCEMENT – EFFORTS MADE BUT CONTINUED PRACTICE THAT DELAYED ADVANCEMENT

Children in border regions with Iran are sometimes used as porters, known as “*kolbar*” in Kurdish, to smuggle goods across the border, and are subjected to life-threatening weather conditions, dangerous terrain, unexploded ordinance, and targeting by Iranian border guards. (25,26) In 2019, as many as 21 adolescents were killed by Iranian border guards or died while making the trip. (26)




Children faced numerous barriers to accessing education, including displacement, the lack of local schools, the use of schools as shelters by IDPs, costs of transportation and school supplies, lack of sufficient educational facilities, and IDPs’ and refugees’ lack of identification documents. (8,9,13,37,38) In addition, children with suspected ties to ISIS may not have access to identification documents required for school enrollment. (36) According to UNICEF, over half of the schools in Iraq required repairs and the education of 3 million children had been interrupted. (8) UNICEF also reported that, while 92 percent of children enroll in primary schools, only half of children from economically disadvantaged families complete primary school and only a quarter complete secondary education. (39) In addition, in 2018, it was estimated that some 50,000 Syrian refugee children did not attend formal school; however, this number is over-inclusive as it also counts children who receive permissible non-formal education. (40) For these refugees, the majority of whom live in the Kurdistan Region, access to education was limited because of security concerns; school-related costs such as transportation, textbooks and uniforms; and language issues, due to most classes in the Kurdistan Region being taught in Kurdish rather than Arabic, the language of Syrian children. (41)

As of December 2019, 1.41 million people, including about 658,000 children, remained internally displaced; 4.6 million individuals, including over 2 million children, had returned home to newly accessible areas; and 3.3 million children in Iraq were in need of education support. (42) UNICEF supported 3,354 children with direct cash assistance for the 2018–2019 academic year; however, this program was discontinued for 2019–2020. (42) The KRG agreed to start paying incentives to Syrian refugee volunteer teachers in the Kurdistan region; however, it stopped doing so in January 2020. (4) The lack of this direct cash assistance to children and incentive payments to volunteer teachers makes children vulnerable to child labor and child trafficking.

II. LEGAL FRAMEWORK FOR CHILD LABOR

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

Table 3. Ratification of International Conventions on Child Labor

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

The government has established laws and regulations related to child labor (Table 4). However, gaps exist in Iraq’s legal framework to adequately protect children from 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 (43)
	Kurdistan Region	Yes	15	Article 90.1 of the 1987 Labor Law (44)
Minimum Age for Hazardous Work	Iraq	Yes	18	Article 95 of the 2015 Labor Law (43)
	Kurdistan Region	Yes	18	Articles 90.2 and 91.1 of the 1987 Labor Law (44)
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 (43,45)
	Kurdistan Region	Yes		Article 91.2 of the 1987 Labor Law; Ministry of Labor's Instruction 19 of 1987 (44,45)
Prohibition of Forced Labor	Iraq	Yes		Articles 9 and 11.2 of the 2015 Labor Law (43)
	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 (43,46)
Prohibition of Child Trafficking	Iraq	No		Articles 1 and 6 of the Law to Combat Human Trafficking (46)
	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 (44,46)
Prohibition of Commercial Sexual Exploitation of Children	Iraq	No		Articles 399 and 403 of the Penal Code (47)
	Kurdistan Region	Yes		Articles 91.3(b), 91.4, and 97 of the 1987 Labor Law (44)
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 (44)
Minimum Age for Voluntary State Military Recruitment	Iraq and Kurdistan Region	Yes	18	Section 6(2) of the CPA Order 22 (48)
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 (49,50)
	Kurdistan Region	Yes	15	Articles 6 and 10 of the Kurdistan Regional Government Ministry of Education Law (51)
Free Public Education	Iraq	Yes		Article 34.2 of the Constitution; Article 9 of the Education Law (49,52)
	Kurdistan Region	Yes		Article 10 of the Kurdistan Regional Government Ministry of Education Law (51)

* No conscription (48)

‡ Age calculated based on available information

Article 117 of the Constitution of Iraq recognizes Kurdistan, which comprises the provinces of Dohuk, Erbil, Sulaimaniya, and Halabja, as a federal region. (52-55) Article 121 grants the Kurdistan Region the right to exercise legislative and executive powers. (52) The Iraqi Kurdistan Parliament must endorse any laws the Government of Iraq has passed after 1991 for such laws to enter into force in the Iraqi Kurdistan Region. (53-55)

In Iraq, Article 1 of the Law to Combat Human Trafficking requires force or coercion to be present as an element of the crime of child trafficking, which is inconsistent with international standards, including Article 3 of the Palermo Protocol. (46) 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. (56)

MINIMAL ADVANCEMENT – EFFORTS MADE BUT CONTINUED PRACTICE THAT DELAYED ADVANCEMENT

The KRG reported that a draft Child Protection Law was prepared by a joint committee that included the ministries of Labor and Social Affairs, Education, Health, Culture, the Independent Human Rights Commission, UNICEF, and other child protection NGOs, and was submitted to the KRG Parliament for ratification. (57)

In Iraq, the laws do not sufficiently prohibit the use of children in prostitution or the use, procuring, and offering of children for the production of pornography or pornographic performances. (47)

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. (49,50) This standard makes children ages 12 to 15 particularly vulnerable to child labor, because they are not required to be in school, yet they are not legally permitted to work.

III. ENFORCEMENT OF LAWS ON CHILD LABOR

The government has established institutional mechanisms for the enforcement of laws and regulations on child labor (Table 5). However, gaps exist within the authority of the Ministry of Labor and Social Affairs (MOLSA) and the KRG's Ministry of Labor and Social Affairs (KMOLSA) 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. (8) Conducts research on child labor through its Childhood Welfare Authority. Receives complaints of child labor cases. (8)
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 the Ministry. (8)
Ministry of Interior	Iraq	Enforces criminal laws on the worst forms of child labor. Collaborates with MOLSA, the Iraqi Industries Federation, and the Confederation of Trade Unions to conduct inspection campaigns. (8) Maintains a hotline for victims of human trafficking, with calls routed directly to the Ministry's Anti-Trafficking Department. (8)
Kurdistan Regional Government's Ministry of Interior (KMOI)	Kurdistan Region	Investigates cases of commercial sexual exploitation and human trafficking. (8) Includes a Counter Trafficking Directorate within KMOI. (56)

Labor Law Enforcement

In 2019, labor law enforcement agencies in Iraq took actions to combat child labor (Table 6). However, gaps exist within the authority and operations of 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.

Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2018	2019
Labor Inspectorate Funding	Unknown (8)	Unknown (4)
Number of Labor Inspectors	Unknown (8)	Unknown (4)
Inspectorate Authorized to Assess Penalties	No (43)	No (43)
Initial Training for New Labor Inspectors	No (8)	No (4)
Training on New Laws Related to Child Labor	N/A	N/A
Refresher Courses Provided	No (8)	No (4)
Number of Labor Inspections Conducted	Unknown (8)	Unknown (4)
Number Conducted at Worksite	Unknown (8)	Unknown (4)
Number of Child Labor Violations Found	Unknown (8)	Unknown (4)
Number of Child Labor Violations for Which Penalties Were Imposed	Unknown (8)	Unknown (4)
Number of Child Labor Penalties Imposed that Were Collected	Unknown (8)	Unknown (4)

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

Overview of Labor Law Enforcement	2018	2019
Routine Inspections Conducted	Yes (8)	Yes (4)
Routine Inspections Targeted	Yes (8)	Yes (4)
Unannounced Inspections Permitted	Yes (8)	Yes (4)
Unannounced Inspections Conducted	Unknown (8)	Unknown (4)
Complaint Mechanism Exists	Yes (8)	Yes (4)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (8)	Yes (4)

In 2017, MOLSA employed 98 inspectors and research was unable to determine that significantly more have been hired. KMOLSA reported 18 inspectors were employed during the reporting period. (4) Although the number of labor inspectors in Iraq during the reporting period is unknown, research indicates that in 2019 the number of labor inspectors was likely insufficient for the size of Iraq and the KRG’s workforce, which combined includes over 8.9 million workers. (4,58) According to the ILO’s technical advice of a ratio approaching 1 inspector for every 15,000 workers in industrializing economies, Iraq would employ about 593 labor inspectors. (59,60)

In 2019, KMOLSA did not provide training on child labor to inspectors and only conducted inspections for child labor in response to complaints. (57) When inspectors identify child labor violations, they can issue warnings and instructions, or refer cases to court. (61) KMOLSA indicated that funding is insufficient to carry out its duties. (4)

The government did not provide information on its labor law enforcement efforts for inclusion in this report. (4)

Criminal Law Enforcement

In 2019, criminal law enforcement agencies in Iraq took actions to combat child labor (Table 7). However, gaps exist within the operations of the criminal enforcement agencies that may hinder adequate criminal law enforcement, including training for criminal investigators and prosecution planning.

Table 7. Criminal Law Enforcement Efforts Related to Child Labor

Overview of Criminal Law Enforcement	2018	2019
Initial Training for New Criminal Investigators	Unknown (8)	Unknown (4)
Training on New Laws Related to the Worst Forms of Child Labor	N/A	N/A
Refresher Courses Provided	Unknown (8)	Unknown (4)
Number of Investigations	Unknown (8)	Unknown (4)
Number of Violations Found	Unknown (8)	Unknown (4)
Number of Prosecutions Initiated	Unknown (8)	Unknown (4)
Number of Convictions	Unknown (8)	Unknown (4)
Imposed Penalties for Violations Related to The Worst Forms of Child Labor	Unknown	Unknown (4)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (8)	Yes (4)

In 2019, Iraqi and KRG authorities continued to inappropriately detain and prosecute without legal representation Iraqi and foreign children allegedly affiliated to ISIS—some of whom were victims of forcible recruitment and use—and used abusive interrogation techniques and torture to gain children’s confessions; the government did not screen these children as potential human trafficking victims. (3,32,66)

KRG officials stated that courts can refer cases of the worst forms of child labor to KMOLSA. (14) The government did not investigate or hold anyone criminally accountable for continued allegations of unlawful recruitment and use of child soldiers. The government also failed to investigate and hold criminally accountable military and security personnel for allegations of the sexual exploitation of girls in IDP camps. (3) An NGO reported that police occasionally detained children engaged in street begging and kept them in custody before releasing them; police did not screen these children as possible victims of human trafficking or refer them to appropriate protection services. (3,4)

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According to the KRG, between 2014 and 2019, KRG authorities funded the rescue of more than 3,515 kidnapped Yazidis from ISIS, including 1,600 children. Civil society organizations reported that returned victims of sexual exploitation remained vulnerable to exploitation upon their return to the Kurdistan Region. (57)

Some victims of trafficking, including children trafficked for child soldiering, continued to be punished for unlawful acts while being trafficked. (27,55,67) Lack of sufficient coordination among judicial authorities and security forces across governorates led to re-arrests of some children previously cleared of charges related to ISIS. (68,69)

The government did not provide information on its criminal law enforcement efforts for inclusion in this report. (4)

IV. COORDINATION OF GOVERNMENT EFFORTS ON CHILD LABOR

The government has established mechanisms to coordinate its efforts to address child labor (Table 8). However, gaps exist that hinder the effective coordination of efforts to address child labor, including coordination among agencies 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
Inter-Ministerial Committee on Child Labor	Iraq	Coordinates overall government efforts to combat child labor, research policies regarding child labor, and design and manage projects. Members included representatives from MOLSA and four other ministries. (4) Research was unable to determine whether the Inter-Ministerial Committee on Child Labor was active during the reporting period.
Central Committee to Combat Trafficking in Persons	Iraq	Oversees the implementation of the Law to Combat Human Trafficking and serves as the national coordinating body on trafficking in persons. Led by the Ministry of Interior, and includes representatives from five ministries, KMOI, and two other state entities. (4,14,18) In the past, a lack of sufficient coordination between judicial authorities and security forces led to some children, who were suspected of affiliation with ISIS, cleared of allegations, and released from custody, sometimes being re-arrested for the same allegations. (62,68) Active in 2019. (57)
KRG High Committee on Human Trafficking	Kurdistan Region	Members include representatives of KMOLSA and KMOI. (4) Research was unable to determine whether the KRG High Committee on Human Trafficking was active during the reporting period.
KRG Council of Ministers	Kurdistan Region	KMOI and KMOLSA coordinate on child labor in the Iraqi Kurdistan Region through the KRG Council of Ministers. (4) The council met regularly during the reporting period. (57)
Inter-Ministerial Committee on Trafficking in Persons*	Kurdistan Region	Makes recommendations on implementing the KRG's Anti-Trafficking in Persons Law. Headed by the Director General of the <i>Diwan</i> at the Ministry of Interior, it also includes 17 members from several ministries and services. (5) Established in August 2019. Starting in October 2019, committee members met every 60 days and forwarded their recommendations to the inter-ministerial committee after each meeting. (5)

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

In December 2019, the government of Iraq presented a proposal to prepare a comprehensive plan to reduce child recruitment operations in armed and terrorist conflicts to an intergovernmental committee headed by MOLSA. This proposal was approved with funding by the council. (57)

V. GOVERNMENT POLICIES ON CHILD LABOR

The government has established policies related to child labor (Table 9). However, policy gaps exist that hinder efforts to address child labor, including coverage of all worst forms of child labor.

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Table 9. Key Policies Related to Child Labor

Policy	Related Entity	Description
Child Protection Policy (2017–2022)	Iraq	Provides a holistic approach to addressing children’s needs, including ameliorating the child labor situation in the country through prevention, protection, and rehabilitation programs such as a poverty alleviation initiative, and educational and mental health services. Includes a component to provide rehabilitation and reintegration activities for children previously engaged in armed conflict and children who experienced trauma during the period of ISIS occupation. (8) The policy does not specifically cover other worst forms of child labor present in Iraq, including forced begging and commercial sexual exploitation. Research was unable to determine whether activities were undertaken to implement this policy during the reporting period.

Based on available information, there were no child labor policies in the Kurdistan Region. (8)

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2019, the government funded and participated in programs that include the goal of eliminating child labor (Table 10). However, gaps exist in these social programs, including services to address the full scope of the problem.

Table 10. Key Social Programs to Address Child Labor

Program	Related Entity	Description
Informal Education†	Iraq	Government-supported informal education systems, including evening school programs and the fast education mode that encourages children ages 12 to 18 who have dropped out of school to continue their education. (8) Research was unable to determine what steps were undertaken in 2019 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 2019, MOLSA continued to provide cash assistance to low-income families to send their children to school. (4,8)
Shelters for Human Trafficking Victims†	Iraq	MOLSA-operated shelter in Baghdad for human trafficking victims, including children involved in the worst forms of child labor; other facilities are in Basrah, Kirkuk, and Ninewa provinces. (8) In 2019, shelters received victims of human trafficking. Officials indicated that poor coordination and policies that dissuade victims from seeking help accounted for a low number of victims receiving services through shelters. (5)

† Program is funded by the Government of Iraq.

Neither the Government of Iraq nor the KRG reported efforts to provide protection services to demobilized child soldiers of ISIS or the PMF, thus failing to prevent re-victimization or re-recruitment of these children into armed groups. (3) Likewise, research found no evidence of specific active programs to support children engaged in commercial sexual exploitation or other worst forms of child labor, including child soldiering. Existing programs do not sufficiently address the lack of access to education in Iraq and the Kurdistan Region.

VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE CHILD LABOR

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

Table 11. Suggested Government Actions to Eliminate Child Labor

Area	Suggested Action	Year(s) Suggested
Legal Framework	Ensure that the laws comprehensively prohibit child trafficking in all parts of Iraq, including the Kurdistan Region, and do not require force or coercion for their application, in accordance with international standards.	2015 – 2019
	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
	Ensure that hazardous work protections apply to all children, including children working in family businesses under the authority of family members, and children ages 15 to 17.	2016 – 2019

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

Area	Suggested Action	Year(s) Suggested
Legal Framework	Ensure that the law in Iraq criminally prohibits the use of children in illicit activities, including in the production and trafficking of drugs.	2015 – 2019
	Ensure that the law criminally prohibits the recruitment of children under age 18 by non-state armed groups.	2013 – 2019
	Increase the age of compulsory schooling in Iraq to at least the minimum age for work.	2009 – 2019
Enforcement	Ensure that children under age 18 are not recruited or used by armed groups affiliated with the Popular Mobilization Forces or by Iraqi Security Forces. Hold those that recruit and use children criminally accountable, including leaders of non-state armed groups, where possible.	2016 – 2019
	Ensure that routine labor inspections are carried out in the Kurdistan Region of Iraq.	2019
	Publish labor law enforcement information, such as the funding of the labor inspectorate, number of inspectors, inspections, and violations.	2011 – 2019
	Authorize the labor inspectorate to assess penalties.	2017 – 2019
	Ensure that labor inspectors and criminal investigators receive training, including refresher courses, on child labor.	2016 – 2019
	Increase the number of labor inspectors to meet the ILO technical advice and ensure adequate funding to enforce legal protections against child labor, including its worst forms.	2011 – 2019
	Publish information on criminal law enforcement on the worst forms of child labor in Iraq and the Iraqi Kurdistan Region.	2013 – 2019
	Ensure that child victims of human trafficking are properly screened and not prosecuted for crimes they were forced to commit; that children are not arrested, detained, or denied services solely on the basis of their family members' perceived ties to ISIS; and that children suspected of ISIS affiliation are not subjected to torture.	2015 – 2019
	Ensure that allegations of sexual exploitation of girls in internally displaced persons camps by government officials are investigated and those responsible are held criminally liable.	2019
	Through enhanced coordination among government agencies, ensure that children previously cleared of charges related to armed conflict, human trafficking, and forced labor are not at risk of re-arrest and re-prosecution.	2017 – 2019
Coordination	Ensure all coordinating bodies meet and are able to carry out their intended mandates.	2017 – 2019
	Implement the Child Protection Policy in Iraq, and adopt a child labor policy in the Iraqi Kurdistan Region.	2018 – 2019
Government Policies	Adopt policies to address child labor in forced begging and commercial sexual exploitation.	2019
	Ensure that children are discouraged from enlisting in armed groups and receiving military training.	2015 – 2019
Social Programs	Ensure that universal access to education is consistent with international standards, including for refugee and internally displaced children.	2013 – 2019
	Implement programs to address child labor in relevant sectors in Iraq, such as commercial sexual exploitation, informal education programs and shelters for human trafficking victims, and demobilize and reintegrate children engaged in armed groups.	2009 – 2019

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In 2019, Jamaica made a moderate advancement in efforts to eliminate the worst forms of child labor.

The government approved an updated National Plan of Action to Combat Human Trafficking and conducted a 4-day training workshop on human trafficking. It also significantly expanded the budget for the Program for Advancement through Health and Education, from \$35 million in 2018 to \$70.7 million in 2019. However, children in Jamaica engage

in the worst forms of child labor, including in commercial sexual exploitation, sometimes as a result of human trafficking, and illicit activities. Children also perform dangerous tasks in agriculture and street work. Although the government has laws prohibiting the use of children in some illicit activities, it does not provide higher penalties for using, procuring, or offering children for the production and distribution of drugs compared to those for using adults. In addition, Jamaica's labor inspectorate lacks the authority to assess penalties for labor law violations.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Jamaica engage in the worst forms of child labor, including in commercial sexual exploitation, sometimes as a result of human trafficking, and illicit activities. (1,2) Children also perform dangerous tasks in agriculture and street work. (3) Table 1 provides key indicators on children's work and education in Jamaica.

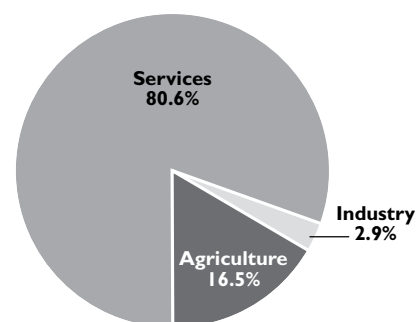
Table 1. Statistics on Children's Work and Education

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 (%)		85.6

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

Source for all other data: International Labor Organization's analysis of statistics from Jamaica Youth Activity Survey (SIMPOC), 2016. (3)

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



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

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

Sector/Industry	Activity
Agriculture	Farming,† activities unknown (1,3,5,6)
	Fishing, activities unknown (1,3,7)
Industry	Construction† (6)
Services	Garbage scavenging and collecting scrap metal (1,8)
	Working in gardens, shops, and markets (1,5-7,9,10)
	Domestic work (1,5,6,8,10-14)
	Street work, including peddling goods and services, begging,† and vending (1,5,13,15)
	Wholesale and retail (3)
Categorical Worst Forms of Child Labor‡	Commercial sexual exploitation, sometimes as a result of human trafficking (2,5,6,13,16)
	Forced labor in domestic work (2,5,14)
	Use in illicit activities, including executing financial scams and serving as drugs and guns couriers (1,2,5,6,8,10,13,16-19)

† 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.

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In 2018, the Statistical Institute of Jamaica and the ILO released the results of the Jamaica National Youth Activity Survey, which estimated that 37,965 children are engaged in child labor in Jamaica, with 48.9 percent engaged in hazardous work. Children perform hazardous work primarily in the domestic work sector, in agriculture and fishing, in the wholesale and retail sectors, and in construction. (20) Children in rural areas are more likely to work than children in urban areas, work more hours, and engage in hazardous work. (3,20)

Jamaica is a destination and source country for commercial sexual exploitation of children. Jamaican children are trafficked for commercial sexual exploitation and forced labor to countries including the United States, the United Kingdom, and Canada. (14) Sources indicate that children, sometimes at the behest of parents or criminal leaders referred to as “dons,” are forced into commercial sexual exploitation. (1) Young girls, immigrant children, lesbian/gay/bisexual/transgender/intersex youth, children from poor families, and children from rural areas are particularly vulnerable to human trafficking and child sexual exploitation. (2,5)




Children also continue to be recruited by criminal organizations to engage in illicit activities, such as gang violence, guns and drug smuggling, and financial fraud, including lottery scamming. (1,2,5,16,19) Child domestic workers may be subjected to domestic servitude, and some children are subjected to forced begging. Many children are reported missing in Jamaica, some of whom may be subjected to forced labor. (2,5,21)

Although the law mandates free public education and school attendance rates are high, the cost for transportation, food, books, and uniforms creates barriers to education for some children. (1,22,23)

II. LEGAL FRAMEWORK FOR CHILD LABOR

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

Table 3. Ratification of International Conventions on Child Labor

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

The government has established laws and regulations related to child labor (Table 4). However, gaps exist in Jamaica’s legal framework to adequately protect children from the worst forms of child labor, including the prohibition of using children for the production and distribution of drugs.

Table 4. Laws and Regulations on Child Labor

Standard	Meets International Standards	Age	Legislation
Minimum Age for Work	Yes	15	Article 34(1) of the Child Care and Protection Act (24)
Minimum Age for Hazardous Work	Yes	18	Article 34(3) of the Child Care and Protection Act (24)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Articles 34(3)(b) and 41 of the Child Care and Protection Act of 2004; Section 55 of the Factories Act: Docks (Safety, Health and Welfare) Regulations; Section 18 of the Mining Act; Section 49(2) of the Factories Act: Building Operations and Works of Engineering Construction Regulations (24-27)
Prohibition of Forced Labor	Yes		Section 4 of the Trafficking in Persons (Prevention, Suppression and Punishment) Act (28)

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

Standard	Meets International Standards	Age	Legislation
Prohibition of Child Trafficking	Yes		Section 4 of the Trafficking in Persons (Prevention, Suppression and Punishment) Act; Section 10 of the Child Care and Protection Act (24,28)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Section 4 of the Trafficking in Persons (Prevention, Suppression and Punishment) Act; Sections 3-5 of the Child Pornography (Prevention) Act; Sections 20 and 40 of the Sexual Offences Act (28-30)
Prohibition of Using Children in Illicit Activities	Yes		Section 4 of the Criminal Justice (Suppression of Criminal Organizations) Act (31)
Minimum Age for Voluntary State Military Recruitment	Yes	18	Section 18(2) of the Defense Act (32)
Prohibition of Compulsory Recruitment of Children by (State) Military	N/A*		
Prohibition of Military Recruitment by Non-state Armed Groups	No		v
Compulsory Education Age	Yes	16	Section 28 of the Child Care and Protection Act (24)
Free Public Education	Yes		Section 13(k) of the Jamaican Charter of Fundamental Rights and Freedoms (33)

* No conscription (28)

The Occupational Safety and Health Bill was expected to be passed by parliament during the reporting year, but it still has not been passed. Regulations associated with the bill, if passed, will specify light work activities permitted for children ages 13 and 14. (1,5,34)

Jamaican laws do not specifically include higher penalties for perpetrators who use, procure, or offer a child for the production and distribution of drugs. (24,35) 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 schooling.

III. ENFORCEMENT OF LAWS ON CHILD LABOR

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

Table 5. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
Ministry of Labor and Social Security (MLSS)	Enforces and administers child labor laws in the formal sectors of the economy. The Child Labor Unit within MLSS coordinates and shares information with other agencies to address child labor issues. (6)
Child Protection and Family Services Agency (CPFSA)	Monitors and investigates suspected child labor violations and oversees efforts to address child labor. Housed under the Ministry of Education, Youth, and Information. (1,34) Receives complaints of child abuse, child labor, child trafficking, and commercial sexual exploitation of children through a hotline. Refers suspected cases of child abuse to law enforcement. (1,6)
Office of the Children's Advocate	Independently investigates reports of child abuse; partners with other agencies, including CPFSA and the police, to promote protection of children and address child labor. (6)
Jamaica Constabulary Force	Enforces criminal laws, including those related to the worst forms of child labor. Investigates, through the Anti-Trafficking in Persons Unit, cases of child trafficking and commercial sexual exploitation. (6) Investigates, through the Center for the Investigation of Sexual Offenses and Child Abuse, cases of child and sexual offenses, and educates the public about sexual offenses against children. (1)
Office of the Director of Public Prosecutions	Prosecutes cases involving the worst forms of child labor. Protects and promotes human rights for all citizens. (36)

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

Organization/Agency	Role
Office of the National Rapporteur on Trafficking in Persons	Monitors government efforts in protecting human trafficking victims, prosecuting cases, and implementing preventative measures. (5)
Ministry of Justice Victim Services Division	Provides emotional support, crisis management, and special intervention projects for children and adults. (5) Assists child victims of crime through the Children in Court Program, which offers victims access to social workers and counselors. (37)
Counter Terrorism & Organized Crime Investigation Branch, Anti-Trafficking in Persons Unit	Responsible for special investigations of human trafficking, to include child trafficking and crimes such as forced child labor, commercial sexual exploitation, and the use of children in illicit activities in which trafficking is involved. (6)

Labor Law Enforcement

In 2019, labor law enforcement agencies in Jamaica took actions to combat child labor (Table 6). However, gaps exist within the authority of the MLSS that may hinder adequate labor law enforcement, including penalty assessment authorization.

Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2018	2019
Labor Inspectorate Funding	2,700,000 (38)	3,000,000 (38)
Number of Labor Inspectors	150 (5,39)	183 (38)
Inspectorate Authorized to Assess Penalties	No (5)	No (6)
Initial Training for New Labor Inspectors	Yes (5)	Yes (38)
Training on New Laws Related to Child Labor	Yes (5)	Yes (38)
Refresher Courses Provided	Yes (5)	Yes (38)
Number of Labor Inspections Conducted	5,221 (5)	Unknown (6)
Number Conducted at Worksite	Unknown (5)	Unknown (6)
Number of Child Labor Violations Found	1 (5)	0 (38)
Number of Child Labor Violations for Which Penalties Were Imposed	0 (5)	Unknown (6)
Number of Child Labor Penalties Imposed that Were Collected	0 (5)	Unknown (6)
Routine Inspections Conducted	Yes (5)	Unknown (6)
Routine Inspections Targeted	Yes (5)	Unknown (6)
Unannounced Inspections Permitted	Yes (5)	Yes (6)
Unannounced Inspections Conducted	Yes (5)	Unknown (6)
Complaint Mechanism Exists	Yes (5)	Yes (6)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (5)	Yes (6)

In 2019, the MLSS received funding in line with previous years. (5,6)

The Government of Jamaica is developing a National Referral Mechanism for child trafficking victims as an objective under the Child Protection Compact, in partnership with USDOS. (6,40)

However, inspectors still do not have the authority to assess penalties, and only 149 of the 183 inspectors received training on child labor. Furthermore, ongoing refresher training, though available, is not required unless an administrative order or policy directive is issued. (6) In 2019, 300 MLSS staff members were sensitized on child labor and trafficking through the Program of Advancement Through Health and Education (PATH). (38)

Child labor in Jamaica is mostly found in the informal sector; however, labor inspectors conduct inspections primarily in the formal sector, such as factories, building sites, docks, and ships. In 2019, there were no inspections in the informal sector, such as in rural areas, on family farms, or in homes. (6) Despite the presence of domestic child labor in Jamaica, inspectors are not allowed to enter and inspect private residences. (6)

Criminal Law Enforcement

In 2019, criminal law enforcement agencies in Jamaica took actions to combat child labor (Table 7). However, gaps exist within the operations of the criminal enforcement agencies that may hinder adequate criminal law enforcement, including training for prosecutors.

Table 7. Criminal Law Enforcement Efforts Related to Child Labor

Overview of Criminal Law Enforcement	2018	2019
Initial Training for New Criminal Investigators	Unknown	Yes (38)
Training on New Laws Related to the Worst Forms of Child Labor	Unknown	N/A (6)
Refresher Courses Provided	Unknown	Yes(38)
Number of Investigations	Unknown	18(38)
Number of Violations Found	5 (5)	4(38)
Number of Prosecutions Initiated	Unknown	4(38)
Number of Convictions	Unknown	5(38)
Imposed Penalties for Violations Related to The Worst Forms of Child Labor	Yes (2)	Yes(38)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Unknown	Yes (6)

In 2019, the Government of Jamaica undertook efforts to increase awareness of human trafficking, including conducting several sensitization campaigns. These included an event organized by the Custos of Manchester, which brought together 1,300 youth from across Jamaica with the police, the National Task Force Against Trafficking in Persons, and local community leaders. (6) The National Task Force Against Trafficking in Persons also launched the Anti-Trafficking in Persons Club in Schools Program. (6) However, research indicates that the conviction rates for child labor crimes are very low in relation to the prevalence of these crimes, and cases take a long time to prosecute. Furthermore, bureaucratic processes inhibit the efficacy of the Counter-terrorism and Organized Crime Investigation Branch Anti-Trafficking Unit in investigating and prosecuting human trafficking cases. (5) Sources also indicate that prosecutors need additional training on the application of trafficking in persons laws for adequate prosecution of cases. (41) During the reporting period, there was one conviction related to trafficking and the sexual exploitation of a minor, as well as four other convictions related to the sexual exploitation of a minor. (38,40)

IV. COORDINATION OF GOVERNMENT EFFORTS ON CHILD LABOR

The government has established mechanisms to coordinate its efforts to address child labor (Table 8). However, gaps exist that hinder the effective coordination of efforts to address child labor, including 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, such as the Ministry of Education, Youth, and Information, CPFSA, the Ministry of Justice's National Task Force Against Trafficking in Persons (NATFATIP), and the Ministry of National Security, to address gaps in legislation. (42) Research was unable to determine what actions were taken by this mechanism during the reporting period.
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. (6,38) Oversees implementation of the country's National Action Plan to Combat Human Trafficking. (8) Meets regularly with the Jamaica Constabulary Force, the Director of Public Prosecutions, and relevant ministries. (6,8) In 2019, NATFATIP, in collaboration with the Tourism Product Development Company's Team Jamaica trainers, conducted a 4-day training workshop on human trafficking. (6)
National Steering Committee on Child Labor (NASTOCL)	Coordinates the government's design and implementation of activities and regulations to reduce child labor under the National Action Plan. Meets regularly with relevant government agencies and civil society. In 2019, NASTOCL, coordinated efforts towards the completion of the National Action Plan (NAP) to Eliminate Child Labor in Jamaica (2019-2024) along with the finalization of the Light and Hazardous Work List. (38)

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Although the Child Protection and Family Services Agency has assumed a coordinating function between various agencies charged with protecting children, the organization is not mandated or resourced to play this role. As such, Jamaica lacks an effective agency to coordinate among child labor, human trafficking, and other child-related issues. (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 the fact that child labor prevention and elimination strategies are still not integrated into the Compulsory Education Policy.

Table 9. Key Policies Related to Child Labor

Policy	Description
National Action Plan to Combat Human Trafficking (2018-2021)	Identifies objectives, actions, and responsible agencies to combat trafficking in persons, including commercial sexual exploitation of children and forced child labor, through prevention, protection, and prosecution. (19) The government approved an updated National Plan of Action to Combat Human Trafficking (2018–2021) in Cabinet on March 28, 2019. The National Action Plan is intended to address all forms of trafficking in persons and all potential victims, including victims of sex trafficking and forced labor, foreign-born and domestic victims, and children and adults. (6)

The government indicated that it approved an updated National Plan of Action to Combat Human Trafficking (2018–2021) on March 28, 2019. (6) The government also indicated it completed development of a National Action Plan to Combat Child Labor through the Country Level Engagement and Assistance to Reduce Child Labor (CLEAR II) Project. (38) However, child labor prevention and elimination strategies are still not integrated into the Compulsory Education Policy. (8,43)

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2019, the government funded and participated in programs that include the goal of eliminating or preventing child labor (Table 10). However, gaps exist in these social programs, including adequacy of programs to address the full scope of the problem.

Table 10. Key Social Programs to Address Child Labor

Program	Description
Program for Advancement through Health and Education (PATH)†	Government of Jamaica and World Bank-funded, conditional cash transfer program that helps reduce child labor by requiring participants to attend school at least 85 percent of the academic days in a month. (6,44,45) More than 258,000 children participated during the rating period. (38) The MLSS significantly expanded the budget for PATH, from \$35 million in 2018 to \$70.7 million in 2019, with funds allocated to expand the school feeding program, provide support for provision of the rural transportation program, increase the average cash grant that PATH beneficiaries receive by 14–23 percent, increase the number of subjects available for PATH students, and retain the back-to-school grant. (6,22,23)
Citizen Security and Justice Program†	Cooperative crime and violence prevention initiative between the Government of Jamaica, the Inter-American Development Bank, the Department of Foreign Affairs, Trade and Development of Canada, and the Department for International Development of the United Kingdom of Great Britain and Northern Ireland. Provides services to 50 vulnerable communities in 8 different parishes, and includes the goal of preventing gangs, criminals, and other actors from recruiting children. (5) In 2019, the government increased funding for the program to more than \$10 million. (6)
USDOL-Funded Projects	USDOL projects that aim to eliminate child labor through technical assistance and research. These projects include: Global Research on Child Labor Measurement and Policy Development (MAP), a research project implemented by ILO in 10 countries to increase the knowledge base on child labor by collecting new data, analyzing existing data, and building capacity of the government to conduct research in this area; and Country Level Engagement and Assistance to Reduce Child Labor II (CLEAR II), a \$7 million project implemented by Winrock International and Lawyers without Borders in six countries aimed at reducing child labor through improved legislation, monitoring and enforcement, and national plan implementation. (46,47) Through the CLEAR II project, the government continued to review and finalize regulations pertaining to child labor, including light work and hazardous works lists, under the Occupational Safety and Health Bill. The project also provided technical assistance to the government for the development of a National Action Plan on Child Labor. (5,48) As part of the MAP project, Jamaica officially launched its National Child Labor Survey. (46) The project ended in July 2019. (49) Additional information is available on the USDOL website.

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

Program	Description
U.S.-Jamaica Child Protection Compact Partnership (2018–2022)	Jointly developed, 4-year plan partially funded by the U.S. Government to enhance the efforts of the Government of Jamaica to combat child trafficking. Finalized in 2018, Jamaica committed to providing staff and resources to fulfill the project's objectives. (2) Formally launched in 2019 with implementing partners Warnath, Winrock, IOM, and Encompass, and began activities and training across the island. (6)
Trafficking in Persons Club in School Program*†	Launched by NATFATIP and implemented by the Ministry of National Security and launched in October 2019, the program is designed to provide information, exposure, and knowledge to students and teachers regarding child trafficking to help protect them from becoming victims. (6)

* Program was launched during the reporting period.

† Program is funded by the Government of Jamaica.

‡ The government had other social programs that may have included the goal of eliminating or preventing child labor. (50-53)

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. (5) 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 – 2019
	Raise the minimum working age of 15 to conform with the compulsory education age of 16.	2018 – 2019
	Pass legislation that will determine the specific light work activities and hours permissible for children ages 13 and 14 to facilitate enforcement.	2014 – 2019
	Ensure that the law criminally prohibits the recruitment of children under age 18 by non-state armed groups.	2016 – 2019
Enforcement	Authorize the labor inspectorate to assess penalties.	2014 – 2019
	Ensure that yearly refresher training is mandatory for all labor inspectors.	2018 – 2019
	Collect and publish complete data on labor and criminal law enforcement efforts.	2018 – 2019
	Ensure that labor inspections are conducted not only in the formal sector, such as factories, building sites, docks, and ships, but also in the informal sector in urban and rural communities, and that ensure that labor inspectors are able to inspect domestic service worksites.	2014 – 2019
	Provide sufficient training for prosecutors to address the worst forms of child labor, such as child trafficking.	2018 – 2019
	Address bureaucratic barriers to effective investigation and prosecution of human trafficking cases and child labor cases, and ensure that these cases are prosecuted in a timely manner.	2018 – 2019
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 – 2019
	Ensure that the Ministry of Labor and Social Security is implementing its Program for the Elimination of Child Labor.	2018 – 2019
Government Policies	Integrate child labor elimination and prevention strategies into the Compulsory Education Policy.	2014 – 2019
Social Programs	Ensure that school costs, such as uniforms, books, food, and transportation, do not diminish access to free public education.	2017 – 2019
	Ensure that social programs adequately address child labor, including the worst forms of child labor and expand programs to assist child laborers who are involved in street work, commercial sexual exploitation, agricultural work, and other worst forms of child labor.	2013 – 2019

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In 2019, Jordan made a moderate advancement in efforts to eliminate the worst forms of child labor. The Ministry of Labor's Child Labor Unit established and began using an electronic child labor monitoring system to coordinate government and civil society efforts to remove children from child labor and provide them with services. Moreover, the government increased the number of families receiving assistance through the National Aid Fund, a program that provides cash transfers conditioned on families re-enrolling working children in school. In addition, the government continued to provide shelter, educational, and financial services to children engaged in child labor. However, children in Jordan engage in the worst forms of child labor, including in street work. Children also perform dangerous tasks in agriculture. Insufficient resources hampered the Ministry of Labor's capacity to ensure compliance with child labor laws in the agricultural sector. Moreover, and despite government efforts, Syrian children still face barriers to accessing education due to socioeconomic pressures, bullying, and costs associated with transportation and supplies, among other issues. In addition, the government did not conduct investigations on cases related to the worst forms of child labor, including forced begging or commercial sexual exploitation of children, even though there is evidence of these worst forms of child labor.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Jordan engage in the worst forms of child labor, including in street work. (1,2) Children also perform dangerous tasks in agriculture. (3,4) 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. (3) Boys constitute nearly 90 percent of those involved in child labor. (3) Table 1 provides key indicators on children's work and education in Jordan.

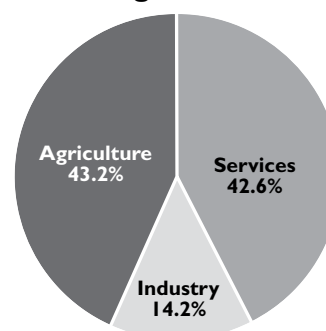
Table 1. Statistics on Children's Work and Education

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 (%)		72.7

Source for primary completion rate: Data from 2018, published by UNESCO Institute for Statistics, 2020. (5)

Source for all other data: International Labor Organization's analysis of statistics from National Child Labor Survey (SIMPOC), 2016. (6)

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



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

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

Sector/Industry	Activity
Agriculture	Farming, including weeding, planting, and harvesting tomatoes and olives (3,4,7-12)
Industry	Mining† and quarrying† (3)
	Construction,† including building and painting homes (3,4,13,14)
	Manufacturing, activities unknown (3,15)
	Carpentry† (13,14)
	Blacksmithing† (13)

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

Sector/Industry	Activity
Services	Repairing automobiles† (3,7,14,15)
	Attending to donkeys, camels, and horses to transport tourists (16)
	Street work,† including selling items, washing cars, and begging (7,13-15)
	Scavenging scrap metal and waste (17,18)
	Domestic work† (7,15)
	Food services, including working in restaurants and bakeries (3,7,13,15)
	Hotel services† (3,15)
	Working in retail, including cleaning shops (3,10,19)
Categorical Worst Forms of Child Labor‡	Forced begging, sometimes as a result of human trafficking (1,20-22)
	Commercial sexual exploitation, sometimes as a result of human trafficking (21-24)

† 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.




While Syrian children are granted access to Jordanian public schools, more than 83,000, or nearly one third of all Syrian refugee children, were not enrolled in formal or informal education in academic year 2018–2019. (2) These children face barriers to education, including bullying and harassment, and the costs of transportation, uniforms, and school materials. In addition, they are unprepared for their appropriate grade level because of interruptions in their early years of schooling. (4,25-28) NGOs have indicated that, among Syrian refugees, child labor in agriculture alongside family members has increased. (22)

In previous years, Jordan waived a requirement for documentation in order to expand access to education for Syrian children. However, the government opted not to extend the waiver for the 2019-2020 academic year. (29) The government continued to address the overcrowding of classrooms by providing school attendance in double-shift schools. (2,30,31) At these double-shift schools, Jordanian children attend in the morning and Syrian children attend in the afternoon. (20,32) Out of approximately 3,800 schools in the country, Jordan ran more than 354 schools on double-shift schedules. (2) In 2019, 200 of the latter were for refugee children, mainly Syrian. (2) In addition, the Ministry of Education provides an accelerated educational program for refugees who have been out of school for more than 3 years. (22) However, Jordanian and Syrian children attending double-shift schools are vulnerable to child labor because the school hours are considerably shorter, and fewer school hours leave more time for work. (33,34)

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 (35)
Minimum Age for Hazardous Work	Yes	18	Article 74 of the Labor Code; Article 2 of the Ministerial Order of 2011 (35,36)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Article 2 of the Ministerial Order of 2011 (36)
Prohibition of Forced Labor	No		Articles 3(a)–(b) of the Law on the Prevention of Human Trafficking (35,37)
Prohibition of Child Trafficking	Yes		Article 3(a) of the Law on the Prevention of Human Trafficking (37)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Articles 298–299, 306, 310–311, 315, and 319 of the Penal Code; Article 3(b) of the Law on the Prevention of Human Trafficking (37,38)
Prohibition of Using Children in Illicit Activities	Yes		Article 8 of the Narcotic Drugs and Psychotropic Substances Act (39)
Minimum Age for Voluntary State Military Recruitment	N/A*		
Prohibition of Compulsory Recruitment of Children by (State) Military	Yes		Article 3(a) of the National Service Act (40)
Prohibition of Military Recruitment by Non-state Armed Groups	No		
Compulsory Education Age	Yes	16	Articles 7(a.2) and 10(b) of the Education Act (41)
Free Public Education	Yes		Article 20 of the Constitution (42)

* No volunteers are accepted to join the armed forces. (43,44)

III. ENFORCEMENT OF LAWS ON CHILD LABOR

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

Table 5. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
Ministry of Labor (MOL), Directorate of Labor Affairs and Inspection	Enforces labor laws, including those on child labor. Maintains a hotline to receive labor-related complaints, including complaints of child labor. (17) 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. (45) 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. (43,46) The phone number is difficult to locate and, based on available information, operators rarely respond to voicemails left after working hours. (43,46)
MOL Child Labor Unit	Coordinates government efforts to campaign against child labor, conducts training, and raises awareness about child labor issues. (20) 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. (17)
Joint Anti-Trafficking Unit of MOL and the Public Security Directorate	Investigates cases of human trafficking and forced labor, refers cases for prosecution, and coordinates with foreign embassies to identify victims of human trafficking and to repatriate workers. (2)

Labor Law Enforcement

In 2019, labor law enforcement agencies in Jordan took actions to combat child labor (Table 6). However, gaps exist within the operations of the MOL that may hinder adequate labor law enforcement, including insufficient regulations and resources.

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Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2018	2019
Labor Inspectorate Funding	\$422,715 (15)	\$422,715 (47)
Number of Labor Inspectors	135 (48)	171 (2)
Inspectorate Authorized to Assess Penalties	Yes (49)	Yes (50)
Initial Training for New Labor Inspectors	N/A	Yes (2)
Training on New Laws Related to Child Labor	N/A	N/A
Refresher Courses Provided	Yes (48)	Yes (2)
Number of Labor Inspections Conducted	52,663 (51)	63,653 (2)
Number Conducted at Worksite	Unknown	63,653 (2)
Number of Child Labor Violations Found	671 (48)	467 (2)
Number of Child Labor Violations for Which Penalties Were Imposed	Unknown	250 (2)
Number of Child Labor Penalties Imposed that Were Collected	Unknown	Unknown (2)
Routine Inspections Conducted	Yes (15)	Yes (2)
Routine Inspections Targeted	Yes (15)	Yes (2)
Unannounced Inspections Permitted	Yes (15)	Yes (2)
Unannounced Inspections Conducted	Yes (15)	Yes (2)
Complaint Mechanism Exists	Yes (15)	Yes (2)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (52)	Yes (2)

When a labor inspector identifies a child laborer, the inspector issues a warning and may issue a fine, and asks the employer to send the child home while the inspector is still present. (33) A warning requires the employer to sign a pledge declaring that they will cease employing children. Without the pledge, the MOL can close the business. (20) The information about the child is then shared with the Ministry of Social Development (MOSD), which contacts the family to identify the appropriate social services needed. If a child labor violation has been identified, the labor inspector conducts unannounced follow-up inspections at the worksite to ensure compliance. (33) In 2019, the MOL issued 295 warnings for child labor. Following a warning, the case is logged into an electronic database and referred to the MOSD for follow up. (2)

In 2019, the government reported an increase in inspectors from 135 to 171 as inspectors in managerial positions took on increased field inspection responsibilities. (51) The MOL conducted 63,653 inspections, 7,143 of which were conducted in East Amman, Petra, and the al-Zaatari refugee camp, in which child labor likely exists. (2) 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.

Insufficient regulations and resources, and the migratory nature of the agricultural sector hampered the MOL's capacity to ensure compliance with child labor laws in the agriculture sector. (15,17,53) In addition to ongoing national budget constraints, the MOL has not issued regulations on labor inspections in agriculture, which further limits its oversight in this sector. (33,53) In 2019, the MOL worked with Better Work Jordan on drafting and issuing manuals for inspectors in agriculture, chemicals, engineering, and plastics, each of which contains a chapter on child labor. (2)

The government did not provide information on the number of child labor penalties that were collected for inclusion in this report.

Jordanian children identified during labor inspections are referred to the Child Labor Unit of the MOSD. (33,54) Until early 2019, Syrian refugee children who were identified during labor inspections were separated from their families and taken to the Azraq refugee camp. (33,55,56) Families faced difficulties in reuniting with children sent to Azraq, including traveling long distances from urban areas where the majority of refugees live and other camps. (47,55,56) Additionally, those families that live in host communities (i.e., about 80 percent of all Syrian refugees) feared that by presenting themselves at Azraq, they would also be forced to stay at the Azraq camp and lose their freedom of movement and livelihoods. (46,55,56) According to UNICEF, the practice of detaining

minors engaged in illegal labor continues following the closure of the Azraq facility, although at a reduced level. (46)

Criminal Law Enforcement

In 2019, criminal law enforcement agencies in Jordan took actions to combat child labor (Table 7). However, gaps exist within the operations of the criminal enforcement agencies that may hinder adequate criminal law enforcement, including investigation planning.

Table 7. Criminal Law Enforcement Efforts Related to Child Labor

Overview of Criminal Law Enforcement	2018	2019
Initial Training for New Criminal Investigators	Unknown	Yes
Training on New Laws Related to the Worst Forms of Child Labor	N/A	N/A
Refresher Courses Provided	Yes (43)	Yes (71)
Number of Investigations	0 (71)	0 (71)
Number of Violations Found	0 (71)	0 (71)
Number of Prosecutions Initiated	0 (71)	0 (71)
Number of Convictions	0 (71)	0 (71)
Imposed Penalties for Violations Related to The Worst Forms of Child Labor	No (71)	No (71)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (20)	Yes (20)

In 2019, the Joint Anti-Trafficking Unit conducted 39 workshops with civil society organizations and 250 lectures throughout the country to raise awareness regarding human trafficking indicators. (1) During the reporting period, the Joint Anti-Trafficking Unit investigated 205 cases, 13 of which were found to be human trafficking cases and an additional 8 were cases of forced labor. (1) However, criminal law enforcement agencies in Jordan conducted no investigations on cases related to the worst forms of child labor, including forced begging or commercial sexual exploitation of children, even though there is evidence of these worst forms of child labor. (20,21,23,71)

IV. COORDINATION OF GOVERNMENT EFFORTS ON CHILD LABOR

The government has established mechanisms to coordinate its efforts to address child labor (Table 8). However, gaps exist that hinder the effective coordination of efforts to address child labor, including 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. (57) The National Committee on Child Labor did not meet in 2019. (51)
National Committee for the Prevention of Human Trafficking	Coordinates government efforts to combat human trafficking, and chaired by the Ministry of Justice. Other members include representatives from 10 state agencies, including the Counter Trafficking Unit, which is in charge of human trafficking investigations. (58) The Counter Trafficking Unit is operated jointly by the Public Security Directorate and MOL. (43) The committee met in January 2019 and meets on an ad hoc basis. (1)

Although Jordan has a National Committee for the Prevention of Human Trafficking to coordinate efforts to address trafficking in persons, it does not have coordinating mechanisms to address other forms of child labor, including street and farm work. (59)

V. GOVERNMENT POLICIES ON CHILD LABOR

The government has established policies that are consistent with relevant international standards on child labor (Table 9). However, policy gaps exist that hinder efforts to address child labor, including implementation.

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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. (60) In 2019, the government continued training programs and the drafting of a new national framework. (2)
Jordan Response Plan for the Syria Crisis (2018–2020)	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. (61) In academic year 2018–2019, 200 double-shift schools served Syrian refugees. (2)
Plan of Action to Eliminate Child Labor in Tourism in Petra	Employs counselors to respond to children at risk of truancy, raise children’s awareness of the hazards of child labor and the significance of education, incorporate child labor prevention strategies into mainstream programs for legally employed children age 16 and older, and inform students about high-quality employment in the tourism sector. (62) The government has yet to implement the plan since passing it in 2015. During the reporting period, the government held meetings with UNICEF on carrying out the plan. (47)

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2019, the government funded and participated in programs that include the goal of eliminating or preventing child labor (Table 10). However, gaps exist in these social programs, including the adequacy of 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. (64) Provides services to children engaged in child begging through centers in Madaba and Delail (Zarqa). (46) Active in 2019. (51)
Social Support Center in Marka†	ILO- and MOL-funded center operated in cooperation with the ILO at Marka, the Palestinian refugee camp. Activities include identifying child laborers, providing services such as non-formal education, and assisting families in finding alternate forms of supplemental income. (17) Active in 2019. (51)
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. (17) In 2019, the fund increased the number of families receiving cash transfers from 92,000 to 105,000 in line with the 2019 to 2021 expansion plan. (65-67)
Non-Formal Education Centers	Funded by USAID and UNICEF, and operated by the Ministry of Education and local NGO Questscope, these centers throughout the country seek to bring school dropouts, including those engaged in or at risk of child labor, back into the educational system. Children attend classes 3 hours a day in a flexible learning environment, with class sizes of around 20 students and specially trained teachers. (33,34) Targets children age 13 and older. Upon completion of the curriculum, students receive a certificate indicating the equivalency of grade 10 education. (34) A center in Petra provides services to children at risk of child labor in the tourism industry in Petra. (68) Active in academic year 2018–2019. (69)
Measurement, Awareness-Raising, and Policy Engagement Project on Child Labor and Forced Labor (MAP16)	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. (63) In Jordan, the project strengthens the government’s ability to address child labor, especially in communities most affected by the Syrian refugee crisis, including updating relevant policies and programs. The project also carries out limited research on the nature of child labor in agriculture. Additional information is available on the USDOL website.

† 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. (70)

Although Jordan has programs that target child labor, the scope of these programs does not fully address the extent of the problem, including the worst forms of child labor in agriculture, construction, and street vending.

VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE CHILD LABOR

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

Table 11. Suggested Government Actions to Eliminate Child Labor

Area	Suggested Action	Year(s) Suggested
Legal Framework	Ensure that the law criminally prohibits the recruitment of children under age 18 into non-state armed groups.	2016 – 2019
	Ensure that the law criminalizes forced labor as its own offense.	2019
Enforcement	Improve the quality of the Ministry of Labor's hotline by ensuring that operators, including those who speak foreign languages, are available outside of business hours, and ensuring that the translated recorded message is of high quality.	2018 – 2019
	Publish information about labor law enforcement, including labor inspectorate funding and the number of penalties collected for child labor violations.	2015 – 2019
	Ensure that Ministry of Labor inspectors have the resources needed to carry out inspections in the agricultural sector; and ensure that regulations are issued to mandate labor inspections in agriculture.	2014 – 2019
	Ensure that refugee children identified during labor inspections are referred to social services and are not separated from their families and taken to refugee camps.	2016 – 2019
	Ensure that investigations are conducted on the worst forms of child labor, including forced begging and the commercial sexual exploitation of children.	2015 – 2019
	Ensure that the number of inspections conducted per inspector allows for high quality inspections.	2019
Coordination	Establish coordinating mechanisms to combat all worst forms of child labor and other forms of child labor, including street and farm work.	2018 – 2019
	Ensure that the National Committee on Child Labor meets and carries out its mandate.	2019
Government Policies	Implement the Plan of Action to Eliminate Child Labor in Tourism in Petra.	2018 – 2019
Social Programs	Continue to expand access to education for all children, including providing after-school programs, extending school hours, and ensuring Syrian refugees may enroll in school.	2013 – 2019
	Institute programs to address the worst forms of child labor in agriculture, construction, and street vending.	2013 – 2019

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In 2019, Kazakhstan made a moderate advancement in efforts to eliminate the worst forms of child labor. The Ministry of Internal Affairs, in cooperation with other government agencies, carried out targeted joint inspection operations in areas where child labor may occur, and the government adopted a new national action plan on elimination of the worst forms of child labor. However, children in Kazakhstan engage in the worst forms of child labor, including in commercial sexual exploitation. Children also engage in child labor in markets. The government lacks current, comprehensive, and detailed research on child labor, including in cotton production. Labor inspectors also have limited authority to conduct routine inspections. In addition, the government did not carry out social programs to assist children engaged in all relevant forms of child labor in the country.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Kazakhstan engage in the worst forms of child labor, including in commercial sexual exploitation. Children also engage in child labor in markets. (1,2,3,4,5) Table 1 provides key indicators on children's work and education in Kazakhstan.

Table 1. Statistics on Children's Work and Education

Children	Age	Percent
Working (% and population)	5 to 14	3.2 (79,690)
Attending School (%)	5 to 14	90.7
Combining Work and School (%)	7 to 14	3.6
Primary Completion Rate (%)		106.4

Source for primary completion rate: Data from 2019, published by UNESCO Institute for Statistics, 2020. (6)

Source for all other data: International Labor Organization's analysis of statistics from Multiple Indicator Cluster Survey 3 (MICS 3), 2006. (7)

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

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

Sector/Industry	Activity
Agriculture	Farming, including harvesting vegetables, weeding, collecting worms, and harvesting cotton† (4,5,8-15)
Industry	Construction,† activities unknown (2,5)
Services	Working in markets and on the streets, including transporting and selling items (4,5,15-18)
	Domestic work, including child care (2,5,19)
	Working in gas stations (15)
	Car washing (15-18)
	Working in restaurants† as waiters (15,16,18,20)
Categorical Worst Forms of Child Labor‡	Commercial sexual exploitation, sometimes as a result of human trafficking (3,15)
	Forced begging, sometimes as a result of human trafficking (2,3)

† 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 cotton production, the nature of their work, or the hazards involved.

Migrant children from the Kyrgyz Republic, some of whom may be unaccompanied, might engage in work in Kazakhstan. (5) Migrant children who are above the minimum working age theoretically have a right to a legal

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work permit, which would entitle them to work protections such as limited work hours. (5,21) However, in practice, migrant children often cannot obtain legal work permits because they do not list “work” as their purpose for visiting the country when entering Kazakhstan. Thus, migrant children are often unable to work legally and have their labor rights protected. (5,21) Migrants from the Kyrgyz Republic, including children, do not obtain work permits due to lack of information, fear, corruption, and discrimination against migrants. For Kyrgyzstani children over age 16, unregulated status means that they may be subject to administrative fines, arrest, and detention with adults. (5)




Migration authorities sometimes register migrant children under age 16 as unnamed family members, rather than under their own name, which prevents them from receiving Kazakhstani identification documents. (22,23) Some of these undocumented migrant children fall victim to forced child labor and commercial sexual exploitation in Kazakhstan. (5,14) Although Kazakhstan guarantees free education regardless of migration status, migrant children face barriers to accessing education. Some school officials refuse to enroll students who lack Kazakhstani identification documents, and many parents of undocumented children lack awareness of their right to appeal such decisions to regional education officials. (5,22) Landlords often refuse to register migrant tenants, which prevents migrant children from enrolling in local schools. (23) Reports indicate that at least 50 percent of all migrant children did not attend school due to a lack of identification or registration documents, especially in Nur-Sultan and Almaty. (15)

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 only for at-home education or ineligible for education entirely. (23,24) 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. (19) Disabled children who are unable to access mainstream or inclusive education are at greater risk of being sent to such state institutions. (24)

II. LEGAL FRAMEWORK FOR CHILD LABOR

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

Table 3. Ratification of International Conventions on Child Labor

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

The government has established laws and regulations related to child labor (Table 4). However, gaps exist in Kazakhstan’s legal framework to adequately protect children from the worst forms of child labor, including the minimum age for work.

Table 4. Laws and Regulations on Child Labor

Standard	Meets International Standards	Age	Legislation
Minimum Age for Work	No	16	Article 31 of the Labor Code (21)
Minimum Age for Hazardous Work	No	18	Article 26.1(2) of the Labor Code; Article 153 of the Criminal Code (21,25)
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 (21,26)

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

Standard	Meets International Standards	Age	Legislation
Prohibition of Forced Labor	Yes		Article 7 of the Labor Code; Article 135 of the Criminal Code (21,25)
Prohibition of Child Trafficking	Yes		Article 135 of the Criminal Code (25)
Prohibition of Commercial Sexual Exploitation of Children	No		Articles 134–135 and 312 of the Criminal Code (25)
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 (21,25)
Minimum Age for Voluntary State Military Recruitment	Yes	19	Article 38.1(2) of the Military Service Act (27)
Prohibition of Compulsory Recruitment of Children by (State) Military	Yes		Article 31 of the Military Service Act (27)
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 (25,28)
Compulsory Education Age	Yes	17‡	Article 30 of the Constitution (29)
Free Public Education	Yes		Article 8.2 of the Education Act (30)

‡ Age calculated based on available information (31,32)

In 2019, the government increased the maximum penalty for involvement of a minor in illicit activities by one year. The maximum prison term for involvement of a minor in prostitution increased from five years to six years and when force or coercion is used against the child for the same crime, the term increased from a maximum of seven years to a maximum of eight. (33) For the crime of child trafficking, the maximum prison term was raised from seven to nine years and the penalties of the same crime under aggravated circumstances were raised from a range of seven to ten years of imprisonment to a new range of nine to twelve years. (33)

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. (21)

Article 134 of the Criminal Code of the Republic of Kazakhstan criminalizes involving a minor into prostitution and Article 135 of the Criminal Code criminalizes trafficking of minors, including for the purpose of sexual exploitation. However, no law clearly criminalizes the users (clients) of prostitution involving children. (25)

Because the minimum age for work is lower than the compulsory education age, children may be encouraged to leave school before the completion of compulsory education.

III. ENFORCEMENT OF LAWS ON CHILD LABOR

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

Table 5. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
Ministry of Labor and Social Protection (MLSP)	Enforces child labor laws and conducts labor inspections through the Ministry's Committee on Labor, Social Protection and Migration. (15)
Ministry of Education and Science	Receives child labor complaints. An official from the regional-level Department of Education responds to reports of child labor and determines whether law enforcement should investigate the case. (34) If the case is in agriculture, local officials meet with parents and school officials to reinforce that children should be in school during the academic year. The Ministry's Center for the Adaptation of Minors provides assistance to victims of the worst forms of child labor and makes referrals to appropriate government services or NGOs for further assistance. (34)
Ministry of Internal Affairs (MOIA)	Identifies and carries out initial investigation of criminal cases of the worst forms of child labor. Through the Criminal Police Department's Unit to Combat Crimes Against the Person, identifies and investigates cases of child trafficking. (15)

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

Organization/Agency	Role
Prosecutor General's Office (PGO)	Provides oversight of police operations related to child labor crimes. (15)
Child Protection Hotlines	Receive reports of illegal child labor. There are three hotlines, one run by the Ministry of Education and Science's Child Protection Committee, one run by the Ombudsman for Children's Rights, and one run by a local NGO. (15)

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. (35)

Labor Law Enforcement

In 2019, labor law enforcement agencies in Kazakhstan took actions to combat child labor (Table 6). However, gaps exist within the operations of 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	2018	2019
Labor Inspectorate Funding	\$2.4 million (34)	Unknown
Number of Labor Inspectors	261 (34)	254 (36)
Inspectorate Authorized to Assess Penalties	Yes (37)	Yes (15)
Initial Training for New Labor Inspectors	Yes (34)	Yes (15)
Training on New Laws Related to Child Labor	N/A	Yes (15)
Refresher Courses Provided	Yes (34)	Yes (15)
Number of Labor Inspections Conducted	6,681 (34)	9,522 (36)
Number Conducted at Worksite	6,402 (34)	228 (36)
Number of Child Labor Violations Found	6 (34)	5 (36)
Number of Child Labor Violations for Which Penalties Were Imposed	4 (34)	4 (36)
Number of Child Labor Penalties Imposed that Were Collected	4 (34)	Unknown
Routine Inspections Conducted	Yes (34)	Yes (36)
Routine Inspections Targeted	Yes (34)	Yes (36)
Unannounced Inspections Permitted	Yes (38)	Yes (35)
Unannounced Inspections Conducted	Yes (34)	Yes (36)
Complaint Mechanism Exists	Yes (34)	Yes (15)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (34)	Yes (15)

The number of labor inspectors is likely insufficient for the size of Kazakhstan's workforce, which includes more than 8.97 million workers. (39) According to the ILO's technical advice of a ratio approaching 1 inspector for every 20,000 workers in transitional economies, Kazakhstan would employ about 449 labor inspectors. (40,41)

Presidential Decree No. 757 places restrictions on the conditions under which the Ministry of Labor and Social Protection (MLSP) is authorized to conduct routine labor inspections. (42) Labor inspectors from the MLSP are empowered to conduct inspections only in response to complaints, which cannot be anonymous, and must provide advance notice of the inspection to businesses. (15) Inspectors can also conduct routine worksite visits based on risk assessment reports; in 2019, MLSP conducted 228 such visits. Businesses must be notified in advance of these site visits, unless the worksite is in a very remote location or the inspection is related to certain extreme health and safety hazards. (15,38) The government supplements MLSP's labor inspections with unannounced site visits that occur during annual, inter-Ministerial campaigns to raise awareness about, detect, and combat child labor. These campaigns are widely publicized, limited in duration, and occur at approximately the same time each year. (15) As a result, the site visits conducted during these campaigns may fail to adequately detect child labor in seasonal agriculture or at businesses that conceal violations in anticipation of these high-profile campaigns.

From June 1–12, 2019, the Ministry of Education and Science, in cooperation with the Department of Health, MLSP, police, and other public organizations conducted a total of 4,083 site visits to detect child labor as part

of the government’s annual “Twelve Days Against Child Labor” campaign. Locations inspected included markets, gas stations, and construction sites. (15) Information was not available about the number of child labor violations detected as a result of these site visits. (15) From July 26–August 1, 2019, the Ministry of Internal Affairs (MOIA), in cooperation with other government organizations and NGOs, conducted site visits to detect child labor as part of the government’s annual “Employment” campaign. (15) These site visits identified 185 child labor violations, of which 45 were in the entertainment sector, 6 in transportation, 10 in the agricultural sector, and 124 in other sectors. Violations were reportedly related to employment conditions, such as working extended hours or working without an employment contract. (15) While MOIA could not issue penalties directly, 104 violations identified during the “Employment” campaign were referred to the Prosecutor General’s Office (PGO) or MLSP to assess penalties against employers. (15) Research was unable to determine how many of these referrals resulted in the imposition of penalties. The government did not provide information for inclusion in this report clarifying the number of announced and unannounced labor inspections, including site visits, MLSP conducted outside of annual inter-Ministerial campaigns.

In 2019, the Department of Education within the Ministry of Education and Science worked with the NGO Sana Sezim to monitor for child labor violations in the cotton harvest in Turkestan and Almaty regions, where the government has identified that children are at risk of child labor in cotton picking. (14,15) No instances of child labor were reported as a result of this monitoring. (15)

In addition, during the reporting period, labor inspectors received specialized training on identifying victims of human trafficking. (43)

Criminal Law Enforcement

In 2019, criminal law enforcement agencies in Kazakhstan took actions to combat child labor (Table 7). However, gaps exist within the operations of criminal law enforcement agencies that may hinder adequate criminal law enforcement, including human resource allocation.

Table 7. Criminal Law Enforcement Efforts Related to Child Labor

Overview of Criminal Law Enforcement	2018	2019
Initial Training for New Criminal Investigators	Yes (34)	Yes (15)
Training on New Laws Related to the Worst Forms of Child Labor	N/A	Yes (15)
Refresher Courses Provided	Yes (34)	Yes (15)
Number of Investigations	11 (34)	10 (15)
Number of Violations Found	11 (34)	10 (15)
Number of Prosecutions Initiated	11 (34)	5 (36)
Number of Convictions	2 (34)	1 (36)
Imposed Penalties for Violations Related to The Worst Forms of Child Labor	2 (34)	1 (36)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (34)	Yes (15)

MOIA employs 42 operational officers who work specifically on trafficking in persons, including cases involving minors. Reports indicated that this number of officers may be insufficient to adequately enforce criminal prohibitions against the worst forms of child labor in Kazakhstan. (15) In 2019, the government provided training to law enforcement agencies on trafficking in persons. Eight training sessions for police were conducted at the Anti-Trafficking in Persons Training Center at the MOIA Legal Academy in Karaganda; three training sessions for prosecutors were conducted at the PGO Law Enforcement Academy; and three training sessions for judges were conducted at the Judicial Training Institute of the Supreme Court in Nur-Sultan. (15)

During the reporting period, MOIA investigated 10 cases related to the worst forms of child labor. Eight cases involved violations related to the commercial sexual exploitation of children, with five cases initiated based on prohibitions in Criminal Code Art. 134, coercion of minors into prostitution; two cases based on Criminal Code Art. 312, engagement of minors into pornographic activities; and one case based on Criminal Code Art. 135, trafficking in minors for the purpose of sexual exploitation. (15) MOIA also investigated two cases for violation of prohibitions against hazardous child labor under Criminal Code Art. 135. All 10 of these investigations are ongoing. (15) All of the children identified in these cases were removed from the exploitative situation in question and referred to the IOM and government-funded shelters for services. (15)

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IV. COORDINATION OF GOVERNMENT EFFORTS ON CHILD LABOR

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

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

Coordinating Body	Role & Description
National Coordination Council on Combating the Worst Forms of Child Labor	Implements the National Action Plan for the Elimination of the Worst Forms of Child Labor 2020–2022. (44) Chaired by MLSP. In 2019, the National Coordination Council was re-established after being dormant during 2018, and met three times. (15,44)
Inter-Agency Trafficking in Persons Working Group	Coordinates efforts to combat human trafficking and recommends improvements to anti-human trafficking legislation, prevention strategies, protection of victims, and the prosecution of offenders. (15,45) Chaired by MOIA and MLSP on a 2-year rotational basis. Its members include 13 state bodies, 2 international organizations (IOM and OSCE), and 5 NGOs. (15) The working group met three times in 2019 to discuss implementation of the National Action Plan to Counter Trafficking in Persons. (15,43)
Special Working Group on Implementation of the Trafficking in Persons Report's Recommendations*	Coordinates government action to respond to recommendations from the international community on improving efforts to combat trafficking in persons and labor exploitation. Led by MOIA and includes the PGO, MLSP, Supreme Court, and Ministry of Foreign Affairs. (46) During the reporting period, met twice and developed an Action Plan to implement international recommendations related to combating trafficking in persons and labor exploitation. (46,43)
Committee for the Protection of Children's Rights	Works to protect children from exploitation. Operates under the Ministry of Education and Science at the regional-level departments of education. (15,47) In 2019, the Committee for the Protection of Children's Rights conducted activities to prevent violence against children and child labor exploitation. (15)
Human Rights Ombudsman	Monitors observance of the rights of children. Receives and responds to complaints about violations of children's rights and drafts annual reports on children's rights. (15) In 2019, the Human Rights Ombudsman published a report assessing the status of children's rights in Kazakhstan in 2018. (15) The only reception office of the Ombudsman for Human Rights is located in Nur-Sultan, making it difficult for the Ombudsman's office to receive and respond to complaints of violations in remote regions. (5)

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

V. GOVERNMENT POLICIES ON CHILD LABOR

The government has established relevant policies related to child labor (Table 9).

Table 9. Key Policies Related to Child Labor

Policy	Description
National Action Plan on Elimination of the Worst Forms of Child Labor (2020–2022)†	Addresses three priority areas, including (a) the creation of policies and laws to combat the worst forms of child labor; (b) the creation of programs to monitor vulnerable communities and sectors with the highest risk of child labor, and provide services to children who have been exploited in child labor; (c) raise awareness about the worst forms of child labor. (44) In 2019, the government re-established and updated membership on the National Coordination Council on Combating the Worst Forms of Child Labor, which is responsible for implementing this plan. (44)
National Action Plan to Counter Trafficking in Persons (2018–2020)	Addresses priority areas, including (a) prevention of forced child labor in the cotton and construction sectors; (b) exchange of information among government agencies on human trafficking and child pornography; (c) research on the worst forms of child labor and the provision of recommendations; and (d) raising awareness of human trafficking among children. (34,48) The Inter-Agency Trafficking in Persons Working Group within MOIA continued to implement this plan in 2019. (15)

† Policy was approved during the reporting period.

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2019, the government funded and participated in programs that include the goal of eliminating or preventing child labor (Table 10). However, gaps exist in these social programs, including the adequacy to address the problem in all sectors.

Table 10. Key Social Programs to Address Child Labor

Program	Description
Juvenile Care Centers†	Ministry of Education and Science-run centers for minors located throughout the 16 regions of Kazakhstan. Provide temporary shelter and assistance to vulnerable children, including child victims of the worst forms of child labor, and street children. (43) These centers were operational in 2019. (43)
Shelters for Trafficking Victims†	Funded by the government and operated by NGOs, provide legal, psychological, medical, and educational services to survivors of human trafficking in nine cities, including Nur-Sultan and Almaty. The shelters provided services in 2019. (15)
Awareness-Raising Campaigns†	Raise public awareness on child labor issues. (2) In 2019, the Ministry of Education and Science, with the cooperation of other agencies, implemented the “Twelve Days Against Child Labor” campaign, which included 945 articles and 400 TV programs raising awareness about child labor and hotlines for reporting violations. (15) MOIA, in cooperation with other government organizations and NGOs, implemented the “Employment” campaign, which included 2,000 prevention events and educational meetings. (15)

† 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. (49)

Although the Government of Kazakhstan implemented programs in 2019 to protect vulnerable children and raise awareness about child labor, research found no evidence that it has carried out programs to assist children engaged in child labor in services or agriculture.

VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE CHILD LABOR

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

Table 11. Suggested Government Actions to Eliminate Child Labor

Area	Suggested Action	Year(s) Suggested
Legal Framework	Ensure that minimum age provisions and hazardous work prohibitions apply to all children, including those working without an employment contract.	2016 – 2019
	Criminally prohibit and penalize the use of a child for prostitution.	2019
	Raise the minimum age for work to the age up to which education is compulsory.	2018 – 2019
Enforcement	Increase the number of labor inspectors to meet the ILO’s technical advice.	2014 – 2019
	Publish information about the labor inspectorate’s operations, including funding for the labor inspectorate and the number of penalties that were collected for child labor violations.	2019
	Fully empower labor inspectors to proactively conduct on-site inspections, including on an unannounced basis, and ensure that such inspections are conducted regularly throughout the year.	2019
	Publish information on the number of child labor violations detected during the annual “Twelve Days Against Child Labor” campaign, and on the number of penalties issued in response to violations referred to the Ministry of Labor and Social Protection during this campaign.	2019
	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
Coordination	Ensure that individuals in remote areas of the country are able to file complaints about child labor violations with the Ombudsman for Human Rights.	2018 – 2019
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 – 2019
	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 – 2019
	Institute programs to address child labor, particularly in the agriculture and service sectors.	2014 – 2019

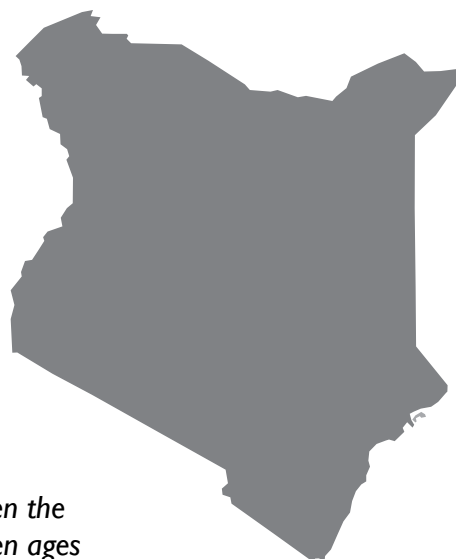
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In 2019, Kenya made a moderate advancement in efforts to eliminate the worst forms of child labor. The Kenyan National Police launched a cyber-center to respond to crimes involving online exploitation of children, including child trafficking. The government also expanded an information system for collecting and aggregating data related to child protection, including cases related to the worst forms of child labor, and drafted new procedures and guidelines for law enforcement's handling of cases involving children. However, children in Kenya engage in the worst forms of child labor, including in domestic service and commercial sexual exploitation, each sometimes as a result of human trafficking. Children also engage in child labor in agriculture. Kenya has yet to ratify the UN Convention on the Rights of the Child Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography. In addition, the gap between the compulsory education age and minimum age for work leaves children ages 14–16 vulnerable to the worst forms of child labor. The government also has not committed sufficient resources to child labor law enforcement.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Kenya engage in the worst forms of child labor in domestic service and commercial sexual exploitation, each sometimes as a result of human trafficking. Children also engage in child labor in agriculture. (1,2) Table 1 provides key indicators on children's work and education in Kenya.

Table 1. Statistics on Children's Work and Education

Children	Age	Percent
Working (% and population)	5 to 14	35.6 (3,736,030)
Attending School (%)	5 to 14	85.8
Combining Work and School (%)	7 to 14	23.0
Primary Completion Rate (%)		99.7

Source for primary completion rate: Data from 2016, published by the UNESCO Institute for Statistics, 2020. (3)

Source for all other data: International Labor Organization's analysis of statistics from Population and Housing Census, 2009. (4)

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

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

Sector/Industry	Activity
Agriculture	Farming,† including the production of tea, coffee, khat (<i>miraa</i>),‡ rice, sisal, sugarcane, tobacco, corn, flowers, and cotton (5-8)
	Herding livestock† (5,7-9)
	Fishing,† including for tilapia, sardines, Nile perch, and other fish (7,8,10,11)
	Burning wood to produce charcoal (5)
Industry	Construction,† including carrying heavy loads (5,7,8)
	Quarrying,† including for stones and coral (5,7)
	Harvesting sand† (5,7)
	Making bricks† (5,7)
	Mining† for gold, gemstones, and salt (5,7,8,12,13)
Services	Working in slaughterhouses,† including disposing of after-products and cleaning (5,8,14)
	Domestic work† (1,2,10,15,16)
	Street work, including vending (1,2,5,7,15,17)
	Transporting goods† and people† by bicycle, motorcycle, and handcart† (5,7,15)

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

Sector/Industry	Activity
Services	Scavenging† for scrap materials (5,7,8,14)
	Begging† (5,7,8,18)
Categorical Worst Forms of Child Labor‡	Commercial sexual exploitation, sometimes as a result of human trafficking (1,18-22)
	Use in illicit activities, including drug trafficking (5,23)
	Begging, street vending, domestic service, herding livestock, fishing, and work on tobacco farms, each sometimes as a result of human trafficking (5,24,25)

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

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

Kenyan children are victims of human trafficking, both within and outside the country. They are exploited for domestic work, agricultural work, fishing, begging, and street vending, each sometimes as a result of human trafficking. (2,19) Both boys and girls are victims of commercial sexual exploitation in tourism-heavy areas on the Kenyan coast, and in Nairobi and Kisumu. (2,20,21,26) Commercial sexual exploitation of children also occurs in drug production sites (*miraa*), near gold mines, along major highways, and in fishing areas on Lake Victoria. (2,19,22) Children from East Africa and South Sudan are subject to forced labor in domestic service and agriculture, in addition to commercial sexual exploitation. (19,27) A report also found that children are trafficked from Ethiopia to northern Kenya and exploited for work in domestic service, carrying goods, and street work. (15)

Children work at informal gold mining sites in western Kenya, which involves using pickaxes and other dangerous tools, working underground, and carrying heavy loads. (1,12,13,28) Some children working on these sites have been trapped in collapsed mines, suffocated, or exposed to mercury poisoning. (12,13) In addition, children participate in the harvesting and processing of khat (*miraa*), an addictive stimulant. (2,29-31)

The government, in coordination with UNICEF, has previously published data on child poverty and its potential to increase vulnerability to child labor; however, the last national child labor survey was conducted in 2000. (4,7,32) As a result, data may no longer accurately reflect the current child labor situation in Kenya.




Kenyan law mandates free basic education and prohibits schools from charging tuition fees. (22,33,34) However, the cost of unofficial school fees, books, and uniforms prevents some children from attending school. (35,36) The Births and Deaths Registration Act requires birth registration; however, many children living in the country are not registered at birth. As a result, non-registered children have difficulty accessing services, including education, because they must provide a birth certificate before enrolling in school or sitting for exams, despite the Education Act stipulating that no child be denied admission to school for lack of proof of age. (37-39) An insufficient number of schools and teachers, a lack of hygiene facilities and products for girls, and sexual abuse within schools further contribute to children in Kenya dropping out of school and becoming vulnerable to the worst forms of child labor. (5,8,40,41) In addition, in isolated cases, school administrators deny pregnant girls admittance to schools. (42-45)

Children seeking asylum or of refugee status are often restricted to living in designated areas, such as the Kakuma and Dadaab refugee camps. (45) These camps have an insufficient number of schools and existing facilities lack adequate educational materials, such as textbooks, electricity, and latrines. (2,46,47) These conditions likely contribute to heightened vulnerabilities of refugee children to the worst forms of child labor, including commercial sexual exploitation and human trafficking. (19,45,48)

II. LEGAL FRAMEWORK FOR CHILD LABOR

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

Table 3. Ratification of International Conventions on Child Labor

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

In 2000, Kenya signed, but has not yet acceded to, the UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography. Commercial sexual exploitation of children continues to be a serious problem in Kenya. (8)

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	17	Section 56 of the Employment Act; Section 12 of the Employment (General) Rules; Section 10.4 of the Children Act (33,49,50)
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 (33,49)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Section 12 and the Fourth Schedule of the Employment Act (General) Rules (50)
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 (33,49,51-54)
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 (33,49,52-54)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Articles 8–9, 11–12, and 14–16 of the Sexual Offences Act; Sections 2 and 53.1 of the Employment Act; Section 15 of the Children Act (33,49,54)
Prohibition of Using Children in Illicit Activities	Yes		Sections 2 and 53.1 of the Employment Act; Section 16 of the Children Act (33,49)
Minimum Age for Voluntary State Military Recruitment	Yes	18	Section 10.2 of the Children Act; Article 243 (1) of the Kenya Defence Forces Act (33,55)
Prohibition of Compulsory Recruitment of Children by (State) Military	N/A*		Article 243 (1) of the Kenya Defence Forces Act (55)
Prohibition of Military Recruitment by Non-state Armed Groups	Yes		Article 3 of the Counter-Trafficking in Persons Act (53)
Compulsory Education Age	No	14‡	Sections 28 and 30 of the Basic Education Act (34)
Free Public Education	Yes		Section 7.2 of the Children Act; Sections 28–29 and 32 of the Basic Education Act; Article 53(b) of the Constitution (33,34,51)

* No conscription (55)

‡ Age calculated based on available information (85)

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Kenya permits light work activities for children ages 13 through 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. (50) Also, children are required to attend school only until age 14. This standard makes children ages 14–16 vulnerable to child labor because they are not required to attend school and yet cannot legally work. (34,58)

III. ENFORCEMENT OF LAWS ON CHILD LABOR

The government has established institutional mechanisms for the enforcement of laws and regulations on child labor (Table 5). However, gaps exist within the operations of the Ministry of Labor and Social Protection (MLSP), the National Police Service (NPS), and the Office of the Director of Public Prosecutions (ODPP) that may hinder adequate enforcement of child labor laws.

Table 5. Agencies Responsible for Child Labor Law Enforcement

Organization/ Agency	Role
Ministry of Labor and Social Protection (MLSP)	Conducts labor inspections and enforces labor laws, including those related to child labor. (1) Comprises both the State Department for Labor and the State Department for Social Protection. Directs activities to promote awareness and withdraw children from child labor through the State Department for Labor's Child Labor Division. (1,59) Provides services to children in need of social protection, including responding to cases of child exploitation, through the Department of Child Services (DCS) under the State Department for Social Protection. (60) Each of Kenya's 47 counties staffs a County Coordinator to provide information and coordinate with the DCS on cases involving child exploitation. (2)
National Police Service (NPS)	Investigates and enforces laws related to the worst forms of child labor, in coordination with the MLSP and the ODPP. (1) Includes Child Protection Units, located within police stations, which are focused on the prevention of commercial sexual exploitation of children, child trafficking, and the use of children in illicit activities. (8,61) The Tourism Police Unit addresses commercial sexual exploitation of children in the tourism industry. (7)
Office of the Director of Public Prosecutions (ODPP)	Enforces laws through the prosecution of criminal offenses, including labor-related offenses. ODPP directs the NPS to investigate cases. (1)

Labor Law Enforcement

In 2019, labor law enforcement agencies in Kenya took actions to combat child labor (Table 6). However, gaps exist within the operations of the MLSP that may hinder adequate labor law enforcement, including financial resource allocation.

Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2018	2019
Labor Inspectorate Funding	Unknown (8)	Unknown (1)
Number of Labor Inspectors	112 (8)	85 (1)
Inspectorate Authorized to Assess Penalties	No (17,49)	No (49)
Initial Training for New Labor Inspectors	Unknown (8)	No (1)
Training on New Laws Related to Child Labor	Unknown (8)	No (1)
Refresher Courses Provided	Yes (8)	No (1)
Number of Labor Inspections Conducted	Unknown (8)	8,160 (1)
Number Conducted at Worksite	Unknown (8)	8,160 (1)
Number of Child Labor Violations Found	35 (8)	Unknown (1)
Number of Child Labor Violations for Which Penalties Were Imposed	N/A (8)	Unknown (1)
Number of Child Labor Penalties Imposed that Were Collected	N/A (8)	Unknown (1)
Routine Inspections Conducted	Yes (8)	Yes (1)
Routine Inspections Targeted	Yes (8)	Yes (1)
Unannounced Inspections Permitted	Yes (8)	Yes (1)
Unannounced Inspections Conducted	Yes (8)	Yes (1)
Complaint Mechanism Exists	Yes (8)	Yes (1)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (8)	Yes (1)

During the reporting period, the size of the labor inspectorate was reduced from 112 to 85 inspectors, partly due to retirements within the inspectorate. (1) The number of labor inspectors is likely insufficient for the size of Kenya's workforce, which includes more than 19 million workers. According to the ILO's technical advice of a ratio approaching 1 inspector for every 15,000 workers in developing economies, Kenya would employ about 1,321 labor inspectors. (62-64) Moreover, the MLSP's budget is inadequate and hinders the labor inspectorate's capacity to enforce child labor laws. (1,8,17,65)

The government did not provide information about its labor inspectorate funding, number of child labor violations found, and penalties imposed and collected for inclusion in this report. (8)

The Department of Labor refers cases involving child labor to the Department of Child Services (DCS), within the MLSP, for placement of victims in social services. (1) The DCS developed a Child Protection Information Management System that collects, aggregates, and reports on child protection data, including child labor violations, to assist child protection officials to track and report on child protection activities. (8,45) After piloting the system in 2017, in 2019 the DCS expanded it to all of Kenya's 47 counties. (1) The MLSP reported 578 separate cases of child labor through the Information Management System; however, it remains unclear the number of cases that were identified through labor inspections. (66)

Criminal Law Enforcement

In 2019, criminal law enforcement agencies in Kenya took actions to combat child labor (Table 7). However, gaps exist within the operations of the NPS that may hinder adequate criminal law enforcement, including resource allocation and regional distribution of services.

Table 7. Criminal Law Enforcement Efforts Related to Child Labor

Overview of Criminal Law Enforcement	2018	2019
Initial Training for New Criminal Investigators	Yes (8)	Yes (1)
Training on New Laws Related to the Worst Forms of Child Labor	Unknown (8)	Unknown (1)
Refresher Courses Provided	Yes (8)	Unknown (1)
Number of Investigations	Unknown (8)	18 (2,66,67)
Number of Violations Found	Unknown (8)	138 (2,66,67)
Number of Prosecutions Initiated	Unknown (8)	7 (1,66,67)
Number of Convictions	Unknown (8)	Unknown (1)
Imposed Penalties for Violations Related to The Worst Forms of Child Labor	Unknown (8)	Yes (66)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (8)	Yes (1)

The government did not provide disaggregated information regarding the number of prosecutions, convictions, and sentences imposed related to cases involving the worst forms of child labor. (2) An NGO reported two cases related to forced begging from previous years that were concluded during the reporting period, resulting in the conviction and imposition of sentences of over 3 years and 30 years, respectively, for the offenders. (66) In addition, criminal law enforcement authorities raided a bar in Mombasa that was connected to forced labor and commercial sexual exploitation, resulting in the rescue of two minors; the case is currently undergoing criminal proceedings. (2,68)

In 2019, the NPS, with the support of the Government of the United Kingdom and the UNODC, opened a cyber-center that investigates cases related to online child sexual exploitation. The cyber unit receives tips related to child exploitation and child trafficking, and refers cases for law enforcement action. (2,69) The unit responded to 10 cases of cyber-trafficking and sexual exploitation of children, resulting in 5 prosecutions. (67) The government also partnered with an NGO to provide training on legal aspects of child protection related to human trafficking, including referral mechanisms for child victims, for at least 50 local magistrates, police, probation officers, prosecutors, and other officials who use the court system. (2)

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A report by the National Council on the Administration of Justice found that the number and distribution of Child Protection Units (CPUs) within police stations was insufficient to provide services to all Kenyans; there are only 23 CPUs, distributed across 16 of Kenya's 47 counties. Moreover, magistrates lacked specialized knowledge in children's laws, policies, and rights, including the Sexual Offenses Act and the Children Act. (61)

IV. COORDINATION OF GOVERNMENT EFFORTS ON CHILD LABOR

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

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

Coordinating Body	Role & Description
National Steering Committee on Child Labor	Oversees efforts to eliminate child labor. (1,14) Comprises government agencies, private employers, workers' organizations, and civil society organizations. Chaired by the Permanent Secretary, with coordination duties performed by the MLSP Child Labor Division. (14) Research could not determine whether the committee met during the reporting period. (1)
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. (70,71) Research could not determine whether the committee met during the reporting period. (1)
National Labor Board	Advises the Cabinet Secretary of Labor, Social Security and Services on all issues related to labor and employment, including legal and policy issues. (14) The National Labor Board met in December 2019. (1)
Counter-Trafficking in Persons Advisory Committee	Coordinates the implementation of policies related to human trafficking and provides prevention and protection services to victims under the Counter-Trafficking in Persons Act. Led by the State Department of Social Protection of the MLSP and comprises human trafficking and child protection specialists from multiple government agencies and NGOs. (2) The committee met four times in 2019, working with NGOs on law enforcement interventions related to human trafficking and the referral of victims to social services. (2,66)
Local, Advisory, and District Child Labor Committees	Coordinate activities to eliminate child labor at the local level. (1) Research could not determine whether the committees met during the year. (1)

Although the government has coordination mechanisms, research could not find information about their accomplishments during the reporting period. A lack of funding and resources limited activities of coordinating bodies in 2019. (1)

A Special Task Force on Children under the Administration of Justice published a status report on the justice system's ability to provide for the special needs of children, including victims of exploitation. Among other actions, the task force drafted new protocols for the handling of cases involving children and developed procedural guidelines to improve the ability of CPUs within the NPS to respond to the needs of child victims. (61,72)

V. GOVERNMENT POLICIES ON CHILD 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 Policy on the Elimination of Child Labor	Proposes strategies to prevent, identify, withdraw, rehabilitate, and reintegrate children involved in child labor, including its worst forms. Establishes child labor free zones, which are geographical areas in which children are systematically removed from work and reintegrated into schools or vocational training programs. (73) Research was unable to determine whether activities were undertaken to implement the National Policy for the Elimination of Child Labor during the reporting period. (1)
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, community awareness, and research with the goal of reducing child labor and other child exploitation cases by 50 percent by 2022. (70) Research was unable to determine whether activities were undertaken to implement the National Plan of Action for Children in Kenya during the reporting period. (1)
MLSP Strategic Plan (2018–2022)†	Establishes blueprints for implementation of MLSP activities, programs, and projects, including the elimination of child labor. Proposes an updated child labor survey, development of a database on child labor, and creation of child labor free zones. (74) The government drafted the Strategic Plan in 2018 to cover the period 2018–2022, but launched the policy in 2019. (75)
National Employment Policy (2017)	Mandates reporting on the number of children withdrawn from child labor and the progress of child labor free zones. (8) In 2019, the government took steps to operationalize the policy by establishing a National Employment Authority that will oversee implementation of the policy. (1)

† Policy was approved during the reporting period.

‡ The government had other policies that may have addressed child labor issues or had an impact on child labor. (8,80,81)

The government has not included child labor elimination and prevention strategies into the UN Development Assistance Framework. (81)

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2019, the government funded and participated in programs that include the goal of eliminating or preventing child labor (Table 10). However, gaps exist in these social programs, including the adequacy of programs to address the full scope of the problem.

Table 10. Key Social Programs to Address Child Labor

Program	Description
Projects to Combat Child Labor and Increase Education Access†	Government programs that aim to combat child labor, including its worst forms, such as commercial sexual exploitation of children and child trafficking. Child Protection and Rescue Centers temporarily house child victims and provide counseling and reintegration services for children; Kitui County Child Rescue Center withdraws and rehabilitates child laborers and provides counseling and life skills training. (17) The School Meals Program serves hot lunches to 2 million vulnerable children, resulting in improved school attendance. (5,17,82) Research was unable to determine whether activities were undertaken to implement other projects during the reporting period. (1)
National Safety Net Program (2013–2026)†	\$411 million, government-funded, 5-year cash transfer and social safety net program, with support from the World Bank. (8) Research was unable to determine whether activities were undertaken to implement the National Safety Net Program during the reporting period. (1)
Child Labor Free Supply Chain Certifications†	Government program supported by the EU and Cesvi, an Italian NGO. Develops child labor free supply chain certifications. (7,8) Research was unable to determine whether activities were undertaken to implement the Child Labor Free Supply Chain Certification program during the reporting period. (1)
USDOL-Funded Projects to Combat Child Labor and Support Youth Apprenticeships (2016–2020)	USDOL-funded projects to combat child labor and support youth apprenticeships. Includes \$3 million Better Utilization of Skills for Youth (BUSY) through Quality Apprenticeships (2016–2020). Additional information is available on the USDOL website.
UN Humanitarian Assistance Program	UNICEF-implemented program to provide educational and nutritional services to children. (83)

† 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. (5,8,84,85)

Although Kenya has programs that target child labor, the scope of these programs is insufficient to fully address the extent of the problem, especially the commercial sexual exploitation of children.

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VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE CHILD LABOR

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

Table 11. Suggested Government Actions to Eliminate Child Labor

Area	Suggested Action	Year(s) Suggested
Legal Framework	Ratify the CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography.	2013 – 2019
	Ensure that light work provisions limit the number of hours for all light work activities.	2019
	Raise the compulsory education age to 17 to be equivalent to the minimum age for work.	2013 – 2019
Enforcement	Ensure that all labor inspectors receive training on child labor laws, including refresher courses.	2019
	Increase the number of labor inspectors to meet the ILO's technical advice.	2015 – 2019
	Ensure the Ministry of Labor and Social Protection has sufficient financial and human resources to address labor violations.	2017 – 2019
	Authorize labor inspectors to assess penalties for labor law violations.	2010 – 2019
	Publish information about labor inspectorate funding and the number of child labor violations found, including penalties imposed and collected.	2009 – 2019
	Publish information about criminal law enforcement training, including refresher courses and new laws related to the worst forms of child labor, and prosecutions and convictions for offenses related to the worst forms of child labor.	2009 – 2019
	Increase the number and improve regional distribution of Child Protection Units to ensure adequate coverage across all areas of Kenya.	2019
	Ensure that magistrates receive training on laws protecting children from the worst forms of child labor.	2019
Coordination	Ensure coordinating bodies are active and have sufficient resources to carry out their intended mandates.	2016 – 2019
Government Policies	Ensure the implementation of child labor policies, including the National Policy for the Elimination of Child Labor and the Framework for the National Child Protection System for Kenya.	2017 – 2019
	Integrate child labor elimination and prevention strategies into the UN Development Assistance Framework.	2013 – 2019
Social Programs	Collect and publish updated data on the extent and nature of child labor to inform policies and programs.	2014 – 2019
	Improve access to education by increasing the number of schools and teachers, addressing sexual abuse in schools, increasing birth registrations for children, and eliminating or defraying the cost of school fees, books, and uniforms.	2010 – 2019
	Enhance efforts to eliminate barriers and make education accessible for all children, including girls and children of refugee status, by ensuring that pregnant girls can remain in school, improving access to hygiene facilities and products within schools, and increasing the number of schools and improving educational facilities in refugee camps.	2010 – 2019
	Ensure the implementation of government-funded social programs.	2019
	Expand existing programs to address the scope of the child labor problem, including children engaged in commercial sexual exploitation.	2009 – 2019

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In 2019, Kiribati made a minimal advancement in efforts to eliminate the worst forms of child labor. The Ministry of Employment and Human Resources took steps to draft regulations related to light work for children and on the types of hazardous work prohibited for children. However, although research is limited, there is evidence that children in Kiribati perform dangerous tasks in construction and street vending. Existing laws do not identify hazardous occupations and activities prohibited for children and do not prohibit the domestic trafficking of children. In addition, the government has not adopted a national policy to combat the worst forms of child labor.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Although research is limited, there is evidence that children in Kiribati perform dangerous tasks in construction and street vending. (1,2) Table 1 provides key indicators on children's work and education in Kiribati. Data on some of these indicators are not available from the sources used in this report.

Table 1. Statistics on Children's Work and Education

Children	Age	Percent
Working (% and population)	5 to 14	Unavailable
Attending School (%)	5 to 14	Unavailable
Combining Work and School (%)	7 to 14	Unavailable
Primary Completion Rate (%)		100.9

Source for primary completion rate: Data from 2016, published by UNESCO Institute for Statistics, 2020. (3)
Data were unavailable from International Labor Organization's analysis, 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	Cutting toddy palm trees for toddy (1)
	Fishing and harvesting clams (1)
Industry	Construction, cargo loading, and seafaring (1,2,4,5)
Services	Street work, including vending and working in kava bars (1,2,4)
	Domestic work (4)
Categorical Worst Forms of Child Labor‡	Commercial sexual exploitation aboard fishing vessels (2,5)

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

The government did not collect or publish data on child labor in 2019. (2) During the reporting period, evidence indicated that a small number of underage girls were allegedly engaged in commercial sexual exploitation with crewmembers from foreign fishing vessels. In exchange, the girls received cash, alcohol, food, and goods. (2,5)




Children face barriers to accessing education, including associated costs and a lack of schools in remote areas. (1,4) In addition, most children with disabilities do not have access to education. (6)

II. LEGAL FRAMEWORK FOR CHILD LABOR

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

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Table 3. Ratification of International Conventions on Child Labor

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

The government has established laws and regulations related to child labor (Table 4). However, gaps exist in Kiribati's legal framework to adequately protect children from the worst forms of child labor, including identification of hazardous occupations or activities prohibited for children and the prohibition of child trafficking.

Table 4. Laws and Regulations on Child Labor

Standard	Meets International Standards	Age	Legislation
Minimum Age for Work	Yes	14	Section 115 of the Employment and Industrial Relations Code (7)
Minimum Age for Hazardous Work	Yes	18	Section 117 of the Employment and Industrial Relations Code (7)
Identification of Hazardous Occupations or Activities Prohibited for Children	No		
Prohibition of Forced Labor	Yes		Sections 244 and 249 of the Penal Code; Sections 118(1)(a, c, d) and 122 of the Employment and Industrial Relations Code (7,8)
Prohibition of Child Trafficking	No		Section 43 of the Measures to Combat Terrorism and Transnational Organized Crime Act; Section 118(1)(b) of the Employment and Industrial Relations Code (7,9)
Prohibition of Commercial Sexual Exploitation of Children	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 (7,8)
Prohibition of Using Children in Illicit Activities	Yes		Section 142 of the Penal Code; Sections 118(1)(h) and 118(1)(i) of the Employment and Industrial Relations Code (7,8)
Minimum Age for Voluntary State Military Recruitment	N/A†		
Prohibition of Compulsory Recruitment of Children by (State) Military	N/A†		
Prohibition of Military Recruitment by Non-state Armed Groups	Yes		Sections 118(1)(e) of the Employment and Industrial Relations Code (7)
Compulsory Education Age	Yes	15	Section 7 of the Education Act (10)
Free Public Education	Yes		Section 11 of the Education Act (10)

† No standing military

The government has not identified by national law or regulations the types of hazardous work prohibited for children. Under Article 116 of the Employment and Industrial Relations Code, the laws do not specify the activities and hours of work per week that are acceptable for children engaged in light work, or the conditions under which light work can be undertaken. (7) However, during the reporting period, the Ministry of Employment and Human Resources (MEHR) drafted and is reviewing the types of hazardous work prohibited and the regulations relating to light work for children. (2) Also, Kiribati's laws prohibiting child trafficking are insufficient because they do not specifically prohibit the domestic trafficking of children. (7,9) 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. (7,10)

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

Table 5. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
Ministry of Employment and Human Resources (MEHR)	Enforces labor laws, including those related to child labor. (11)
Kiribati Police Force	Enforces criminal laws related to the worst forms of child labor. (2) Investigates cases of human trafficking and sexual exploitation of children through a special Domestic Violence and Sexual Offenses Unit. There were no cases reported or investigated in 2019. (12)
Child Protection Officer, Ministry of Women, Youth and Social Affairs (MWYSA)	Removes children from harmful situations, including as a result of sexual exploitation and harsh or exploitative labor. (11,13) Assists with the implementation of the Children, Young People and Family Welfare Act. (14) Coordinates the Safenet referral system. (2,5)

Labor Law Enforcement

In 2019, labor law enforcement agencies in Kiribati took actions to combat child labor (Table 6). However, gaps exist within the operations of the MEHR that may hinder adequate labor law enforcement, including labor inspector training.

Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2018	2019
Labor Inspectorate Funding	Unknown (5)	\$10,000 (2)
Number of Labor Inspectors	3 (15)	3 (2)
Inspectorate Authorized to Assess Penalties	Yes (5)	Yes (2)
Initial Training for New Labor Inspectors	Yes (15)	Yes (2)
Training on New Laws Related to Child Labor	N/A	N/A
Refresher Courses Provided	No (15)	No (2)
Number of Labor Inspections Conducted	133 (15)	133 (2)
Number Conducted at Worksite	133 (15)	Unknown (2)
Number of Child Labor Violations Found	0 (15)	Unknown (2)
Number of Child Labor Violations for Which Penalties Were Imposed	0 (15)	Unknown (2)
Number of Child Labor Penalties Imposed that Were Collected	0 (15)	Unknown (2)
Routine Inspections Conducted	Yes (15)	Yes (2)
Routine Inspections Targeted	No (15)	No (2)
Unannounced Inspections Permitted	Yes (5)	Yes (2)
Unannounced Inspections Conducted	Yes (15)	Yes (2)
Complaint Mechanism Exists	Yes (5)	Yes (2)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (5)	Yes (2)

During the reporting period, the government had resource and capacity constraints that restricted all services and activities. 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. (2,5)

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. (2,5) The government did not provide information on the number of inspections conducted at worksites, the number of child labor violations found, penalties imposed, or penalties collected for inclusion in this report.

Criminal Law Enforcement

In 2019, criminal law enforcement agencies in Kiribati took actions to combat child labor (Table 6). However, gaps exist within the operations of the Kiribati Police Force that may hinder adequate criminal law enforcement, including refresher courses for criminal investigators.

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Table 7. Criminal Law Enforcement Efforts Related to Child Labor

Overview of Criminal Law Enforcement	2018	2019
Initial Training for New Criminal Investigators	Yes (15)	Yes (2)
Training on New Laws Related to the Worst Forms of Child Labor	N/A	N/A
Refresher Courses Provided	Unknown (5)	Unknown (2)
Number of Investigations	Unknown (5)	0 (2)
Number of Violations Found	Unknown (5)	0 (2)
Number of Prosecutions Initiated	Unknown (5)	0 (2)
Number of Convictions	Unknown (5)	0 (2)
Imposed Penalties for Violations Related to The Worst Forms of Child Labor	Unknown (15)	N/A (2)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (5)	Yes (2)

The government did not provide information on refresher courses provided 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).

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

Coordinating Body	Role & Description
Kiribati National Human Rights Taskforce (KNHRT)	Coordinates national UN reports. (5) MEHR and MWYSA are members. (2,15) During the reporting period, KNHRT coordinated information and completed its national report for the Universal Periodic Review in January 2020. (12)
Child Protection Working Group*	Coordinates child protection issues with MWYSA. Oversees the implementation of the Child, Young People and Family Welfare Act. (2,14) This coordinating body was active in 2019. (2,12)

* 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 coverage of all worst forms of child labor.

Table 9. Key Policies Related to Child Labor

Policy	Description
Children, Young People, and Families Welfare System Policy, 2013	Focuses on strengthening the welfare system, in part, by implementing services to prevent the abuse, violence, neglect, and exploitation of children and young people, including in hazardous labor. (13) This policy was active during the reporting period. (2)
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. (16) During the reporting period, UNICEF supported the Kiribati government in finalizing child protection inter-agency guidelines and referral pathways, training service providers on the guidelines and 20 government social welfare officers in child protection social work, and developing police procedures for child victims. (17)

‡ The government had other policies that may have addressed child labor issues or had an impact on child labor. (2,18)

During the reporting period, the Government of Kiribati continued to support all existing anti-child labor policies; however, research found no evidence of a policy that focuses specifically on combating the worst forms of child labor. (2,5)

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2019, the government funded and participated in programs that included the goal of eliminating or preventing child labor (Table 10). However, gaps exist in these social programs, including adequacy to address the problem in all sectors.

Table 10. Key Social Programs to Address Child Labor

Program	Description
UNICEF Pacific Multi-Country Child Protection Program (2018–2022)	Multi-country program in 14 Pacific Island countries. (19) Prioritizes children's rights, including the elimination of the worst forms of child labor. Aligned with the UN Pacific Strategy 2018–2022. (19)
Safenet†	MWYSA-coordinated program that allows government, churches, and NGOs to provide assistance to victims found in exploitative and violent situations. (11,20) This program was active during the reporting period. (2)
Hotlines†	MWYSA- and police-supported 24-hour hotline for children to report violations, request information, or obtain access to services. (20) This program was active during the reporting period. (2)

† 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. (2,5)

During the reporting period, through the 2016–2019 Educational Sector Strategic Plan and the Kiribati Education Improvement Program, the government continued to work to improve school infrastructure and standards. (5,21,22) In addition, in 2019, the Government of Kiribati, in collaboration with the Government of Australia and UNICEF, improved learning spaces, access, and sanitation at schools. (2)

Although the government has implemented the Safenet and Hotlines programs to assist children in exploitative and abusive situations, research found no evidence that the government has carried out programs specifically designed to assist children who are working in construction and street vending.

VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE CHILD LABOR

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

Table 11. Suggested Government Actions to Eliminate Child Labor

Area	Suggested Action	Year(s) Suggested
Legal Framework	Raise the minimum age for work to the age up to which education is compulsory.	2018 – 2019
	Determine the types of hazardous work prohibited for children, in consultation with employers' and workers' organizations.	2011 – 2019
	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 – 2019
	Ensure that the law specifically prohibits the domestic trafficking of children.	2015 – 2019
Enforcement	Strengthen the labor inspectorate by ensuring sufficient resources to support labor law enforcement activities and initiating targeted inspections based on analysis of data related to risk-prone sectors and patterns of serious incidents.	2017 – 2019
	Collect and publish data on the enforcement of labor laws, including on the number of inspections conducted at worksites, violations found, penalties imposed, and penalties collected.	2018 – 2019
	Institutionalize training on child labor laws for labor inspectors and criminal investigators, including providing refresher courses.	2017 – 2019
Government Policies	Adopt a policy that addresses the worst forms of child labor.	2014 – 2019
Social Programs	Collect and publish data on the extent and nature of child labor in all sectors to inform policies and programs.	2017 – 2019
	Implement programs to address the issue of commercial sexual exploitation of young girls with crew members from foreign fishing vessels.	2018 – 2019
	Enhance efforts to eliminate barriers to education, and make education accessible for all children by alleviating school fees and increasing access to schools in remote locations.	2014 – 2019
	Ensure that children with disabilities are given access to education.	2018 – 2019
	Implement social programs to address all relevant forms of child labor, including in construction and street vending.	2017 – 2019

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In 2019, Kosovo made a moderate advancement to eliminate the worst forms of child labor. The government passed the Law on Child Protection (LCP), which will enter into force in July 2020 and prohibits the recruitment of children into non-state armed groups and provides additional penalties for using or involving children in the production of child pornography. In addition, the government identified significantly more criminal child labor violations in 2019 compared to 2018 and initiated prosecutions in nearly all cases. Furthermore, the Kosovo Police and Kosovo Prosecutorial Council established specialized interview rooms to make child victims of abuse feel more comfortable. However, children in Kosovo engage in the worst forms of child labor, including in commercial sexual exploitation, sometimes as a result of human trafficking. Children also perform dangerous tasks in street work. The labor inspectorate and Centers for Social Work face financial and human resource constraints that may impede their ability to adequately address child labor. In addition, human trafficking shelters lack sufficient funding to properly accommodate and care for child trafficking victims.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Kosovo engage in the worst forms of child labor, including in commercial sexual exploitation, sometimes as a result of human trafficking. Children also perform dangerous tasks in street work. (1-4) No recent data were available, but a Multiple Indicator Cluster Survey (MICS) conducted from 2013 to 2014 determined that 5,398 children in Kosovo were engaged in child labor. (5) A parallel MICS of the Roma, Ashkali, and Balkan Egyptian communities in Kosovo found that 2,168 children from these communities were engaged in child labor. (6) Table 1 provides key indicators on children's work and education in Kosovo. Data on some of these indicators are not available from the sources used in this report.

Table 1. Statistics on Children's Work and Education

Children	Age	Percent
Working (% and population)	5 to 14	11.7 (Unavailable)
Attending School (%)	5 to 14	95.4
Combining Work and School (%)	7 to 14	13.1
Primary Completion Rate (%)		Unavailable

Primary completion rate was unavailable from UNESCO Institute for Statistics, 2019. (7)

Source for all other data: International Labor Organization's analysis of statistics from Multiple Indicator Cluster Survey 5, 2013-2014. (8)

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

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

Sector/Industry	Activity
Agriculture	Farming, including harvesting onions and grapes (4,9,10)
	Fishing, activities unknown
	Forestry, activities unknown (11,12)
Industry	Mining (4)
	Construction and manufacturing (4,10,12)

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

Sector/Industry	Activity
Services	Street work,† including vending small items,† transporting goods,† and begging† (1,9) Scavenging at dumpsites† (4,9,13)
Categorical Worst Forms of Child Labor‡	Forced begging, sometimes as a result of human trafficking (2-4) Commercial sexual exploitation, sometimes as a result of human trafficking (1-4,12) Use in illicit activities (14)

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

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







Kosovo is a source and destination country for child trafficking, especially of girls. (2,3,12,15) Children are sometimes forced into labor, such as in massage parlors, by organized criminal groups. (2,3,16-18) Kosovo children and children from neighboring countries, especially Albania, are also forced into begging, primarily in Prizren and Pristina. Most of these children come from the Roma, Ashkali, and Balkan Egyptian minority ethnic groups. (1,2,12,16,19-23) Economically vulnerable Kosovo children are also forced to work in construction and agriculture to support their families. (12)

Ashkali, Balkan Egyptian, and Roma children, especially girls, sometimes experience difficulty accessing education, because a birth certificate is required to attend school in Kosovo. (1,11,24-28) Children who do not attend school are vulnerable to the worst forms of child labor. (29)

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. (30) Despite Kosovo’s unique status, the country works with the UN through the Common Development Plan (2016–2020), which is implemented by the UN Kosovo Team and focuses on promoting international standards and human rights. (31)

The government’s laws and regulations are in line with relevant international standards (Table 4).

Table 4. Laws and Regulations on Child Labor

Standard	Meets International Standards	Age	Legislation
Minimum Age for Work	Yes	15	Article 7 of the Law on Labour (32)
Minimum Age for Hazardous Work	Yes	18	Articles 20, 23, 26–27, and 45 of the Law on Labour (32)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Administrative Instruction No. 05/2013; Article 45 of the Law on Labour; Administrative Instruction No. 2008 (32-34)

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

Standard	Meets International Standards	Age	Legislation
Prohibition of Forced Labor	Yes		Article 6 of the Law on Labour; Articles 163 and 165 of the Criminal Code; Law on the Prevention and Elimination of Human Trafficking and Protection of the Victims of Trafficking (32,35,36)
Prohibition of Child Trafficking	Yes		Articles 165–166 of the Criminal Code; Law on the Prevention and Elimination of Human Trafficking and Protection of the Victims of Trafficking; Articles 21–22 of Administrative Instruction No. 10/2017 (35-37)
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 (36)
Prohibition of Using Children in Illicit Activities	Yes		Articles 267–273 of the Criminal Code; Article 43 of the Law on Child Protection (36,38)
Minimum Age for Voluntary State Military Recruitment	Yes	18	Article 6 of the Law on the Kosovo Security Force (39)
Prohibition of Compulsory Recruitment of Children by (State) Military	N/A*		
Prohibition of Military Recruitment by Non-state Armed Groups	Yes		Article 149 of the Criminal Code; Articles 51(2), Art. 59 of the Law on Child Protection (36,38)
Compulsory Education Age	Yes	15‡	Article 9 of the Law on Pre-University Education (40)
Free Public Education	Yes		Article 9 of the Law on Pre-University Education (40)

* No conscription (41)

‡ Age calculated based on available information (40)

The government approved the draft Law on Child Protection at its first reading in October 2018 and passed it in June 2019. (1,20,38,42,43) The law prohibits violence, abuse, exploitation, and neglect of children, including using a child as a beggar, and prohibits the use of children in additional illicit activities. (17,38) The law will enter into force in July 2020. (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 government entities 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 all cases to regional Centers for Social Work (CSWs). (4) Through regional CSWs, provides social services to impacted children who are found begging or are victims of human trafficking, and compiles data on cases into a nationwide database. (14)
Kosovo Police (KP)	Enforces criminal laws on forced child labor and commercial sexual exploitation of children. Through the Anti-Trafficking Unit, enforces laws on child trafficking. (14,44) Operates under the Ministry of Internal Affairs. (42)
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. (44,45)
Ministry of Education, Science, and Technology	Conducts education inspections on balance of students' school and work hours. (46)

Duties of the former Ministry of Labor and Social Welfare are now shared by four separate government entities: (1) Ministry of Infrastructure and Environment, (2) Ministry of Economy, (3) Ministry of Health, and (4) Ministry of Finance. The division of specific responsibilities is still unclear. (47) There is limited inter-ministerial communication between the Ministry of Internal Affairs and the aforementioned government entities, which were tasked with the duties of the former Ministry of Labor and Social Welfare near the end of the reporting period. (15,48) Multiple entities expressed the limited capacity of Centers for Social Work (CSWs) to

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address cases of child labor due to limited human resources, lack of knowledge of child labor issues, and insufficient coordination. (1,10,12,21,23)

Labor Law Enforcement

In 2019, labor law enforcement agencies in Kosovo took actions to combat child labor (Table 6). However, gaps exist within the operations of the government that may hinder adequate labor law enforcement, including a lack of child labor-specific initial trainings and refresher courses for labor inspectors.

Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2018	2019
Labor Inspectorate Funding	\$710,841 (1)	\$830,333 (4)
Number of Labor Inspectors	40 (1)	40 (4)
Inspectorate Authorized to Assess Penalties	Yes (1)	Yes (4)
Initial Training for New Labor Inspectors	Yes (1)	Yes (4)
Training on New Laws Related to Child Labor	No (1)	N/A (4)
Refresher Courses Provided	No (1)	No (4)
Number of Labor Inspections Conducted	8,512 (1)	Unknown (47)
Number Conducted at Worksite	8,512 (1)	Unknown (47)
Number of Child Labor Violations Found	1 (1)	116 (47)
Number of Child Labor Violations for Which Penalties Were Imposed	1 (1)	Unknown (47)
Number of Child Labor Penalties Imposed that Were Collected	Unknown (1)	Unknown (4)
Routine Inspections Conducted	Yes (1)	Yes (4)
Routine Inspections Targeted	Yes (1)	Yes (4)
Unannounced Inspections Permitted	Yes (1)	Yes (4)
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)

In 2019, inspections were conducted in the public and private sectors, with a special focus on the construction sector, an industry in which child labor is known to occur. Labor inspectors have the authority to conduct inspections in all formal sectors, but they do not have jurisdiction to investigate informal sectors. (1,4,11) The labor inspectorate does not employ Serbian-speaking staff and did not conduct inspections in areas with ethnic Serb majorities. (1,10,15) Labor inspectors have the authority to inspect private farms; however, due to a lack of human resource capacity to adequately cover all sectors and regions, the CSWs, which also face human resource and budgetary constraints, typically conduct these inspections. (1,10,11,29,48-50)

The labor inspectorate had an overall strategy for conducting child labor inspections and incorporated identification of child victims of human trafficking in its strategy for 2017–2021. (1,4,11,45,51,52) Labor inspectors receive initial training when hired; however, these trainings do not cover child labor as a separate category. (11,15) The labor inspectorate does not have refresher trainings on child labor, including on laws prohibiting hazardous work for children. (4,11,53) Approximately 9,000 labor inspections were conducted at worksites during the reporting period; however, the government did not provide information on the number of child labor violations for which penalties were imposed for inclusion in this report. (54)

The labor inspectorate’s mandate allows it to investigate for working children between ages 15 and 18 who have entered into an employment contract for a limited period of time. When child labor is discovered, the labor inspectorate issues the penalty and works with the Kosovo Police (KP) to remove the child from child labor. (1) According to NGO and media reports, the number of cases reported does not fully reflect the actual number of child labor cases. (1,12,15)

Criminal Law Enforcement

In 2019, criminal law enforcement agencies in Kosovo took actions to combat child labor (Table 7). However, gaps exist within the operations of the criminal enforcement agencies that may hinder adequate criminal law enforcement, including training for prosecutors and judges.

Table 7. Criminal Law Enforcement Efforts Related to Child Labor

Overview of Criminal Law Enforcement	2018	2019
Initial Training for New Criminal Investigators	Yes (1)	Yes (4)
Training on New Laws Related to the Worst Forms of Child Labor	Yes (1)	Yes (4)
Refresher Courses Provided	Yes (1)	No (4)
Number of Investigations	12 (2)	15 (54)
Number of Violations Found	12 (2)	15 (54)
Number of Prosecutions Initiated	Unknown (1)	15 (54)
Number of Convictions	Unknown (1)	Unknown (4)
Imposed Penalties for Violations Related to The Worst Forms of Child Labor	Unknown (15)	2 (54)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (1)	Yes (4)

In 2019, the KP and the Kosovo Prosecutorial Council established 10 specialized interview rooms for victims of abuse in police stations and prosecutorial offices. (4) KP officers received training on trafficking, including forced labor, child trafficking, commercial sexual exploitation, and the use of children in illicit activities, and the KP reported that resources and training related to child labor were sufficient. (4)

Legal training on human trafficking for prosecutors and judges was insufficient, causing inadequate prosecutions and incorrect legal application. (11,16,17,42,51) In addition, better supervision and standardized data collection of human trafficking cases, as well as specialization of prosecutors and judges, would improve the pace and quality of case processing. (2,22,29,51,52) The government did not provide information on the number of convictions related to the worst forms of child labor for inclusion in this report.

The KP systematically tracks the children referred to CSWs as a result of investigations conducted by its domestic violence and trafficking units. (11,55,44) However, CSWs reported the need for a shelter and short-term care services for child labor victims. (1) In addition, CSWs did not adequately identify cases of forced begging, which are instead typically classified as parental neglect or abuse. (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 adequate coordination of efforts to address child labor, including efficacy in accomplishing mandates.

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

Coordinating Body	Role & Description
Committee for Prevention and Elimination of 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. Comprises representatives of government agencies, KP, trade unions, and an NGO. (4) In 2019, the committee held two annual and two coordination meetings, resulting in Memorandums of Understanding on child labor prevention efforts with all but four northern municipalities. (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. (14)

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

Coordinating Body	Role & Description
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). (16,56) NATC is a deputy Interior Minister. (15,53) Includes representatives from the government, judiciary, municipal offices, NGOs, and the international community. (42,53) During the reporting period, NAATIP held regular meetings that included representatives from eight government ministries, municipal offices, victim advocates, the judiciary, NGOs, and international observers. These meetings include a quarterly review of the National Action Plan and National Strategy. (57) In October and November 2019, NAATIP launched its annual campaign to proactively educate potential victims of trafficking. (57)
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. (58) Research was unable to determine whether the committees were active during the reporting period.

Since 2013, the government has been collecting and processing data on labor violations, which are made available to all ministries and law enforcement bodies. (14) However, the Child Labor Monitoring System lacks quality data analysis, and there is unsatisfactory data sharing between municipal authorities and the national government. (10,11,15,42,56)

V. GOVERNMENT POLICIES ON CHILD LABOR

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

Table 9. Key Policies Related to Child Labor

Policy	Description
Children's Rights Action Plan (2019–2021)	Passed in January 2019. (4) Aims to improve social, economic, and legislative rights and the protection of children through developing institutions at the local and national levels. (51,59) Includes an accompanying Children's Rights Strategy (2019–2023). (51,59) The Strategy includes five objectives, one of which is the prevention, protection, and reintegration of child laborers. (51) Research was unable to determine whether the policy was active during the reporting period.
National Strategy and Action Plan Against Trafficking in Persons (2015–2019)	Aims to prevent and combat human trafficking by raising awareness, identifying victims, and strengthening criminal law enforcement. (60,61) Implemented in 2019 through KP-initiated raids and awareness campaigns, along with law enforcement and judiciary trainings. (4)
Strategy for the Inclusion of Roma and Ashkali Communities (2016–2020)	Focuses on employment, social issues, healthcare, and housing for the Ashkali and Roma communities. Aims to strengthen individual's rights and full integration into society. (62) A special educational component promotes inclusive education for children from these communities. (63) In 2019, 2,750 Roma and Ashkali families benefited from social welfare programs. (4)
Kosovo Education Strategic Plan (2017–2021)	Emphasizes the inclusion of vulnerable minorities in the education system, especially for preschool children of the Roma, Ashkali, and Balkan Egyptian communities. Establishes regulations at the municipality level to facilitate preschool enrollment and raise awareness of school attendance and enrollment. (64) In 2019, the Ministry of Education, Science, and Technology offered students free school meals and textbooks, along with fee and document waivers for returnees and other vulnerable children from minority communities. (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 receive social services, education, and safety. (65) Research was unable to determine whether the policy was active during the reporting period.

† Policy was approved during the reporting period.

During the reporting period, the government provided \$353,790 in social welfare assistance to families as part of the Strategy for the Inclusion of Roma and Ashkali Communities. In addition, the government contributed \$2,772,656 for programs assisting Roma and Ashkali children with special needs. (4) However, the Strategy for the Inclusion of Roma and Ashkali Communities does not include child labor prevention and elimination strategies. Additionally, research was unable to determine whether the government initiated activities related to the Children's Rights Action Plan during the reporting period.

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2019, the government funded and participated in programs that include the goal of eliminating or preventing child labor (Table 10). However, gaps exist in these social programs, including funding.

Table 10. Key Social Programs to Address Child Labor

Program	Description
Measurement, Awareness-Raising, and Policy Engagement (MAPI6) Project on Child Labor and Forced Labor	USDOL-funded global project implemented by 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. Additional information is available on the USDOL website. (66)
Hope and Homes for Children†	Government-funded NGO shelter. Accommodates child victims of abuse and human trafficking. (50) In 2019, the program continued to provide housing for children removed from abusive situations. (57)
UN Common Development Plan (2016–2020)	Funded and implemented by the UN Kosovo Team. Promotes international standards and human rights safeguards of migrants, as well as the social protection and educational inclusion of the Roma, Ashkali, and Balkan Egyptian communities. (31) Research was unable to determine whether the plan was active during the reporting period.
The Helpline‡	Government-operated hotline for victims of domestic violence and human trafficking. (2) In 2019, the Helpline received a total of 813 calls, of which 13 were classified as human trafficking-related. (47)

† Program is funded by the Republic of Kosovo.

‡ The government had other social programs that may have included the goal of eliminating or preventing child labor. (2,4,67)

The government continued to support social assistance to at-risk families and provided free school meals and textbooks. In 2019, the government of Kosovo and World Vision conducted five regional workshops to create a regional agreement on a joint monitoring system for child labor cases. (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).

Table 11. Suggested Government Actions to Eliminate Child Labor

Area	Suggested Action	Year(s) Suggested
Enforcement	Clearly delineate the duties of each government entity appointed to absorb the responsibilities of the former Ministry of Labor and Social Welfare.	2018 – 2019
	Ensure that Centers for Social Work have sufficient capacity and resources, such as personnel and training, to address the specific needs of child labor victims and properly screen child beggars.	2018 – 2019
	Ensure that mechanisms exist to enforce protections for children in the informal sector.	2017 – 2019
	Ensure that labor inspectors conduct child labor inspections on private farms and in areas with ethnic Serb majorities.	2017 – 2019
	Improve the collection, publication, and standardization of data related to human trafficking cases to improve the pace and quality of case processing.	2019
	Incorporate topics on child labor, including hazardous child labor, in both new employee training and refresher courses; ensure trainings on new child labor laws for all labor inspectors.	2017 – 2019
	Ensure that the penalties in the legal framework regulating the crime of human trafficking are correctly applied, including by providing training and supervision to prosecutors and judges on the legal framework for human trafficking cases.	2012 – 2019
Coordination	Increase inter-ministerial communication to adequately combat child labor and commercial sexual exploitation.	2012 – 2019
	Improve the capacity of the Child Labor Monitoring System to better analyze data on child labor and improve data sharing between municipal authorities and the national government.	2013 – 2019
Government Policies	Integrate child labor elimination and prevention strategies into the Strategy for the Inclusion of Roma and Ashkali Communities.	2016 – 2019
	Ensure that the Children's Rights Strategy and Action Plan is active.	2019

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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 – 2019
	Make additional efforts to register Ashkali, Balkan Egyptian, and Roma children at birth.	2011 – 2019
	Fully fund and operate shelters that house child victims of trafficking for interviewing and accommodating child victims.	2016 – 2019

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MINIMAL ADVANCEMENT – EFFORTS MADE BUT REGRESSION IN LAW THAT DELAYED ADVANCEMENT

In 2019, the Kyrgyz Republic made a minimal advancement in efforts to eliminate the worst forms of child labor. The government passed a policy package that established a National Referral Mechanism for victims of human trafficking, and drafted a new National Action Plan for 2020–2024 on the Prevention and Eradication of Child Labor. However, despite new initiatives to address child labor, the Kyrgyz Republic is receiving an assessment of minimal advancement because it implemented a regression in law that delayed advancement in eliminating the worst forms of child labor. As of January 1, 2019, the government instituted a moratorium on unannounced labor inspections. Inspections can only be conducted in response to a formal complaint, and must be approved and announced by the Ministry of Economy before a site visit can occur. Children in the Kyrgyz Republic engage in the worst forms of child labor, including in commercial sexual exploitation, sometimes as a result of human trafficking. Children also engage in child labor in agriculture. 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 indicates that the State Inspectorate on Ecological and Technical Safety employed an insufficient number of labor inspectors. In addition, the scope of social programs to combat child labor was insufficient to fully address the extent of the problem.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in the Kyrgyz Republic engage in the worst forms of child labor, including in commercial sexual exploitation, sometimes as a result of human trafficking. (1-4) Children also engage in child labor in agriculture. (5-9) Table 1 provides key indicators on children’s work and education in the Kyrgyz Republic.

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 (%)		104.5

Source for primary completion rate: Data from 2018, published by UNESCO Institute for Statistics, 2020. (10)

Source for all other data: International Labor Organization’s analysis of statistics from Multiple Indicator Cluster Survey 6 (MICS 6), 2018. (11)

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

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

Sector/Industry	Activity
Agriculture	Cultivating cotton, tobacco,† rice, potatoes, sugar beets, and wheat (3,5-9,12-18)
	Raising and herding cattle (3,8,17)
Industry	Coal mining† (3,9,12,13,19,20)
	Brick making (3,12,13,17)
	Construction, including lifting and portering construction materials, and cutting metal sheets for roofs (3,13,17,20,21)
Services	Working in bazaars and markets, including loading and unloading goods, portering, collecting plastic bottles and garbage, and selling items, including food and newspapers (2,5,7,9,15,16,19,22,23)
	Washing cars (7,17)
	Working in restaurants and cafes, including serving food and washing dishes (5,12,17,24)
	Street work, including begging and shoe shining (1,12,14,15)
	Domestic work, including child care (1,2,6,9,14)

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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
Categorical Worst Forms of Child Labor†	Commercial sexual exploitation, sometimes as a result of human trafficking (1-4,17)
Forms of Child Labor‡	Use in illicit activities, including trafficking drugs, 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.







Child labor, including hazardous child labor, is most prevalent in the *oblasts* (provinces) of Naryn and Osh. (20) 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 the markets; some fall victim to forced child labor. (25) Within the Kyrgyz Republic, children of labor migrants have been identified in child labor in markets. (26)

The inability to enroll in school makes children from a variety of circumstances vulnerable to child labor. (3,22,27) According to UNICEF, an estimated 650,000–750,000 citizens of the Kyrgyz Republic work abroad, and an additional 1 million are internal migrants. (27) Some children, who are left behind when their parents migrate 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. (5,12,27) Children with disabilities, children living and working on the street, and children living in rural areas also have difficulty accessing education. (3,17) According to Kyrgyz law and the Ministry of Education and Science, residence registration is not required for children to attend school; however, research reports that some schools require residence registration, known as *propiska*, for school enrollment. (2,3,6,28)

II. LEGAL FRAMEWORK FOR CHILD LABOR

The Kyrgyz Republic has ratified all key international conventions concerning child labor (Table 3).

Table 3. Ratification of International Conventions on Child Labor

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

The government has established laws and regulations related to child labor (Table 4). However, gaps exist in the Kyrgyz Republic’s legal framework to adequately protect children from the worst forms of child labor, including 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 18 of the Labor Code (29)
Minimum Age for Hazardous Work	Yes	18	Article 294 of the Labor Code; Article 15 of the Code on Children (29,30)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Article 294 of the Labor Code; Decree 314; Annex I of Decree 548 (29,31,32)

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

Standard	Meets International Standards	Age	Legislation
Prohibition of Forced Labor	Yes		Article 10 of the Labor Code; Article 15.2 of the Code on Children; Article 1 of the Law on Preventing and Combating Human Trafficking; Article 173 of the Criminal Code (29,30,33,34)
Prohibition of Child Trafficking	Yes		Article 1 of the Law on Preventing and Combating Human Trafficking; Article 171 of the Criminal Code (33,34)
Prohibition of Commercial Sexual Exploitation of Children	No		Articles 166–168 of the Criminal Code; Articles 5 and 15 of the Code on Children (30,33)
Prohibition of Using Children in Illicit Activities	Yes		Articles 180–181 and 267–268 of the Criminal Code; Articles 5 and 15 of the Code on Children (30,33)
Minimum Age for Voluntary State Military Recruitment	Yes	18	Article 24.1 of the Law on Military Service (35)
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 (33,35)
Prohibition of Military Recruitment by Non-state Armed Groups	Yes		Articles 392 and 395 of the Criminal Code (33)
Compulsory Education Age	No	15‡	Article 16 of the Law on Education (28)
Free Public Education	Yes		Article 16 of the Law on Education (28)

‡ Age calculated based on available information (28)

In 2019, the Criminal Code was amended to remove the requirement that force, fraud, or coercion be established for the crime of child trafficking. This change has also been included in the Code of Criminal Procedures, which guides implementation of criminal justice laws. (33,36)

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. (29)

Article 166 of the Criminal Code of the Kyrgyz Republic criminalizes involving a minor into prostitution through violence, threats, or coercion; Article 167 of the Criminal Code criminalizes pimping, including of children under age 16; and Article 171 of the Criminal Code criminalizes child trafficking, including for the purpose of sexual exploitation. However, no law clearly criminalizes the users (clients) of prostitution involving children. (33)

Children in the Kyrgyz Republic are required to attend school only until grade nine, which is typically when they reach age 14 or 15. (5,6,28) This standard makes children ages 14 and 15 vulnerable to child labor because they are not required to be in school, but they also are not yet legally permitted to work.

III. ENFORCEMENT OF LAWS ON CHILD LABOR

The government has established institutional mechanisms for the enforcement of laws and regulations on child labor (Table 5). However, the absence of unannounced inspections conducted at the national level in the Kyrgyz Republic may impede the enforcement of child labor laws.

Table 5. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
State Inspectorate on Ecological and Technical Safety	Monitors work sites and refers child laborers to social services. Coordinates with the Inspectorate for Minors' Affairs in the Ministry of Internal Affairs, the Prosecutor General's Office, and regional State District Administration authorities to enforce child labor laws. (17,19)
Ministry of Internal Affairs (MOIA)	Enforces criminal laws related to child labor, including its worst forms. Conducts independent inspections and joint raids with the State Inspectorate on Ecological and Technical Safety to identify violations, which can be referred to the Prosecutor General's Office for prosecutorial action. (17)
Prosecutor General's Office	Enforces and applies labor-related laws, including labor inspections and investigations of child labor violations, in coordination with the State Inspectorate on Ecological and Technical Safety. (19)

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MINIMAL ADVANCEMENT – EFFORTS MADE BUT REGRESSION IN LAW THAT DELAYED ADVANCEMENT

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

Organization/Agency	Role
Oblast Administration	Enforces child labor laws at the <i>oblast</i> (province) level. (19)
Ministry of Labor and Social Development	Serves as the key government agency for children's issues. Protects children and families in difficult living situations, including child laborers. (19) Coordinates with <i>oblast</i> -level authorities to investigate violations of child labor laws. (19)

Labor Law Enforcement

In 2019, 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	2018	2019
Labor Inspectorate Funding	Unknown (37)	Unknown (17)
Number of Labor Inspectors	30 (37)	30 (17)
Inspectorate Authorized to Assess Penalties	Yes (22)	Yes (17)
Initial Training for New Labor Inspectors	Unknown	Unknown
Training on New Laws Related to Child Labor	N/A	Yes (17)
Refresher Courses Provided	No (19)	Yes (17)
Number of Labor Inspections Conducted	799† (37)	504‡ (17)
Number Conducted at Worksite	Unknown	Unknown
Number of Child Labor Violations Found	Unknown	229‡ (17)
Number of Child Labor Violations for Which Penalties Were Imposed	Unknown (37)	96‡ (17)
Number of Child Labor Penalties Imposed that Were Collected	Unknown (37)	Unknown
Routine Inspections Conducted	Yes (37)	Yes (17)
Routine Inspections Targeted	Unknown	No (17)
Unannounced Inspections Permitted	Yes (38,39)	No (17)
Unannounced Inspections Conducted	Yes (37)	No (17)
Complaint Mechanism Exists	Yes (22)	Yes (17)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (40)	Yes (17)

† Data are from January 1, 2018 to September 30, 2018.

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

As of January 1, 2019, a 2-year moratorium on unannounced labor inspections came into effect. (41-43) Under this moratorium, inspections are only triggered in response to a formal complaint lodged to the State Inspectorate. Also, before a site visit can be conducted, the Ministry of Economy must approve the inspection and provide notice to the public that an inspection is planned. (17) The Prime Minister described the moratorium as a measure “to improve the business environment.” (44) Between January and September 2019, the State Inspectorate on Ecological and Technical Safety conducted 504 inspections according to this procedure. (17) The Inspectorate reported no child labor violations found as a result of these inspections. (17) Labor inspectors also participated in 64 MOIA-led investigative raids, through which the Inspectorate identified 229 children working in hazardous child labor, primarily in agriculture. Six of these children were under age 14 and 223 were aged 14-18. (17,45)

In 2019, the State Inspectorate on Ecological and Technical Safety employed 30 labor inspectors. (17) The number of labor inspectors is likely insufficient for the size of the Kyrgyz Republic's workforce, which includes more than 2.8 million workers. (46) According to the ILO's technical advice of a ratio approaching 1 inspector for every 20,000 workers in transitioning economies, the Kyrgyz Republic would employ about 142 labor inspectors. (22,47,48) The State Inspectorate on Ecological and Technical Safety acknowledged that the number of labor inspectors was inadequate to ensure appropriate enforcement of child labor laws. (22) Reports also suggest that limited staffing may hamper the Inspectorate's ability to monitor places with a high incidence of child labor, such as markets and bazaars. (45) The government considers the level of funding for labor inspection activities

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to be classified information. However, inspectorate representatives noted that funding may be insufficient to adequately enforce child labor laws. (17) The ILO also expressed concern that the inspectorate lacked sufficient funding to carry out inspections. (19) During the reporting period, labor inspectors received training on new labor code provisions, and one inspector received training on trafficking in persons. (17)

While 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. (17,30)

Criminal Law Enforcement

In 2019, criminal law enforcement agencies in the Kyrgyz Republic took actions to combat child labor (Table 7). However, gaps exist within the operations of the criminal enforcement agencies that may hinder adequate criminal law enforcement, including training for criminal investigators.

Table 7. Criminal Law Enforcement Efforts Related to Child Labor

Overview of Criminal Law Enforcement	2018	2019
Initial Training for New Criminal Investigators	No (19)	Unknown
Training on New Laws Related to the Worst Forms of Child Labor	N/A	Yes (36)
Refresher Courses Provided	Yes (49)	Unknown
Number of Investigations	70 [†] (49)	64 [‡] (17)
Number of Violations Found	36 [†] (49)	29 [‡] (45)
Number of Prosecutions Initiated	7 (49)	3 (17,36)
Number of Convictions	Unknown (19)	0 (17)
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 (19)	Yes (17)

[†] Data are from January 1 to September 30, 2018.

[‡] Data are from January 1, 2019 to September 30, 2019.

In 2019, and in partnership with UNODC, 12 instructors from the Supreme Court’s Higher School of Justice received training on trafficking in persons. (50) The Ministry of Internal Affairs (MOIA) conducted seven trainings on human trafficking for its staff, including one training for State Customs Service officials. In partnership with UNODC, MOIA also developed a compendium of standard operating procedures on investigating and detecting crimes related to trafficking in persons. (36)

Between January and September 2019, MOIA conducted 64 investigative raids to detect child labor, which were carried out in cooperation with labor inspectors from the State Ecological and Technical Inspectorate. (17) These raids detected 494 working minors, 29 of whom were identified working in the worst forms of child labor. (45) Authorities identified one forced labor case involving two child victims. Although this forced labor case was referred for prosecution, prosecutorial action was suspended following pre-trial proceedings due to the absence of the victims’ statements. (17) An official from MOIA separately reported six cases involving children that the government officially investigated as trafficking in persons crimes in 2019. However, it is unclear if any of these investigations overlap with raids that MOIA conducted to detect child labor. (51) In addition, criminal investigators referred two cases for prosecution involving the use of a child in the production of pornography. (36) Research was unable to determine the status or outcome, if any, of ongoing child labor cases for which prosecution was initiated in 2018 and may have continued during the reporting period.

Reports suggest that Kyrgyz police officers exploit trafficking victims, including some younger than age 18. Concerns persist about police misconduct, including allegations that police threaten and extort sex trafficking victims, including minors, and reports indicate that police accept bribes from alleged traffickers to drop cases. (4)

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IV. COORDINATION OF GOVERNMENT EFFORTS ON CHILD LABOR

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

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

Coordinating Body	Role & Description
Children's Affairs Commission	Assesses the needs of children in difficult situations, including child laborers; creates individual development plans; and monitors service delivery. Members include social workers from regional Departments of Child Protection of the Ministry of Labor and Social Development and law enforcement authorities. (19) In 2019, the Commission continued to operate according to the Regulations on the Procedure for the Identification of Children and Families in Difficult Situations. (26,40,52)
Coordination Council for Social Protection and Children's Rights	Develops policies to eliminate child labor. (53) Chaired by the Deputy Prime Minister, members include representatives from the Ministry of Labor and Social Development and three other ministries. (54,55) Met quarterly in 2019. (17)
Anti-Trafficking in Persons Task Force	Parliamentary group that coordinates and oversees work to combat trafficking in persons. In 2019, met to discuss and approve an Action Plan for 2019–2020 to guide its work, and convened offsite meetings in Batken, Osh, and Naryn <i>oblasts</i> to meet with victims of forced labor. (36)
Regional Trafficking in Persons Coordination Councils	Coordinate local implementation of the National Action Plan to Combat Trafficking in Persons in all seven regional or <i>oblast</i> -level governments and the city of Osh. In 2019, all councils participated in institutional development workshops in partnership with UNODC. (57)

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. (26,52)

In 2019, the government designated the State Migration Service as the lead agency for coordinating efforts to prevent and combat trafficking in persons. (36,58)

V. GOVERNMENT POLICIES ON CHILD 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
Regulations on the Procedure for the Identification of Children and Families in Difficult Situations	Establishes the process for identifying children in difficult living situations, including those engaged in the worst forms of child labor. Receives complaints, conducts outreach activities, devises individual action plans, removes children from the worst forms of child labor, and provides financial and educational services. (40) The Children's Affairs Commission continued to implement this policy in 2019. (26,40,52)
National Referral Mechanism†	Establishes formal policies on (1) identification of victims of human trafficking; (2) referrals for and provision of social services to victims; and (3) protection of victims' personal data. (51,61) In 2019, this policy was integrated into UNODC workshops to develop Regional Trafficking in Persons Coordination Councils. (51,57)
National Action Plan to Combat Trafficking in Persons (2017–2020)	Improves the legal framework on human trafficking; improves dissemination of information on human trafficking risks for migrants and vulnerable populations; raises awareness about protections for victims and criminal penalties for perpetrators; and improves coordination among government agencies, NGOs, and international partners. (62,63) In 2019, the State Migration Service convened the interagency monitoring group responsible for implementing the National Action Plan every 6 months and discussed establishing a mechanism for local- and national-level government entities to coordinate efforts to combat trafficking in persons. (36)

† Policy was approved during the reporting period.

In 2019, the government drafted a new National Action Plan (NAP) for 2020–2024 on the Prevention and Eradication of Child Labor. This draft NAP is currently awaiting approval by relevant government ministries and departments. (17)

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The government has not included child labor elimination and prevention strategies in the National Education Strategy and Roadmap. (64)

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2019, the government funded and participated in programs that include the goal of eliminating or preventing child labor (Table 10). However, gaps exist in these social programs, including the adequacy of programs to address the full scope of the problem.

Table 10. Key Social Programs to Address Child Labor

Program	Description
Cash Transfer Program†	Government-funded cash transfer program for families living in difficult situations, including families with children engaged in child labor. (53) In 2019, cash assistance from the Ministry of Labor and Social Development continued to be available to such families. However, based on available information, the amount of assistance appears to be low, and some families face barriers to accessing these benefits. (69,70)
Ministry of Education and Science National School Attendance Database†	Government-funded program implemented by the Ministry of Education and Science to pilot a national electronic database to track children who do not attend school. Following development and use throughout the country, database information is intended to be shared with the Ministry of Labor and Social Development to assist children engaged in child labor. (6) The database is meant to provide information to the Ministry of Internal Affairs on cases of criminal violations of child labor laws. In addition, school social workers could use the database to work with families, ensuring that children attend school. (6) In July 2019, the Ministry of Education announced a tender for the development of a mobile app for tracking student enrollment and attendance, which has been rolled out in pilot communities. (45,71)
Support of Family and Protection of Children (2018–2028)†	Government-funded program that includes limited activities to address child labor, including revising Decree 314, the hazardous work list for children. Responsible for organizing competitive bids for projects, including one that will result in four new social services centers by 2020 for families and children in difficult living situations. (72) Provides local administrations with income-generating ideas for families in difficult living situations. (72) Research did not find information about the implementation of this program in 2019.

† 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. (73,74)

Although the Kyrgyz Republic has programs that target child labor, the scope of these programs is insufficient to fully address the extent of the problem, particularly in commercial sexual exploitation as a result of human trafficking and in agriculture, including cultivating cotton.

VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE CHILD LABOR

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

Table 11. Suggested Government Actions to Eliminate Child Labor

Area	Suggested Action	Year(s) Suggested
Legal Framework	Ensure that the law's minimum age provisions and hazardous work prohibitions apply to all children, including those working without an employment contract.	2014 – 2019
	Criminally prohibit and penalize the use of a child for prostitution.	2019
	Ensure that the age up to which education is compulsory is the same as the minimum age for work.	2014 – 2019
Enforcement	Lift the moratorium on unannounced labor inspections and ensure that the labor inspectorate conducts routine, targeted, and unannounced labor inspections.	2018 – 2019
	Publish complete information about the State Inspectorate's efforts to enforce prohibitions on child labor, including information on the Inspectorate's funding; the number of labor inspections conducted at worksites; and the number of penalties collected.	2011 – 2019
	Strengthen the labor inspection system by providing child labor training for new labor inspectors and criminal investigators.	2014 – 2019
	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 – 2019

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

Area	Suggested Action	Year(s) Suggested
Enforcement	Ensure that the State Inspectorate on Ecological and Technical Safety and relevant social services providers have the capacity to adequately implement the child labor complaint mechanism.	2019
	Publish complete information about criminal enforcement of prohibitions on the worst forms of child labor, including the penalties imposed.	2019
	Ensure that criminal law enforcement agencies investigate and prosecute violations related to the worst forms of child labor, including cases of possible police complicity in abusing victims.	2015 – 2019
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
Government Policies	Integrate child labor elimination and prevention strategies into relevant policies, such as the National Education Strategy and Roadmap.	2015 – 2019
Social Programs	Ensure that all children have access to free education, including children with disabilities, those living and working on the street, those lacking residence registration, and those without birth certificates and guardianship documents.	2009 – 2019
	Implement all social programs, including the Support of Family and Protection of Children program.	2016 – 2019
	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
	Expand existing programs to address the scope of the child labor problem, particularly in commercial sexual exploitation as a result of human trafficking and in agriculture, including cultivating cotton.	2014 – 2019

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In 2019, Lebanon made a moderate advancement in efforts to eliminate the worst forms of child labor. The Ministry of Social Affairs began implementing the National Action Plan to End Street Begging by Children with a public outreach program, and the Ministry of Labor took steps to review the Labor Code with the goal of raising the minimum age for work to 15, which would align with Lebanon's compulsory education age. Moreover, the Internal Security Forces institutionalized entry training for its cadets on child rights and protection. In addition, the government improved access to education with a policy allowing all refugees to enroll in public schools regardless of whether they have the required documentation for school enrollment. However, children in Lebanon engage in the worst forms of child labor, including in construction and in forced labor in agriculture. Children also engage in child labor in the production of potatoes and tobacco. Laws related to forced labor do not meet international standards as there is no legislative provision that provides criminal penalties for forced labor, and debt bondage is not criminally prohibited. Furthermore, the Ministry of Labor's budget was unable to cover equipment, personnel, and transport costs to conduct inspections. In addition, labor inspectors do not have the authority to inspect informal workplaces, where child labor in Lebanon is most prominent, and programs targeting child labor remained insufficient to fully address the extent of the problem.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Lebanon engage in the worst forms of child labor, including in construction and in forced labor in agriculture. (1-5) Children also engage in child labor in the production of potatoes and tobacco. (2,3) Table 1 provides key indicators on children's work and education in Lebanon. Data on some of these indicators are not available from the sources used in this report.

Table 1. Statistics on Children's Work and Education

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

Source for primary completion rate: Data from 2017, published by UNESCO Institute for Statistics, 2020. (6)
Data were unavailable from International Labor Organization's analysis, 2020. (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 picking potatoes, cucumbers, almonds, plums, olives, beans, figs, grapes, eggplants, and cannabis (2,3,8-13)
	Production of tobacco† (14,15)
	Fishing, activities unknown (16,17)
Industry	Construction,† including carpentry, tiling, and welding† (2,3,9,12,14,18,19)
	Working in cement factories† (18,20)
	Making handicrafts (16,17)

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

Sector/Industry	Activity
Industry	Working in aluminum factories (9,21)
	Working in textile factories (22,23)
Services	Street work,† including begging, street vending, portering, washing cars, scavenging garbage,† and shining shoes (3,5,9,12,24-27)
	Maintenance and repair of motor vehicles,† and painting† (9,12,16,23,25)
	Domestic work† (9,12,16,28)
	Cleaning sewage† and collecting waste materials, including scrap metal (12,16)
	Food service,† including working as waiters (2,9,15)
	Cleaning marketplaces (14)
	Working in slaughterhouses† and butcheries (16)
	Working in small shops (2,16,25)
Categorical Worst Forms of Child Labor‡	Use in illicit activities, including drug trafficking or production, sometimes as a result of human trafficking, and arms dealing (3,19,24,25,29)
	Forced begging, sometimes as a result of human trafficking (5,25,30)
	Commercial sexual exploitation, sometimes as a result of human trafficking (16,23,30-33)
	Forced labor in agriculture, sometimes as a result of human trafficking (1-4,12,16)
	Forced recruitment of children by non-state armed groups for use in armed conflict (4,34)

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

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

Child labor has increased, and conditions that affect Lebanese and Syrian refugee children have worsened since the influx of Syrian refugees into Lebanon that began in 2011. A national economic crisis that began the second half of 2019 has further exacerbated these conditions and reduced the government’s capacity to address them. (13,17,35) As of October 2019, more than 914,000 Syrian refugees in Lebanon were registered with UNHCR, and more than half of them were children. (36) Child labor is also prevalent in other refugee communities in Lebanon, including the Palestinian and Iraqi communities. (17,37)

Lebanon experienced protracted economic and political crises since anti-government protests began on October 17, 2019, and the government resigned on October 29, 2019. Sources indicate that other labor reforms have taken precedence over child labor. (3) Near the end of the reporting period, sources described an increase in child begging, which makes children more vulnerable to hazards associated with street work. (3) Some boys are subjected to commercial sexual exploitation. (19,38) Working on the streets is especially common among refugee children from Syria, including Palestinians from Syria. (24)

The UN reported that several armed groups recruited children to be used as guards or in support roles, such as in carrying weapons or food. (34)

Syrian refugee children are also subjected to forced labor in agriculture. (1,2,16,30) Some Syrian refugee children and their families in the Bekaa Valley are kept in bonded labor in agriculture to pay for makeshift dwellings provided by landowners. (1,13,30,39) A 2019 American University of Beirut survey reported that nearly 75 percent of Syrian refugee children working in the Bekaa Valley do so in agriculture. (40) Adult Syrian refugees face legal restrictions that allow them to only work in agriculture, construction, and sanitation. (16,41) To work legally, they also need to be registered with the UNHCR or have local sponsors. (41) These restrictions on adults make children vulnerable to child labor. (12,42)




In the last few years, the government waived fees for public primary schools and opened second shifts in about 240 schools. (14) In 2019, the government adopted an open policy of admitting all refugee children regardless of whether they have the required documentation for school enrollment. (3) Children in Lebanon, particularly Syrian refugee children, face barriers to accessing education, including the cost of transportation and supplies, occupation of schools by armed groups or use as shelters, fear of passing checkpoints or of violence, lack of private sanitation facilities for girls, discrimination, bullying, corporal punishment, and a different curriculum in Lebanon than in their country of origin. (2,14,15,43,44) However, the public school system in Lebanon lacks the capacity to accommodate the large number of school-age Syrian refugee children. (16) Nonetheless, some refugees have been denied access to schools. (3) Moreover, students without documentation

are only eligible to receive a certificate, rather than a diploma, causing some undocumented students to drop out. (3) More than 50 percent of Syrian refugee children and 35 percent of Palestinian refugee children were not enrolled in formal education. (25,45,46) 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. (44,47) Lebanese and refugee children who work in agriculture often do not attend school during harvesting and planting seasons. (48,49) One local organization observed a direct correlation between school dropout rates and an increase in child labor. (25)

II. LEGAL FRAMEWORK FOR CHILD LABOR

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

Table 3. Ratification of International Conventions on Child Labor

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

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

Table 4. Laws and Regulations on Child Labor

Standard	Meets International Standards	Age	Legislation
Minimum Age for Work	No	14	Article 22 of the Labor Code (50)
Minimum Age for Hazardous Work	Yes	18	Article 1 of Decree No. 8987 (51)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Annex I of Decree No. 8987 (16,51)
Prohibition of Forced Labor	No		Article 8 of Decree No. 3855; Article 569 of the Penal Code (52,53)
Prohibition of Child Trafficking	Yes		Articles 586.1 and 586.5 of the Penal Code (53)
Prohibition of Commercial Sexual Exploitation of Children	No		Articles 506, 523, 525–527, 586.1, and 586.5 of the Penal Code; Decree No. 8987 of 2012 (51,53)
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 (53,54)
Minimum Age for Voluntary State Military Recruitment	Yes	18	Article 30 of the National Defense Law (55)
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 I of Decree No. 8987 (51,53)
Compulsory Education Age	Yes	15‡	Article 49 of the Education Law (56)
Free Public Education	Yes		Article 49 of the Education Law (56)

* No conscription (57)

‡ Age calculated based on available information (37)

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. (50) This does not conform to international standards that require all children to be protected by the minimum age to work.

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In Lebanon, basic education is compulsory. (56) Children generally complete basic education at age 15. (37) 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. In 2019, the Minister of Labor formed a drafting committee to review and amend the Labor Code with the goal of raising the minimum age for work to age 15, bringing it in line with the compulsory education age. The committee did not produce a draft by the end of the reporting period. (3)

Laws related to forced labor are insufficient because there is no legislative provision that provides criminal penalties for the exaction of forced labor, and debt bondage is not criminally prohibited. (53,58)

The law does not sufficiently prohibit commercial sexual exploitation, as the use of children in the production of pornography is not criminally prohibited. (51,53)

Government officials have clarified that although Article 610 of the Penal Code criminalizes begging, Article 26 of the Delinquent Juveniles Law, which takes precedence over the Penal Code, stipulates that in cases of begging, the child is considered in danger and entitled to receive protective measures. (53,59,60)

III. ENFORCEMENT OF LAWS ON CHILD LABOR

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

Table 5. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
Ministry of Labor	Enforces child labor laws through desk review and workplace inspections. Acts as government focal point for child labor issues and hosts the National Steering Committee on Child Labor. (3) The Ministry's Child Labor Unit raises public awareness about child labor and the right to education. Receives complaints on child labor violations on its Child Labor Unit hotline. (3) In 2019, the Minister of Labor participated in the launch of a report on child labor in the Bekaa Valley. (3)
Internal Security Forces	Enforces laws regarding child labor through the Anti-Human Trafficking and Morals Protection Bureau. (3)
Ministry of Justice	Prosecutes violations of the Penal Code in coordination with the Internal Security Forces. Maintains general data and statistics on criminal violations involving child labor. (3) 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. (3)
Ministry of Social Affairs	Refers children identified by the Internal Security Forces and the Ministry of Justice to protective institutions, such as health centers. Refers children to shelters through its Higher Council for Childhood. (3)
Directorate of General Security	Focuses on immigration and border protection. Works with farmers union to address child labor in agriculture. (3)

According to local observers, the Ministry of Labor's hotline is not fully functional and works for a limited number of hours on official workdays. It does not have a system to register incoming calls. (25)

Labor Law Enforcement

In 2019, labor law enforcement agencies in Lebanon took actions to combat child labor (Table 6). However, gaps exist within the authority of the Ministry of Labor that may hinder adequate labor law enforcement, including penalty assessment authorization.

Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2018	2019
Labor Inspectorate Funding	Unknown (16)	Unknown (3)
Number of Labor Inspectors	Unknown (16)	34 (3)
Inspectorate Authorized to Assess Penalties	No (61)	No (61)
Initial Training for New Labor Inspectors	Unknown (16)	Unknown (3)
Training on New Laws Related to Child Labor	N/A	N/A
Refresher Courses Provided	Yes (16)	Yes (3)

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

Overview of Labor Law Enforcement	2018	2019
Number of Labor Inspections Conducted	Unknown (16)	Unknown (3)
Number Conducted at Worksite	Unknown (16)	Unknown (3)
Number of Child Labor Violations Found	Unknown (16)	Unknown (3)
Number of Child Labor Violations for Which Penalties Were Imposed	Unknown (16)	Unknown (3)
Number of Child Labor Penalties Imposed that Were Collected	Unknown (16)	Unknown (3)
Routine Inspections Conducted	Unknown (16)	Unknown (3)
Routine Inspections Targeted	No (16)	Unknown (3)
Unannounced Inspections Permitted	Yes (61)	Yes (61)
Unannounced Inspections Conducted	Unknown (16)	Unknown (3)
Complaint Mechanism Exists	Yes (16)	Yes (3)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (16)	Yes (3)

In 2019, the Ministry of Labor and the Directorate of General Security held training sessions on child labor, and additionally coordinated inspection patrols to document and stop child labor. (3) However, based on available information, the Ministry did not cover the costs of equipment and transportation needed by labor inspectors to carry out their duties and the child labor unit only includes one staff member, which is insufficient. (3) Child labor inspections are generally a result of a complaint. (3) Government officials have expressed frustration that they can only conduct inspections in formal places of employment, where child labor is nearly non-existent (3,16,17,62)

The number of labor inspectors is likely insufficient for the size of Lebanon’s workforce, which includes more than 2.1 million workers. (3,63) According to the ILO’s technical advice of 1 inspector for every 15,000 workers in developing economies, Lebanon would employ about 144 labor inspectors. (64,65) Despite the need for more inspectors, the deterioration of the economic situation in Lebanon has led to a hiring freeze. (3)

The government does not publicly release information on its labor law enforcement efforts. (16)

Criminal Law Enforcement

In 2019, criminal law enforcement agencies in Lebanon took actions to combat child labor (Table 7). However, gaps exist within the operations of the criminal enforcement agencies that may hinder adequate criminal law enforcement, including the allocation of financial resources.

Table 7. Criminal Law Enforcement Efforts Related to Child Labor

Overview of Criminal Law Enforcement	2018	2019
Initial Training for New Criminal Investigators	Yes (16)	Yes (3)
Training on New Laws Related to the Worst Forms of Child Labor	N/A	N/A
Refresher Courses Provided	Yes (16)	Yes (3)
Number of Investigations	Unknown (16)	10 (3)
Number of Violations Found	Unknown (16)	8 (3)
Number of Prosecutions Initiated	Unknown (16)	7 (3)
Number of Convictions	Unknown (16)	Unknown (3)
Imposed Penalties for Violations Related to The Worst Forms of Child Labor	Unknown	Yes (3)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (16)	Yes (3)

In 2019, the Internal Security Forces (ISF) provided training to 136 officers on child trafficking and commercial sexual exploitation of children. It also institutionalized initial training on child rights and protection at the ISF Academy. (3) The ISF, the Lebanese Armed Forces, and the Directorate of General Security received training on countering human trafficking. (66) In addition, municipal police in the Bekaa Valley received training on child labor in 2019. (3)

The ISF investigated 10 cases of child labor and found 8 child victims being used for begging and selling flowers, and 1 case of a man attempting to sell his son. It referred seven adults to the judiciary and victims were referred to appropriate service providers. (3) The number of convictions is unavailable because there is no centralized record system in the Ministry of Justice. (66)

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Despite its efforts, the ISF's anti-trafficking unit was underfunded and understaffed during the reporting period and had no field offices outside of Beirut. (67) The Ministry of Justice has stated that a lack of sufficient human resources hindered the government's ability to address child labor. (17)

IV. COORDINATION OF GOVERNMENT EFFORTS ON CHILD LABOR

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

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

Coordinating Body	Role & Description
National Steering Committee on 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. (17) Sources indicate that the National Steering Committee on Child Labor did not meet in 2019 after meeting only once in 2018. (3)
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. (17) Active in 2019. (4)
UNICEF and UNHCR	Coordinates 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. (17) Makes recommendations to the government on the use of resources, including referral services. (17) UN agencies and international and local NGOs coordinate child protection efforts through Child Protection Working Groups. (16) Active in 2019. (68)

V. GOVERNMENT POLICIES ON CHILD LABOR

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

Table 9. Key Policies Related to Child Labor

Policy	Description
National Action Plan on the Elimination of the Worst Forms of Child Labor (2013–2019)	Establishes strategies for addressing child labor, including improving enforcement of child labor laws and expanding access to education. (39,69) In 2019, the Ministry of Labor maintained contact with ILO, NGOs, and international stakeholders. (3)
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. (43) Sources indicate there was minimal implementation of this policy during the reporting period. (47)
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. (70,71) In 2019, the Ministry of Education and Higher Education, in cooperation with UNICEF, trained 4,700 public school teachers in the implementation of this policy. (36)
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. (3) The Ministry of Social Affairs began its outreach campaign under the slogan "you are not helping them, you are aiding in their exploitation." It has produced posters, flyers, and a video; however, implementation of the plan halted following the resignation of the government in October 2019. (3,72)

† Policy was approved during the reporting period.

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2019, the government funded and participated in programs that include the goal of eliminating or preventing child labor (Table 10). However, gaps exist in these social programs, including 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 providing psychological counseling, raising awareness among employers, and working with employers to decrease working hours for children and improve working conditions. (48) In 2019, UNICEF worked with government agencies and civil society organizations to provide case management and psychosocial support to children, including children working on the streets. (3,36)
Reaching All Children through Education (RACE II) (2017–2021)	Donor-funded 5-year project, implemented by the Ministry of Education and Higher Education and partners to ensure quality education opportunities for children ages 3 to 18, regardless of nationality, through holistic interventions that address the demand and availability of quality public education, including non-formal education. (73) Active in 2019. (3)
National Poverty Alleviation Program†	Funded by the government and foreign donors, this program housed at the Prime Minister's Office and the Ministry of Social Affairs provides WFP food vouchers (\$27 per month) for each member of poor families. It also provides school tuition and book costs for secondary school students from 43,000 poor families. (47) In 2019, the World Bank worked with the Government of Lebanon to scale up this program to provide cash transfers for food and education to 150,000 poor Lebanese families in 2020, although this is unlikely to begin until fall 2020. (47)

† Program is funded by the Government of Lebanon.

Some officials are reluctant to remove children trafficked by their families because of a perceived lack of social services should the child be taken from the family. (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 Lebanon (Table 11).

Table 11. Suggested Government Actions to Eliminate Child Labor

Area	Suggested Action	Year(s) Suggested
Legal Framework	Accede to the CRC Optional Protocol on Armed Conflict, which the government signed in 2002.	2013 – 2019
	Raise the minimum age for work to the age up to which education is compulsory.	2018 – 2019
	Ensure the minimum age for work applies to all children, including informal workers, domestic workers, and all agricultural workers.	2019
	Ensure that the use of a child in commercial sexual exploitation is criminally prohibited.	2019
	Ensure that forced labor and debt bondage are criminally prohibited.	2015 – 2019
Enforcement	Ensure that there is an adequate mechanism to receive and log child labor complaints and refer them for investigation.	2017 – 2019
	Track and publish information on labor law enforcement, including funding and inspections.	2009 – 2019
	Authorize the labor inspectorate to assess penalties.	2015 – 2019
	Provide Ministry of Labor inspectors with proper funding and necessary transportation.	2011 – 2019
	Increase the number of labor inspectors to meet the ILO's technical advice.	2016 – 2019
	Publish information on criminal enforcement of child labor laws, including convictions.	2009 – 2019
	Ensure that criminal law enforcement agencies have the necessary funding and staff to investigate and prosecute criminal cases of child labor, in accordance with the law.	2017 – 2019
Coordination	Ensure that the National Steering Committee on Child Labor meets and carries out its duties.	2019
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 – 2019
Social Programs	Ensure access to public education for all children.	2010 – 2019
	Ensure that the National Poverty Alleviation Program is implemented.	2017 – 2019
	Expand programs to fully address the extent of child labor.	2013 – 2019

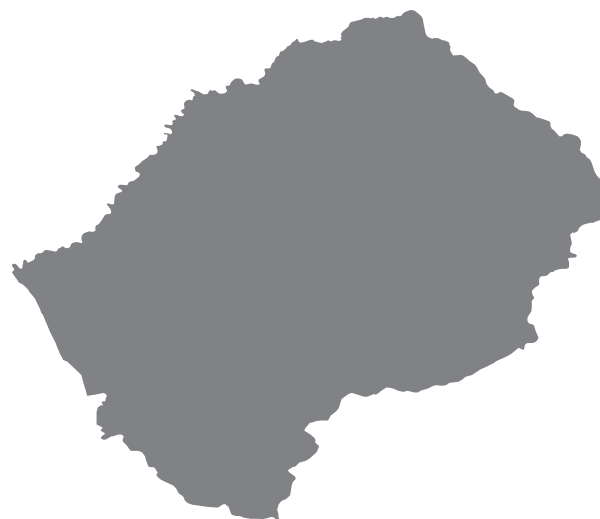
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In 2019, Lesotho made a moderate advancement in efforts to eliminate the worst forms of child labor. Lesotho ratified ILO Protocol 29 to the Forced Labor Convention of 1930 and published data relevant to child labor from the UNICEF-supported Multiple Indicator Cluster Survey and the Violence Against Children Survey. However, children in Lesotho engage in the worst forms of child labor, including commercial sexual exploitation, sometimes as a result of human trafficking. Children also perform dangerous tasks related to animal herding and domestic work. Lesotho's compulsory education age is below the minimum age for work, leaving children in between these ages vulnerable to child labor. The government also lacks sufficient mechanisms to combat child labor, and labor inspections are not conducted in high-risk sectors, including the informal sector.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Lesotho engage in the worst forms of child labor, including commercial sexual exploitation, sometimes as a result of human trafficking. Children also perform dangerous tasks related to animal herding and domestic work. (1,2) Table 1 provides key indicators on children's work and education in Lesotho.

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, 2020. (3)

Source for all other data: International Labor Organization's analysis of statistics from Multiple Indicator Cluster Survey 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)
	Farming, including planting, applying pesticides, and harvesting (5-8)
Services	Domestic work (1,2)
	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 (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.

In 2019, the government published data from the Multiple Indicator Cluster Survey. The government has also published the Lesotho Violence against Children 2019 Survey, the Kingdom of Lesotho Decent Work Country Program Report 2019–2023, and the Lesotho Civil Registration and Vital Statistics Comprehensive Assessment Report 2019, which is yet to be distributed. (1,5,9)

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. (1,2,6) Children, especially orphans,

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sometimes voluntarily travel to South Africa for domestic work, and upon arrival they are subsequently detained in prison-like conditions and sexually exploited. (1,6)

The Lesotho Population-based HIV Impact Assessment reported in 2017 that the HIV rate in adults (ages 15–59) was 25.6 percent, the second-highest HIV rate in adults worldwide. (5,10) Due to the high rate of HIV among adults, many children in Lesotho become orphans and are vulnerable to trafficking. (1,2,8,11-13) Children, mostly orphans driven by poverty, migrate from rural to urban areas to engage in commercial sexual exploitation. (8)




Many children face limited access to education due to a shortage of teachers and schools, which causes them to travel long distances. In Lesotho, primary education is free; however, secondary education incurs a fee that is cost prohibitive for many families. (1) Children with disabilities encounter difficulties with ill-equipped educational facilities and untrained teachers. (14) These factors increase a child’s vulnerability to the worst forms of child labor, such as human trafficking.

UNICEF reported a 45 percent rate in birth registrations. NGOs confirmed that the low number of birth registrations results in children becoming stateless, which makes them more vulnerable to the worst forms of child labor. (15,16)

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	✓

On August 22, 2019, Lesotho ratified ILO Protocol 29 to the Forced Labor Convention of 1930. This Protocol comes into force on August 22, 2020. (9)

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 124(1) of the Labour Code; Article 228(1) of the Children’s Protection and Welfare Act (17,18)
Minimum Age for Hazardous Work	Yes	18	Article 125(1) of the Labour Code; Article 230(1) of the Children’s Protection and Welfare Act (17,18)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Articles 230(3) and 231 of the Children’s Protection and Welfare Act (17)
Prohibition of Forced Labor	Yes		Article 9(2) of the Constitution; Article 7(1) of the Labour Code; Article 5 of the Anti-Trafficking in Persons Act (18-20)
Prohibition of Child Trafficking	No		Article 5 of the Anti-Trafficking in Persons Act (20)

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

Standard	Meets International Standards	Age	Legislation
Prohibition of Commercial Sexual Exploitation of Children	Yes		Article 77 of the Children's Protection and Welfare Act; Articles 10–14 of the Sexual Offenses Act (17,21)
Prohibition of Using Children in Illicit Activities	Yes		Article 45(b) of the Children's Protection and Welfare Act (17)
Minimum Age for Voluntary State Military Recruitment	Yes	18	Section 26 of the Lesotho Defence Force Act (22)
Prohibition of Compulsory Recruitment of Children by (State) Military	N/A*		Article 22(o) of the Children's Protection and Welfare Act (17)
Prohibition of Military Recruitment by Non-state Armed Groups	Yes		Article 22(o) of the Children's Protection and Welfare Act (17)
Compulsory Education Age	No	13‡	Article 3 of the Education Act (23)
Free Public Education	Yes		Article 3 of the Education Act; Article 22(k) of the Children's Protection and Welfare Act (17,23)

* No conscription (17)

‡ Age calculated based on available information (23)

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. (23) In addition, 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)

III. ENFORCEMENT OF LAWS ON CHILD LABOR

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

Table 5. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
Ministry of Labor and Employment (MOLE)	Enforces minimum age requirements under child labor laws, including for hazardous occupations, and assesses compliance with child labor laws as part of general labor inspections. (9,24) Assigns labor inspectors to operate a child labor unit within the ministry and provides recommendations that support the expansion of inspections into the informal sector. (9)
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, commercial sexual exploitation, and child trafficking. (25)
Public Prosecutor's Office	Prosecutes child labor law offenders. (9)
Children's Court	Enforces criminal laws related to the worst forms of child labor. (9)

In 2019, the Ministry of Labor and Employment (MOLE) continued to update the Lesotho Labour Code, which is being drafted by the Parliamentary Council. The draft Labour Code maintains the minimum age of 15 for labor and strengthens provisions to combat the worst forms of child labor. (1,9) The Ministry for Social Development submitted drafting instructions to the Parliamentary Council for amendment of the Children's Protection and Welfare Act of 2011. (1) These recommendations supported the authorization of the labor inspectorate to conduct inspections in the informal sector; however, at this time the recommendations have not been implemented. (5)

Labor Law Enforcement

In 2019, labor law enforcement agencies in Lesotho took actions to combat child labor (Table 6). However, gaps exist within the operations of MOLE that may hinder adequate labor law enforcement, including insufficient resource allocation.

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Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2018	2019
Labor Inspectorate Funding	\$4,331 (1)	Unknown (9)
Number of Labor Inspectors	37(1)	30 (9)
Inspectorate Authorized to Assess Penalties	No (1)	No (9)
Initial Training for New Labor Inspectors	Yes (1)	No (9)
Training on New Laws Related to Child Labor	Yes (1)	No (9)
Refresher Courses Provided	Yes (1)	Yes (9)
Number of Labor Inspections Conducted	833† (1)	552 (9)
Number Conducted at Worksite	833† (1)	552 (9)
Number of Child Labor Violations Found	1 (1)	1 (9)
Number of Child Labor Violations for Which Penalties Were Imposed	0 (1)	0 (9)
Number of Child Labor Penalties Imposed that Were Collected	N/A (1)	0 (9)
Routine Inspections Conducted	Yes (1)	Yes (9)
Routine Inspections Targeted	Yes (1)	Yes(9)
Unannounced Inspections Permitted	Yes (1)	Yes (9)
Unannounced Inspections Conducted	Yes (1)	Yes (9)
Complaint Mechanism Exists	Yes (1)	Yes (9)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (1)	Yes (9)

† Data are from April 1, 2018 to November 1, 2018.

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. (9)

Criminal Law Enforcement

In 2019, criminal law enforcement agencies in Lesotho took actions to combat child labor (Table 7). However, gaps exist within the operations of the criminal enforcement agencies that may hinder adequate criminal law enforcement, including limited funding and personnel. (2,9)

Table 7. Criminal Law Enforcement Efforts Related to Child Labor

Overview of Criminal Law Enforcement	2018	2019
Initial Training for New Criminal Investigators	Yes (1)	No (9)
Training on New Laws Related to the Worst Forms of Child Labor	No (1)	No (9)
Refresher Courses Provided	No (1)	No (9)
Number of Investigations	0 (1)	Unknown (9)
Number of Violations Found	0 (1)	0 (9)
Number of Prosecutions Initiated	0 (1)	0 (9)
Number of Convictions	0 (1)	0 (9)
Imposed Penalties for Violations Related to The Worst Forms of Child Labor	Unknown	No (9)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (1)	Yes (9)

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. Reports indicate that the Child and Gender Protection Unit has limited personnel and receives insufficient or no funding to carry out child labor investigations. (7, 11) There is also no evidence of any funding for combating child labor being provided to the Public Prosecutor’s Office or the Children’s Court. (1)

IV. COORDINATION OF GOVERNMENT EFFORTS ON CHILD LABOR

The government has established mechanisms to coordinate its efforts to address child labor (Table 8). However, gaps exists 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. Research could not determine whether activities were undertaken for this program during the reporting period.
National Orphans and Vulnerable Children Coordinating Committee	Strengthens coordination on issues related to orphans and vulnerable children at the national level. In 2019, the Committee conducted quarterly meetings. (9)
Multi-Sectoral Committee on Combating Trafficking in Persons	Spearheads anti-trafficking in persons initiatives and approves legislation and policies to prevent human trafficking. Chaired by the Commissioner of Refugees, includes government ministries, local government members, and representatives from NGOs, international organizations, and faith-based organizations. (26) In 2019, despite limited funding which hampered more frequent meetings, the Multi-Sectoral Committee conducted campaigns to raise awareness about trafficking in persons were conducted as a collaboration between the Cross-Border Crime Prevention Forum in South Africa and Skills Share Lesotho. These agencies developed and screened a Sesotho language educational film on trafficking in persons. (9)
District Child Protection Teams	Coordinate child protection matters, including child labor, at the district level. Led by the Ministry of Social Development, include representatives from the government, private sector, NGOs, and community support groups. (26) In 2019, 40 District Child Protection Teams held a 2-day training workshop on case management, during which they also developed work plans. The District Child Protection Teams also met with the National Orphans and Vulnerable Children Coordinating Committee to discuss integrating efforts. (9)
Community Coordination Teams	Monitor, address, and refer instances of at-risk children or those involved in hazardous work. (1) In 2019, Community Council Child Protection Teams were established in four councils (Semonkong, Makhoalipane, Mazenod, and Mahlakeng). One public gathering was held in Semonkong—a rural district in which children are often involved in herding animals—to raise awareness about child labor. (9)

V. GOVERNMENT POLICIES ON CHILD LABOR

The government has established policies related to child labor (Table 9). However, policy gaps exist that hinder efforts to address child labor, including implementing a new national child labor action plan.

Table 9. Key Policies Related to Child Labor

Policy	Description
Multi-sectoral Child Protection Strategy 2015–2019 and Action Plan	Enhanced the country's capacity to design and implement violence prevention programs and built successful child protection systems. In 2019, a Violence Against Children Survey was released that measured the prevalence, nature, and consequences of physical, emotional, and sexual violence against children and youth. (9)
National Anti-Trafficking in Persons Strategic Framework and Action Plan (2013–2019)	Supported the national and international obligations and commitments regarding human trafficking, in support of the vision to eliminate all forms of trafficking in persons in Lesotho. Provided victim protection and successful arrests, prosecutions of offenders, and preventive measures. (27) In 2019, the government began reviewing the strategy to align it with international standards. (9)
Lesotho UNDP (2013–2019)	Included actions to build the capacity of the government, social partners, and civil society to eliminate child labor. Promoted education for children, supported youth employment, and built the government's capacity to provide social welfare services to vulnerable children. (31) The project came to an end during this reporting period (June 2019). (9)
Kingdom of Lesotho: Poverty Reduction Strategy Paper—National Strategic Development Plan (2018–2023)	Identifies child protection services (Child and Gender Protection Unit, social welfare, health, and the justice system) and their capacity to respond adequately to cases of violence, abuse, and exploitation of children, including child labor. Outlines prevention measures. (1,32) In 2019, the Ministry of Social Development continued to manage a hotline on child protection issues, held sensitizations on child labor at two councils, and held four radio programs on child labor protection and prevention. (9)

‡ The government had other social programs that may have included the goal of eliminating or preventing child labor. (1,5,9)

Although the government released a draft labor policy in 2018 that proposed harmonizing existing legislation with international labor standards regarding child labor, the Cabinet has yet to approve the policy. (1,5) In addition, the government has not included child labor elimination and prevention strategies in existing policies, such as the Education Sector Strategic Plan. (33)

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2019, the government funded and participated in programs that include the goal of eliminating or preventing child labor (Table 10). However, gaps exist in these social programs, including the adequacy of programs to fully address the scope of the problem.

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Table 10. Key Social Programs to Address Child Labor

Program	Description
Orphans and Vulnerable Children Scholarship Program†	Government program that pays for tuition, uniforms, supplies, and boarding fees for orphans and vulnerable children. (1) Research was unable to determine what actions were undertaken during the reporting period.
School Feeding Program	Provides incentives for primary school children from impoverished backgrounds to attend school and improves retention. (1,34) Research could not determine whether activities were undertaken for this program during the reporting period.
Child Grant Program	Provides social cash transfers to impoverished households, orphans, and vulnerable children with the aim of increasing access to basic needs such as food, health, and education. The program is implemented by the Ministry of Social Development and funded by the EU with technical support from UNICEF. (1,34) Research could not determine whether activities were undertaken for this program during the reporting period.

† Program is funded by the Government of Lesotho.

‡ The government had other social programs that may have included the goal of eliminating or preventing child labor. (27)

The government continued to incorporate human trafficking lessons in the primary school curriculum (Standard 7). (7,35)

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 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 - 2019
	Ensure that laws prohibiting child trafficking do not require threats, the use of force, or coercion to be considered child trafficking.	2019
Enforcement	Provide adequate funding and training for labor inspectors and criminal investigators to address the worst forms of child labor.	2009 – 2019
	Publish enforcement data such as the number of investigations	2019
	Ensure that labor inspections are conducted in all relevant sectors, including the informal sector.	2014 – 2019
	Ensure that the labor inspectorate is authorized to assess penalties including those related to the worst forms of child labor.	2009 – 2019
Coordination	Ensure that all of the Community Coordination Teams are active and undertaking activities in support of their missions.	2018 – 2019
Government Policies	Publish data on the prevalence of child labor, including its worst forms.	2018 – 2019
	Ensure that there is a policy for the elimination of child labor to replace the expired National Action Plan for the Elimination of Child Labor.	2018 – 2019
	Integrate child labor elimination and prevention strategies in existing youth policies, such as the Education Sector Strategic Plan.	2012 – 2019
Social Programs	Institute programs that address push factors that promote child labor, including the high HIV rate in adults.	2017 – 2019
	Ensure that children with disabilities have equal access to education.	2018 – 2019
	Address educational and logistical gaps resulting in reduced opportunities for secondary education, including shortage of teachers and secondary school fees.	2018 – 2019
	Increase birth registrations of children to reduce their vulnerability to the worst forms of child labor.	2017 – 2019
	Expand existing programs to address the scope of the child labor problem.	2015 – 2019
	Collect and publish data on the extent and nature of child labor to inform policies and programs.	2019

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In 2019, Liberia made a minimal advancement in efforts to eliminate the worst forms of child labor. The Ministry of Justice successfully prosecuted one case of child trafficking and the government endorsed the National Action Plan on the Elimination of the Worst Forms of Child Labor. However, children in Liberia engage in the worst forms of child labor, including in forced domestic work, sometimes as a result of human trafficking. Children also perform dangerous tasks in the production of rubber and the mining of gold and diamonds. In addition, Liberia has yet to accede to the UN CRC Protocol on Armed Conflict and the Protocol on the Sale of Children, Child Prostitution, and Child Pornography. The compulsory education age is lower than the minimum age for work, making children age 15 vulnerable to the worst forms of child labor because they are not required to attend school nor legally permitted to work. 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 engage in the worst forms of child labor, including in forced domestic work, sometimes as a result of human trafficking. (1) Children also perform dangerous tasks in the production of rubber and the mining of gold and diamonds. (2) Table 1 provides key indicators on children's work and education in Liberia.

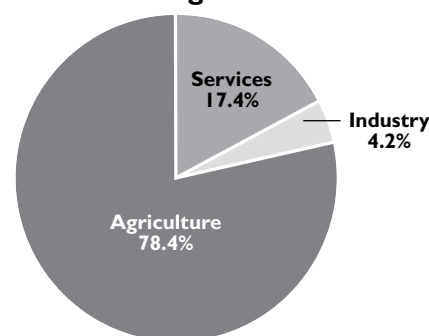
Table 1. Statistics on Children's Work and Education

Children	Age	Percent
Working (% and population)	5 to 14	16.6 (136,340)
Attending School (%)	5 to 14	75.9
Combining Work and School (%)	7 to 14	14.0
Primary Completion Rate (%)		60.6

Source for primary completion rate: Data from 2017, published by UNESCO Institute for Statistics, 2020. (3)

Source for all other data: International Labor Organization's analysis of statistics from Labour Force Survey (LFS), 2010. (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	Production of rubber, including cutting trees with machetes and using acid (1,2,5,6)
	Production of charcoal (2)
	Farming activities, including production of cocoa, coffee, cassava, and sugarcane (7)
Industry	Mining† diamonds and gold activities, including washing gravel and using mercury and cyanide (1,8,9)
	Cutting and crushing stone (2,5,6,10)
	Construction, including carrying heavy loads‡ (2,5,6)
Services	Domestic work (6)
	Street work, including vending, begging, hawking goods, and carrying heavy loads (5,6,11-13)
Categorical Worst Forms of Child Labor‡	Use in illicit activities, including selling drugs (14)
	Forced labor in domestic work, street vending, mining, begging, and work on small rubber plantations, each sometimes as a result of human trafficking (1,9)
	Commercial sexual exploitation, sometimes as a result of human trafficking (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.

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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. (10) Children are also generally transported from Liberia to Côte d'Ivoire, Guinea, Nigeria, and Sierra Leone for work. (1,5,6)

Section 9 of the Children's Law mandates free basic education from grades one to nine, but the cost of uniforms, transportation, books, and school supplies limits access to education for some children. For secondary school students (grades 10–12), reports indicate there is a shortage of teachers, insufficient learning materials, a lack of educational facilities, and inadequate transportation, all of which limit access to education. (6) In addition, some teachers sexually exploit students in exchange for the promise of good grades, resulting in children avoiding or dropping out of school. (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. (6,16)

II. LEGAL FRAMEWORK FOR CHILD LABOR

Liberia has ratified some key international conventions concerning child labor (Table 3).

Table 3. Ratification of International Conventions on Child Labor

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

The government has established laws and regulations related to child labor (Table 4). However, gaps exist in Liberia's legal framework to adequately protect children from the worst forms of child labor, including the 1-year break between the compulsory education age and the minimum age for work.

Table 4. Laws and Regulations on Child Labor

Standard	Meets International Standards	Age	Legislation
Minimum Age for Work	No		Section 74 of the Labor Law, Article 21.2 of the Decent Work Act (17,18)
Minimum Age for Hazardous Work	Yes	18	Article 7, Section 9.1 of the Children's Law (19)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Article 21.4 of the Decent Work Act (5,18)
Prohibition of Forced Labor	Yes		Article 12 of the Constitution; Article 2.2 of the Decent Work Act; Article 7, Section 8 of the Children's Law; Article 1, Section 5 of the Act to Ban Trafficking in Persons Within the Republic of Liberia (19-21)
Prohibition of Child Trafficking	Yes		Article 7, Section 8 of the Children's Law; Article 1, Section 5 of the Act to Ban Trafficking in Persons Within the Republic of Liberia (19,21)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Article 3, Section 21 of the Children's Law; Article 2.3 of the Decent Work Act; Article 1, Section 5 of the Act to Ban Trafficking in Persons Within the Republic of Liberia (18,19,21)

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

Standard	Meets International Standards	Age	Legislation
Prohibition of Using Children in Illicit Activities	Yes		Article 2.3 of the Decent Work Act; Chapter 16 of the Penal Law (18)
Minimum Age for Voluntary State Military Recruitment	Yes	18	Article 3, Section 22 of the Children's Law (19)
Prohibition of Compulsory Recruitment of Children by (State) Military	N/A*		Article 3, Section 22 of the Children's Law (19)
Prohibition of Military Recruitment by Non-state Armed Groups	Yes		Article 3, Section 22 of the Children's Law (19)
Compulsory Education Age	No	14	Article 3, Section 9 of the Children's Law; Chapter 4 of the Education Reform Act (19,22)
Free Public Education	Yes		Article 3, Section 9 of the Children's Law (19)

* No conscription (23)

The minimum age for work is not in compliance with international standards because it allows children younger than 16 to engage in work as long as it is outside of school hours, the employer keeps records of the child's schooling, and the child is literate and attends school regularly. Because of this, children of any age may be vulnerable to child labor. Although the Decent Work Act prohibits children younger than 15 from working full-time, it does not prevent children below this age from engaging in part-time employment. (19,22)

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, the exceptionally low number of worksite inspections conducted in the informal sector may impede the enforcement of child labor laws.

Table 5. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
Ministry of Labor (MOL)	Conducts worksite inspections and addresses child labor violations. (5)
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. (6,24,25)
Ministry of Justice (MOJ)	Promotes and executes the rule of law for public safety, including the prosecution of child labor perpetrators. (26)

Labor Law Enforcement

In 2019, the exceptionally low number of worksite inspections reported to have been conducted at the national level in Liberia 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	2018	2019
Labor Inspectorate Funding	Unknown (9)	Unknown (25)
Number of Labor Inspectors	50 (9)	51 (25)
Inspectorate Authorized to Assess Penalties	No (9)	No (25)
Initial Training for New Labor Inspectors	Yes (9)	Yes (25)
Training on New Laws Related to Child Labor	N/A	N/A (25)
Refresher Courses Provided	Yes (9)	Unknown (25)
Number of Labor Inspections Conducted	450 (9)	236 (25)
Number Conducted at Worksite	50 (9)	236 (25)

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

Overview of Labor Law Enforcement	2018	2019
Number of Child Labor Violations Found	Unknown (9)	Unknown (25)
Number of Child Labor Violations for Which Penalties Were Imposed	Unknown (9)	Unknown (25)
Number of Child Labor Penalties Imposed that Were Collected	Unknown (9)	Unknown (25)
Routine Inspections Conducted	Yes (9)	Yes (25)
Routine Inspections Targeted	Yes (9)	Yes (25)
Unannounced Inspections Permitted	Yes (9)	Yes (25)
Unannounced Inspections Conducted	Yes (9)	Yes (25)
Complaint Mechanism Exists	Yes (9)	Yes (25)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (9)	Unknown (25)

In January and April 2019, labor inspectors participated in two trainings on the development of guidelines for child labor monitoring systems. (25,27) Generally, labor inspections are only conducted in the formal sector and not in the informal sector where children are more likely to be engaged in child labor. (2) In addition, the lack of funding and logistical support results in the underutilization of the labor inspectorate's complaint mechanism. (6,27) Although inspectors cannot assess penalties, they can impose corrective measures such as issuing notices of compliance and filing a complaint with the hearing board. (6,27) The lack of penalty assessment authorization, limited funding, and insufficient fines, combined with poor opportunities for revenue generation in the informal sector, hamper the inspectorate's enforcement of child labor laws. (2,6,19,27)

Criminal Law Enforcement

In 2019, criminal law enforcement agencies in Liberia took actions to combat child labor (Table 7). However, gaps exist within the operations of the Liberia National Police (LNP) that may hinder adequate criminal law enforcement, including financial resource allocation.

Table 7. Criminal Law Enforcement Efforts Related to Child Labor

Overview of Criminal Law Enforcement	2018	2019
Initial Training for New Criminal Investigators	Unknown	Unknown (25)
Training on New Laws Related to the Worst Forms of Child Labor	Unknown	N/A (25)
Refresher Courses Provided	Yes (9)	Unknown (25)
Number of Investigations	Unknown	Unknown (25)
Number of Violations Found	Unknown	Unknown (25)
Number of Prosecutions Initiated	Unknown	2 (25)
Number of Convictions	Unknown	1 (25)
Imposed Penalties for Violations Related to The Worst Forms of Child Labor	Unknown	Unknown (25)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (9)	Yes (25)

In May 2019, the state successfully prosecuted a woman for exploiting two children in street vending. She received a suspended sentence in light of the time she spent in prison awaiting trial and on the conditions that she report to the sheriff's office twice a month for 6 months, that she not have any children other than her own living with her, and that she submit to inspections of her residence by the sheriff. (27)

In addition, the Ministry of Labor (MOL) reported receiving 2,220 calls to the anti-trafficking hotline between April 1, 2019 and February 14, 2020. It identified 14 possible cases of human trafficking and referred them to the LNP, although it is not known how many of these cases involved children. (27)

Despite these efforts, research indicates the LNP's Women and Children Protection Section had limited training and financial and physical resources, which hampered its ability to carry out investigations and other enforcement duties. (5,27,28) In addition, child labor is typically addressed as an issue of child endangerment, thereby causing a lack of reliable data on violations of child labor laws. (2,5)

IV. COORDINATION OF GOVERNMENT EFFORTS ON CHILD LABOR

The government has established mechanisms to coordinate its efforts to address child labor (Table 8). However, gaps exist that hinder the effective coordination of efforts to address child labor, including a lack of financial support from the National Commission on Child Labor (NACOMAL).

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

Coordinating Body	Role & Description
National Commission on Child Labor (NACOMAL)	Coordinates government and civil society activities concerning child labor. Led by MOL and comprising representatives from 16 organizations, including international and civil society organizations. (28) Assists in coordinating child labor investigations. (29) 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. (28) In 2019, NACOMAL participated in two trainings and chaired two meetings of the National Steering Committee. (25)
National Steering Committee on Child Labor	Implements child labor policies. Chaired by NACOMAL and comprising government officials and workers' organizations. (5) Includes four subcommittees on resource mobilization, advocacy, training and legal development, and monitoring and evaluation. Met twice in 2019. (25)
Child Protection Network	Coordinates child protection efforts, including child labor and human trafficking, and refers child victims of abuse to social services providers with support from international and national organizations. Chaired by the MOGCS, and comprising MOL, the Ministry of Health and Social Welfare, the LNP's Women and Children Protection Section, civil society organizations, and several NGOs. (25) In 2019, stakeholders met regularly throughout 10 months of the year. (25)
Anti-Human Trafficking Task Force	Coordinates anti-trafficking activities. Chaired by MOL, comprising of representatives from the Commissioner of the Bureau of Immigration and Naturalization, the Liberia National Police (LNP); MOJ; Ministry of Foreign Affairs; Ministry of Internal Affairs; as well as civil society organizations. (6) Met regularly during the reporting period and organized public awareness campaigns. (25)

During 2019, NACOMAL reported it had a budget for salaries but no budget allocated for program activities. (9)

V. GOVERNMENT POLICIES ON CHILD LABOR

The government has established policies related to child labor (Table 9). However, policy gaps exist that hinder efforts to address child labor, including 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. The government endorsed this plan in March of 2019. (30)
National Action Plan for Trafficking in Persons (2019–2024)†	Outlines the government anti-trafficking efforts, including those for child victims, and creates benchmark goals related to trafficking in person. (9,31) Establishes roles and responsibilities for coordinating government assistance to human trafficking victims and provides shelter and care to children who may have been human trafficking victims. (31)
National Child Welfare and Protection Policy	Focuses on the implementation and enforcement of existing child protection laws. (6) Research was unable to determine whether activities were undertaken to implement the National Child Welfare and Protection Policy.
National Social Welfare Policy	Prioritizes the development of action plans and policies that target children engaged in the worst forms of child labor, including child trafficking. (33) Research could not determine whether activities were undertaken to implement the National Social Welfare Policy during the reporting year.

† Policy was approved during the reporting period.

Child labor elimination and prevention strategies are not included in the Revised National Youth Policy, the Education Sector Plan, the Rubber Industry Master Plan, or the National Employment Policy. (34-40)

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2019, the government funded and participated in programs that include the goal of eliminating or preventing child labor (Table 10). However, gaps exist in these social programs, including insufficient funding.

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Table 10. Key Social Programs to Address Child Labor

Program	Description
Anti-Trafficking Awareness Campaign†	Aims to raise public awareness on human trafficking through the use of radio and billboard messages. (7) In 2019, conducted an anti-trafficking public awareness campaign during the country's World Day Against Trafficking in Persons, as well as other times throughout the year. (9,25)
Shelters‡	MOGCSP-operated shelters for vulnerable street children in Lofa and Nimba County. (6,25) During the reporting period, the program provided shelter for approximately 20 children who were victims of abuse or sexual exploitation. Managers of these facilities reported that their operations were funded entirely through donations. (25)
Country Level Engagement and Assistance to Reduce Child Labor II (CLEAR II)	USDOL-funded project implemented by Winrock International and partners Verité and Lawyers Without Borders to build the capacity of the government to address child labor. (2,41,42) Additional information is available on the USDOL website.
U.S. Government-Funded Projects on Education for Adolescent Girls	Projects that aim to improve access to education and improve child protection. Includes Accelerated Quality Education for Liberian Children; Increasing Support for Out-of-School Girls and Youth, implemented by USAID; and the McGovern-Dole International Food For Education and Child Nutrition Program, implemented by USDA. These projects were active in 2019. (25,43-45)
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. (25,46) In 2019, collected data in four counties and disbursed the Social Cash Transfer program's first quarterly payment in October 2019, reaching 3,250 participant households in Maryland and Grand Kru Counties. (47)

† 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. (48-54)

Research was unable to determine if data from the 2017 labor force survey, which reportedly includes a child labor component, was analyzed in 2019. (6,9,27) 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. (25)

VII. SUGGESTED 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	Accede to the UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography.	2013 – 2019
	Accede to the UN CRC Optional Protocol on Armed Conflict.	2013 – 2019
	Ensure that the minimum age for work applies to all children, including those who are employed less than full-time and those who are working outside of school hours.	2016 – 2019
Enforcement	Ensure that penalties for employing children under the minimum age for work are stringent enough to deter violations.	2014 – 2019
	Publish information on the labor inspectorate's funding and the number of child labor violations found.	2016 – 2019
	Ensure labor inspections are conducted in all sectors in which children work.	2016 – 2019
	Authorize the labor inspectorate to assess penalties for child labor violations.	2017 – 2019
	Ensure that the labor inspectorate's complaint and referral mechanism is adequately supported and operational.	2017 – 2019
	Conduct an adequate number of worksite inspections to combat child labor.	2017 – 2019
	Publish information on criminal law enforcement related to the worst forms of child labor, including the number of investigations, violations found, penalties applied, and whether initial and refresher trainings were offered.	2017 – 2019
	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 – 2019
	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 – 2019
Coordination	Ensure adequate funding for the National Commission on Child Labor's program activities to address child labor.	2017 – 2019
	Ensure coordinating bodies, including the TIP Task Force, are implementing effective case referral mechanisms.	2019

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 relevant policies.	2010 – 2019
	Publish information about the activities taken to implement policies that address child labor.	2017 – 2019
Social Programs	Collect and publish comprehensive research data to determine child labor activities and to inform policies and programs.	2013 – 2019
	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 – 2019
	Ensure children do not leave school before the completion of compulsory education.	2017 – 2019
	Expand existing social programs to address the scope of the child labor problem, especially in forced domestic work, the production of rubber, and the mining of gold and diamonds.	2009 – 2019

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In 2019, Madagascar made a moderate advancement in efforts to eliminate the worst forms of child labor. The government published data on child labor and ratified International Labor Organization Convention C. 189 on Domestic Workers and the 2014 Protocol to the 1930 Convention on Forced Labor, both potentially relevant to addressing child labor. The Ministry of Labor also took important steps toward modifying its Labor Code to grant the inspectorate sanction authority. In addition, the government began a process to renew its National Action Plan to Combat Trafficking in Persons, and the National Bureau to Combat Human Trafficking led efforts to develop a human trafficking database. Although Madagascar made meaningful efforts in all relevant areas, the government failed to impose penalties for child labor violations and failed to investigate public officials suspected of facilitating the worst forms of child labor. Children in Madagascar engage in the worst forms of child labor, including in commercial sexual exploitation and domestic servitude. Children also perform dangerous tasks while mining mica and in agriculture, including in the production of vanilla. Limited resources for the enforcement of child labor laws may impede government efforts to protect children from the worst forms of child labor, and social programs to combat child labor are insufficient to adequately address the extent of the problem.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Madagascar engage in the worst forms of child labor, including in commercial sexual exploitation and domestic servitude. Children also perform dangerous tasks while mining mica and in agriculture, including in the production of vanilla. (1,2) 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 (%)		65.5

Source for primary completion rate: Data from 2018, published by UNESCO Institute for Statistics, 2020. (3)

Source for all other data: International Labor Organization's analysis of statistics from the 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	Production of vanilla, cloves, coconut, rice, and peanuts (2,5-9)
	Fishing and deep-sea diving,† including for lobster and shrimp (5,10-12)
	Herding cattle (13)
Industry	Mining† gold, sapphires, crystal, quartz, mica, and tourmaline, and transporting† blocks and stones at mining sites (10,14-19)
	Quarrying† and crushing stone† and making gravel (10,15,20)
	Brickmaking (10)
Services	Street work, including begging, washing cars, market vending, transporting goods by rickshaw, and scavenging garbage (5,10-15,21)
	Working in bars,† including as waitresses, maids, and masseuses (1,11,13,22,23)
	Domestic work† (1,5,8,10-12,15)

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

Sector/Industry	Activity
Categorical Worst Forms of Child Labor†	Commercial sexual exploitation, sometimes as a result of human trafficking (1,5,10,15,24-26)
	Use in illicit activities such as selling drugs and vandalism (21,27)
	Forced labor in mining, quarrying, begging, and domestic work (1,5,11,15,26,28)

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

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

Children in Madagascar, particularly those from rural and coastal regions and from poor families, are vulnerable to commercial sexual exploitation, forced domestic servitude, forced begging, and forced labor in mining, fishing, and agriculture. (26,28) Girls in particular are lured by peers, family members, and pimps to engage in commercial sexual exploitation in tourist locations, urban cities, vanilla-growing regions, and mining areas. (1,11,18,28) Children from rural villages are often sent to larger cities as child domestic workers, where they are subjected to harsh working conditions such as long hours, poor accommodations, and low salaries. (10) Children are often recruited by agencies into domestic work and subsequently subjected to commercial sexual exploitation. (26) Although some government officials are reportedly complicit in facilitating the falsification of national identity documents used in the commercial sexual exploitation of children, there have been no reports of government actions to respond to this official complicity. Reports suggest a recent increase in the commercial sexual exploitation of boys. (26)

In 2019, Madagascar published the results of its Multiple Indicator Cluster Survey 2018, which showed that around 47 percent of children ages 5 to 17 are engaged in child labor, with 32 percent working in hazardous conditions. The report found that the Matsiatra Ambony and Androy regions had the highest rates of working children. (10,29) Estimates from the ILO suggest that children work primarily in the informal sector and in agriculture, and they perform hazardous work in a variety of sectors. (10)




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. (19,26) 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 and diseases such as diarrhea and malaria, and are at risk of injury from collapsing mines. (5,11,14,16,18) In addition, children working in the production of vanilla in Madagascar are exposed to toxic substances and extreme temperatures. They also transport heavy loads and work for long hours. There are reports that children are increasingly recruited by adults to engage in vanilla theft because they are less likely to be searched by security forces or subjected to mob retaliation. (8,9,12,30-32) 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. (10)

Although the Constitution guarantees free compulsory education, access to education is often limited for some children due to a lack of school infrastructure, unqualified teachers, and no transportation services in rural areas with long distances to schools; the cost of school fees and supplies; and reported school violence, leaving children vulnerable to the worst forms of child labor. (8,11,28,33-36)

II. LEGAL FRAMEWORK FOR CHILD LABOR

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

Table 3. Ratification of International Conventions on Child Labor

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

The government's laws and regulations are in line with relevant international standards (Table 4).

Table 4. Laws and Regulations on Child Labor

Standard	Meets International Standards	Age	Legislation
Minimum Age for Work	Yes	16	Article 24 of the Constitution; Article 100 of the Labor Code; Article 39 of Law 2008-011; Article 2 of Decree 2018-009 (35,37-39)
Minimum Age for Hazardous Work	Yes	18	Article 101 of the Labor Code; Article 10 of Decree 2007-563 (37,40)
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 (37-40)
Prohibition of Forced Labor	Yes		Article 4 of the Labor Code; Articles 1, 8, and 18 of Law 2014-040; Article 15 of Decree 2007-563; Articles 333 and 335 of Law 2007-038; Article 10 of Decree 2018-009 (37-41)
Prohibition of Child Trafficking	Yes		Article 15 of Decree 2007-563; Articles 333 and 335 of Law 2007-038; Articles 1, 6, 8, 13, and 22 of Law 2014-040 (40-42)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Article 13 of Decree 2007-563; Article 335 of Law 2007-038; Article 1 of Law 2014-040 (40-42)
Prohibition of Using Children in Illicit Activities	Yes		Articles 11 and 14 of Decree 2007-563 (40)
Minimum Age for Voluntary State Military Recruitment	Yes	18	Article 11 of Ordinance No. 78-002 (43)
Prohibition of Compulsory Recruitment of Children by (State) Military	N/A*		
Prohibition of Military Recruitment by Non-state Armed Groups	Yes		Article 15 of Decree 2007-563 (40)
Compulsory Education Age	Yes	16‡	Article 24 of the Constitution; Article 39 of Law 2008-011 (35,39)
Free Public Education	Yes		Article 24 of the Constitution (35)

* No conscription

‡ Age calculated based on available information (39)

In 2019, Madagascar ratified two International Labor Organization instruments relevant to combating child labor: C. 189 on Domestic Workers and the 2014 Protocol to the 1930 Convention on Forced Labor. The instruments entered into force in Madagascar in June of 2020. (10,26,44)

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 the Ministry of Civil Services and Labor, Division for the Prevention, Abolition, and Monitoring of Child Labor (PACTE) that may hinder adequate enforcement of their child labor laws.

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Table 5. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
Ministry of Civil Services and Labor Division for the Prevention, Abolition, and Monitoring of Child Labor (PACTE)	Enforces child labor laws, trains inspectors, and coordinates and evaluates all activities toward the elimination of child labor. (10,33,34,45)
Ministry of Justice	Enforces laws pertaining to violence against children, including human trafficking and commercial sexual exploitation. (10,22,45) Works with Department-level courts to prosecute child labor cases. (10,46)
National Civil Police Force Morals and Minors Brigade	Investigates criminal cases involving minors, including issues pertaining to human trafficking and commercial sexual exploitation, mainly in urban areas. Housed under the Ministry of Public Security. (5,10,22,45)
National Gendarmerie Morality and Child Protective Services (SPEM)	Investigates criminal cases involving children, including those related to the worst forms of child labor, mainly in rural areas. Housed under the Ministry of National Defense. (10,45,47)
Ministry of Population, Social Protection and the Promotion of Women	Develops and implements programs to protect vulnerable children, including victims of the worst forms of child labor. (11) In collaboration with UNICEF, manages around 700 child protection networks to protect children from abuse and exploitation in all 22 regions of Madagascar. (11,28,48,49)

Labor Law Enforcement

In 2019, labor law enforcement agencies in Madagascar took actions to combat child labor (Table 6). However, gaps exist within the authority of PACTE that may hinder adequate labor law enforcement, including penalty assessment authorization.

Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2018	2019
Labor Inspectorate Funding	Unknown (12)	Unknown
Number of Labor Inspectors	145 (12)	148 (10)
Inspectorate Authorized to Assess Penalties	No (12)	No (10)
Initial Training for New Labor Inspectors	Yes (12)	Yes (10)
Training on New Laws Related to Child Labor	No (12)	N/A (10)
Refresher Courses Provided	No (12)	No (10)
Number of Labor Inspections Conducted	Unknown (12)	Unknown
Number Conducted at Worksite	Unknown (12)	Unknown
Number of Child Labor Violations Found	Unknown (12)	446 (10)
Number of Child Labor Violations for Which Penalties Were Imposed	Unknown (12)	0 (10)
Number of Child Labor Penalties Imposed that Were Collected	Unknown (12)	0 (10)
Routine Inspections Conducted	Yes (12)	Yes (10)
Routine Inspections Targeted	Yes (12)	Yes (10)
Unannounced Inspections Permitted	Yes (12)	Yes (10)
Unannounced Inspections Conducted	Yes (12)	Yes (10)
Complaint Mechanism Exists	Yes (12)	Yes (10)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (12)	Yes (10)

During the reporting period, PACTE collaborated with the ILO to draft a decree that would enable labor inspectors to impose administrative sanctions, suspend the activities of any workplace that engages in the worst forms of child labor, and have authority over employers of domestic labor. The decree would also allow inspectors to be involved in child labor-related investigations. (10)

In 2019, 24 inspectors collaborated with UNICEF and the ILO to carry out targeted child labor inspections in 6 regions across the country, while UNICEF also funded the labor inspectorate in a seventh province. These inspections focused primarily on informal labor such as artisanal mining, stone quarrying, work in the service industry, tourism, and commercial sexual exploitation and identified 446 cases of child labor. (10) However, there were no indications that any children were removed from these labor situations or that any sanctions were

imposed as a result of violations discovered during these specific inspections. (10) Still, the *Manjary Soa* Center in Antananarivo, managed by PACTE, reported that in 2019 it had received 35 children removed from situations of domestic labor, street vending, and other exploitative situations. (10)

In 2018, Madagascar expanded its list of hazardous occupations for children, but reports indicate that the government was slow to disseminate the law and has not made efforts to enforce it. (12)

The number of labor inspectors is likely insufficient for the size of Madagascar's workforce, which includes more than 13.4 million workers. According to the ILO's technical advice of 1 inspector for every 40,000 workers in less developed economies, Madagascar would employ about 335 labor inspectors. (50,51) The Ministry of Labor has also noted that the number of inspectors is insufficient. (10) In addition, the concentration of labor inspectors in the capital hampers the government's capacity to enforce child labor laws in rural areas, especially in the agricultural sector. (5,33) While there is an inspectorate in 18 of Madagascar's 22 regions, inspectorate personnel have noted that a lack of resources has limited their ability to carry out a sufficient number of inspections. (10) Even though the inspectorate has the authority to conduct unannounced, routine inspections, in practice most inspections occur only in response to a complaint received. (10) The government did not provide information on labor law enforcement inspectorate funding or the number or types of inspections conducted for inclusion in this report.

While child labor-related training is provided to new inspectors, PACTE has indicated that the course is only 20 hours and insufficient to cover all relevant issues, particularly because refresher courses are not provided. (10) Madagascar has a complaint mechanism via a national hotline; however, most of the calls received are related to general violence against children. The mechanism does not have a record keeping system to track calls specifically for child labor issues. (10)

Criminal Law Enforcement

In 2019, criminal law enforcement agencies in Madagascar took actions to combat child labor (Table 7). However, gaps exist within the operations of the criminal enforcement agencies that may hinder adequate criminal law enforcement, including allocation of financial and human resources.

Table 7. Criminal Law Enforcement Efforts Related to Child Labor

Overview of Criminal Law Enforcement	2018	2019
Initial Training for New Criminal Investigators	Yes (12)	Yes (10)
Training on New Laws Related to the Worst Forms of Child Labor	Unknown (12)	N/A
Refresher Courses Provided	Yes (12)	No (10)
Number of Investigations	559 (12)	942 (10)
Number of Violations Found	35 (12)	51 (10)
Number of Prosecutions Initiated	Unknown (12)	Unknown
Number of Convictions	Unknown (12)	Unknown
Imposed Penalties for Violations Related to The Worst Forms of Child Labor	Unknown (12)	Unknown
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (12)	Yes (10)

During the reporting period, the Morals and Minors Brigade received 942 complaints unrelated to child trafficking or labor. Among these, police eventually identified 51 victims of child domestic labor and 16 cases in which children were victimized by human trafficking. It remains unclear whether any of these cases were referred for prosecution on human trafficking- or labor-related charges. (10, 26) Government authorities investigated a deputy mayor in the Moramanga district who was accused of facilitating the marriage of five Malagasy girls to Chinese men. The defendant was released from custody after the investigation. (26)

In 2019, the budgets for the Ministry of Public Security and for the National Gendarmerie Morality and Child Protective Services increased, though it was not clear how much of the funding was dedicated to address child

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labor issues. Furthermore, officials from both agencies indicated that funds available for criminal enforcement of child labor laws was insufficient given the scope of their missions. (10)

Reports indicate a lack of trained staff, equipment, and transportation to adequately conduct criminal law enforcement efforts related to the worst forms of child labor. (5,10,12,52,53) The government did not provide information on its criminal law enforcement prosecutions, convictions, or penalties assessed related to the worst forms of child labor for inclusion in this report.

IV. COORDINATION OF GOVERNMENT EFFORTS ON CHILD LABOR

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

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

Coordinating Body	Role & Description
National Committee on the Fight Against Child Labor (CNLTE)	Coordinates programs, advises on child labor legislation and regulations, and implements the National Action Plan to Eliminate the Worst Forms of Child Labor. Led by the Ministry of Civil Services and Labor. (11,54-56) In 2019, during the last year of implementation for the National Action Plan to Eliminate Child Labor, the committee carried out assessment site visits in three regions to speak with government officials, NGOs, civil society groups, and international partners. (10)
Regional Child Labor Committees	Coordinates, monitors, and evaluates all regional activities relating to the elimination of child labor. The 10 regional committees identify activities to promote the elimination of child labor and compile, analyze, and report child labor data to PACTE. (45,55,57) In 2019, committees were operational in 25 of 32 communes in the Sava region. During the reporting period, the committees conducted public awareness campaigns and focused on the enrollment of children in school. (10)
National Bureau to Combat Human Trafficking (BNLTEH)	Coordinates anti-human trafficking efforts in Madagascar and responsible for implementing the National Action Plan to Combat Trafficking in Persons. Chaired by the Office of the Prime Minister, includes representatives from the Ministries of Civil Services and Labor, Justice, and Population and Social Affairs. (22,41,54,58) During the reporting period, provided training to law enforcement and civil society groups on anti-trafficking legislation, investigation methods, and victim identification. (10) Led assessment of the expiring national action plan against human trafficking and the drafting of a new plan, and the creation of a human trafficking database. (26)
National Child Protection Committee	Guides and coordinates national child protection policy and programs. Chaired by the Minister of Population and Social Affairs, comprises a steering committee and a technical commission of specialists. (45,59) Under the Alliance 8.7 framework, the committee conducted child labor inspections in seven regions during the reporting period. (26)

The National Committee on the Fight Against Child Labor, Regional Child Labor Committees, and the National Bureau to Combat Human Trafficking lacked sufficient funding to effectively operate and coordinate efforts to address child labor. (8,12,26,27,34,36,46)

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 implementation.

Table 9. Key Policies Related to Child Labor

Policy	Description
National Action Plan to Eliminate the Worst Forms of Child Labor (2004–2019)	Aimed to eliminate the worst forms of child labor by strengthening child labor laws, conducting awareness-raising campaigns, mobilizing funds for social programs, and updating databases on child labor. Led by CNLTE. (5,55,60) The government initiated a final assessment of the plan for its last year, but no steps were taken to develop a new plan to replace the expiring one. (10)
National Action Plan to Combat Trafficking in Persons (2015–2019)	Aimed to enhance the legal framework to prevent human trafficking, effectively implement human trafficking laws, and provide protection and care for victims. Overseen by BNLTEH. (11,58,61) In 2019, BNLTEH held a 3-day workshop to evaluate the implementation of the anti-trafficking action plan and initiated the process to develop a new national action plan to replace the expired one. (10)

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

Policy	Description
Code of Conduct for the Protection of Children in the Tourism Industry	Aims to prevent commercial sexual exploitation of children in the tourism industry. Implemented by the Ministry of Tourism and supported by ILO and UNICEF. (62-65) In 2019, the Ministry of Tourism and the National Office of Tourism conducted an assessment to determine whether signatories were upholding the code of conduct and to develop recommendations for improvement. (10)
National Social Protection Policy	Aims to protect children from abuse, violence, and exploitation and promotes improved access to education and livelihood services for vulnerable children. Led by the Ministry of Population, Social Protection and the Promotion of Women and supported by international donors. (54,66-68) In 2019, the government partnered with the World Food Program to provide cash distributions to 70,000 households in the Anosy and Androy regions. (69) During the reporting period, the government also worked on updating the policy to incorporate stronger crisis response mechanisms. (70)
National Development Plan (2015–2019)	Aimed to promote sustainable development and social equality. Overseen by the Ministry of Economy and Planning and supported by the ILO's Decent Work Country Program. (54,71,72) Included a budget of \$83,000 to specifically combat commercial sexual exploitation of children and child labor in domestic work, mining, quarrying, and other hazardous sectors. (34,71-73) Research was unable to identify actions taken to implement the plan during the reporting period or any planned efforts to renew the strategy beyond 2019.

† The government had other policies that may have addressed child labor issues or had an impact on child labor. (2,72,74,75)

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2019, the government funded and participated in programs that include the goal of eliminating or preventing child labor (Table 10). However, gaps exist in these social programs, including adequacy to address the problem in all sectors.

Table 10. Key Social Programs to Address Child Labor

Program	Description
Social Support and Reintegration Centers†	Government program that provides social and reintegration services for victims of child labor. Includes the <i>Manjary Soa</i> Center and the <i>Vonjy</i> Centers in Antananarivo, Toamasina, Nosy Be, and Mahajanga. (11,22,76) Remained in operation in 2019, with the government committing \$10,400 for the management of the <i>Manjary Soa</i> Center in 2019. (10)
Cash Transfer Program (2015–2019)†	Ministry of Population, Social Protection and the Promotion of Women \$35 million program, supported by the World Bank and UNICEF, that provided cash assistance for families with school-age children, conditioned on children's school attendance. (11,12,77-79) The World Bank reported in 2019 that the program had reached 39,000 families. (80)
Project Supporting Sustainable and Child Labor Free Vanilla-Growing Communities in Sava (2016–2020)	USDOL-funded \$4 million project implemented by ILO aims to reduce child labor in the vanilla-producing areas of the Sava Region. (54,81,82) In 2019, the project established three vocational training centers targeting children between the ages of 14 and 17. (10) The project also conducted a pilot to assess the feasibility of establishing a supply chain traceability system in the vanilla industry. (83) Additional information is available on the USDOL website.
UNICEF Country Program	UNICEF-funded \$197,815 program that supported the government's efforts to improve education, health, nutrition, and protection for children in Madagascar. (12,84) In 2019, Madagascar requested and was approved for an extension of the program into 2020. (85,86)

† 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. (15,45,60,87-92)

Basic health and social services available to victims of the worst forms of child labor are not adequate to meet current needs. (5,8,11,22,45) Although Madagascar has programs that target child labor, the scope of these programs is insufficient to address the extent of the problem, particularly in agriculture, commercial sexual exploitation, domestic work, begging, and mining. (5,15,36,60)

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 Madagascar (Table 11).

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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
	Authorize the labor inspectorate to assess penalties.	2017 – 2019
	Publish enforcement information related to child labor, including labor inspectorate funding and the number and types of labor inspections conducted.	2013 – 2019
	Ensure inspectors and criminal law enforcement officials receive appropriate and regular training on child labor issues.	2019
	Increase the number of labor inspectors to meet the ILO's technical advice.	2015 – 2019
	Ensure the labor inspectorate receives adequate funding to enforce child labor laws and conduct a sufficient number of inspections, including ensuring enough inspectors in rural and agricultural areas.	2009 – 2019
	Ensure inspectors regularly utilize their authority to conduct routine unannounced inspections rather than conduct inspections only in response to complaints.	2019
	Ensure that when encountered, children are removed from child labor situations and that penalties for child labor violations are applied.	2019
	Enhance the effectiveness of existing complaint hotline databases by gathering separate data on child labor-related complaints.	2009 – 2019
	Disseminate and enforce the new decree expanding the list of hazardous occupations for children.	2018 – 2019
	Publish criminal law enforcement data on number of prosecutions initiated, number of convictions achieved, and penalties assessed for criminal law enforcement violations in relation to child labor.	2013 – 2019
	Ensure criminal law enforcement agencies have sufficient staff, equipment, and transportation to combat the worst forms of child labor.	2019
	Coordination	Ensure that relevant coordinating mechanisms are adequately funded to carry out their mandates.
Government Policies	Ensure policies related to child labor are implemented and report on yearly actions taken.	2016 – 2019
	Develop and adopt a new National Action Plan to Eliminate the Worst Forms of Child Labor and update or renew expiring policies such as the National Action Plan to Combat Trafficking in Persons.	2019
Social Programs	Enhance efforts to eliminate barriers and make education accessible for all children, including those in rural communities, by removing fees for supplies and school-related costs, increasing school infrastructure and transportation services, hiring sufficiently qualified teachers, and ensuring children's safety in schools.	2011 – 2019
	Ensure that social protection systems have adequate funding and staff to provide appropriate services to victims of the worst forms of child labor.	2014 – 2019
	Expand the scope of programs to address child labor in agriculture and the worst forms of child labor in agriculture, commercial sexual exploitation, domestic work, and mining.	2014 – 2019

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In 2019, Malawi made a moderate advancement in efforts to eliminate the worst forms of child labor. The government elevated the Tobacco Commission to enforce the Tobacco Industry Bill, which requires tobacco growers to report on efforts to eliminate child labor in tobacco farming, and significantly increased funding of its labor inspectorate. In addition, key coordinating bodies contributed to the development of a Child Labor Mainstreaming Guide, which advises government departments and public sector organizations on integrating child labor prevention and elimination into their activities. However, children in Malawi continue to engage in the worst forms of child labor including in the harvesting of tobacco and commercial sexual exploitation, each sometimes as a result of human trafficking. In addition, gaps continue to exist in labor law enforcement related to child labor, including financial resource allocation, and minimum age protections do not extend to children working in private homes and non-commercial farms.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Malawi engage in the worst forms of child labor, including in commercial sexual exploitation, sometimes as a result of human trafficking, and the harvesting of tobacco. (1) Table 1 provides key indicators on children's work and education in Malawi.

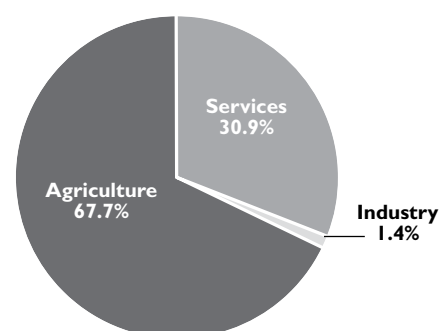
Table 1. Statistics on Children's Work and Education

Children	Age	Percent
Working (% and population)	5 to 14	43.2 (1,965,690)
Attending School (%)	5 to 14	89.9
Combining Work and School (%)	7 to 14	45.4
Primary Completion Rate (%)		80.0

Source for primary completion rate: Data from 2014, published by UNESCO Institute for Statistics, 2020. (2)

Source for all other data: International Labor Organization's analysis of statistics from National Child Labour Survey (Simpoc), 2015. (3)

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



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

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

Sector/Industry	Activity
Agriculture	Production of tea (4-7)
	Planting and harvesting tobacco, clearing land, building tobacco-drying sheds, cutting and bundling, weeding, and plucking raw tobacco† (1,4,5,8-12)
	Herding livestock (7,13,14)
Industry	Brickmaking† (13,14)
	Construction,† activities unknown (7,14)
Services	Domestic work in third-party homes (7,15)
	Ganyu (a form of casual labor) (16)
	Begging† (7,13)
	Vending and wholesaling (7,17)
Categorical Worst Forms of Child Labor‡	Commercial sexual exploitation, sometimes as a result of human trafficking (1,4,13,18,19)

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

Sector/Industry	Activity
Categorical Worst Forms of Child Labor‡	Herding goats and cattle; farming (predominantly tobacco); fishing; brickmaking; domestic work; and work in small businesses such as rest houses and bars, each sometimes as a result of human trafficking (4,13,20)
	Forced begging (13)
	Use in illicit activities, including the sale and trafficking of drugs(7,21)

† 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 Malawi are engaged in hazardous work in the production of tobacco. (7,22,23) Children who handle tobacco risk illness from nicotine absorption, including green tobacco sickness. (23,24) They are exposed to pesticides, chemicals, and harsh weather conditions; they also utilize sharp tools. (23) Some children work alongside family members who are tenants on tobacco farms. (1,5,23,25) In the tenancy system, tenants’ pay is based on the quantity and quality of tobacco sold to farm owners after the harvest season, and parents have an incentive to use their children to increase their earnings. Tenants often incur loans during the growing season; in many cases, they are unable to repay these debts, resulting in entire families being placed in debt bondage. (1,26) Many children working under these conditions do not attend school. (5,23)

Most child trafficking for labor in Malawi takes place internally. (13,19) Boys from southern Malawi are particularly vulnerable and are forced to work on tobacco farms in Malawi’s northern and central regions; they are also forced to work as cattle herders and in the brickmaking industry. (13,19,27) Child trafficking also takes place from Malawi to other countries, including Mozambique, South Africa, Tanzania, Zambia, and the Middle East. (19,20,27) Child victims of human trafficking may be charged for their clothing, food, housing, and transport. They may also be forced to work in debt bondage because of these charges and be unable to return home or support themselves. (28)

Girls from rural areas sometimes move to larger cities in search of work. In some cases, they are provided clothing and lodging from brothel owners and, if unable to find other work, engage in commercial sexual exploitation to pay off their debts. (1,13,27)

Primary education is tuition-free, and in September 2018, the government abolished secondary school fees to facilitate access to secondary education. However, considerable barriers to education exist, including families’ inability to pay required school-related expenses, such as books and uniforms. (1,20,29-31) Long distances, lack of teachers, poor school infrastructure, and the lack of water, electricity, and sanitation facilities also negatively impact children’s attendance at school. In addition, safety concerns may negatively affect attendance; reports indicate that children are sometimes victims of sexual assault at school. (5,7,15,20,30,32) Additionally, many girls in grades six to eight are pulled from school to perform domestic work at home. (30)

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 entering into the worst forms of child labor. (33)



II. LEGAL FRAMEWORK FOR CHILD LABOR

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

Table 3. Ratification of International Conventions on Child Labor

Convention	Ratification
 ILO C. 138, Minimum Age	✓
ILO C. 182, Worst Forms of Child Labor	✓

Table 3. Ratification of International Conventions on Child Labor (Cont.)

Convention	Ratification
 UN CRC	✓
UN CRC Optional Protocol on Armed Conflict	✓
UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	✓
 Palermo Protocol on Trafficking in Persons	✓

In 2019, the government ratified ILO C.029 Protocol of 2014 to the Forced Labor Convention 1930 and ILO C.184 Safety and Health in Agriculture Convention of 2001. (7,34) The commitments under these conventions would extend to the tobacco sector, in which children in Malawi are subject to both forced labor and hazardous work conditions. (35,36)

The government has established laws and regulations related to child labor (Table 4). However, gaps exist in Malawi's legal framework to adequately protect children from the worst forms of child labor, including the minimum age for work and military recruitment by non-state actors.

Table 4. Laws and Regulations on Child Labor

Standard	Meets International Standards	Age	Legislation
Minimum Age for Work	No	14	Section 21 of the Employment Act (37)
Minimum Age for Hazardous Work	Yes	18	Section 22 of the Employment Act; Section 23 of the Constitution (37,38)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Sections 1–9, and Paragraph 6, Sections 1–6 of the Employment (Prohibition of Hazardous Work for Children) Order (39)
Prohibition of Forced Labor	Yes		Section 4 of the Employment Act; Section 27 of the Constitution; Sections 140–147 and 257–269 of the Penal Code; Sections 79 and 82 of the Child Care, Protection and Justice Act; Section 15 of the Trafficking in Persons Act (37,38,40-42)
Prohibition of Child Trafficking	Yes		Sections 140–147 and 257–269 of the Penal Code; Section 79 of the Child Care, Protection and Justice Act; Section 15 of the Trafficking in Persons Act (40-42)
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 (40-42)
Prohibition of Using Children in Illicit Activities	Yes		Section 23 of the Child Care, Protection and Justice Act (40)
Minimum Age for Voluntary State Military Recruitment	Yes	18	Section 19 of the Defense Force Act (43)
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 (29)
Free Public Education	Yes		Article 13 of the Education Act (29)

* No conscription (43)

In 2019, the government passed the Tobacco Industry Bill, which requires tobacco growers to report on their actions on issues of child labor. (7,44,45) The Commissioner may cancel the registration of a tobacco grower if the grower fails to submit a report that is satisfactory. (46)

Malawi currently lacks a specific legal framework for the tenancy system, which is often used in tobacco production, and leaves children vulnerable to the worst forms of child labor. Families working under the tenancy

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system are particularly vulnerable to debt bondage because loans advanced to farmers operating under this arrangement are often of a higher value than the profits farmers receive from crop yields. (1,47,26,48,49) In 2018, the Cabinet debated an amendment to the Employment Act that would prohibit tenancy farming. However, the government decided to defer consideration of the amendment until the ILO completes a study on the extent of tenancy farming in Malawi. (30)

Section 21 of the Employment Act sets the minimum age for employment at age 14 in agricultural, industrial, or non-industrial work. (37) The minimum age is not extended to workers in third-party homes, such as in domestic work, or non-commercial agriculture in which children are known to work. (37,50) The minimum working age is also lower than the compulsory education age, which may encourage children to leave school before the completion of compulsory education. (29,37) Although non-state armed groups are not known to recruit children for military activities in the country, Malawi law does not meet international standards because it does not explicitly prohibit this practice.

III. ENFORCEMENT OF LAWS ON CHILD LABOR

The government has established institutional mechanisms for the enforcement of laws and regulations on child labor (Table 5). However, gaps exist within the operations of the Ministry of Labor, Skills and Innovation (MOLSI) 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, Skills and Innovation (MOLSI)	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. (8,51)
District Labor Offices	Enforces child labor and trafficking in persons laws at the district level. (7)
Malawi Police Service	Investigates suspected cases involving the worst forms of child labor. Analyzes and operationalizes systems to track human trafficking trends. (52)
Ministry of Homeland Security	Enforces human trafficking laws and prosecutes human trafficking offenses. (7)
Ministry of Justice and Constitutional Affairs	Prosecutes criminal offenders. (7,53)
Tobacco Commission	Oversees the regulation of the tobacco industry and enforcement of the Tobacco Industry Bill, including child labor issues. (7,45)
Ministry of Gender, Children, Disability and Social Welfare (MOG) Department of Child Development	Provides child protection and development services. (32)

Labor Law Enforcement

In 2019, labor law enforcement agencies in Malawi took actions to combat child labor (Table 6). However, gaps exist within the operations of MOLSI that may hinder adequate labor law enforcement, including financial resource allocation.

Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2018	2019
Labor Inspectorate Funding	\$98,000 (30)	\$198,924 (54)
Number of Labor Inspectors	65 (51)	78 (54)
Inspectorate Authorized to Assess Penalties	Yes (46)	No (7)
Initial Training for New Labor Inspectors	Yes (46)	Yes (7)
Training on New Laws Related to Child Labor	N/A (46)	Yes (7)
Refresher Courses Provided	Yes (30)	Yes (7)
Number of Labor Inspections Conducted	1,324 (30)	Unknown (7)
Number Conducted at Worksite	556 (30)	Unknown (7)
Number of Child Labor Violations Found	1,085 (30)	10 (54)
Number of Child Labor Violations for Which Penalties Were Imposed	Unknown (30)	N/A (7)
Number of Child Labor Penalties Imposed that Were Collected	Unknown (30)	N/A (7)

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

Overview of Labor Law Enforcement	2018	2019
Routine Inspections Conducted	Yes (30)	Yes (7)
Routine Inspections Targeted	Yes (30)	Yes (7)
Unannounced Inspections Permitted	Yes (30)	Yes (7)
Unannounced Inspections Conducted	Yes (30)	Yes (7)
Complaint Mechanism Exists	Yes (30)	Yes (7)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (30)	Yes (7)

In 2019, the government increased the funding and size of its labor inspectorate from the previous year; however, research indicated that funding and resources are likely inadequate to enforce laws related to child labor. (1,7,30) The number of labor inspectors is likely insufficient for the size of Malawi's workforce, which includes more than 7 million workers. (55) According to the ILO's technical advice of a ratio approaching 1 inspector for every 40,000 workers in least developed economies, Malawi would employ about 175 labor inspectors. (56,57) 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. (19) In addition, labor inspectors do not have a mandate to directly assess penalties for violations related to child labor, but refer cases to the police for criminal law enforcement action. (7)

The government supports a child protection helpline operated by an NGO that identifies cases of child sexual and labor exploitation. Research did not find information on the number of calls related specifically to child labor. (7)

Criminal Law Enforcement

In 2019, criminal law enforcement agencies in Malawi took actions to combat child labor (Table 7). However, gaps exist within the operations of criminal enforcement agencies that may hinder adequate criminal law enforcement, including training for criminal investigators.

Table 7. Criminal Law Enforcement Efforts Related to Child Labor

Overview of Criminal Law Enforcement	2018	2019
Initial Training for New Criminal Investigators	Unknown (30)	No (54)
Training on New Laws Related to the Worst Forms of Child Labor	Unknown (30)	Yes (54)
Refresher Courses Provided	Unknown (30)	No (54)
Number of Investigations	Unknown (30)	3 (19)
Number of Violations Found	Unknown (30)	4 (19)
Number of Prosecutions Initiated	Unknown (30)	13 (19,54)
Number of Convictions	Unknown (30)	4 (19)
Imposed Penalties for Violations Related to The Worst Forms of Child Labor	Unknown (58)	Yes (19)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (46)	Yes (7)

Many children in Malawi lack birth certificates. The inability of law enforcement officials to verify the ages of child victims may have impeded efforts to prosecute traffickers under the Child Care, Protection and Justice Act, and the Trafficking in Persons Act. (59) In addition, children who are the victims of commercial sexual exploitation are sometimes arrested by the police and detained alongside adults. In some instances, these children fall victim to abuse, including sexual extortion, by the police. (7,13,30)

The government did not provide information related to its efforts to train new criminal law enforcement investigators, or on refresher courses it provided. (7)

IV. COORDINATION OF GOVERNMENT EFFORTS ON CHILD LABOR

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

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

Coordinating Body	Role & Description
National 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 MOLSI acting as the main technical advisor and secretariat, and includes representatives from government ministries, trade unions, employers, development partners, and civil society organizations. (33,60,61) The National Steering Committee on Child Labor met in 2019 to approve the National Action Plan on Child Labor and the Child Labor Mainstreaming Guide. (7,54)
National Technical Working Group on Child Labor and Protection	Oversees child protection issues and development of child labor elimination strategies for approval by the National Steering Committee on Child Labor. Chaired by MOG, and includes representatives from the government, international organizations, development partners, and NGOs. (54,60) The National Technical Working Group on Child Labor and Protection held meetings on preparatory work for the commemoration of the World Day Against Child Labor. The committee also met to review the National Action Plan for the Child and to develop the Child Labor Mainstreaming Guide. (54)
District Child Protection Committees	Coordinates all child protection activities at the district level and improve local coordination on child protection issues. (60) District Child Protection Committees were active at the local level during the reporting period. (54)
National Coordination Committee Against Trafficking in Persons	Coordinates and oversees investigations and prosecutions, training, victim care, and human trafficking data collection. (62) Mandated by the Trafficking in Persons Act of 2015. (8) The National Coordination Committee Against Trafficking in Persons met quarterly in 2019.

In 2019, MOLSI, with the support of Winrock International, developed the Child Labor Mainstreaming Guide to advise government departments and public sector organizations, at both the national and district levels, on integrating child labor prevention and elimination into their activities. (7,63) The guide was developed in coordination with the National Steering Committee on Child Labor and the National Technical Working Group on Child Labor and Protection. (54)

V. GOVERNMENT POLICIES ON CHILD LABOR

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

Table 9. Key Policies Related to Child Labor

Policy	Description
National Children's Policy (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. (63)
National Action Plan for the Child (2019–2025)†	Reinforces child labor elimination through awareness raising and vocational training to vulnerable children and children withdrawn from child labor. (7,54)
National Action Plan for Vulnerable Children (2015–2019)	Provided a framework for the development of district implementation plans. (65,66) In 2019, the government conducted a review of the National Action Plan for Vulnerable Children and drafted an updated policy, which is currently awaiting cabinet approval. (54)
National Plan of Action Against Trafficking in Persons (2017–2022)	Outlines objectives to counter trafficking in persons: strengthen prevention; provide support and protection for victims; strengthen detection, investigation, and prosecution of offenses; encourage partnership and coordination; and conduct research, monitoring, and evaluation. (67,68) In 2019, the government developed standard operating procedures for handling trafficking referrals, held trainings for law enforcement officers and the public on issues related to trafficking in persons, and established two district-level coordination committees against trafficking in persons. The government also developed a national trafficking data collection and a communication strategy to improve communication and resource mobilization among key stakeholders. (69)
UNDAF (2019–2023)	Recognizes child labor as a common constraint to the creation of decent and productive employment. Signed between the government and the UN in September 2018, proposes strategies to address child labor, including prioritizing investments in child education, ensuring schools are safe from violence, and providing vocational skills for out-of-school children. (12,70,71) In 2019, the government held consultative meetings with civil society, non-government organizations, and other relevant stakeholders to develop action plans for the implementation of interventions related to the UNDAF, including prevention and elimination of child labor. (54,69)

† Policy was approved during the reporting period.

Although the Government of Malawi has adopted a National Youth Policy and a National Education Sector Plan, child labor elimination and prevention strategies have not been integrated into these policies. (72,73)

In 2018, the government began reviewing a draft National Action Plan on Child Labor. The policy, however, is still waiting cabinet approval after resubmission in 2019. (1,7,8,30,46) The Cabinet is also reviewing a National Action Plan for Vulnerable Children and a Child Protection Strategic Plan to replace policies that expired during and before the reporting period. The government adopted a National Action Plan for the Child, which will reinforce child labor elimination strategies. Although the cabinet has approved the policy, it has not launched or made this policy available to the public. (7,54)

In 2019, Malawi became 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 child labor by 2025, and forced labor, modern slavery, and human trafficking by 2030. (74)

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2019, the government funded and participated in programs that include the goal of eliminating or preventing child labor (Table 10). However, gaps exist in these social programs, including implementation.

Table 10. Key Social Programs to Address Child Labor

Program	Description
Child Labor Monitoring System†	MOLSI system in pilot districts that identifies working children. Collects various data including school attendance. (60) Research was unable to determine whether activities were undertaken to implement the Child Labor Monitoring System during the reporting period. (7)
National Social Cash Transfer Program†	MOG program that supports low-income families in high-risk districts to enable children to stay in school. As of 2017, 430,000 children participated in the program. (55) Research has shown a decrease in child labor rates among participants of this program. (75,76) In 2019, the government made monthly social cash transfers to 293,000 households across the country, an increase from 176,000 in 2018. (69)
Complimentary Basic Education Program†	\$1.1 million government-funded project that promotes school enrollment for children who are removed from child labor. In 2019, the government constructed and renovated 140 early child development centers, and supported community reintegration of approximately 888 children without permanent homes and from reformatory centers; in addition, around 2,158,428 primary school learners received assistance with school meals. (69)
Orphans and Vulnerable Children Intervention†	\$4.9 million, USAID, and President's Emergency Plan for AIDS Relief-funded program that, in partnership with MOG, provides education, child protection services, birth registration, and shelter and care to vulnerable children from birth to age 17 through the establishment of Community Based Care Centers. (77) Research was unable to determine whether activities were undertaken to implement the Orphans and Vulnerable Children Intervention program during the reporting period. (7)
Accelerating Child Labor Elimination Supply Chains (ACCEL) (2018–2022)	ILO program, with funding from the Ministry of Foreign Affairs of the Netherlands, that targets elimination of child labor in the coffee and tea sectors through emphasis on addressing the root causes of child labor, strengthening the sharing of knowledge and collaboration among supply chain actors, and improving policy, legal, and institutional frameworks. (7,79) The program targets five districts in Malawi with substantial tea and coffee farming. (69)

† 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. (50,54,58,80,81)

The government, with the EU, UNICEF, and the U.S. Centers for Disease Control and Prevention, support programs to increase birth registration and data collection in various districts across the country. (58,65,78)

Although Malawi has programs that target child labor, the scope of these programs is insufficient to fully address the extent of the problem in all relevant sectors, including agriculture and commercial sexual exploitation.

VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE CHILD LABOR

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

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Table 11. Suggested Government Actions to Eliminate Child Labor

Area	Suggested Action	Year(s) Suggested
Legal Framework	Ensure that all forms of children's work, including work conducted by children in private homes (domestic service) and on non-commercial farms, receive legal protection, including a minimum age for work that complies with international standards.	2009 – 2019
	Raise the minimum age for work from 14 years to the age up to which education is compulsory.	2018 – 2019
	Ensure legal protection for children working in the tenancy system.	2009 – 2019
	Ensure that the law criminally prohibits the recruitment of children under age 18 by non-state armed groups.	2016 – 2019
Enforcement	Authorize the labor inspectorate to assess penalties.	2019
	Publish information on the number of labor inspections conducted, including worksite inspections.	2016 – 2019
	Increase resources to the labor inspectorate to conduct regular child labor inspections, including in remote and rural areas.	2009 – 2019
	Increase the number of labor inspectors to meet the ILO's technical advice.	2017 – 2019
	Disaggregate data on child labor from child protection hotline calls and publish the information.	2014 – 2019
	Institutionalize training for criminal law enforcement investigators, including by training new investigators and providing refresher courses.	2019
	Ensure that children who are victims of commercial sexual exploitation do not fall victim to sexual extortion and are not arrested or detained.	2018 – 2019
Government Policies	Integrate child labor elimination and prevention strategies into the National Education Sector Plan and the National Youth Policy.	2011 – 2019
	Finalize and implement national child labor and child protection policies.	2009 – 2019
	Publish and implement the National Action Plan for the Child.	2019
Social Programs	Ensure that additional educational costs, inadequate school infrastructure and number of teachers, long travel distances to reach schools, exposure to sexual violence, and the impact of HIV/AIDS do not serve as barriers to education.	2012 – 2019
	Ensure that activities are undertaken to implement key programs related to child labor.	2017 – 2019
	Increase the scope of existing social programs to reach more children at risk of the worst forms of child labor, and develop specific programs to target children in agriculture and commercial sexual exploitation.	2011 – 2019
	Ensure all children are registered at birth, and increase efforts to register children who are not issued birth certificates at birth.	2018 – 2019

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In 2019, Maldives made a minimal advancement in efforts to eliminate the worst forms of child labor. During the reporting period, the government passed a new Child Rights Protection Act, which takes steps to ensure compliance with international child protection laws and standards. In addition, the National Anti-Human Trafficking Steering Committee met for the first time in more than 2 years. However, although research is limited, there is evidence that children in Maldives engage in the worst forms of child labor, including in forced labor in domestic work and commercial sexual exploitation, each sometimes as a result of human trafficking. The government has not determined specific hazardous occupations or activities that are prohibited for children, and the law does not sufficiently prohibit the commercial sexual exploitation of children. Moreover, the government does not have a policy or program that addresses all relevant worst forms of child labor in the country.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Although research is limited, there is evidence that children in Maldives engage in the worst forms of child labor, including in forced labor in domestic work and commercial sexual exploitation, each sometimes as a result of human trafficking. (1,2) 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 (%)		97.4

Source for primary completion rate: Data from 2017, published by UNESCO Institute for Statistics, 2020. (3)

Source for all other data: International Labor Organization's analysis of statistics from Demographic and Health Survey (DHS), 2009. (4)

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

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

Sector/Industry	Activity
Services	Domestic work (2,5)
Categorical Worst Forms of Child Labor‡	Commercial sexual exploitation, sometimes as a result of human trafficking (1,2,5)
	Forced labor in domestic work, sometimes as a result of human trafficking (1,2)
	Use in illicit activities, including the trafficking of drugs (5,6)

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




Information on children's work is limited because a national survey on child labor has not been conducted. Maldivian children from the outer islands are brought to the capital, Malé, for domestic work. (2) Some children from impoverished families may be more vulnerable to sex trafficking. (7) Some of these children are reported to be victims of forced labor and sexual abuse. In addition, some girls from Bangladesh are victims of human trafficking to Maldives for the purpose of commercial sexual exploitation. (2) There are also some reports of foreign tourists engaging in commercial sexual exploitation of children. (1,2,8)

II. LEGAL FRAMEWORK FOR CHILD LABOR

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

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Table 3. Ratification of International Conventions on Child Labor

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

The government has established laws and regulations related to child labor (Table 4). However, gaps exist in Maldives' legal framework to adequately protect children from the worst forms of child labor, including determining the types of hazardous work prohibited for children.

Table 4. Laws and Regulations on Child Labor

Standard	Meets International Standards	Age	Legislation
Minimum Age for Work	Yes	16	Section 6 of the Employment Act (9)
Minimum Age for Hazardous Work	Yes	18	Section 7 of the Employment Act (9)
Identification of Hazardous Occupations or Activities Prohibited for Children	No		
Prohibition of Forced Labor	Yes		Section 3 of the Employment Act; Sections 12–16 of the Prevention of Human Trafficking Act (9,10)
Prohibition of Child Trafficking	Yes		Sections 12–15 of the Prevention of Human Trafficking Act (10)
Prohibition of Commercial Sexual Exploitation of Children	No		Sections 17–19 of the Special Provisions Act to Deal with Child Sex Abuse Offenders (11)
Prohibition of Using Children in Illicit Activities	Yes		Section 133(c)(1) of the Drugs Act (12)
Minimum Age for Voluntary State Military Recruitment	Yes	18	Law on the Protection of the Rights of Children (13)
Prohibition of Compulsory Recruitment of Children by (State) Military	N/A*		
Prohibition of Military Recruitment by Non-state Armed Groups	No		
Compulsory Education Age	Yes	16	Article 36(b) of the Constitution of the Republic of Maldives; Article 5(b) of the Law on the Protection of the Rights of Children (13,14)
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 (14,15)

* No conscription (16)

In November 2019, Maldives passed a new Child Rights Protection Act, which came into effect in February 2020. The new Act takes steps to ensure compliance with international child protection laws and standards. (5,17)

The law does not sufficiently prohibit commercial sexual exploitation, as the use, procurement, or offering of a child for pornographic performances is not criminally prohibited. (11)

III. ENFORCEMENT OF LAWS ON CHILD LABOR

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

Table 5. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
Labor Relations Authority, Ministry of Economic Development (MED)	Enforces the Employment Act, including child labor provisions. Conducts labor inspections and issues fines for violations. (6,9)
Family and Child Protection Department, Maldives Police Service (MPS)	Investigates complaints of child labor and commercial sexual exploitation. Refers cases to the Prosecutor General's Office for prosecution and the Ministry of Gender and Family to provide victim services. (15) Employs eight officers in Malé to investigate child labor cases, including child commercial sexual exploitation and child pornography cases. (15)
Family and Child Protection Services, Ministry of Gender and Family	Receives referrals of children who have been exploited, including in commercial sexual exploitation and drug trafficking, and provides care for such victims. (5,6)
Anti-Human Trafficking Department, MPS	Investigates human trafficking-related offenses and enforces laws prohibiting trafficking in persons, including cases of child trafficking. (5) Employs five officers to investigate human trafficking cases. (15,18)

Labor Law Enforcement

In 2019, labor law enforcement agencies in Maldives took actions to combat child labor (Table 6). However, gaps exist within the operations of the LRA that may hinder adequate labor law enforcement, including labor inspector training for new inspectors.

Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2018	2019
Labor Inspectorate Funding	\$547,747 (6)	\$572,984 (5)
Number of Labor Inspectors	17 (6)	15 (5)
Inspectorate Authorized to Assess Penalties	Yes (6)	Yes (5)
Initial Training for New Labor Inspectors	No (6)	No (5)
Training on New Laws Related to Child Labor	N/A	N/A
Refresher Courses Provided	No (6)	No (5)
Number of Labor Inspections Conducted	356 (6)	230 (5)
Number Conducted at Worksite	356 (6)	230 (5)
Number of Child Labor Violations Found	0 (6)	0 (5)
Number of Child Labor Violations for Which Penalties Were Imposed	N/A (6)	N/A (5)
Number of Child Labor Penalties Imposed that Were Collected	N/A (6)	N/A (5)
Routine Inspections Conducted	Yes (6)	Yes (5)
Routine Inspections Targeted	Yes (6)	Yes (5)
Unannounced Inspections Permitted	Yes (6)	Yes (5)
Unannounced Inspections Conducted	Yes (6)	Yes (5)
Complaint Mechanism Exists	Yes (6)	Yes (5)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	No (6)	No (5)

The number of labor inspectors was reduced from 17 in 2018 to 15 in 2019 due to staff turnover. The LRA received a budget of \$572,984 for 2019, of which \$9,209 was specifically used for labor inspections. (5) However, the LRA reported that the amount of funding was not adequate to cover inspections in outlying islands, which incurs a large travel cost. The LRA also reported that new employees did not receive initial training from the government. (5,6)

In addition, although the labor inspectorate is authorized to assess penalties, no fines were issued in practice due to a lack of coordination between the LRA and the Maldives Inland Revenue Authority, which has the mandate to receive the payment of the fines. (5,6,9) In 2019, the Maldives Police Service (MPS) reported one case in which children were helping their parents work, but found no child labor violations. (6)

Criminal Law Enforcement

In 2019, criminal law enforcement agencies in Maldives took actions to combat child labor (Table 7). However, gaps exist within the operations of the Family and Child Protection Department of the MPS that may hinder adequate criminal law enforcement, including lack of resources for investigators.

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Table 7. Criminal Law Enforcement Efforts Related to Child Labor

Overview of Criminal Law Enforcement	2018	2019
Initial Training for New Criminal Investigators	Yes (6)	Yes (5)
Training on New Laws Related to the Worst Forms of Child Labor	N/A	N/A
Refresher Courses Provided	Yes (6)	Yes (5)
Number of Investigations	1 (6)	80 (5)
Number of Violations Found	0 (6)	Unknown (5)
Number of Prosecutions Initiated	0 (6)	Unknown (5)
Number of Convictions	0 (6)	Unknown (5)
Imposed Penalties for Violations Related to The Worst Forms of Child Labor	Unknown (6)	Unknown (5)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (6)	Yes (5)

Investigators have insufficient funding and resources, such as office facilities and transportation. (19) Police and other officials also have inadequate training on procedures for identifying human trafficking victims and providing referrals to protective services, including for children. (18) MPS reported that several trainings for investigators during the reporting period touched on the issue of child labor. However, MPS acknowledged that these trainings were not sufficient, as trainings were not designed to specifically address child labor. (5)

The LRA established a reciprocal referral mechanism for victims of human trafficking, in which the LRA informs the MPS via their online portal. MPS investigated 80 incidents of child pornography and commercial sexual exploitation in 2019, including 4 cases of child prostitution. (8) However, the investigations are not disaggregated by types of exploitation related to the worst forms of child labor. It is reported that MPS and social services providers did not have a clear understanding of the differences between sex trafficking and sexual abuse, especially in cases of children; this made the true number of sex trafficking victims unknown. (7) In addition, the outcome of these cases is unknown and the government did not provide information on the total number of prosecutions, convictions, or penalties assessed related to the worst forms of child labor. (5)

Also in 2019, the Ministry of Gender, Family, and Social Services identified six child sex trafficking cases and 15 potential child labor trafficking cases, but did not refer them to the Maldives Police Services' Human Trafficking Unit; it was unclear whether the MPS Family and Child Protection Department investigated the cases on other charges. (7)

IV. COORDINATION OF GOVERNMENT EFFORTS ON CHILD LABOR

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

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

Coordinating Body	Role & Description
National Anti-Human Trafficking Steering Committee (NAHTSC)	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. (1,7,10,20) During the reporting period, the NAHTSC held its first meeting in more than 2 years in December 2019. (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 coverage of all forms of child labor.

Table 9. Key Policies Related to Child Labor

Policy	Description
Anti-Human Trafficking National Action Plan (2015–2019)	Established the government's goals to combat human trafficking, including establishing institutions, coordinating activities, raising awareness, and building capacity. (21) The National Action Plan has been updated for 2020-2022. (5)

In February 2020, the government approved the new National Anti-Human Trafficking Action Plan for 2020-2022, which aims to achieve significant progress on raising human trafficking awareness and increasing support for victims, including child victims of trafficking. (5,22) However, research found no evidence of a policy designed to address other relevant forms of child labor, such as forced labor in domestic work or trafficking drugs.

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2019, the government funded and participated in programs that include the goal of eliminating or preventing child labor (Table 10). However, gaps exist in these social programs, including adequacy to address the problem in all sectors.

Table 10. Key Social Programs to Address Child Labor

Program	Description
Family and Child Service Centers†	Nineteen Ministry of Gender and Family-operated centers that provide psychosocial support for child victims of abuse and exploitation, four of which provide temporary shelter for victims. (19)
National Victim Support Hotline (Number 1696)†	MED-operated hotline dedicated to receiving reports of human trafficking and child labor. Supported by MPS and Maldives Immigration. (23)
Child Helpline (Number 1412)†	Ministry of Gender and Family-operated helpline established with the support of MPS and UNICEF to receive reports of child abuse cases. (19)

† Program is funded by the Government of Maldives.

Research was unable to determine what activities were undertaken during the reporting period to implement existing social programs. (5) Family and Child Services centers and shelters lack adequate financial and human resources, and staff are inadequately trained to deal with cases involving abused and exploited children. (19) Existing social programs do not specifically address the commercial sexual exploitation of children, use of children for drug trafficking, or forced labor in domestic work.

VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE CHILD LABOR

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

Table 11. Suggested Government Actions to Eliminate Child Labor

Area	Suggested Action	Year(s) Suggested
Legal Framework	Determine the types of hazardous work prohibited for children, in consultation with employers' and workers' organizations.	2009 – 2019
	Criminally prohibit all forms of commercial sexual exploitation of children, including procuring, offering, and using children for pornographic performances.	2016 – 2019
	Ensure that the law criminally prohibits the recruitment of children under age 18 by non-state armed groups.	2016 – 2019
Enforcement	Ensure that labor inspectors receive training that specifically focuses on child labor issues, including training for new employees and refresher courses.	2009 – 2019
	Establish a referral mechanism between labor authorities and social services.	2016 – 2019
	Ensure that the labor inspectorate receives sufficient resources to enforce child labor laws, including to cover inspections in outlying islands, which incurs a large travel cost.	2017 – 2019
	Ensure sufficient coordination between the labor inspectorate and the Maldives Inland Revenue Authority to ensure fines authorized by the labor inspectorate are collected.	2019
	Provide sufficient funding and training to the police and prosecutors, and ensure that investigators have the resources necessary to enforce laws on the worst forms of child labor.	2013 – 2019
Government Policies	Collect and publish data on criminal law enforcement efforts, including the number of violations, prosecutions, and convictions for crimes involving the worst forms of child labor.	2013 – 2019
	Adopt a policy to address all relevant forms of child labor.	2014 – 2019
Social Programs	Conduct and publish a national child labor survey and research on the worst forms of child labor, including commercial sexual exploitation and trafficking of children.	2009 – 2019
	Publish information about activities that were undertaken to implement social programs.	2017 – 2019

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

Area	Suggested Action	Year(s) Suggested
Social Programs	Provide sufficient funding, human resources, and staff training for Family and Child Service centers and shelters that serve abused and exploited children.	2018 – 2019
	Implement and provide sufficient resources for programs that address the worst forms of child labor, including the commercial sexual exploitation of children, the use of children for drug trafficking, and forced labor in domestic work.	2009 – 2019

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In 2019, Mali made a moderate advancement in efforts to eliminate the worst forms of child labor. The government allocated \$350,000 to anti-trafficking efforts, including training judges, prosecutors, police, and civil society members on Mali's anti-trafficking law. The government also published data on enforcement efforts, including the number of labor inspections conducted and violations identified, in addition to drafting two new laws that increase penalties for trafficking crimes and exploitation of migrant children. In addition, the government published a new mining code that prohibits the use of child labor in artisanal mining. However, children in Mali engage in the worst forms of child labor, including in hereditary slavery and in armed conflict. Children also perform dangerous tasks in agriculture, particularly in the production of cotton and rice. Although the government made meaningful efforts in all relevant areas, the Malian Armed Forces also recruited and used 24 children ages 9 to 16 in support roles for at least 2 years, in violation of its national law. Although the children were released in November 2019 following high-level engagement, there is no evidence that government officials were sanctioned for the recruitment and use of the children. Further, Mali's law only prohibits hereditary slavery as a result of human trafficking, does not explicitly prohibit using, procuring, or offering children for illicit activities, and allows children under age 18 to be penalized as a direct result of forced recruitment by armed groups. In addition, resource constraints severely limited the government's ability to fully implement the National Plan to Combat Child Labor, and social and rehabilitation services for victims of the worst forms of child labor are inadequate.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Mali engage in the worst forms of child labor, including in hereditary slavery and in armed conflict. (1-6) Children also perform dangerous tasks in agriculture, particularly in the production of cotton and rice. (2,4) 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, 2020. (7)

Source for all other data: International Labor Organization's analysis of statistics from Multiple Indicator Cluster Survey 2015. (8)

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

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

Sector/Industry	Activity
Agriculture	Cultivating,† harvesting,† ginning,† transporting,† and applying chemical fertilizers,† particularly in the production of cotton and rice (4,9,10)
	Raising livestock,† including oxen and small ruminants (9,11,12)
	Fishing† (9,11)
Industry	Artisanal gold mining,† including digging shafts,† extracting ore from underground tunnels,† crushing ore,† and amalgamating ore with mercury† (2,4,13-16)
	Assembling fishing canoes† (9)

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

Sector/Industry	Activity
Services	Domestic work† (2,4,17,18)
	Street work,† including as market vendors,† beggars,† and in the transportation sector (2,9,18,19)
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, each sometimes as a result of human trafficking (4,20-22)
	Commercial sexual exploitation, sometimes as a result of human trafficking (2,23-26)
	Forced recruitment by non-state armed groups for use in armed conflict (4-6,27,28)
	Hereditary slavery (1,4,18,23,30)
	Forced begging by Koranic teachers, sometimes as a result of human trafficking (2,4,13,23)

† 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.

Children, especially of the Bellah community (also known as black Tuaregs), are subject to hereditary slavery in northern and southwestern Mali. (1,4,18,30,31) Some children are born into slavery, while others are born free, but remain in dependent status through which they, along with their parents, are forced to work for their parents’ former masters in exchange for food, money, and lodging. Child slaves perform agricultural or domestic labor and are often sexually abused. (31,32) In addition, children, particularly those of Songhai ethnicity, work in debt bondage in the northern salt mines of Taoudenni. (31,33) In 2019, the Malian National Commission on Human Rights identified 125 displaced child slaves from the southwestern region of Mali. (4)

Children involved in artisanal gold mining in western and southern Mali are exposed to toxic substances and extreme temperatures, transport heavy loads, and work long hours. (4,13-16) Some boys placed in the care of Koranic teachers for education are forced by their teachers to beg on the street or to work in fields, after which they must surrender the money they have earned to their teachers. (4,13, 31,33)

Intermittent fighting and violence in central and northern Mali continued in 2019, resulting in the killing and displacement of children. (34,35) Children continued to be forcibly recruited and trained by non-state armed groups, including the Coordination of Movements for Azawad, the National Movement for the Liberation of Azawad, the High Council for the Unity of Azawad, the Arab Movement of Azawad, and Tuareg Imghad and Allies Self-Defense Group (GATIA), all signatories of the 2015 Peace Accord. (5, 28,34,36)

During the reporting period, the Directorate for the Promotion of Children and Family within the Ministry for the Promotion of Women, Children, and Family reported identifying 62 cases of children used by armed groups. The Directorate for the Promotion of Children and Family reported that 32 of the 62 children removed from armed groups were reunited with their families. (4) UNICEF also reported identifying at least 39 cases of child soldiers, and other cases of forced recruitment of child soldiers during the reporting period are being confirmed. (4,34,36)







Although the Constitution guarantees free and compulsory education, many children, especially girls, do not attend school because parents are expected to pay fees for registration, uniforms, books, and materials, which are prohibitive for many impoverished families. (2,4,18,33,37,38,57) Many children in Mali are not registered at birth, which may prevent them from accessing services such as education. (2,4,33,39,40) In addition, evidence suggests that incidences of physical, psychological, and sexual abuse, including corporal punishment, prevent some children from remaining in school. (18,33,41)

In 2019, numerous attacks on schools in northern Mali resulted in lootings, destruction of learning materials and infrastructure, and occupancy of school facilities by armed groups. (4,27,42) A total of 1,217 schools in conflict-affected zones remained closed throughout the reporting period, as many teachers and students remained displaced. (4,42-44) In addition, between December 2018 and May 2019, the majority of primary and secondary school teachers throughout the country went on a series of non-continuous strikes causing many more schools to close. The Ministry of Education extended classes until July 2019 to salvage the school year. (45,46) The lack of access to education and lack of teacher availability may increase the risk of children’s involvement in the worst forms of child labor. (4,47)

II. LEGAL FRAMEWORK FOR CHILD LABOR

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

Table 3. Ratification of International Conventions on Child Labor

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

The government has established laws and regulations related to child labor (Table 4). However, gaps exist in Mali's legal framework to adequately protect children from the worst forms of child labor, including recruitment by non-state armed groups and use of children in illicit activities.

Table 4. Laws and Regulations on Child Labor

Standard	Meets International Standards	Age	Legislation
Minimum Age for Work	Yes	15	Article L.187 of the Law 2017-021 modifying the Labor Code (48)
Minimum Age for Hazardous Work	Yes	18	Hazardous Occupations List; Article I of the 2017-4388 Amendment to Hazardous Occupations List; Article D.189.14 of the Labor Code (49-51)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Hazardous Occupations List; Article I of the 2017-4388 Amendment to Hazardous Occupations List; Article 189 of the Labor Code (49-51)
Prohibition of Forced Labor	No		Article L.6 of the Law 2017-021 modifying the Labor Code; Article I of the Trafficking in Persons Law (48,52)
Prohibition of Child Trafficking	Yes		Article 244 of the Penal Code; Article 7 of the Trafficking in Persons Law; Article 63 of the Child Protection Code (52-54)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Article 228 of the Penal Code; Articles I and 7 of the Trafficking in Persons Law; Article 57 of the Child Protection Code (52-54)
Prohibition of Using Children in Illicit Activities	No		Article 183 of the Penal Code; Articles 18 and 50 of the Child Protection Code (53,54)
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 (53-55)
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 (53-55)
Prohibition of Military Recruitment by Non-state Armed Groups	No		Articles 31.23, 31.31, and 32 of the Penal Code (53)
Compulsory Education Age	Yes	15‡	Articles 26 and 34 of the Law of Education (56)
Free Public Education	Yes		Article 18 of the Constitution (57)

‡ Age calculated based on available information (53)

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. (49) The light work framework does not meet international standards as it applies to children under the age of 13. Additionally, the law does not specify the conditions under which light work may be undertaken. (48,58,109)

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Although Mali's Trafficking in Persons Law criminalizes trafficking for the purpose of slavery, it does not more broadly criminalize the act of slavery and Mali's labor code, while prohibiting forced labor generally, does not specifically prohibit hereditary slavery. In addition, Malian law does not prohibit using, procuring, or offering a child for the production and trafficking of drugs as established by international standards. (1,2,24,52,54)

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. (13,53,54) However, some offenses included in the Child Protection Code do not have criminal penalties, such as the prohibition of military recruitment by non-state armed groups. (53,54) 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. (53,54,59)

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 an Inter-Ministerial Circular on the Prevention, Protection, and Rehabilitation of Child Soldiers states that Article 28 of the Penal Code is applicable to children involved in armed conflict, the Circular does not define the age range of the children it covers. (53,60) 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. (53,60)

In 2019, the government began working on several new laws and amendments that would strengthen protections for children. The government published a new mining code which prohibits child labor in traditional mines and drafted a new law on migrant smuggling which will carry increased penalties for the exploitation of migrant children. (4,34,61-63) The Ministry of Justice, in collaboration with UNODC, revised the 2012 Anti-Trafficking Law to provide aggravated penalties if trafficking is committed against a child under the age of 18 when previously aggravated penalties were only applied if the child was under 15 years of age. However, and the drafts of the migrant smuggling law and anti-trafficking law are pending government approval. (4,34,61)

III. ENFORCEMENT OF LAWS ON CHILD LABOR

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

Table 5. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
Ministry of Labor's National Directorate of Labor	Enforces labor laws and investigates Labor Code infractions, including those regarding child labor. (33,64,65)
National Unit to Fight Against Child Labor (CNLTE)	Coordinates Mali's efforts to eliminate child labor, especially its worst forms. Chaired by the Ministry of Labor and includes representatives from other government ministries, civil society, and worker and employer organizations. (2,24,66,67) One labor inspector in each region is designated as the point of contact for CNLTE to facilitate regional coordination, and CNLTE also had 14 dedicated child labor inspectors as well as a budget of \$84,600 for the reporting period. (2,4,68) In 2019, CNLTE carried out awareness-raising activities and organized capacity building for community leaders and government officials, including a capacity-building activity that targeted sugar cane producers due to evidence of child labor in that sector collected by CNLTE. (4)
Ministry of Justice	Initiates and coordinates with courts the implementation of laws related to the worst forms of child labor with the support of several other ministries, including the Ministries of Security, Territorial Administration, Child Promotion, Defense, and Labor. (4, 31,64)
Ministry of Internal Security's Police Brigade for the Protection of Morals and Children (BPMC)	Investigates crimes against children, including human trafficking and commercial sexual exploitation. (2,4,23) In 2019, BPMC reported that a new Brigade to Fight Clandestine Immigration and Human trafficking was created to focus exclusively on transnational trafficking. (4,34)
Ministry for the Promotion of Women, Children, and the Family (MPFEF)	Develops and implements programs to protect vulnerable children and monitor alleged violations of child labor laws, including those related to the worst forms of child labor. (4,37,64,65)

Labor Law Enforcement

In 2019, labor law enforcement agencies in Mali took actions to combat child labor (Table 6). However, gaps exist within the operations of the Ministry of Labor that may hinder adequate labor law enforcement, including insufficient financial and human resource allocation.

Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2018	2019
Labor Inspectorate Funding	\$70,000 (68)	\$85,000 (4)
Number of Labor Inspectors	109 (68)	113 (4)
Inspectorate Authorized to Assess Penalties	Yes (68)	Yes (4,49)
Initial Training for New Labor Inspectors	Yes (68)	Yes (4)
Training on New Laws Related to Child Labor	No (68)	Yes (4)
Refresher Courses Provided	Yes (68)	Yes (4)
Number of Labor Inspections Conducted	Unknown (68)	671 (4)
Number Conducted at Worksite	Unknown (68)	671 (4)
Number of Child Labor Violations Found	Unknown (68)	Unknown (4)
Number of Child Labor Violations for Which Penalties Were Imposed	Unknown (68)	Unknown (4)
Number of Child Labor Penalties Imposed that Were Collected	Unknown (68)	Unknown (4)
Routine Inspections Conducted	Unknown (68)	Yes (4)
Routine Inspections Targeted	Unknown (68)	Yes (4)
Unannounced Inspections Permitted	Yes (68)	Yes (4)
Unannounced Inspections Conducted	Unknown (68)	Yes (4)
Complaint Mechanism Exists	Yes (68)	Yes (4)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (68)	Yes (4)

The number of labor inspectors is likely insufficient for the size of Mali's workforce, which includes approximately 6.5 million workers. According to the ILO's technical advice of a ratio approaching 1 inspector for every 40,000 workers in less developed countries, Mali would employ about 161 inspectors. (68-71) Although all regions have labor inspectors, government services are limited or non-existent in some areas due to the insecurity caused by the presence of non-state armed groups. (2,4,68) In addition, reports indicate that a lack of trained staff, equipment, transportation, and funding hampered both the National Unit to Fight Against Child Labor (CNLTE) and the labor inspectorate's ability to conduct child labor inspections and legal proceedings, especially in remote areas of northern Mali. (4,33,58,68,72)

During the reporting period, the government increased the National Directorate of Labor's budget by approximately \$100,000 compared to 2018, which led to an increase of \$15,000 for the labor inspectorate. The labor inspectorate conducted 671 inspections in 2019 and identified 13,772 labor law violations. (4) The CNLTE also reported that it conducted labor inspections on private farms, where children are more likely to be involved in child labor. In addition, the Brigade for the Protection of Morals and Children (BPMC) reported identifying five victims of child labor and investigated an additional four cases of child domestic workers, but the reported number of child labor victims is likely lower than the actual number of victims given the widespread nature of child labor and inadequate enforcement of child labor laws in Mali. (4) However, the government did not provide the number of child labor violations found, the number of penalties imposed, or the number of penalties imposed that were collected during the year for inclusion in this report.

Criminal Law Enforcement

In 2019, criminal law enforcement agencies in Mali took actions to combat child labor (Table 7). However, gaps exist within the operations of the criminal enforcement agencies that may hinder adequate criminal law enforcement, including insufficient financial and human resource allocation.

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Table 7. Criminal Law Enforcement Efforts Related to Child Labor

Overview of Criminal Law Enforcement	2018	2019
Initial Training for New Criminal Investigators	Unknown (68)	Yes (4)
Training on New Laws Related to the Worst Forms of Child Labor	Unknown (68)	Unknown (4)
Refresher Courses Provided	Unknown (68)	Yes (4)
Number of Investigations	1 (68)	2 (4)
Number of Violations Found	3 (68)	46 (4,34)
Number of Prosecutions Initiated	1 (68)	2 (4)
Number of Convictions	1 (68)	0 (4)
Imposed Penalties for Violations Related to The Worst Forms of Child Labor	Yes (2)	Unknown (4)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (68)	Yes (4)

In 2019, the BPMC employed 25 staff, 3 fewer than in 2018. In addition, the BPMC noted that many of its expert staff members were transferred to the newly created Brigade to Fight Clandestine Immigration and Human Trafficking, and the BPMC received newer police officers. (4,68) According to the BPMC, the number of law enforcement agents is inadequate given the prevalence of the worst forms of child labor in the country. However, the BPMC reported that the government plans to increase its personnel in 2020. (4)

During the reporting period, the Ministry of Justice conducted anti-trafficking trainings for government officials and community leaders in Gao, Timbuktu, and artisanal gold mining areas. In addition, the Government of Mali provided \$100,000 in funding to NGOs to conduct anti-trafficking trainings in artisanal gold mining areas. (34) The trainings educated 400 stakeholders on the national anti-trafficking law and on victim identification and referral in local languages. (34)

Despite these efforts to increase training and resources, research found that the Government of Mali lacks trained staff, equipment, transportation, and funding to adequately conduct criminal law enforcement efforts related to the worst forms of child labor, particularly in remote areas. (4,31,68,73) Reports indicate that because of political instability, which may hinder labor and criminal law enforcement efforts in northern Mali, the prevalence of hereditary slavery, forced labor, and trafficking in persons has worsened since the conflict began in 2012. (4,31,33,68,74)

In 2019, the BPMC arrested two Koranic teachers who were perpetrators of forced child begging and who exploited five children between the ages of 5 and 10. (4,34) The Ministry of Justice also reported that there were at least 33 new trafficking in persons cases under investigation and pending trials, and at least 30 additional cases relating to hereditary slavery were either investigated or prosecuted during the reporting period. However, in both cases, it is unknown whether any victims were children. (34) In addition, many justice sector actors noted government officials' interference in cases involving slavery-related practices in an effort to have the charges dismissed. (34)

During the reporting period, a Malian NGO reported that a total of 106 trafficking victims were assisted in collaboration with the government. This included a Malian female child victim of sex trafficking identified in Senegal who was repatriated to Mali, 28 foreign national children identified in Mali and repatriated to their countries of origin, and 13 Malian children who were identified as internal victims of migrant smuggling and trafficking. (34)

Research identified that a general in the Malian Armed Forces is also leading GATIA, a pro-government armed group. Research found evidence that the government provided in-kind support to GATIA, which forcibly recruited and used children in armed conflict during the reporting period. (2, 20,31,34,36,75-77) In 2019, it was discovered that Malian army officials recruited and used 24 children between the ages of 9 and 16 to work in domestic support roles for at least 2 years in exchange for food. The children were eventually released in November 2019 after repeated high-level engagement by the UN and international governments. (4,20,34,36,75-79) However, in both cases, it is unknown whether the government prosecuted perpetrators or sanctioned government officials for forced recruitment and use in support roles of children in armed conflict.

IV. COORDINATION OF GOVERNMENT EFFORTS ON CHILD LABOR

The government has established mechanisms to coordinate its efforts to address child labor (Table 8). However, gaps exist that hinder the effective coordination of efforts to address child labor, including lack of clarity about the roles of coordinating bodies.

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

Coordinating Body	Role & Description
National Coordinating Committee for the Fight Against Trafficking in Persons and Associated Practices	Coordinates government efforts to combat human trafficking. Chaired by the Ministry of Justice and includes various government agencies and civil society groups. (2,23,80,81) In 2019, the committee trained judges, prosecutors, police, and civil society leaders on Mali's anti-trafficking law. (4,34,82)
Inter-Ministerial Committee to Prevent Grave Violations Against Children	Led by MPFEF, conducts awareness-raising campaigns to prevent the recruitment and use of children in armed conflict and implements reintegration programs for former child soldiers. (2) Conducts joint missions with international partners to determine the presence of children in armed conflict. (64) Committee was active in 2019 and assisted in identifying children forcibly recruited by non-state armed groups. (4,34,78)
Artisanal Gold Mining Summit Committee	Comprising gold mining associations and local government officials that monitor the recommendations from a 2014 summit on artisanal mining, including the ban on child labor in artisanal gold mines. (83,84) Committee was active in 2019. (4)

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. (28,31,74)

V. GOVERNMENT POLICIES ON CHILD LABOR

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

Table 9. Key Policies Related to Child Labor

Policy	Description
National Plan to Combat Child Labor (PANETEM) (2011–2020)	Aims to eliminate the worst forms of child labor by strengthening child labor laws, training relevant government officials, and mobilizing funds for social programs to withdraw children from child labor. Implemented by CNLTE. (9,58,84) In 2019, the government continued to work on PANETEM; however, CNLTE reported that there is a lack of funding to implement PANETEM and no resources to evaluate its progress. (4,68)
National Plan of Action to Combat Trafficking in Persons (2018–2022)	Aims to enhance the legal framework to prevent human trafficking, improve implementation of the laws, and provide effective protection and care for victims. Led by the National Coordinating Committee for the Fight Against Trafficking in Persons and Associated Practices. (4,31,85) Calls for the establishment of a formal body to coordinate government efforts to combat trafficking in persons and allocates a budget of \$10 million for the 5 year period or \$2 million per year. The government has pledged to contribute \$350,000 annually and intends to mobilize development partners and the private sector to provide the remaining financial support needed to implement the plan. (28) In 2019, the government established the Brigade to Fight Clandestine Immigration and Human Trafficking. (34,82)
National Policy for Promotion and Protection of Children (2015–2019)	Aimed to protect children from abuse, violence, and exploitation and promoted improved access to education and livelihood services for vulnerable children, especially those affected by armed conflict. Overseen by MPFEF. (2,86) The Government of Mali and NGO partners reported identifying and assisting 215 child soldiers during the reporting period. (4,34)
Inter-Ministerial Circular and the Protocol on the Release and Transfer of Children Associated with Armed Groups and Armed Forces	Provides a framework that highlights the responsibility of the government to prevent children's involvement in armed conflict, and protect and reintegrate those children who become involved. (2,5,36,87) In 2019, after high-level engagement, the government interceded on behalf of 24 children identified by the UN as operating in domestic roles with the Malian Armed Forces in Gao. UNICEF is providing the children with psychosocial and reintegration support. (82)
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. (58,64,88) In 2019, the government of Mali allocated \$608,162 to fund education. (82)

‡ The government had other policies that may have addressed child labor issues or had an impact on child labor. (2,4,89-93)

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VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2019, the government participated in programs that include the goal of eliminating or preventing child labor (Table 10). However, gaps exist in these social programs, including adequacy of efforts to address the problem in all sectors.

Table 10. Key Social Programs to Address Child Labor

Program	Description
ILO-Implemented Projects to Combat Child Labor	ILO-implemented projects to combat child labor and forced labor in supply chains. These projects include the Clear Cotton Project on Child and Forced Labor (2019–2022), an \$8.5 million EU and Food and Agriculture Organization of the United Nations-funded global project to combat child labor and forced labor in cotton and textile supply chains, and ACCEL Africa, a \$26.5 million Government of Netherlands-funded regional project to combat child labor in gold mining and cotton supply chains. (68,94-96) Projects were active during the reporting year. (4)
USDOS-Funded Projects to Combat Descent-Based Slavery*	USDOS-funded programs implemented by the American Bar Association and ILO to combat hereditary slavery and forced child labor in Mali. (3,34,82,97) In 2019, the American Bar Association program trained 27 representatives of the Malian justice sector in victim-centric approaches to investigating and prosecuting cases involving slavery. (34)
National Disarmament, Demobilization, and Reintegration Program	\$25 million UN Multidimensional Integrated Stabilization Mission in Mali-implemented program that aims to provide reintegration services to former combatants in Mali, including children. (2,87,98) In 2019, provided reintegration services to 39 child soldiers. (4) In addition, provided \$246,000 to improve BPMC's headquarters, to provide adequate facilities for BPMC to receive child victims, and to hold a workshop for officers on techniques to assist and rehabilitate former child soldiers. (99)
Global Action Against Trafficking in Persons and the Smuggling of Migrants (GLO.ACT)	\$13 million EU-funded, global project implemented by UNODC, UNICEF, and IOM to combat human trafficking and migrant smuggling. (100,101) In 2019, Malian officials attended a regional GLO.ACT training to enhance cooperation to combat transnational trafficking in Mali, Niger, and Morocco. (102)
USAID Country Program (2016–2020)	\$600 million USAID-funded program that supports the government's efforts to improve education, food security, and health; and to provide humanitarian assistance in crisis areas. In 2019, provided quality basic and secondary education to vulnerable communities in northern Mali, including by re-opening schools, training teachers, and providing school kits for students. (4,68,103)

* Program was launched during the reporting period. (4)

‡ The government had other social programs that may have included the goal of eliminating or preventing child labor. (2,4,104-107)

Mali does not fund or participate in programs to address child labor in domestic work, forced begging, or commercial sexual exploitation. (108)

An informal referral mechanism exists among NGOs, UN bodies, police, and other government agencies to allow withdrawal of children from armed conflict and provide social services to victims of the worst forms of child labor. (4,28,68) Despite these efforts, reports indicate that resources and facilities available to social services agencies are inadequate. (4,31,33,68)

VII. SUGGESTED 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 the law criminally prohibits hereditary slavery in addition to other forms of forced labor.	2017 – 2019
	Criminally prohibit the use, procurement, or offering of children for the production and trafficking of drugs.	2009 – 2019
	Criminally prohibit the recruitment of children under age 18 into non-state armed groups and in any armed conflict.	2013 – 2019
	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.	2015 – 2019
	Ensure that the specific ages of children protected by the Inter-Ministerial Circular on the Prevention, Protection, and Reintegration of Children in Armed Conflict comply with international standards, and ensure that children under age 18 are not penalized as a result of being subjected to forced recruitment.	2009 – 2019

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

Area	Suggested Action	Year(s) Suggested
Enforcement	Publish information on enforcement efforts, including the number of child labor violations found, child labor penalties imposed and collected, training on new laws related to the worst forms of child labor, and number of penalties imposed for the worst forms of child labor.	2010 – 2019
	Significantly increase the number of labor inspectors to meet the ILO's technical advice.	2012 – 2019
	Increase labor inspectorate funding and resources, including equipment and transportation to carry out inspections, especially in remote areas of northern Mali.	2012 – 2019
	Ensure that enforcement officials throughout the country receive additional training, transportation, and equipment necessary to adequately enforce laws related to child labor, including its worst forms.	2019
	Ensure that perpetrators of the worst forms of child labor, including government officials, are prosecuted in accordance with the law.	2013 – 2019
	Implement the provisions of the Inter-Ministerial Circular and the UN-signed Protocol, which require that children in detention for their association with armed groups be transferred to social services or to UN child protection actors for appropriate reintegration and social protection services.	2013 – 2019
	Ensure that government officials are sanctioned and held accountable for interference in legal cases related to crimes of the worst forms of child labor, including in cases of slavery and the recruitment and use of child soldiers.	2019
Coordination	Clarify roles for coordinating mechanisms combating child labor and improve coordination among relevant agencies.	2010 – 2019
	Ensure that coordinating mechanisms receive sufficient resources to coordinate efforts to address child labor.	2012 – 2019
Government Policies	Ensure that the National Plan to Combat Child Labor is implemented, including by allocating sufficient financial and human resources.	2012 – 2019
Social Programs	Enhance efforts to eliminate barriers and make education accessible for all children, including girls and those living in conflict-affected areas, by removing school-related fees, increasing school infrastructure, increasing teacher availability, providing school supplies, and taking measures to ensure the safety of children and teachers in schools.	2010 – 2019
	Increase birth registration rates to ensure that children have access to social services, including education.	2010 – 2019
	Ensure that the military and non-state armed groups do not occupy schools.	2018 – 2019
	Ensure that government social services have sufficient resources and facilities to provide the necessary care for victims of the worst forms of child labor, including for children used in armed conflict.	2016 – 2019
	Institute new programs to address child labor in all relevant sectors, including domestic work, forced begging, and commercial sexual exploitation.	2009 – 2019

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In 2019, Mauritania made a minimal advancement in efforts to eliminate the worst forms of child labor. Unlike previous years when the government did not adequately prosecute or secure convictions in slavery cases, the government investigated, prosecuted, and convicted 12 perpetrators in 3 cases of slavery during the reporting period. In addition, it created and funded a new agency, Taazour, to assist vulnerable populations, including communities of slave descent. The government also revised laws on trafficking in persons and eased requirements for registering non-governmental organizations. However, despite making meaningful efforts in all relevant areas during the reporting period, Mauritania is receiving an assessment of minimal advancement because it continued to implement a policy and a practice that delayed advancement in eliminating the worst forms of child labor. Although there were indications of progress, criminal law enforcement authorities did not make adequate efforts to combat slavery and its vestiges during the reporting period. Specifically, prosecution and convictions in slavery cases are isolated, and reports continue to indicate that some government actors, including police and judicial authorities, are unwilling to pursue such cases. In addition, since 2011, the government has required proof of marriage and biological parents' citizenship for children to obtain a birth certificate. As a result, children born out of wedlock and many Haratine and Sub-Saharan ethnic minority children, including those of slave descent, have been prevented from being registered at birth. Because birth certificates are required for enrollment in secondary school in Mauritania, children as young as age 12 cannot access education, making them more vulnerable to the worst forms of child labor. Children in Mauritania engage in the worst forms of child labor, including in indentured and hereditary slavery. Children also perform dangerous tasks in agriculture, particularly in herding cattle and goats. The government did not make sufficient efforts to enforce some laws related to the worst forms of child labor, including laws on hereditary slavery. In addition, lack of financial resources severely limited the government's ability to fully implement policies, and social programs to combat the worst forms of child labor are insufficient to adequately address the extent of the problem.



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I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Mauritania engage in the worst forms of child labor, including in indentured and hereditary slavery. (1-4) 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 (%)		76.1

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

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

Sector/Industry	Activity
Agriculture	Herding and caring for cattle, camels, goats, and sheep (1,5-7,10-13)
	Fishing for shrimp and fish (1,6,7,11-13)
Industry	Crushing gravel (11,14)
Services	Domestic work (1,5-7,15-17)
	Working as car mechanics, painters, and carpenters (1,6,7,13)
	Garbage scavenging (1,7,13)
	Street work, including vending, shoe shining, begging, [†] and in the transportation sector (1,6,7,11,13)
Categorical Worst Forms of Child Labor [‡]	Forced begging as a result of criminal gang recruitment and coercion by Koranic teachers (1,6,12,16-18)
	Commercial sexual exploitation, sometimes as a result of human trafficking (4,7)
	Use in illicit activities, including selling drugs (4,7,13,19)
	Indentured and hereditary slavery (1-3,10,15,18-23)
	Forced labor in domestic work, sometimes as a result of human trafficking (6,13,19)

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

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

Children 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. (3,4,6,7,21-25) Child slaves herd animals such as cattle and goats, perform domestic labor, and are often sexually exploited. (3,4,14,15,26)

In Mauritania, it is a traditional practice to send children to Koranic teachers to receive an education. However, some Koranic teachers (*marabouts*) force their students (*talibés*) to beg on the streets for long hours and to surrender the money they have earned. (4-7,12,17-19)

Since 2011, the Government of Mauritania has required 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. (27,28) In addition, Ministry of Education officials report that an April 2016 decree requiring all children to have a national identity card to take part in national examinations to obtain the Certificate of Primary Education Studies (CEP) has not been applied systematically; however, the decree has not been withdrawn, and this continues to leave room for different interpretations. 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. (7,10,13,18,24,25,28-31) In addition, the lack of school infrastructure and limited availability of teachers, especially in rural areas, impede access to education, which may increase children’s vulnerability to the worst forms of child labor. (21,32-34) Children from families of slave descent, especially from the Haratine ethnic minority, also face barriers to accessing education due to ethnic discrimination. (5,10,22,24,35)

Although all families are required to register children for birth certificates, there are reports 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 lack of training for registration center staff. (27,28,36,37) In 2019, the government began providing birth registration to children from a preliminary list of 30,000 unregistered children, including refugees and children of slave descent. The government has not published the total number of registrations issued during the reporting period. (38-40) The Ministry of Social Affairs, Childhood, and the Family (MASEF) and the National Child Protection Council have representation in all regions in Mauritania, and are mandated to identify cases of citizens, including children, who are unable to register and provide them the support needed to complete the registration process. (40) In addition, the government appointed a special committee, headed by a presidential adviser, to review cases of

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unregistered applicants and facilitate documentation processes for marginalized and vulnerable communities. As part of the committee’s efforts to facilitate documentation processes, they have conducted site visits to civil registration centers during which they have provided support to individuals who have encountered difficulty in the civil registration process. (39,40)




In 2019, Mauritania hosted approximately 57,000 Malian refugees. During the reporting period, the Government of Mauritania, in collaboration with the UNHCR, continued to issue birth certificates to approximately 2,000 Malian refugee children. (12,17,41,42) Refugee children may have difficulty accessing education, which makes them particularly vulnerable to engaging in the worst forms of child labor, including being recruited by non-state armed groups. (4,12,30,43,44)

In 2019, Mohamed Ghazouani was sworn in as President of Mauritania, and his new administration has prioritized combating poverty, exclusion, and marginalization. Under the current administration, experts have highlighted that Mauritania has made some progress in addressing human rights issues, including investigating and prosecuting cases of slavery and trafficking in persons; however, some government officials have expressed a continued unwillingness to address allegations of human trafficking and slavery. (17,19,45,46)

II. LEGAL FRAMEWORK FOR CHILD LABOR

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

Table 3. Ratification of International Conventions on Child Labor

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

The government has established laws and regulations related to child labor (Table 4). However, gaps exist in Mauritania’s legal framework to adequately protect children from the worst forms of child labor, including the identification of hazardous occupations or activities prohibited for children.

Table 4. Laws and Regulations on Child Labor

Standard	Meets International Standards	Age	Legislation
Minimum Age for Work	Yes	16	Article 76 of the General Child Protection Code (37)
Minimum Age for Hazardous Work	Yes	18	Article 247 of the Labor Code (47)
Identification of Hazardous Occupations or Activities Prohibited for Children	No		Articles 76–77 of the General Child Protection Code (37)
Prohibition of Forced Labor	Yes		Law 052/2015; Articles 1 and 3–4 of Law 025/2003; Article 1 of Law 2013-011 (48-50)
Prohibition of Child Trafficking	Yes		Articles 1 and 3 of Law 025/2003; Article 54 of the Penal Protection Code for Children (48,51)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Article 1 of Law 025/2003; Articles 24–26 of the Penal Protection Code for Children (48,51)

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

Standard	Meets International Standards	Age	Legislation
Prohibition of Using Children in Illicit Activities	Yes		Articles 3–5 and 14 of Law 93-37 on the Prohibition of Production, Trafficking, and Use of Drugs and Illicit Substances; Article 42 of the Penal Protection Code for Children (51,52)
Minimum Age for Voluntary State Military Recruitment	Yes	18	Article 7 of Law 62132/1962 (53)
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 (51)
Compulsory Education Age	No	14	Article 1 of Law 2001-054 (54)
Free Public Education	Yes		Article 1 of Law 2001-054 (54)

* No conscription (55)

During the reporting period, the government drafted a new law regulating NGOs that eases registration requirements and moves oversight of NGOs from the Ministry of the Interior to the Commissariat for Human Rights, Humanitarian Action, and Relations with Civil Society. (58,59) The government also began rewriting laws related to trafficking in persons to provide increased legal protections against forced labor. (17,56-60) As part of this process, the Ministry of Justice collaborated with IOM on several workshops to solicit input from governmental and civil society organizations to revise the legislative framework concerning human trafficking. The draft law significantly reinforces victims’ rights, including a right to reparations. (17,40,61)

The General Child Protection Code, enacted in 2018, allows children ages 16 and 17 to work as long as work is not performed at night, does not exceed 8 hours per day, and does not impede school attendance. In addition, the Code prohibits the employment of children in work that exposes them to physical, psychological, or sexual abuse; work with dangerous machinery, equipment, and tools; and work in unhealthy environments, which may expose children to hazardous substances or temperatures. (37) The Code also criminalizes the commercial sexual exploitation of children and forced begging, and provides penalties for violations of child labor laws up to \$41,000 and 20 years’ imprisonment for the commission of child trafficking crimes. (13,37,62,63) However, the Code does not determine the types of work that are hazardous, including domestic work, an area in which there is evidence of children carrying heavy loads and working long hours. (6,37) In 2019, the government began to develop a new hazardous work list. The new list, which is expected to include domestic work, is slated to be finalized in 2020. (12,39)

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. (47) However, the Labor Code does not specify the activities in which light work may be permitted. (64) 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. (37,54)

III. ENFORCEMENT OF LAWS ON CHILD LABOR

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

Table 5. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
Ministry of Labor's Directorate of Labor and Inspection	Enforces labor laws and investigates Labor Code infractions, including violations related to minimum wage and hazardous work. (16,65,66)
Ministry of the Interior's Special Brigade for Minors	Investigates crimes against children, including human trafficking, and monitors religious schools (<i>mahadras</i>) to ensure that children are not forced to beg on behalf of their teachers. Mainly operates in Nouakchott. (7,16,35,67,68)
Ministry of Social Affairs, Childhood, and the Family (MASEF) Office of Childhood	Develops and implements programs to protect vulnerable children and monitor alleged violations of child labor laws, including those related to the worst forms of child labor. Manages the Centers for the Protection and Social Integration of Children. (7,16,65)
Ministry of Justice's Directorate of the Judiciary for the Protection of Children	Coordinates child protection issues and oversees tribunals responsible for sentencing child offenders. (14,16)
Anti-Slavery Courts	Prosecute crimes related to slavery and provide free legal assistance to victims, including children. The three regional courts located in Nema, Nouakchott, and Nouadhibou were created under the Roadmap and Action Plan for the Eradication of the Vestiges of Slavery. (4,69-71)
Commissariat on Human Rights and Humanitarian Action	Coordinates the development and implementation of government policies related to human rights, including those related to the worst forms of child labor. (4,65,72,73) Carries out awareness-raising campaigns to combat slavery and human trafficking and acts as a civil party to victims of slavery in filing cases. Semi-autonomous body, under the supervision of the Office of the Prime Minister. (4,65,72,73) As part of the new government's restructuring, the National Agency to Combat the Vestiges of Slavery, Integration, and Fight Against Poverty's (<i>Tadamoun</i>) mandate to act as civil party on behalf of victims of slavery has been transferred to the Commissariat on Human Rights and Humanitarian Action. (12,39,74) In 2019, the Commissariat, working with an IOM-funded consultant, drafted a new National Action Plan on Trafficking in Persons that addresses USG recommendations. Government approval of the plan is expected in early 2020. (17)
National Commission for Human Rights (CNDH)	Independent ombudsman body. Advocates for the eradication of slavery, receives human rights complaints, and conducts investigations on human rights violations, including the worst forms of child labor. (7,16,19,35) In 2019, the government funded the CNDH's nationwide outreach caravan to raise awareness in rural and marginalized communities on their rights and legal protections, and how to identify cases of slavery-like practices. (12,19,56)

In 2019, the Ministry of Justice, in coordination with the MASEF, set up a rehabilitation center for victims of slavery to reinstate their full civil rights and liberties. (12)

Labor Law Enforcement

In 2019, labor law enforcement agencies in Mauritania took actions to combat child labor (Table 6). However, gaps exist within the operations of the Ministry of Labor that may hinder adequate labor law enforcement, including financial resource allocation.

Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2018	2019
Labor Inspectorate Funding	\$33,300 (75)	\$33,300 (12)
Number of Labor Inspectors	67 (75,76)	127 (12)
Inspectorate Authorized to Assess Penalties	No (76,77)	No (12)
Initial Training for New Labor Inspectors	Yes (76)	Yes (12)
Training on New Laws Related to Child Labor	Unknown (76,78)	Yes (12,39)
Refresher Courses Provided	Unknown (76)	Yes (12)
Number of Labor Inspections Conducted	Unknown (76)	Unknown (12)
Number Conducted at Worksite	Unknown (76)	Unknown (12)
Number of Child Labor Violations Found	Unknown (76)	Unknown (12)
Number of Child Labor Violations for Which Penalties Were Imposed	Unknown (76)	Unknown (12)
Number of Child Labor Penalties Imposed that Were Collected	Unknown (76)	Unknown (12)
Routine Inspections Conducted	No (76)	No (12)
Routine Inspections Targeted	N/A (76)	N/A (12)

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

Overview of Labor Law Enforcement	2018	2019
Unannounced Inspections Permitted	Yes (76)	Yes (12)
Unannounced Inspections Conducted	7 (76)	No (39)
Complaint Mechanism Exists	Yes (76)	Yes (12)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (76)	Yes (12)

In 2019, labor inspectors did not receive training on the General Child Protection Code. (12,37,75,76) In addition, reports indicate that the Ministry of Labor lacked equipment, training, transportation, and funding to conduct child labor inspections, especially in remote locations and in the informal sector, which employs more than 40 percent of the workforce. (12,13,16,34,65,68,79,80) During the reporting period, the Ministry of Labor hired and trained 60 more labor inspectors to expand coverage across the country and across sectors. (12,39)

Labor inspectors prepare reports when they find a labor violation and may include a recommendation for a penalty; however, they must file the reports with the Ministry of Justice. The Ministry of Justice will then assess the penalty for the labor violation. (12,78) However, the penalties established for violating child labor laws are insufficient and do not generally deter violations. (14,81)

Criminal Law Enforcement

In 2019, criminal law enforcement agencies in Mauritania took actions to combat child labor (Table 7). However, gaps exist within the operations of the criminal enforcement agencies that may hinder adequate criminal law enforcement, including the investigation and prosecution of criminal cases related to hereditary slavery.

Table 7. Criminal Law Enforcement Efforts Related to Child Labor

Overview of Criminal Law Enforcement	2018	2019
Initial Training for New Criminal Investigators	Yes (76)	Yes (12)
Training on New Laws Related to the Worst Forms of Child Labor	Yes (76)	Yes (12)
Refresher Courses Provided	Yes (38)	Yes (12)
Number of Investigations	Unknown (76)	3 (12)
Number of Violations Found	Unknown (76)	3 (12)
Number of Prosecutions Initiated	Unknown (76)	8 (12,19,82)
Number of Convictions	Unknown (76)	5 (12)
Imposed Penalties for Violations Related to The Worst Forms of Child Labor	No (76)	Yes (12)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (76)	Yes (12)

During the reporting period, the Special Brigade for Minors continued to employ 3 officers. (12) According to international organizations and NGOs, there is little to no coordination among enforcement agencies. (76,78) Efforts made by criminal law enforcement authorities to combat the worst forms of child labor, including hereditary slavery, remained inadequate given the magnitude of the problem. (4) In addition, Mauritanian judicial officials often dismiss or fail to refer cases to the Anti-Slavery Courts due to a lack of training. (38,79)

In November 2019, the Anti-Slavery Court of Nema judged 3 separate cases that included a total of 12 perpetrators and approximately 15 victims. The court sentenced the 12 perpetrators to serve 5 to 15 years in prison and awarded the victims in each case \$135,000 as a group. (12,82) Although the 12 convicted had fled to Mali prior to their prosecution, the Ministry of Justice issued international warrants for their arrest and is working with The International Criminal Police Organization to seek their extradition to Mauritania. (12,82) An additional case involving a young female victim of slavery is currently under prosecution at the Anti-Slavery Court of Nouakchott and has drawn widespread attention due to a perceived lack of action by some judicial officials. However, both the Commissariat on Human Rights and the Nouakchott Public Prosecutor have taken a proactive role in managing the case. (17,83,84) During the reporting period, there were two additional cases of slavery

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investigated or prosecuted by the Nema Anti-Slavery Court. In addition, the Federal Public Prosecutor issued a circular requiring prosecutors to actively investigate cases of slavery and provide free legal assistance for victims of slavery. (80,82)

According to Article 23 of the 2015 Anti-Slavery Law (Law 2015-052), the only entities other than Commissariat on Human Rights and Humanitarian Action that can file criminal cases on behalf of former slaves are legally registered human rights associations that have been operating for 5 years in Mauritania. (50, 39,74,79,81,85) The draft NGO law currently before parliament will ease registration restrictions on civil society organizations to operate in Mauritania, but it has not yet been clarified that these organizations, once registered, will be able to immediately bring criminal cases on behalf of former slaves. (39,57,58,59)

Evidence suggests that some police, prosecutors, and judges do not investigate cases of slavery after complaints are received, and that the government has prosecuted cases for lesser offenses to avoid bringing a slavery case to trial. In some cases, this is due to allegations of corruption or lack of political will to prosecute suspected slaveholders, or it may be due to misunderstanding of the 2015 Anti-Slavery Law. (4,12,56,87) There are also reports that investigative judges who receive anti-slavery cases may try to pressure slavery victims to drop their cases or accept mediation in lieu of prosecution. (38,76,79,80) The obstacles that victims of slavery encounter in filing complaints and the government's failure to adequately investigate these cases may be due to the insufficient allocation of resources by the government and a lack of political will to prosecute these cases to their maximum legal liability. (38,76,79,80)

In addition, two laws adopted in 2018 by the Government of Mauritania have drawn widespread concern in the international community. The anti-discrimination law, enacted in January, and the law on apostasy-related crimes, adopted in April, may be used to retaliate against anti-slavery organizations and restrict their ability to function, including their ability to file criminal cases or advocate for the end of slavery. (79,81,88-92) Although, as of the end of 2019 there were no reports that the laws had been used against anti-slavery organizations, there are still concerns that the laws could impede anti-slavery organizations from providing services to victims of slavery, including children. (79,81,91,93,94) In addition, the government has not specified its position on revising these laws. (39)

During the reporting period, the government sentenced seven anti-slavery activists to 6 months in prison for taking part in an unauthorized demonstration and inciting hatred and racism. A majority of these activists have since been released. (82,95) In addition, there are reports that some cases of slavery are resolved through social mediation rather than through the criminal justice system. (12,19,67)

Enforcement authorities, including the Anti-Slavery Courts, lack personnel, funding, and training to adequately coordinate and enforce laws related to the worst forms of child labor. (3,10,12,13,20,69,71,96,97)

The Government of Mauritania did not publish complete data on the number of investigations related to violations of the worst forms of child labor, but international organizations and local NGOs reported that the government investigated cases involving child victims. This included repatriating 90 Senegalese children smuggled into Mauritania to be exploited in fishing, domestic work, and drug production, and for purposes of commercial sexual exploitation. (17,19)

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, including the incorporation of all relevant agencies to address all forms of child labor.

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

Coordinating Body	Role & Description
National Child Protection Council	Aims to develop and implement policies and programs to eradicate all forms of violence against children, including child labor. Chaired by the Prime Minister’s adviser on social affairs and includes government and civil society stakeholders that address children’s rights. (36,38,98-101) The Ministry of Labor did not participate in the activities of the National Child Protection Council. (39)
General Delegation for National Solidarity and the Fight Against Exclusion (<i>Taazour</i>)*	Coordinates and implements government programs to provide education, economic opportunity, and health services to vulnerable populations, including communities of slave descent; replaces <i>Tadamoun</i> . (12,57,102,103) In 2019, the government allocated nearly \$550 million over 5 years to <i>Taazour</i> for implementation of government programs to address vulnerable populations, including communities of slave descent. (12)
Inter-Ministerial Technical Committee on Human Rights	Coordinates and monitors government efforts to promote human rights in Mauritania, including those related to the UN CRC. Led by the Commissioner for Human Rights, Humanitarian Action and Relations with Civil Society and includes representatives from <i>Taazour</i> , the CNDH, and other ministries. (65,104) The Committee was active during 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 funding and implementation of key policies.

Table 9. Key Policies Related to Child Labor

Policy	Description
National Action Plan to Eliminate Child Labor (2015–2020)	Aims to eliminate the worst forms of child labor by strengthening child labor laws, training relevant government officials, implementing awareness-raising campaigns, and mobilizing funds for social programs to withdraw children from child labor. Overseen by the Ministry of Labor. (1,6,13,65)
National Child Protection Strategy†	Aims to protect children against violence, exploitation, abuse, and neglect. The strategy specifically includes children exploited at work or victims of human trafficking, children living on the streets, and children who are victims of violence or sexual exploitation. (12,105)
Strategy for Accelerated Growth and Sustainable Development (2016–2030)	Aims to reduce poverty, promote sustainable development, and increase access to fundamental social services. Overseen by the Ministry of Economic Affairs and Development. (106,107) 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. (106)

† Policy was approved during the reporting period.

In 2019, the government, in consultation with the IOM, finalized a new draft National Action Plan Against Trafficking in Persons, which replaces the previous draft that had been under review since 2015. The government expects to adopt the plan in 2020. (12,56,108) Reports indicate that efforts to implement most of the key policies related to child labor, particularly the National Action Plan to Eliminate Child Labor, have been delayed due to insufficient allocation of resources. (38,76,109,110)

In 2019, Mauritania became a Pathfinder country under Alliance 8.7. This involves a commitment to increase action-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. (111) The Government of Mauritania created an action plan, which includes the goal of ending child labor in dairy farming and artisanal fishing. (112)

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2019, the government funded and participated in programs that include the goal of eliminating or preventing child labor (Table 10). However, gaps exist in these social programs, including the adequacy of efforts to address the problem in all sectors.

Table 10. Key Social Programs to Address Child Labor

Program	Description
Program to Eradicate the Effects of Slavery†	Government program that supports the reintegration and rehabilitation of former slaves. (4,113) In 2019, the program opened 82 schools and continued to implement income-generating activities in communities of slave descendants and other vulnerable populations. (12,20,38,76)
Cash Transfer <i>Tekavoul</i> (2015–2020)	A \$45 million <i>Taazour</i> program, supported by the World Bank, that provides cash assistance to families with school-age children, conditioned on children's school attendance. (114) In 2019, expanded coverage from 30,000 vulnerable households to 45,000 households, and included efforts to increase civil registry enrollment. (102,103)
Centers for the Protection and Social Integration of Children†	MASEF-operated program that provides food, shelter, education, and vocational training to vulnerable children, many of whom are <i>talibés</i> . Operates in Aleg, Kaedi, Kiffa, Nouadhibou, Rosso, and Nouakchott. (7,16,34) In 2019, MASEF managed seven Centers and plans to open an eighth Center in 2020 to provide victim care services to children in need, including victims of human trafficking. MASEF assisted approximately 350 children and monitored 700 children through these centers. (12,17)
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> . In conjunction with this program, also operates adult literacy classes for 8,000 <i>imams</i> across Mauritania to raise awareness of child rights, including information on child labor and child trafficking. (19) In 2019, 60 <i>mahadras</i> across Mauritania were participating in the program, reaching approximately 1,800 children. (19)
USDOL-Funded Projects	USDOL-funded global projects implemented by the ILO to support global and national efforts aimed at countering child labor and the forced labor of adults and children. These projects include From Protocol to Practice: A Bridge to Global Action on Forced Labor (The Bridge Project) and Measurement, Awareness-Raising, and Policy Engagement (MAP 16) Project on Child Labor and Forced Labor*. (12,115-117) In 2019, the Bridge Project held 12 regional consultations with government stakeholders and civil society organizations to finalize research methodology on a qualitative study on forced labor indicators, and carried out a Ministry of Justice-supported evaluation of the Anti-Slavery Courts operations to provide recommendations for improving enforcement. (12,80,118) Additional information is available on the USDOL website.
UNICEF Country Program (2018–2022)	A \$13.8 million UNICEF-funded program that supports the government's efforts to improve education, birth registration rates, social inclusion, and protection for children, including refugees. (119) In 2019, provided access to education for 8,900 refugee children in the M'Bera camp and 10,900 children in host communities. (120)

* Program was launched during the reporting period.

† Program is funded by the Government of Mauritania.

Although Mauritania has social programs that target child labor, the scope of these programs is insufficient to fully address the extent of the problem, especially in agriculture, herding, and domestic work, and for children in hereditary and indentured slavery. (12,65,76,121) Moreover, some government officials do not acknowledge that slavery continues to exist. (2,3,19,25,56,65,96) In addition, the lack of recent data on slavery limits the government's ability to develop effective social programs to comprehensively address this issue. Existing social programs for former slaves and awareness of the national laws on slavery are insufficient. (2,5,25)

VII. SUGGESTED 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
	Ensure that the law's light work provisions specify the conditions in which light work may be undertaken.	2015 – 2019
	Ensure that the hazardous occupations and activities prohibited for children are comprehensive and include sectors in which child labor is known to occur, including domestic work.	2009 – 2019
	Ensure that the age up to which education is compulsory extends to the minimum age for work.	2018 – 2019
Enforcement	Publish information on the number of labor inspections, child labor law violations found, and penalties assessed and collected.	2019
	Strengthen the labor inspection system by authorizing the labor inspectorate to assess penalties and initiate routine and targeted inspections, rather than performing inspections based solely on complaints received.	2014 – 2019

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

Area	Suggested Action	Year(s) Suggested
Enforcement	Ensure that labor inspectors are trained on the General Child Protection Code.	2018 – 2019
	Increase personnel, training, and resources for labor and criminal law enforcement agencies, including the Anti-Slavery Courts, to adequately enforce labor laws, especially in remote areas and in the informal sector.	2010 – 2019
	Ensure that penalties are high enough to deter violators of child labor laws.	2015 – 2019
	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 – 2019
	Ensure that cases of slavery are prosecuted according to the law.	2017 – 2019
	Ensure the safety of anti-slavery activists and allow peaceful public discourse and assembly on slavery, slavery-like practices, and the vestiges of slavery, free from government interference.	2011 – 2019
	Legally recognize civil society organizations that work to protect the human rights of the Haratine ethnic minority and former slave groups, in particular those that assist victims of slavery in filing cases, register births, and ensure access to education, and ensure that legislation is not used to impair their ability to function.	2017 – 2019
Coordination	Ensure the Ministry of Labor's participation in the National Child Protection Council.	2018 – 2019
Government Policies	Ensure that key policies related to child labor, particularly the National Action Plan to Eliminate Child Labor, receive sufficient funds for effective implementation.	2016 – 2019
	Approve and implement the National Action Plan Against Trafficking in Persons.	2015 – 2019
Social Programs	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 – 2019
	Enhance efforts to eliminate barriers and make education accessible for all children, including those from families of slave descent and refugees, by increasing school infrastructure and teacher availability, especially in rural areas.	2011 – 2019
	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 – 2019
	Implement a continuous awareness-raising program for government officials on the laws related to slavery and the worst forms of child labor.	2012 – 2019
	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 – 2019
	Increase funding for social programs that provide services to former slaves.	2015 – 2019

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In 2019, Mauritius made a minimal advancement in efforts to eliminate the worst forms of child labor. The government approved the Workers' Rights Act, which strengthened protections for working children, and continued to implement social programs to support public education around the country. However, children in Mauritius engage in 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. The government did not collect nor publish data on criminal law enforcement, and gaps remain in the implementation of key policies and social programs related to child labor.

Agalega Islands, Cargados Carajos Shoals, and Rodrigues are not shown.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Mauritius engage in the worst forms of child labor, including in commercial sexual exploitation, sometimes as a result of human trafficking, and in illicit activities. (1-3) Children also engage in child labor in construction and street work. (1,2) 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 (%)		100.8

Source for primary completion rate: Data from 2018, published by UNESCO Institute for Statistics, 2020. (4) Data were unavailable from International Labor Organization's analysis, 2020. (5)

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

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

Sector/Industry	Activity
Agriculture	Cultivating and harvesting vegetables (1,2)
	Fishing, including diving, and casting nets and traps (2,7)
Industry	Construction (8)
Services	Domestic work (1,2)
	Working in apparel shops and restaurants (2)
	Street work, including vending, begging, and carrying goods in public markets (1,2,9,10)
Categorical Worst Forms of Child Labor‡	Commercial sexual exploitation, sometimes as a result of human trafficking (1,2)
	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.

Research indicates that Mauritius typically experiences an uptick in child labor activities during the holiday season, November to December. Drug trafficking by children intensified during the reporting period, including both marijuana and synthetic drugs. (2) Some children in Mauritius are brought into commercial sexual exploitation by their peers or family members, or through fraudulent offers of other employment. (1,2,11) Mauritius has never conducted a national child labor survey and, therefore, information on the prevalence of child labor in the country is limited. (12,13) Child labor is known to primarily occur in the informal sector, in which monitoring and enforcement are more challenging. (2)

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Research indicates that children in Mauritius are more vulnerable to child labor during breaks in the school year. They are likely to help with family businesses when not in school. (2) Evidence suggests that incidents of physical and psychological abuse, including corporal punishment of students by teachers, prevent some children from attending school, which increases their risk of engaging in the worst forms of child labor. Due to discrimination, children with disabilities face significant barriers in accessing education. (1, 14)

II. LEGAL FRAMEWORK FOR CHILD LABOR

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

Table 3. Ratification of International Conventions on Child Labor

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

The government has established laws and regulations related to child labor (Table 4). However, gaps exist in Mauritius's legal framework to adequately protect children from the worst forms of child labor, including the 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	No	16	Article 2 and 8 of the Workers' Rights Act, (15)
Minimum Age for Hazardous Work	Yes	18	Sections 2 and 9 of the Workers' Rights Act (15)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Section 8 of the Occupational Safety and Health Act (16)
Prohibition of Forced Labor	No		Article 6 of the Constitution; Article 2 of the Combating Trafficking in Persons Act (17, 18)
Prohibition of Child Trafficking	Yes		Article 13A of the Child Protection Act; Article 21 of the Combating Trafficking in Persons Act (18, 19)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Article 14 of the Child Protection Act; Article 253 of the Criminal Code; Article 11 of the Combating Trafficking in Persons Act (1, 18-20)
Prohibition of Using Children in Illicit Activities	Yes		Articles 30.1b-e, 38a, 41.1f, and 41.2 of the Dangerous Drugs Act (21)
Minimum Age for Voluntary State Military Recruitment	N/A†		
Prohibition of Compulsory Recruitment of Children by (State) Military	N/A*†		
Prohibition of Military Recruitment by Non-state Armed Groups	No		
Compulsory Education Age	Yes	16	Article 37.2 of the Education Act (22)
Free Public Education	Yes		Article 35 of the Education Act (22)

* No conscription

† No standing military

In October 2019, the Workers' Rights Act came into operation, repealing the Employment Rights Act. (2) 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. In addition, children are allowed to work alongside their parents in places such as a family farm or business when not in school. (2,15)

For several years, the government has been considering adopting the Children's Bill, which aims to strengthen the existing legal framework to combat the worst forms of child labor. (2,23) In September 2019, the Children's Bill was introduced to Parliament, but it has not yet received a vote. (2,13)

III. ENFORCEMENT OF LAWS ON CHILD LABOR

The government has established institutional mechanisms for the enforcement of laws and regulations on child labor (Table 5). However, gaps exist within the authority of the Ministry of Labor, Industrial Relations, Employment, and Training (MOLIRE) that may hinder adequate enforcement of 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. (24) Throughout the reporting period, MOLHRDT performed dozens of trainings and sensitization programs for hundreds of children about teenage pregnancy and CSEC. In December, Ministry of Labor, Industrial Relations, Employment, and Training (MOLIRE) became Ministry of Labor, Human Resource Development and Training (MOLHRDT). (25)
Office of the Ombudsperson for Children	Investigates any suspected or reported cases of child labor or violation of a child's rights, proposes laws and policies to advance children's rights, and implements trainings on child protection laws and prevention. (26,27)
Police Brigade for the Protection of Minors (Minors' Brigade)	Investigates crimes related to the worst forms of child labor, including child trafficking and commercial sexual exploitation. (23) Maintains a database of all human trafficking incidents involving children, and refers all cases of commercial sexual exploitation to the Child Development Unit. (28)
Office of the Director of Public Prosecutions	Undertakes criminal proceedings on laws related to the worst forms of child labor in coordination with the Minors' Brigade and the judicial courts. (29,30)
Ministry of Gender Equality, Child Development and Family Welfare's (MOGE) Child Development Unit	Enforces legislation related to children and implements policies and social programs related to child development. (3,12,31) Provides social services to victims of the worst forms of child labor, including human trafficking. Provides trainings and awareness campaigns against human trafficking, including the commercial sexual exploitation of children. (3,12,31) In 2019, MOGE continued to provide counseling and psychological support as well as operate three state-run shelters. (13)

The Child Protection Act, Section 11, requires medical and paramedical professionals, as well as school staff, to report any cases of child labor or abuse. (1,19) MOLIRE reported that labor inspections are not carried out in homes or private farms because labor inspectors are asked to receive advance consent from the owner in order to conduct an inspection.

Labor Law Enforcement

In 2019, labor law enforcement agencies in Mauritius took actions to combat child labor (Table 6). However, gaps exist within the authority of the Ministry of Labor, Industrial Relations, Employment, and Training (MOLIRE) that may hinder adequate enforcement of its child labor laws.

Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2018	2019
Labor Inspectorate Funding	\$1.5 million (8)	\$1,469,555† (2)
Number of Labor Inspectors	89 (8)	129 (2)
Inspectorate Authorized to Assess Penalties	No (8)	No (15)
Initial Training for New Labor Inspectors	Yes (8)	Yes (2)
Training on New Laws Related to Child Labor	N/A (8)	Yes (2)
Refresher Courses Provided	Yes (8)	Yes (2)

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

Overview of Labor Law Enforcement	2018	2019
Number of Labor Inspections Conducted	9,215 (32)	10,601 (25)
Number Conducted at Worksite	4,687 (32)	4,660 (2)
Number of Child Labor Violations Found	4 (33)	4 (2)
Number of Child Labor Violations for Which Penalties Were Imposed	N/A	1 (2)
Number of Child Labor Penalties Imposed that Were Collected	N/A	1 (2)
Routine Inspections Conducted	Yes (8)	Yes (2)
Routine Inspections Targeted	Yes (8)	Unknown (2)
Unannounced Inspections Permitted	Yes (8)	Yes (2,15)
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)

†Data are from July 2019 to June 2020.

Criminal Law Enforcement

In 2019, criminal law enforcement agencies in Mauritius took actions to combat child labor (Table 7). However, gaps exist within the operations of criminal enforcement agencies that may hinder adequate criminal law enforcement, including insufficient resource allocation and lack of data availability.

Table 7. Criminal Law Enforcement Efforts Related to Child Labor

Overview of Criminal Law Enforcement	2018	2019
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)	Yes (2)
Refresher Courses Provided	Yes (8)	Yes (2)
Number of Investigations	Unknown (8)	Unknown (2)
Number of Violations Found	4 (33)	Unknown (2)
Number of Prosecutions Initiated	4 (33)	Unknown (2)
Number of Convictions	1 (33)	Unknown (2)
Imposed Penalties for Violations Related to The Worst Forms of Child Labor	Yes (33)	Unknown (2)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (8)	Yes (2)

Research revealed that criminal law enforcement agencies lacked staff, transportation, and other resources to properly enforce criminal laws related to the worst forms of child labor. (2) The government does not publicize information on its criminal enforcement efforts and did not provide complete information 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 implementation of activities.

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

Coordinating Body	Role & Description
Inter-Ministerial Committee on Human Trafficking	Coordinates anti-trafficking efforts in Mauritius. Chaired by the Attorney General's Office, comprises representatives from the Ministry of Labor, Industrial Relations, Employment, and Training, MOGE, and other ministries. (35,36) The committee met regularly during the reporting period. (8)
High Powered and Working Together Committee	Coordinates and implements activities on children's rights, including efforts to combat the worst forms of child labor. Chaired by MOGE. (2,31) The High Powered and Working Together Committee did not meet in 2019. (2)

The government's efforts to combat the worst forms of child labor were hindered by a lack of coordination and information-sharing between key coordinating mechanisms, as well as by a lack of consultation with NGOs working on child protection issues. There is no coordinating body whose primary focus is 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 the worst forms of child labor.

Table 9. Key Policies Related to Child Labor

Policy	Description
Child Safety Online Action Plan (2009–2019)	Aimed to prevent the online sexual exploitation of children by strengthening the legal framework and developing awareness-raising programs. Implemented by the Ministry of Information and Communication Technology, in conjunction with MOGE, the Minors' Brigade, and the Office of the Ombudsperson for Children. (37) Research was unable to determine whether activities were undertaken during the reporting period.
Education and Human Resources Strategy Plan (2008–2020)	Aims to improve equity of access to primary, secondary, and technical and vocational education, and to provide social services for youth. Overseen by the Ministry of Education. (38,39) Research was unable to determine whether activities were undertaken during the reporting period.
Government Development Program—Achieving Meaningful Change (2015–2019)	Aimed to increase access to social protection services for vulnerable populations, including children, and emphasizes a zero-tolerance policy for the use of children in drug trafficking. (40–42) Research was unable to determine whether activities were undertaken during the reporting period.
National Sports and Physical Activity Policy (2018–2028)	Provides a structured sports program available to all ages. The policy focuses on children and young adults and is available after school hours, to help reduce children's vulnerability to child labor and illicit activities. (8,43) During the reporting period, the Sports Act (2016) was reviewed. New programs for maintenance of sports facilities and programs encouraging Mauritians to engage in sports were being created. (32)

Research found no evidence of policies aiming to combat other worst forms of child labor, such as commercial sexual exploitation. In addition, the National Plan to Combat Human Trafficking, drafted in 2016, has yet to be adopted by the government. (2,35,44,45)

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2019, the government funded and participated in programs that include the goal of eliminating or preventing child labor (Table 10). However, gaps exist in these social programs, including implementation of programs to address the full scope of the problem.

Table 10. Key Social Programs to Address Child Labor

Program	Description
Awareness-Raising Programs on Commercial Sexual Exploitation and Human Trafficking†	MOGE program created to educate the public on preventing commercial sexual exploitation of children and human trafficking. Active during the reporting period. (2)
IOM Country Program	IOM program to build capacity of relevant government agencies to protect children from exploitation and human trafficking. (44,46) Research was unable to determine whether this program was active during the reporting period.
Education Assistance Programs†	Government programs that increase access to quality primary education for vulnerable children, designed to provide equal opportunities to primary school children throughout the country. Includes the Eradication of Absolute Poverty Program, which provides educational support to 7,500 households in 229 geographic pockets of poverty and in the Education Priority Zones and is designed to provide equal opportunities to primary school children throughout the country. (39) Research was unable to determine whether these programs were active during the reporting period.
National Children's Council†	Under MOGE, offers a wide range of services, including day care, shelters, creativity centers, children's clubs, and school child protection clubs around the island. In addition, has a program called "Atelier Partage Parents" for parental education, which has been functioning since 2012 and covers good parenting practices as well as focuses on violence and child abuse issues. (2) The National Children's Council met approximately once per month during the reporting period. (32)

† Program is funded by the Government of Mauritius.

Although the government has established an oversight body to improve the effectiveness of institutional care facilities and shelters, evidence suggests that there continues to be a lack of appropriate standards of care, inadequate provision of services, and overcrowding in some centers that house orphans, child victims of commercial sexual exploitation, and child victims of other types of abuses. (3,29,43,47,48)

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VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE CHILD LABOR

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

Table 11. Suggested Government Actions to Eliminate Child Labor

Area	Suggested Action	Year(s) Suggested
Enforcement	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 – 2019
	Ensure labor inspectors conduct targeted inspections.	2019
	Publish information regarding the number of criminal investigations conducted, number of violations found, number of prosecutions initiated, number of convictions, and number of imposed penalties on the worst forms of child labor.	2018 – 2019
	Ensure that criminal law enforcement officials are fully funded, equipped, and trained to address the problems of the worst forms of child labor in Mauritius.	2019
Coordination	Ensure that all coordinating bodies, including the High Powered and Working Together Committee, are active and are able to carry out their intended mandates.	2018 – 2019
	Ensure that coordination mechanisms share information and policy-making decisions to combat the worst forms of child labor. Government should consult with all parties involved with anti-child labor activities, such as NGOs, industry, and other organizations, to ensure no overlap or gaps.	2012 – 2019
	Ensure a coordinating body exists that addresses child labor broadly.	2019
Government Policies	Adopt a policy that addresses the worst forms of child labor, including commercial sexual exploitation.	2014 – 2019
	Adopt the draft National Plan to Combat Human Trafficking.	2017 – 2019
	Ensure that policies addressing child labor are active.	2019
	Collect and publish data on the prevalence of child labor in Mauritius to inform policies and programs.	2013 – 2019
	Ensure that all children, including those with disabilities, can attend school without fear of physical or psychological abuse.	2014 – 2019
	Ensure that child victims of commercial sexual exploitation have access to comprehensive and quality social services.	2010 – 2019
	Ensure that programs addressing child labor are active.	2019

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For the 2019 reporting period, no assessment has been made regarding Mexico's efforts to advance the elimination of the worst forms of child labor because this is the first year that efforts have been assessed and suggested actions are included for Mexico. During the reporting period, the Government of Mexico made meaningful efforts in all relevant areas to combat the worst forms of child labor, including the ratification of the United States-Mexico-Canada Agreement, and the revision of the General Education Law to strengthen educational access for children from marginalized groups. The government also obtained convictions in 12 cases of child trafficking, established a new commission for the protection of migrant children, and drafted the Plan of Action to Combat Child Labor 2019–2024. Furthermore, the government carried out its 2019 National Child Labor Survey, and continued to fund and support a program that improved educational access for over 73,000 indigenous and Afro-descendant children. However, children in Mexico engage in the worst forms of child labor, including in commercial sexual exploitation, sometimes as a result of human trafficking, and in illicit activities, such as the production and trafficking of drugs. Children also perform dangerous tasks in agriculture, including in the production of chile peppers, coffee, sugarcane, and tomatoes. Although nearly 60 percent of employment occurs in the informal sector, federal and some state-level labor inspectors are only permitted to carry out inspections in the informal sector in response to complaints. In addition, a lack of human and financial resources limited the government's ability to adequately enforce labor and criminal law, and the government did not publish complete information on its labor and criminal law enforcement efforts. Furthermore, social programs to combat child labor do not address all relevant sectors of child labor in Mexico.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Mexico engage in the worst forms of child labor, including in commercial sexual exploitation, sometimes as a result of human trafficking, and in illicit activities, such as the production and trafficking of drugs. (1-7) Children also perform dangerous tasks in agriculture, including in the production of chile peppers, coffee, sugarcane, and tomatoes. (8-11) The Child Labor Module (MTI) estimates that the population of children ages 5 to 17 years engaged in child labor fell from 3.5 million in 2007 to 2.1 million in 2017. This represents a decrease of 41 percent over 10 years, in part due to government policies and programs designed to combat child labor. (8,12) Current data show that 61 percent of child laborers engage in hazardous work and 40 percent of children who engage in unpaid work do not attend school. Child labor primarily occurs in the central and southern states of Nayarit, Zacatecas, Campeche, Tabasco, and Colima, and 73 percent of child laborers are boys. (8)

During the reporting period, the ILO assisted the National Institute of Geography and Statistics in carrying out the National Child Labor Survey (ENTI 2019), which will be used to develop policies and action plans to combat child labor based on the survey results. (13,14) Table 1 provides key indicators on children's work and education in Mexico.

Mexico

NO ASSESSMENT

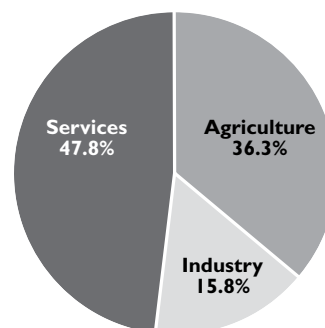
Table 1. Statistics on Children’s Work and Education

Children	Age	Percent
Working (% and population)	5 to 14	3.6 (801,890)
Attending School (%)	5 to 14	97.6
Combining Work and School (%)	7 to 14	3.5
Primary Completion Rate (%)		104.1

Source for primary completion rate: Data from 2017, published by UNESCO Institute for Statistics, 2020. (15)

Source for all other data: International Labor Organization’s analysis of statistics from Instituto Nacional de Estadística y Geografía (INEGI), Encuesta Nacional de Ocupación y Empleo (ENOE), Modulo de Trabajo Infantil (MTI), 2017. (16)

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



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

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

Sector/Industry	Activity
Agriculture	Work in agriculture,† including in the production of avocados, chile peppers, coffee, cucumbers, eggplants, beans (green), melons, onions, sugarcane, tobacco,† and tomatoes (8-11,17-19) Cattle raising (8)
Industry	Manufacturing† footwear, furniture, garments, leather goods, and textiles (8,10,223) Producing baked goods (8) Construction,† activities unknown (8,10) Mining,† activities unknown (8) Working in woodworking and welding shops (8,10)
Services	Street work† as vendors, shoe shiners, beggars, car washers, and porters (9,20-22) Working in auto repair, beauty salons, restaurants, bars,† and coffee shops (8,10,22) Scavenging in landfills (9,23) Domestic work (8,24,25)
Categorical Worst Forms of Child Labor‡	Forced labor in domestic work, street vending, and begging, each sometimes as a result of human trafficking (26-29) Commercial sexual exploitation, including in the production of pornography, sometimes as a result of human trafficking (1,2,5,6,10) Use in illicit activities, including the production of poppies for heroin and drug trafficking, sometimes as a result of human trafficking (2-4,7,30) Recruitment of children by non-state armed groups for use in armed conflict (31-33)

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

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

Children in Mexico are 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. (1-7) A report by the Regional Coalition Against Trafficking in Women and Girls in Latin America and the Caribbean (CATWLAC) found that 26 percent of female trafficking victims in Mexico are minors and 70 percent are of indigenous descent. (1-6,34,35)

Since 2006, the Government of Mexico has taken increased military action against drug cartels and organized criminal groups. Due to reports of violence and corruption, some state and municipal governments are unable to fully ensure the security of their population. (36-38) In response to the insecurity, some communities have formed self-defense militia groups. Reports indicate that one of these militias recruited and trained children as young as 6 years old to protect their community against organized criminal groups. (31-33) The group later agreed to disarm children after reaching an agreement with the Guerrero state government to increase police presence in the area. (39,40)

Child labor in agriculture is more prevalent among boys than girls. 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 Nayarit, Campeche, Tabasco, and Colima. (8) Children’s work in agriculture often includes long working hours, use of sharp tools, handling pesticides, and carrying heavy loads. (41,42) A 2016 study by UNICEF found that 44 percent of migrant agricultural worker households had at least one child engaged in child labor. (17,43,44)




Children from indigenous populations are more likely to work than non-indigenous children. (17,45-47) According to the National Committee on Human Rights, indigenous populations are especially vulnerable to child labor and human trafficking due to low educational levels, linguistic barriers, and discrimination, especially in the agricultural sector. (26,48-50) Indigenous children are also less likely to attend school due to the lack of schools near their homes, and the lack of educational materials and instruction in native languages. (45,47,51) In addition, some children ages 15 to 17 living in agricultural export-producing communities may be vulnerable to involvement in organized crime as they may not be able to find legal work. (52-55)

In 2019, Mexico hosted over 115,000 migrant children, mostly from the Northern Triangle countries of El Salvador, Guatemala, and Honduras, who are fleeing violence and poverty. Approximately 40,500 of these children were unaccompanied minors. (56-59) Migrant children, especially those travelling by themselves, are more vulnerable to trafficking in persons, forced recruitment by organized criminal groups, and other worst forms of child labor. (2,60-62) The National Institute of Migration (INM) is responsible for enforcing the rights of migrant children and the Mexican Commission for Refugee Assistance (COMAR) is tasked with refugee assistance. However, due to an increase in the number of migrants, including unaccompanied children, both INM and COMAR may have decreased funding to carry out their mandates. (59,63-77) In addition, many migrant children do not have access to education. Although Mexican law states that unaccompanied migrant children must be placed in child protection centers while waiting to be repatriated, many times they remain in detention centers without access to education. (58,60,63-65,77-79)

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 (80-82)
Minimum Age for Hazardous Work	Yes	18	Article 175 of the Labor Code (52)

Mexico

NO ASSESSMENT

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 175–176 of the Labor Code (52)
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 (80,81,83)
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 (81,83)
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 (81,83,84)
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 (84,85)
Prohibition of Compulsory Recruitment of Children by (State) Military	Yes		Article 5 of the Military Service Law (86)
Minimum Age for Voluntary State Military Recruitment	Yes	18	Article 24 of the Military Service Law (86)
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 (81,84)
Compulsory Education Age	Yes	18‡	Articles 6 and 129 of the General Law on Education (82)
Free Public Education	Yes		Article 3 of the Constitution (80)

‡ Age calculated based on available information

The Mexican Senate ratified the United States-Mexico-Canada Agreement (USMCA) on June 19, 2019, and the subsequent Protocol of Amendment on December 12. The USMCA includes a labor chapter that brings labor obligations into the core of the agreement and makes them fully enforceable. (87-90) Under this chapter, Mexico commits to adopt and maintain in its statutes, regulations, and practices to effectively abolish child labor and prohibit the worst forms of child labor. The USMCA labor chapter also requires each country to prohibit the importation of goods into its territory from other sources produced in whole or in part by forced or compulsory labor, including forced or compulsory child labor. (87,90)

Complimentary to the USMCA, in May 2019, Mexico also enacted historic labor reforms to strengthen worker rights, including regulating domestic work and requiring employers to develop and implement protocols to combat child labor and forced labor. (91-93) The government also revised the National Forfeiture Law, which enables the government to seize individual and company assets acquired illicitly, including through trafficking in persons. (93-95)

In 2019, the government revised the General Law on Education to strengthen educational access for indigenous, Afro-descendant, and migrant children, as well as children of migrant agricultural workers. The revised law requires educational authorities to provide learning materials in indigenous languages, develop programs to support indigenous and Afro-descendant children, and to improve education infrastructure in marginalized communities. (82) In addition, the revised law extended the period of time that children are required to attend school from pre-kindergarten through high school, which is usually completed by age 18. (82) As the minimum age for work at 15 years is lower than the compulsory education age, children may be encouraged to leave school before the completion of compulsory education.

III. ENFORCEMENT OF LAWS ON CHILD LABOR

The government has established relevant institutional mechanisms for the enforcement of laws and regulations on child labor (Table 5). However, gaps exist within the operations of the Secretariat of Labor and Social Welfare (STPS) 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 (PROFEDET), an independent entity under STPS, prosecutes cases in which workers' rights are violated, including cases with workers under age 18. (52,96-101) The federal-level STPS inspectorate is responsible for labor law enforcement in 22 industrial sectors, three types of enterprises, and labor matters affecting two or more states. The state-level STPS inspectorates are responsible for labor law enforcement in all other situations. (52,80,102) During the reporting period, the STPS underwent a restructuring to streamline operations, resulting in the establishment of the Unit on Dignified Work (UTD) to conduct labor inspections, including child labor inspections. In 2020, STPS will collaborate with USDOL on two projects to strengthen their capacity to enforce labor laws and train Mexican workers and unions on labor standards and identifying labor violations. (103-107)
Attorney General of the Republic (FGR)	Prosecutes crimes involving human trafficking, including criminal violations related to child trafficking and other worst forms of child labor. The Attorney General of the Republic's Specialized Unit for Crimes against Women and Trafficking in Persons (FEVIMTRA) and the Specialized Unit on Trafficking in Minors, People, and Organs (UEITMPO) are responsible for investigating and prosecuting human trafficking cases at the federal level. (2,101,108-111) In addition, 30 of the 31 states and the Federal District have specialized Trafficking in Persons (TIP) prosecutors or units which are responsible for investigating and prosecuting cases of human trafficking at the state level. Some state TIP units or prosecutors also prosecute cases of gender-based violence. (35,55,112,113) Federal and state TIP units receive some cases of child trafficking from the National Institute of Migration (INM) and the Mexican Commission for Refugee Assistance. (63-68,77)
Conciliation and Arbitration Boards	Tripartite boards, which mediate and adjudicate labor disputes according to federal and state labor laws, including processing cases in which children between the ages of 15 and 18 request permission to work. Beginning in 2020, these boards will slowly be phased out and replaced by federal and state-level Labor Tribunals and Conciliation Centers. (52,80,91,114-116)
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. (81,101,117) 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. (81,101,117) During school holidays, some state-level SNDIF ministries also conduct operations to monitor for child labor in the informal sector. (118-130)
National Commission for Human Rights (CNDH)	Independent ombudsman body. Receives complaints and conducts investigations on human rights violations, including cases involving the worst forms of child labor. (131)

Beginning in 2019, the Government of Mexico carried out a structural change known as the “Fourth Transformation,” which is designed to combat corruption and alleviate poverty. (132,133) Under this structural change, approximately 21,000 technical experts departed their positions due to significant budget cuts across many government agencies and programs. This situation left many secretariats and agencies without the appropriate personnel, expertise, and leadership to carry out core government functions, including establishing and implementing policies and programs related to the worst forms of child labor and enforcing related laws. (134-136)

Although the STPS inspectorates at the federal and state levels are responsible for carrying out child labor and occupational safety and health inspections in formally registered businesses, only state-level labor inspectorates have authority to conduct general labor conditions inspections in all commercial entities. (96,97,103) However, some Mexican states lack state-level labor inspectors. (55) In addition, while some state-level inspectorates can conduct unrestricted labor inspections in the informal sector, the federal-level and some state-level labor inspectorates can only conduct inspections in the informal sector in response to a complaint. As informal sector employment accounts for 57 percent of employment in Mexico, restrictions on conducting inspections in this sector leaves working children more vulnerable to labor law violations and crimes related to the worst forms of child labor. (10,93,96,98,103,137,138)

Labor Law Enforcement

In 2019, labor law enforcement agencies in Mexico took actions to combat child labor (Table 6). However, gaps exist within the operations of the STPS that may hinder adequate labor law enforcement, including human and financial resource allocation.

Mexico

NO ASSESSMENT

Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2018	2019
Labor Inspectorate Funding	Unknown (96)	\$29,626,569 (139)
Number of Labor Inspectors	758 (140)	421 (101)
Inspectorate Authorized to Assess Penalties	Yes (96)	Yes (103)
Initial Training for New Labor Inspectors	Yes (96)	N/A
Training on New Laws Related to Child Labor	Yes (96)	Unknown
Refresher Courses Provided	Yes (96)	Unknown (141)
Number of Labor Inspections Conducted	111,075† (142)	35,981 (101)
Number Conducted at Worksite	Unknown (96)	35,981 (101)
Number of Child Labor Violations Found	Unknown (96)	648 (101)
Number of Child Labor Violations for Which Penalties Were Imposed	Unknown (96)	Unknown (101)
Number of Child Labor Penalties Imposed that Were Collected	Unknown (96)	Unknown (101)
Routine Inspections Conducted	Yes (96)	Yes (143)
Routine Inspections Targeted	Yes (96)	Yes (144)
Unannounced Inspections Permitted	Yes (96)	Yes (101,143,144)
Unannounced Inspections Conducted	Yes (96)	Unknown (143,144)
Complaint Mechanism Exists	Yes (96)	Yes (144)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (96)	Yes (144)

† Data are from January 1, 2018 to October 31, 2018.

The number of labor inspectors is likely insufficient for the size of Mexico’s workforce, which includes approximately 54 million workers. According to the ILO’s technical advice of a ratio approaching 1 inspector for every 15,000 workers in developing economies, Mexico would employ roughly 3,634 labor inspectors. (101,145-147) Although the government planned to hire and train 500 additional labor inspectors in 2019, restructuring of the STPS and austerity measures resulted in a reduction in the number of federal labor inspectors by almost 50 percent. (96,98,148)

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 the National System for Integral Family Development (SNDIF) and the local Office of the Attorney General (FGR). (97,103,144) The STPS reported carrying out inspections due to complaints of child labor in 2019, but the total number of complaints received or complaint-based inspections carried out is not known, as the STPS does not have an internal system to track cases of child labor violations. (101,103,144) 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. (92,149,150) Although inspections were carried out by STPS at the federal level, research could not verify that all state-level STPS also conducted child labor inspections or sanctioned establishments in violation of the Labor Code. (118-122,124-126,151) It is also unclear whether the STPS at the federal and state levels apply the guidelines on identifying and sanctioning child labor violations as outlined in the “Labor Inspection Protocol to Eradicate Child Labor and Protect Adolescent Workers”. (97,101) 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. (96,144,152)

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. (96,103,144)

Although children between the ages of 15 and 17 are required to obtain work permits, only the state of Jalisco reported issuing 1,917 permits in 2019. (118) Information on the issuance of work permits in other states was not provided for inclusion in this report.

In 2019, the STPS established a new reporting system, “*CumpliLab*,” to build a database of formally registered businesses and identify those in compliance with the Labor Code, including provisions related to child labor. (144,153) Registered businesses deemed to be in compliance will be exempt from labor inspections for one year and granted export certificates for their goods. (103,144,154)

Criminal Law Enforcement

In 2019, criminal law enforcement agencies in Mexico took actions to combat child labor (Table 7). However, gaps exist within the operations of the criminal enforcement agencies that may hinder adequate criminal law enforcement, including insufficient financial resources.

Table 7. Criminal Law Enforcement Efforts Related to Child Labor

Overview of Criminal Law Enforcement	2018	2019
Training for Investigators	Yes (35)	Yes (93)
Training on New Laws Related to the Worst Forms of Child Labor	Yes (35)	Unknown
Refresher Courses Provided	Yes (35)	Yes (93)
Number of Investigations	Unknown (35)	31 (93)
Number of Violations Found	Unknown (35)	Unknown (93)
Number of Prosecutions Initiated	Unknown (35)	31 (93)
Number of Convictions	Unknown (35)	4 (93)
Imposed Penalties for Violations Related to the Worst Forms of Child Labor	Unknown (35)	Yes (93)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (35)	Yes (93,155)

The total number of investigations launched, prosecutions initiated, and convictions made related to the worst forms of child labor at the federal level is not known due to weak coordination and data sharing among government ministries. Research identified that inconsistent data collection and the lack of coordination amongst government ministries may hinder adequate criminal prosecution of employers and impact government efforts to provide victim services. (55,93) During the reporting period, Specialized Unit for Crimes against Women and Trafficking in Persons (FEVIMTRA) collaborated with the governments of Colombia, Peru, the United States, and Venezuela in human trafficking investigations that resulted in at least four convictions. Federal authorities also launched 133 investigations, and FEVIMTRA reported assisting 21 minors during the year. (55,93,141) In addition, specialized Trafficking in Persons (TIP) units at the state level launched at least 545 trafficking in persons investigations and identified 658 victims during the reporting period. However, in both instances, it is unknown whether any of the victims were children. (55,93,113,141) The Federal District and the states of Chihuahua and Mexico were responsible for over half of the investigations conducted in 2019. Nevertheless, 14 other states opened fewer than five trafficking cases each. (113) Successful investigation and prosecution of human trafficking crimes varies by state, with the State of Mexico securing convictions in the highest percentage of cases. In 2019, the specialized prosecutor in the State of Mexico investigated and successfully prosecuted at least 12 cases of child trafficking for purposes of forced begging, commercial sexual exploitation, and forced domestic work. (35,93,113)

In 2019, FEVIMTRA provided refresher courses for 1,019 government officials, mainly law enforcement officials, on trafficking in persons investigations. Additionally, UNODC conducted workshops on trafficking in persons issues at the request of several state governments for government officials and NGOs. (93) Despite this, reports indicate that the lack of training for criminal law enforcement officers on how to perform judicial and police investigative functions, as well as confusion over territorial jurisdictions, has hampered the ability of criminal law enforcement officers to adequately investigate and prosecute cases involving the worst forms of child labor. (2,93) In addition, the insufficient capacity of judges and prosecutors to identify and investigate criminal

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cases related to human trafficking meant that many traffickers were prosecuted for more minor offenses or were acquitted. (2)

The National Trafficking in Persons Hotline, managed by the Citizens' Council for Safety and Justice of Mexico City, received 3,526 calls and referred 575 cases of human trafficking to FEVIMTRA, Specialized Unit on Trafficking in Minors, People, and Organs (UEITMPO), and state-level TIP prosecutors during the reporting period. (55,155) In 2019, FEVIMTRA and UEITMPO also assisted at least 617 victims of trafficking, of which 21 percent were children between the ages of 13 and 17. However, the total number of children referred and assisted in both cases is unknown. (93,141) As approximately 49 percent of FEVIMTRA's \$14,000 operating budget was used to provide shelter and other resources to trafficking victims as part of the investigation process, limited financial resources were available for investigations, training, and outreach. (141)

IV. COORDINATION OF GOVERNMENT EFFORTS ON CHILD LABOR

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

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

Coordinating Body	Role & Description
Inter-ministerial Commission for Prevention and Eradication of Child Labor and the Protection of Adolescents Workers of the Permitted Age in Mexico (CITI)	Coordinates Mexico's activities to develop policies, approve programs, and coordinate, monitor, and evaluate efforts to combat child labor, especially its worst forms. Chaired by STPS and includes representatives from the Secretariats of the Interior, Economy, Foreign Affairs, Wellbeing, Agriculture, Transportation, Education, Health, Tourism, Social Security, SNDIF, and FGR. (46,98) Meets on a quarterly basis and includes NGO networks, international technical and financial partners, such as UNODC and IOM, and bilateral partners, including the United States. In 2019, met on a regular basis to draft the new Plan of Action on Child Labor 2019–2024. (98,144,156)
Inter-ministerial Commission for the Prevention and Punishment of Human Trafficking Crimes	Coordinates efforts to address human trafficking in Mexico. Chaired by the Secretariat of the Interior and includes representatives from STPS, secretariats of numerous other government ministries, NGOs, and international technical and bilateral partners. (157,158) In 2019, developed and delivered trainings to government officials to prevent and combat trafficking in persons, with a focus on victim-centric approaches. (93)
National System for the Protection of Children and Adolescents (SIPINNA)	Guides national child protection policy and programs and coordinates child protection activities. Chaired by the Secretariat of the Interior and made up of a steering committee from multiple other ministries and representatives of civil society groups. (159) In 2019, carried out awareness-raising activities on children's rights, including prohibitions related to child labor; drafted a program to remove children from illicit activities, and established a Commission for the Protection of Refugee and Migrant Children and Adolescents. (156,160-162) Research also identified many state-level SIPINNAs that carried out awareness-raising activities against child labor. (119,120,122-124,127,128,130)
State Committees for the Prevention and Eradication of Child Labor and for the Protection of Young Persons (CITI Estatales)	Coordinate, monitor, 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. (46,98) Although some state committees met on a regular basis during the reporting period, sources reported that the majority of state committees are either inactive or do not meet regularly. (55,101,120,122,123,144,156,163,164)
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. (165-167) In 2019, developed a roadmap to protect migrant and refugee children and in collaboration with UNICEF, developed a protocol to address the needs of unaccompanied migrant children, including the provision of education, social services, and legal assistance. (63,64,168-170)

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

Both government officials and civil society sources have stated that Mexico's federal budget allocates only 1 cent per child or \$267,000 to the CITI to implement programs and activities to prevent and combat child labor. Sources have reported this amount is insufficient to address the extent of the problem. (55,171-173)

V. GOVERNMENT POLICIES ON CHILD 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 Program for the Protection of Children and Adolescents (PRONAPINNA) (2020–2024)†	Promotes the rights of children and adolescents by increasing access to basic health and education and combating poverty and violence. (174)
National Development Plan (PND) (2019–2024)†	Aims to combat corruption, increase economic development, and promote social equality through environmental sustainability and access to quality education and health care services. During the reporting period, established <i>Jovenes Constuyendo el Futuro</i> and <i>Sembrando Vida</i> social programs. (175)
National Strategy for Inclusive Education (ENEI) (2019–2024)†	Supports inclusive education for vulnerable children, including migrant and indigenous children. (176,177)
Migrant Repatriation and Counter-Trafficking in Persons Accord Between Mexico, El Salvador, Guatemala, Honduras and Nicaragua	Reinforces border security measures and repatriates victims of human trafficking, including unaccompanied children and young persons. (69,178,179) In 2019, 122 Infant Protection Agents from the National Migration Institute (INM) received training to assist unaccompanied migrant children. INM authorities also rescued and referred 423 child victims of trafficking to criminal law enforcement and social services agencies. (65,180)

† Policy was approved during the reporting period.

In 2019, the government drafted the Plan of Action on Child Labor 2019–2024, National Plan on Human Rights 2019–2024, and the National Action Plan on Trafficking in Persons 2020–2024. However, these plans were not approved by the end of the reporting period. (101,141,181,182) In addition, although the government has established a National Development Plan, many government ministries have not developed, published, or implemented ministry-specific plans as required by the National Planning Law, including plans with components to prevent and eliminate child labor. (183-185)

In 2019, Mexico became 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, and human trafficking by 2030, and the eradication of child labor by 2025. (186,187) The Government of Mexico created an action plan, which includes the goals of improving information generation on child and forced labor, strengthening coordination between the CITI and the Inter-ministerial Commission for the Prevention and Punishment of Human Trafficking Crimes, and establishing preventative actions to combat child and forced labor in supply chains. (188)

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

The government funded and participated in programs that include the goal of eliminating or preventing child labor (Table 10). However, gaps exist in these social programs, including the adequacy of efforts to address the problem in all sectors and in all states.

Table 10. Key Social Programs to Address Child Labor

Program	Description
Program for Inclusive and Equitable Education (PIEE)†	Nationwide Secretariat of Public Education program that offers primary, secondary, and high school-level education adapted for the unique needs of children of migrant farm workers. Formerly known as PRONIM, PIEE's national database tracks the educational progress of migrants to ensure they conclude their studies. (189) In 2019, PIEE had a budget of \$11 million, which included funds to provide basic primary education to children of migrant agricultural workers and strengthen educational services in indigenous communities and for vulnerable populations. (190,191)
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. (192-194) In 2019, assisted 10 million students, including 300,000 students of indigenous descent, Afro-descendant, or living in a marginalized community. (195,196) Although the program reaches a high number of students, it has been criticized for providing an insufficient cash transfer, lacking monitoring and evaluation, and having implementation issues. (197-202)
Support for Indigenous Education Program (PAEI)†	Implemented by the National Institute of Indigenous Peoples (INPI) to support educational access of children from indigenous and Afro-descendant communities through scholarships, boarding houses, and nutritional support. In 2019, assisted 73,886 children through the program's <i>Casas y Comedores de la Niñez Indígena</i> and <i>Casas y Comedores Comunitarios del Estudiante Indígena</i> . (203)

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

Program	Description
Assistance for At-Risk Minors and Adolescents Program (PAMAR)†	Implemented by SNDIF at the state and municipal levels to assist youth at risk for child labor, including in commercial sexual exploitation and in illicit activities, by providing shelters, psychosocial assistance, and training. Research found the program was active during the reporting period in a few states and municipalities, but it is not implemented across all states and municipalities where the program is needed. (204-207)
USDOL-Funded Projects	USDOL-funded projects that aim to eliminate child labor through research, increased labor inspection capacity, and expanded participation in education, training, and social protection programs. These projects include <i>Campos de Esperanza</i> , a \$10.5 million project implemented by World Vision in targeted agricultural communities in Oaxaca and Veracruz; and MAPI6, an ILO-implemented global project, with \$2.4 million dedicated to support the Mexican National Child Labor Survey (ENTI), which was carried out in 2019 with results to be released in 2020. (13,208,209) Additional projects include <i>Senderos*</i> , an \$8 million project implemented by Verité to combat child and forced labor in agricultural communities 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; and COFFEE*, a \$2 million project implemented by Verité in Brazil, Colombia, and Mexico to develop tools for businesses to establish systems to prevent, detect, and combat child and forced labor in coffee supply chains. (210-212) For additional information, please visit our website.

* Program was launched during the reporting period.

† Program is funded by the Government of Mexico.

‡ The government had other social programs that may have included the goal of eliminating or preventing child labor. (213-217)

During the reporting period, 47 anti-poverty programs were canceled, including the *Prospera* conditional cash transfer program, which required regular school attendance for families to receive the cash transfer, and the Program to Assist Migrant Agricultural Workers (PAJA), which had components to improve educational access for families of migrant workers. Both of these programs assisted vulnerable populations with children at risk of engaging in child labor. (55,218-221) However, new social programs were launched using a direct cash transfer model, including the Benito Juarez Wellbeing National Scholarship Program, which requires only that children enroll in school for families to receive the benefit. Sources have criticized the elimination of *Prospera*, though agree that more time is needed to evaluate the impact of the new scholarship program. (10,55,93,197,201,202,218)

In 2019, the government opened two migrant shelters operated by STPS and funded by the Ministry of Wellbeing—one in Baja California and one in Chihuahua. These shelters are intended to operate as “integration centers,” assisting foreign migrants in obtaining employment and providing social services, including educational access, for migrants and their children. (222)

In addition, many programs to prevent child labor, particularly in the agricultural sector, have been implemented as a result of improved private sector diligence rather than due to government efforts. (55)

VII. SUGGESTED 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 the age up to which education is compulsory.	2019
Enforcement	Ensure the STPS at the federal and state levels conduct targeted and unannounced labor inspections in all sectors, including in the informal sector and in rural areas.	2019
	Publish information at the federal and state level on the number of child labor penalties imposed and collected, the number of inspections at worksites and unannounced inspections conducted, the number of criminal labor violations found, and disaggregate the number of prosecutions initiated and number of convictions secured by the number of cases involving children.	2019
	Significantly increase the number of labor inspectors in accordance with the ILO's technical advice to provide adequate coverage of the workforce.	2019

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

Area	Suggested Action	Year(s) Suggested
Enforcement	Establish a case tracking system to ensure that violations of child labor laws are recorded and victims of child labor are referred to the appropriate services.	2019
	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
	Improve coordination and information sharing between federal and state-level labor inspectorates.	2019
	Increase coordination among government ministries to ensure adequate criminal prosecutions of perpetrators of the worst forms of child labor.	2019
	Increase training for enforcement officials, prosecutors, and judges to ensure adequate criminal law enforcement related to the worst forms of child labor.	2019
	Ensure that criminal law enforcement agencies investigate and prosecute violations related to the worst forms of child labor, including cases of trafficking in persons.	2019
	Ensure that criminal law enforcement agencies receive sufficient funding to conduct investigations and prosecutions related to the worst forms of child labor.	2019
Coordination	Ensure coordination mechanisms to combat child labor are adequately funded.	2019
Government Policies	Adopt a policy that addresses all the worst forms of child labor.	2019
	Ensure relevant government ministries develop, publish, and implement ministry-specific plans with components to prevent and eliminate child labor.	2019
Social Programs	Remove children from organized criminal groups and ensure they are provided with adequate social services.	2019
	Expand access to education by increasing school infrastructure, providing education materials and instruction in native languages, and ensure all children are able to attend school, including those in migrant or indigenous communities.	2019
	Ensure unaccompanied migrant children are placed in child protection centers instead of detention centers and receive access to education.	2019
	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
	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

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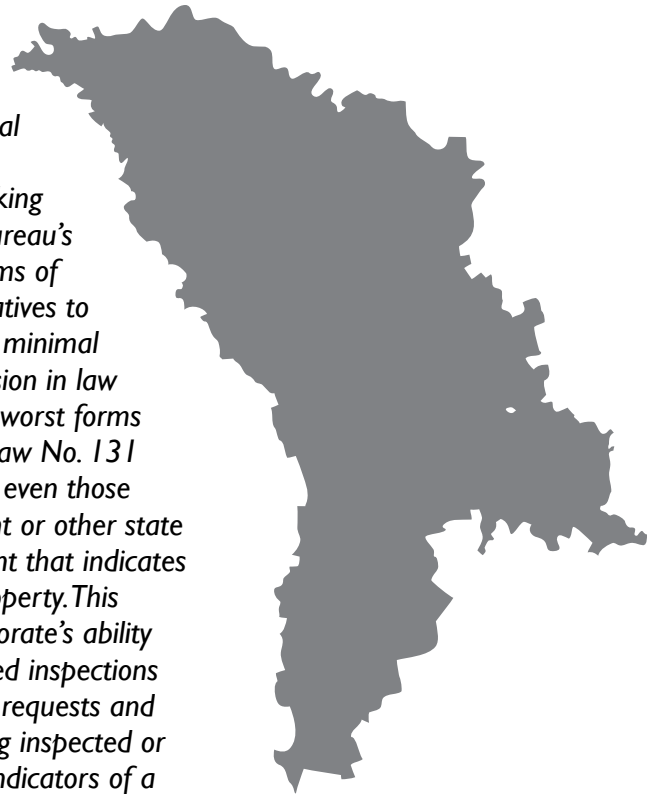
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MINIMAL ADVANCEMENT – EFFORTS MADE BUT CONTINUED LAW AND PRACTICE THAT DELAYED ADVANCEMENT

In 2019, Moldova made a minimal advancement in efforts to eliminate the worst forms of child labor. The government established the National Council on Human Rights to monitor and assess efforts to comply with national and international obligations to combat child labor, and established an annex specifically for child victims of trafficking within state-run shelters. In addition, the Anti-Trafficking Bureau's mandate was expanded to include investigations of all forms of online child sexual exploitation. However, despite new initiatives to address child labor, Moldova is receiving an assessment of minimal advancement because it continued to implement a regression in law and practice that delayed advancement in eliminating the worst forms of child labor. In August 2018, the government amended Law No. 131 through Law No. 179, such that unannounced inspections, even those based on a complaint or at the request of law enforcement or other state bodies, are permitted only on the basis of a risk assessment that indicates an immediate threat to the environment, life, health, or property. This stringent measure severely limited the State Labor Inspectorate's ability to conduct unannounced inspections. In addition, announced 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. Moreover, when an inspection is conducted in response to a complaint, the labor inspector must only focus on the alleged violation outlined in the complaint; if other violations, such as child labor, are uncovered, they cannot be addressed. Children in Moldova engage in the worst forms of child labor, including in commercial sexual exploitation, sometimes as a result of human trafficking. Children also engage in child labor in agriculture. Moldova lacks a sufficient number of labor inspectors to provide sufficient coverage of the workforce. Furthermore, training is needed for new criminal investigators. In addition, entities responsible for conducting occupational, safety, and health inspections, including of hazardous child labor, lacked adequate capacity to do so during the reporting period.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Moldova engage in the worst forms of child labor, including in commercial sexual exploitation, sometimes as a result of human trafficking. Children also engage in child labor in agriculture. (I-3) Table I provides key indicators on children's work and education in Moldova.

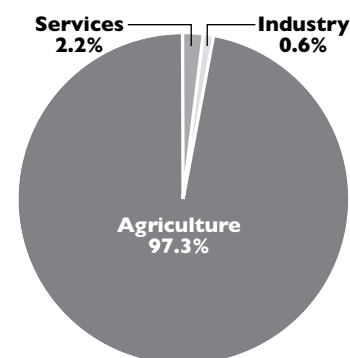
Table I. Statistics on Children's Work and Education

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 (%)		89.4

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

Source for all other data: International Labor Organization's analysis of statistics from Labour Force Survey-Child Labour Survey (LFS-SIMPOC), 2009. (5)

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 (2,6-11)
	Forestry, including transporting heavy loads (2)
	Fishing, including feeding fish (2,6)
Industry	Construction,† including carrying heavy loads and welding† (2,6,7,12)
	Working in the garment sector (2,6)
	Baking,† including confectionary and food preservation (2,6)
Services	Street work, including begging (1,2,13-15)
	Domestic work (6,15)
	Working in wholesale, retail, restaurants, and transportation (2,6,8,11,15,17)
Categorical Worst Forms of Child Labor‡	Commercial sexual exploitation and forced begging, each sometimes as a result of human trafficking (2,6,15,18-20)

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

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

Lack of information limits an assessment of the types of work that children perform and the sectors in which they work, including for the secessionist region of Transnistria, which is not under the control of Moldovan authorities. (2,6,15)

Both boys and girls, as young as age 10, are recruited by traffickers for prostitution and other forms of commercial sexual exploitation. (1,3,6,13,20) Child online sexual exploitation, including the production and distribution of child pornography, has increased in recent years. (2) Moldova is also a destination for child sex tourism. (1,3,8)

Child trafficking, particularly of children suffering from familial neglect, continues to be a concern in Moldova and Transnistria. (1,9,15,18,21,22) The number of children left behind by migrant parents is increasing in both areas. These children are particularly vulnerable to child labor and human trafficking, especially those in orphanages or boarding schools. (2,15,20,21) Vulnerable children from Transnistria are at an increased risk of being trafficked through Ukraine’s Odessa region. (20,23,24) Victims from the Turkic-speaking autonomous territorial region of Gagauzia in Moldova were also likely to be trafficked to Turkey for commercial sexual exploitation. (20)

Although the Education Code provides for free and compulsory education until age 18, sometimes parents are asked to pay informal fees for supplies and gifts to teachers. (7,14,25) Occasional discrimination against Roma students by some school officials and other non-Roma students may create barriers to accessing education. Roma children are particularly vulnerable to school dropout. (2,15,26,27)

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	✓

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 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	Yes	16	Article 46 of the Labour Code (28)
Minimum Age for Hazardous Work	Yes	18	Article 255 of the Labour Code; Article 3 of the Collective Convention on Elimination of the Worst Forms of Child Labour (28,29)
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 Labour; Articles 103, 105, and 255–256 of the Labour Code (28-30)
Prohibition of Forced Labor	Yes		Article 44 of the Constitution; Article 168(b) of the Criminal Code; Article 7 of the Labour Code; Collective Convention on Elimination of the Worst Forms of Child Labour (28,29,31,32)
Prohibition of Child Trafficking	Yes		Articles 2 and 25–29 of the Law on Preventing and Combating Trafficking in Human Beings; Collective Convention on Elimination of the Worst Forms of Child Labour (29,33)
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 Labour; Law No. 207 (29,32,34,35)
Prohibition of Using Children in Illicit Activities	Yes		Article 208 of the Criminal Code; Collective Convention on Elimination of the Worst Forms of Child Labour (29,32)
Minimum Age for Voluntary State Military Recruitment	Yes	18	Article 12 of Law No. 162-XVI on the Status of Military Servicemembers (36)
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 (37)
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 (32,34)
Compulsory Education Age	Yes	18	Articles 13 and 152 of the Education Code of 2014 (38)
Free Public Education	Yes		Article 35 of the Constitution; Article 9 of the Education Code of 2014 (31,38)

As the minimum age for work is lower than the compulsory education age, children may be encouraged to leave school before the completion of compulsory education. (28,38)

III. ENFORCEMENT OF LAWS ON CHILD LABOR

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

Table 5. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
Ministry of Health, Labor, and Social Protection's State Labor Inspectorate (SLI)	Enforces child labor laws through inspections of labor relations of enterprises, institutions, and organizations, regardless of their type or legal form. (2,39) Manages the National Referral System to Protect and Assist Victims and Potential Victims of Trafficking in Human Beings (NRS), which has been implemented in all of Moldova's regions; each regional coordinator works directly with law enforcement, NGOs, and schools, and leads victim rehabilitation efforts. (15,18) Through the NRS, builds the capacity of multidisciplinary teams at the local level, which includes community social assistants, police officers, and NGO workers to improve victim identification and referral for crisis intervention and rehabilitation. (40) Through the National Coordination Unit and Child Labor Monitoring Unit (CLMU), coordinates activities related to the protection of victims and those vulnerable to human trafficking. (24)
Sectoral Regulating Agencies	Enforce occupational health and safety (OSH) laws, including those related to hazardous child labor, in specific sectors designated by law. Conduct OSH inspections of enterprises operating in respective sectors of responsibility. (2) Ten entities have sectoral OSH enforcement mandates: the National Food Safety Agency; the Consumer Protection and Market Surveillance Agency; the National Public Health Agency; the Environmental Protection Inspectorate; the National Road Transport Agency; the Civil Aeronautics Authority; the Naval agency; the National Energy Regulation Agency; the National Electronic Communication and Informational Technology Regulation Agency; and the Technical Supervision Agency. (2)
Center for Combating Trafficking in Persons within the Ministry of Internal Affairs (MOIA)	Leads criminal investigations and arrests perpetrators, including for the trafficking of children for both labor and sexual exploitation. (2) Subdivision of MOIA with criminal investigators. (6,7) Cooperates with the Border Police Inspectorate, National Anti-Corruption Center, and Customs Service. (2) Operates a 24/7 trafficking in persons hotline. (20)
Specialized Prosecution Office for Organized Crime and Special Cases (PCCOCS) 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. (1) Includes an investigative and prosecution unit within the national-level PCCOCS. (13) In 2019, nine special judges were nominated to work on human trafficking cases. (1) A specialized unit within the Anti-Trafficking Bureau focuses on child pornography, and expanded its mandate in 2019 to include investigations of all forms of online child sexual exploitation. (2)
Ministry of Justice	Enforces criminal laws against child trafficking and sexual exploitation. (6,15)

During the reporting period, laws and practices introduced as part of government restructuring in 2017 and 2018 continued to limit the power of the Ministry of Health, Labor, and Social Protection's State Labor Inspectorate (SLI) to enforce child labor laws. The SLI lacks authority to investigate workplace accidents and enforce penalties for occupational, safety, and health (OSH) violations, including of hazardous working conditions for children. (41,42) Ten sectoral regulating agencies have mandates to enforce OSH laws, including through discretionary inspections in specific areas outlined in amendments to Law No. 131. However, sources indicate that lack of training and capacity may limit these agencies' ability to adequately enforce OSH laws, including those related to hazardous child labor. (2,41,42) Laws No. 179 and No. 131 mandate that SLI 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. (2,41-45) In 2019, these strict measures continued to limit the number of on-site inspections, especially unannounced inspections, that the SLI was empowered to conduct. (2,41,43,44) Site visits, including those conducted in response to complaints, must be announced 5 days in advance unless a risk assessment indicates an immediate threat to the environment, life, health, or property. This restriction also applies to OSH inspections conducted by sectoral regulating agencies. (41,45,46) While the SLI is able to receive complaints, procedures to submit a complaint can be cumbersome, and complaints cannot be anonymous. (2,47) Furthermore, if an inspection is conducted in response to a complaint, the labor inspector can focus only on the alleged violation outlined in the complaint, even if other violations, such as child labor, are observed. (42)

In addition, the responsibilities of the Child Labor Monitoring Unit (CLMU) within the SLI structure have not been clearly defined, and CLMU's role under Law No. 131 is limited to requesting a report of child labor from other agencies when child labor is found. (24) Sources report that this has affected the SLI's capability to detect child labor. (48)

The Transnistrian region is not under the control of Moldovan authorities, who are prevented from carrying out inspections and law enforcement there. (27,49)

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Labor Law Enforcement

In 2019, labor law enforcement agencies in Moldova took actions to combat child labor (Table 6). However, gaps exist within the operations of the Ministry of Health, Labor, and Social Protection that may hinder adequate labor law enforcement, including the lack of unannounced inspections in sectors in which child labor is known to occur.

Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2018	2019
Labor Inspectorate Funding	\$690,000 (15)	\$657,663 (2)
Number of Labor Inspectors	45 (15)	45 (2)
Inspectorate Authorized to Assess Penalties	Yes (49)	Yes(2)
Initial Training for New Labor Inspectors	Yes (15)	Yes (2)
Training on New Laws Related to Child Labor	Yes (49)	Yes (2,49)
Refresher Courses Provided	Yes (15)	Yes (2)
Number of Labor Inspections Conducted	2,191† (15)	1,549‡ (2)
Number Conducted at Worksite	2,006† (15)	696‡ (2)
Number of Child Labor Violations Found	15 (15)	21‡ (46)
Number of Child Labor Violations for Which Penalties Were Imposed	3 (15)	6 (46)
Number of Child Labor Penalties Imposed that Were Collected	4 (49)	3 (46)
Routine Inspections Conducted	Yes (15)	Yes (2)
Routine Inspections Targeted	Yes (15)	Yes (2)
Unannounced Inspections Permitted	Yes (15)	Yes (2)
Unannounced Inspections Conducted	No (15)	No(50)
Complaint Mechanism Exists	Yes (15)	Yes (2)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (15)	Yes (2)

† Data are from January 1, 2018 to November 30, 2018.

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

The number of labor inspectors is likely insufficient for the size of Moldova's workforce, which includes over 1.295 million workers. (51) According to the ILO's technical advice of a ratio approaching 1 inspector for every 20,000 workers in transition economies, Moldova would employ about 65 labor inspectors. (51,52) The SLI has reported that the number of labor inspectors is insufficient to adequately conduct child labor inspections. (2) In addition, amendments made to Decree 788 in 2018 limit the total number of personnel the SLI can hire to 28 staff members serving on the main office staff, and 45 labor inspectors serving in 10 regionally-focused subdivisions. (2, 39, 49, 54)

In 2019, the SLI identified child labor violations in the construction, entertainment, transportation, and agriculture sectors involving a total of 21 children. (46) Inspectors identified a total of three children who were working under hazardous conditions, two of whom worked in construction and one of whom worked in agriculture. (46) The SLI prescribed penalties for six child labor violations, which under Moldovan law must be reviewed by the courts before fines are issued and collected. Courts issued fines in three of these cases, and the other three cases remain pending. (2,46,55) 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. (2,24,48,53,54)

The ten sectoral agencies with labor enforcement mandates conducted a total of 1,116 OSH inspections in 2019, the majority of which were conducted by the National Food Safety Agency, which oversees the agriculture and food processing industries; the National Agency for Road Transportation, which oversees the transportation industry; and the Technical Supervision Agency, which oversees the construction industry. A total of 9,925 labor law violations were identified in the course of these OSH inspections. (46) However, information on the number of these violations related to child labor, if any, was unavailable for inclusion in this report.

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During the reporting period, SLI inspectors received training on forced child labor as part of a workshop organized by the Ministry of Health, Labor, and Social Protection in partnership with the OSCE. (2)

Criminal Law Enforcement

In 2019, criminal law enforcement agencies in Moldova took actions to combat child labor (Table 7). However, gaps exist within the operations of the criminal enforcement agencies that may hinder adequate criminal law enforcement, including insufficient training for new criminal investigators.

Table 7. Criminal Law Enforcement Efforts Related to Child Labor

Overview of Criminal Law Enforcement	2018	2019
Initial Training for New Criminal Investigators	No (15)	No (2)
Training on New Laws Related to the Worst Forms of Child Labor	Yes (15)	Yes (2)
Refresher Courses Provided	Yes (15)	Yes (2)
Number of Investigations	32† (15)	34‡ (2)
Number of Violations Found	53† (15)	109 (20)
Number of Prosecutions Initiated	32† (15)	30 (20)
Number of Convictions	24 (15)	16‡ (2)
Imposed Penalties for Violations Related to The Worst Forms of Child Labor	Yes (49)	Yes (2)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (15)	Yes (2)

† Data are from January 2018 to November 2018.

‡ Data are from January 2019 to October 2019.

In 2019, the Center for Combating Trafficking in Persons (CCTIP) identified 109 children as victims of human trafficking, 59 of whom were exploited for labor in artistic performances and two of whom were exploited for labor in agriculture. Within the first 10 months of 2019, 12 child victims of trafficking were referred for assistance through the National Referral System for the Protection and Assistance of Victims and Potential Victims of Human Trafficking. (2)

Of the 30 cases in which prosecution was initiated for child trafficking during the reporting period, 22 involved sexual exploitation; two involved labor exploitation; two involved forced begging; two involved multiple forms of exploitation; and in two cases the form of exploitation was unknown. (2,20) Seven cases involving commercial sexual exploitation of children that were pending before the courts resulted in a conviction; two cases resulted in acquittal; and five cases are still pending. (2,20) Two of the seven cases that resulted in conviction were related to commercial sexual exploitation of children perpetrated in late 2017 and early 2018. During the first 10 months of 2019, 16 convicted individuals received criminal penalties for violations related to child labor, while three were acquitted. (2)

During the reporting period, law enforcement officials and prosecutors in CCTIP received more than 10 trainings related to detecting and combating human trafficking, and providing rehabilitation services to victims. (2)

Authorities may lack adequate training to identify potential child trafficking victims. Legislation providing special interview services for child victims of human trafficking is also not uniformly applied, which can result in re-traumatization of victims. (1)

Online recruitment, solicitation of sexually explicit content, and online threats are inconsistently handled. Investigators sometimes treat these crimes as child trafficking offenses, and sometimes as sexual harassment, which is considered a less serious crime. (15) In addition, law enforcement failed to use special investigation measures to investigate child pornography, which investigators fail to treat as a serious crime. (15)

Sources have reported that CCTIP's newly hired staff lack knowledge on human trafficking and how information and communications technology is used to facilitate human trafficking crimes. There are also reports that CCTIP "disjoins" cases to artificially inflate its enforcement stats. (1,20)

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 adequate coordination of efforts to address child labor, including coordination efforts of the National Council for the Protection of Child Rights.

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

Coordinating Body	Role & Description
National Council for Human Rights*	Monitors and assesses the implementation of the Human Rights National Action Plan (2018–2022), which includes activities dedicated to protecting child rights and combating exploitation of children, including in child labor. (2,56,57) 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. (56)
National Committee for Combating Trafficking in Persons (NCCTIP)	Coordinates efforts to prevent and combat child trafficking and child sexual exploitation. Members include the SLI, Security and Intelligence Service, Agency for Public Services, and other government departments. (6,7,15,23) Drafts legislation related to human trafficking, participates in anti-trafficking campaigns, and develops national action plans. (18) Met once in 2019 to discuss progress and challenges in combating human trafficking, including in the areas of investigation, prosecution, and protection of victims of trafficking. (2)
National Council for the Protection of Child Rights	Coordinates national efforts to combat child exploitation and improve access to education. (7) Includes the Deputy Minister of Health, Labor, and Social Protection, and representatives from the Ministries of Justice, Education, Interior, Foreign Affairs and European Integration, and others. (58) Has a working group to discuss existing gaps in the current birth registration process and develop recommendations. (58,59) This body did not meet in 2019. (2)
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. (60) In 2019, responded to 194 complaints, including three related to child labor. (61)

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

In 2019, the government abolished the National Steering Committee on the Elimination of 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 implementation.

Table 9. Key Policies Related to Child Labor

Policy	Description
Child Protection Strategy (2014–2020)	Includes the goals of preventing and combating violence, neglect, and the exploitation of children. (62,63) Research was unable to determine whether activities were undertaken to implement the Child Protection Strategy during the reporting period.
Action Plan for Preventing and Combating Trafficking in Human Beings (2018–2020)	Outlines how law enforcement agencies should work to combat human trafficking, provides support to victims of human trafficking, and aims to create standards for the operation of victim witness rooms for children, among other tasks. (1,64) Carried out by the Permanent Secretariat Directorate of NCCTIP. (1) Includes an accompanying National Strategy for Combating Trafficking in Human Beings 2018–2023. (1,64) Research was unable to determine whether activities were undertaken to implement the Action Plan for Preventing and Combating Trafficking in Human Beings during the reporting period.
Moldova Strategy Country Note Program Priorities (2018–2022)	Focuses on the realization of all children's rights, including education and health, especially for children from ethnic minorities, children from low-income families, children with disabilities, and children left behind because of migration. (65) Research was unable to determine whether activities were undertaken to implement this policy during the reporting period.
Moldova-EU Association Agenda (2017–2019)	Protected and promoted children's rights. (66,67) In 2019, as part of this policy, the government drafted changes to a number of laws on child rights concerning child adoption, return of child to place of residence, and custody of children whose parents have gone abroad. (2) The Government of Moldova and the Council of the EU also began talks to establish an updated Association Agenda to guide government action in coming years. (68)
Action Plan to Support the Roma People (2016–2020)	Aims to promote social inclusion of Roma people. Includes the goals of education, social protection, and combating discrimination. (69,70) Funded by the government, private partnerships, and the EU. (67) Research was unable to determine whether activities were undertaken to implement the Action Plan to Support the Roma People during the reporting period.

‡ The government has other policies that may have addressed child labor issues or had an impact on child labor. (2,57)

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VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2019, the government funded and participated in programs that include the goal of eliminating or preventing child labor (Table 10). However, gaps exist in these social programs, including the adequacy of programs to address the full scope of the problem.

Table 10. Key Social Programs to Address Child Labor

Program	Description
Decent Work Country Program (2016–2020)	ILO program that aims to gather statistics on the prevalence of child labor; build the capacity of the labor inspectorate, and combat labor exploitation in the construction and agriculture sectors. (71)
Shelters for Victims of Human Trafficking†	Government-funded shelters for victims of trafficking from Moldova that offer accommodations, rehabilitation, and reintegration services. (2) In 2019, a new annex specifically for child victims was established, and 18 children received services at these shelters. (20)
Child Helpline	Provides psychological counseling and information to parents and children experiencing violence, neglect, or exploitation. (2) In 2019, the helpline received over 5,000 calls. In addition, during the reporting period operation of this helpline was transferred from the NGO La Strada to another NGO, the National Center for Training, Assistance, Counselling and Education in Moldova. (2,20)
Hotlines‡	One human trafficking hotline is managed by the Ministry of Health, Labor, and Social Protection and refers cases within the NRS. (1,2) The PGO manages the Anti-Trafficking Green Line Telephone for specialist prosecutors. (2) In addition, the NGO La Strada manages the national hotline for women and children, which received 2,139 calls in 2019. (2)
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 2019. (2,15,72) The Social Support Service for Families with Children program has operated since 2013. The government allocated \$2.14 million for families in 2019. (2)

† 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. (1,2,20)

Existing social programs do not meet the current level of need, particularly for children working in agriculture and child victims of human trafficking who require long-term care. (1,2)

VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE CHILD LABOR

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

Table 11. Suggested Government Actions to Eliminate Child Labor

Area	Suggested Action	Year(s) Suggested
Legal Framework	Raise the minimum age for work to the age up to which education is compulsory.	2018 – 2019
Enforcement	Ensure that entities responsible for conducting occupational, safety, and health inspections have the training and capacity to carry out these inspections in all sectors in which child labor is known to occur so that child labor violations are accurately detected.	2018 – 2019
	Strengthen the labor inspection system by eliminating barriers for on-site inspections and conducting unannounced inspections.	2018 – 2019
	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
	Clearly define the responsibilities of the Child Labor Monitoring Unit and ensure that it is fully empowered to coordinate the State Labor Inspectorate's efforts to detect and respond to child labor violations.	2019
	Increase the number of labor inspectors and funding for the State Labor Inspectorate to ensure that it provides inspectors with the financial resources necessary to inspect for child labor.	2012 – 2019
	Reduce procedural requirements for filing child labor complaints and permit such complaints to be made anonymously.	2019
	Publish information on the number of child labor violations detected during occupational safety and health inspections conducted by sectoral regulating agencies.	2019

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

Area	Suggested Action	Year(s) Suggested
Enforcement	Ensure that investigators, including police officers and Center 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 – 2019
	Improve the collection of data on criminal law enforcement efforts by curtailing the practice of disjoining child trafficking cases.	2019
Coordination	Ensure that the National Council for the Protection of Child Rights meets and carries out their mandate.	2019
Government Policies	Publish information about activities undertaken to implement policies related to child labor, including the Child Protection Strategy, the Action Plan for Preventing and Combating Trafficking in Human Beings, the Moldova Strategy Country Note Program Priorities, and the Action Plan to Support the Roma People.	2019
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 – 2019
	Enhance efforts to eliminate barriers to education by removing informal fees for school supplies.	2018 – 2019
	Institute targeted support programs that eliminate discrimination and violence against Roma children and promote equal access to education.	2014 – 2019
	Ensure sufficient support for child trafficking victims and children working in agriculture.	2015 – 2019

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In 2019, Mongolia made a minimal advancement in efforts to eliminate the worst forms of child labor. The government passed a resolution partially addressing the use of children as horse jockeys by banning horse racing and training during the months of November to May. Furthermore, the Ministry of Labor and Social Protection, in coordination with the International Labor Organization, drafted a revised Labor Law in that would allow unannounced labor inspections. The government also expanded the Children’s Money Program to cover all children in Mongolia, whereas it had previously only covered approximately 60 percent of Mongolian children. However, despite new initiatives to address child labor, Mongolia is receiving an assessment of minimal advancement because it continued a regression in law that delayed advancement to eliminate child labor. During the reporting period, the government did not permit the labor inspectorate to conduct unannounced inspections, which may have impeded the enforcement of child labor laws. Children in Mongolia engage in the worst forms of child labor, including in forced begging and commercial sexual exploitation. Children also perform dangerous tasks in mining and horse jockeying. Mongolia continues to have a number of legal statutes that do not meet international standards, including that the minimum age for work does not apply to children in the informal sector or to those who are self-employed. In addition, laws do not establish criminal penalties for forced labor or slavery, the use of children in prostitution, or the use, procurement, or offering of a child for the production and trafficking of drugs.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Mongolia engage in the worst forms of child labor, including in forced begging and commercial sexual exploitation. Children also perform dangerous tasks in mining and horse jockeying. (1-7) Table 1 provides key indicators on children’s work and education in Mongolia. Data on some of these indicators are not available from the sources used in this report.

Table 1. Statistics on Children’s Work and Education

Children	Age	Percent
Working (% and population)	5 to 14	11.4 (Unavailable)
Attending School (%)	5 to 14	94.8
Combining Work and School (%)	7 to 14	12.6
Primary Completion Rate (%)		101.8

Source for primary completion rate: Data from 2018, published by UNESCO Institute for Statistics, 2020. (8)

Source for all other data: International Labor Organization’s analysis of statistics from Multiple Indicator Cluster Survey 6 (MICS 6), 2018. (9)

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

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

Sector/ Industry	Activity
Agriculture	Animal husbandry,† including herding† (2-5,10)
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† (2-5,10)
	Mining† coal,† gold, and fluorspar (2,3,10,12-15)
Services	Horse jockeying† (1,3-6,10,16,17)
	Scavenging in garbage dumpsites (2-5,10,18)
	Handling freight† (2,3,5,10)
	Domestic work† (3,5,10,17)

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

Sector/ Industry	Activity
Services	Ticket-taking for public transportation† (3,5,10,17)
	Street work, including vending† and washing cars (5,10,19)
Categorical Worst Forms of Child Labor‡	Commercial sexual exploitation, including use in the production of pornography (3-5,10,20)
	Forced labor in begging (3-5)
	Forced labor in construction, mining, agriculture, horse jockeying, animal husbandry, industrial sectors, and contortionist work (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.

According to Mongolia’s National Child Labor Survey, children’s employment is more prevalent in rural areas than in urban areas. (2,15,21) Furthermore, 9 out of 10 children exploited in situations of hazardous work are boys. (2,3,15)

Mongolian children are generally trafficked internally for the purpose of commercial sexual exploitation in saunas, bars, hotels, karaoke clubs, and massage parlors. (3,4,10,18,22) Children also work as horse jockeys and face a number of health and safety hazards, including exposure to extremely cold temperatures, risk of brain and bone injuries, and fatal falls. (1,4-7,10,16,23-25) Although Mongolian law prohibits participation in pre-training and horse racing during November 1–May 1, children continue to participate in these activities throughout the year. (15,25,26) In 2019, the General Authority for Specialized Inspections (GASI) indicated that 10,325 children were registered to compete in horse races during the year, but noted that horse races organized in three provinces failed to meet legal safety requirements. (5) In addition to safety concerns, participation in horse racing may impact school attendance, particularly since Mongolian law does not set an age limit for jockeys except during the Naadam festival in July, where children as young as seven years old are allowed to participate. (15,16,24-26)

As the mining industry continues to grow in the southern part of Mongolia, children, particularly girls, are at increased risk of commercial sexual exploitation and forced labor in artisanal mining. Girls are vulnerable to exploitation in nightclubs near mining towns, solicitation by drivers waiting to cross the border into China, or becoming victims of sex trafficking while their parents are on extended shift rotations. (4,15)

During the reporting period, GASI conducted three major child labor surveys in conjunction with other governmental agencies. These surveys examined the prevalence of child labor in PC gaming centers, restaurants, bars, hotels, massage parlors, sauna services, and horse racing events. (4,5,22,27)

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 accessibility for children with disabilities. (5,15,25,28) Families must register their residence as well as provide an original copy of a child’s birth certificate for their children to have access to a free public education. (5)

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	✓

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Table 3. Ratification of International Conventions on Child Labor (Cont.)

Convention	Ratification
 UN CRC	✓
UN CRC Optional Protocol on Armed Conflict	✓
UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	✓
 Palermo Protocol on Trafficking in Persons	✓

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

Table 4. Laws and Regulations on Child Labor

Standard	Meets International Standards	Age	Legislation
Minimum Age for Work	No	16	Article 109 of the Law on Labor (29)
Minimum Age for Hazardous Work	Yes	18	Article 141 of the Law on Labor; List of Jobs and Occupations Prohibited to Minors (29,30)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Articles 2–3 of the List of Jobs and Occupations Prohibited to Minors; Article 8 of the Law on the National Naadam Holiday (30,26)
Prohibition of Forced Labor	No		Articles 16.4 and 16.10 of the Criminal Code; Article 7 of the Law on Labor; Article 7 of the Law on the Rights of the Child (29,31-33)
Prohibition of Child Trafficking	Yes		Law on Combating Trafficking in Persons; Article 13.1 of the Criminal Code (31,33,34)
Prohibition of Commercial Sexual Exploitation of Children	No		Articles 12.3, 13.1, and 16.8–16.9 of the Criminal Code; Articles 8.1.3 and 10.2 of the Combating Pornography and Prostitution Act (31,33,35)
Prohibition of Using Children in Illicit Activities	No		Articles 16.1–16.4 and 16.8–16.10 of the Criminal Code (31,33)
Minimum Age for Voluntary State Military Recruitment	Yes	18	Article 12 of the Law on Military (36)
Prohibition of Compulsory Recruitment of Children by (State) Military	Yes		Article 12 of the Law on Military (36)
Prohibition of Military Recruitment by Non-state Armed Groups	No		
Compulsory Education Age	Yes	16	Article 46 of the Law on Education (37)
Free Public Education	Yes		Article 16 of the Constitution of Mongolia; Articles 6.1–6.3 of the Law on Education (38,39)

The Ministry of Labor and Social Protection, in coordination with the ILO, drafted a revised Labor Law in 2019 that would allow GASL to execute unannounced inspections. Deliberation on this draft amendment will likely occur in spring 2020. (5,15,22)

Furthermore, in 2019, several ministries updated their regulations to prohibit child labor in their respective industries. (5) The Ministry of Food, Agriculture, and Light Industry now requires contracts between a local governor's office and companies working in the food, agriculture, and light industry sectors to include a provision to exclude the use of child labor. The Ministry of Mining and Heavy Industry specifically prohibited children under age 18 from entering mining sites as stated in the government resolution on "Regulation of Artisanal Mining." (40,41) Lastly, the Ministry of Construction and Urban Development will only issue licenses to construction companies that have signed a contract affirming that they will not use child labor. (40)

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Mongolia’s legal framework does not meet several international standards to protect children. (31,33,34) The laws do not specifically criminalize forced labor other than forced begging and forced hazardous work. (29,31-33,35) Also, the Labor Code, which sets a minimum age of 16 to “enter into an employment agreement” does not apply to children in the informal sector or to those who are self-employed, including children who work as horse-racing jockeys in May through October. (27,40) On January 31, 2019, the government passed Government Resolution No. 57 (“Actions to be taken regarding Horse Racings”), banning all horse racing and related training between November 1 to May 1, regardless of the age of the participants. (5,7,15,42,43) Nevertheless, at other times of the year, young children are permitted to compete in horse races as jockeys. (5,6,42) Due to efforts made by the Government of Mongolia, the number of officially registered races dropped from 491 in 2018 to 172 in 2019, but the legal framework for the minimal age of work is not sufficient. (5)

III. ENFORCEMENT OF LAWS ON CHILD LABOR

The government has established institutional mechanisms for the enforcement of laws and regulations on child labor (Table 5). However, the absence of unannounced inspections conducted at the national level in Mongolia may impede the enforcement of their child labor laws.

Table 5. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
General Agency for Specialized Inspection	Enforces labor laws, including those related to child labor. Conducts inspections at registered businesses. (42) As an independent agency, reports to the Deputy Prime Minister. (19) This agency was active during the reporting period. (5)
Family, Child, and Youth Development Agency (FCYDA)	Implements and promotes government policies, legislation, and projects for children; supports child development and social participation; prevents children from becoming victims of violence; and provides social services. (44) Maintains a nationwide database for tracking case status and social services needs of vulnerable children; accessible from local and central offices. (10,5) Maintains a nationwide, toll-free Child Helpline, “108,” that captures child labor and child rights violations, and is staffed by 22 employees, a social worker, and a response team available 24 hours a day. (3,10,5,45,46) Runs a temporary (24 to 168 hours) shelter for children and can provide a maximum of 6 months of shelter service, depending on the severity of the case. (3,5,10,22) Reports to the Ministry of Labor and Social Protection. During the reporting period, the Child Helpline “108” received a total of 141,193 calls, with 73,366 calls involving children’s rights and protection issues, of which 5,890 were referred to provincial and district FCYDA offices, associated multidisciplinary teams, and social workers for risk assessment. (5,15)
National Police Agency	Maintains primary responsibility for investigating criminal cases. (44,22) Provides protection to victims and witnesses throughout the judicial process. Reports to the Ministry of Justice and Home Affairs. (44) There are several divisions and departments under its authority that work to enforce laws on child labor. The Metropolitan Police Department oversees police operations in Ulaanbaatar’s nine district police offices, enforces labor laws, and identifies children in hazardous labor. (19) 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. (44) The Juvenile Crime Prevention Unit protects children from being victims of crime and prevents them from committing crimes. (10,47) 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. (19,22,48) Uses an 11-question risk assessment checklist to help accurately identify human trafficking victims and refers them to short- or long-term care facilities. (3-5,10,22) During the reporting period, conducted 66 anti-trafficking in persons trainings in which 16,343 schoolchildren, students, teachers, and parents participated. (5,15)

Labor Law Enforcement

In 2019, the lack of authorization to conduct unannounced inspections at the national level in Mongolia may have impeded the enforcement of child labor laws (Table 6).

Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2018	2019
Labor Inspectorate Funding	Unknown (10)	Unknown (5)
Number of Labor Inspectors	66 (10)	66 (5)
Inspectorate Authorized to Assess Penalties	Yes (10)	Yes (5)

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

Overview of Labor Law Enforcement	2018	2019
Initial Training for New Labor Inspectors	Yes (10)	Yes (5)
Training on New Laws Related to Child Labor	N/A (10)	Yes (5)
Refresher Courses Provided	Yes (10)	Yes (5)
Number of Labor Inspections Conducted	2,010 (10)	2,133 (5)
Number Conducted at Worksite	Unknown (10)	2,133 (5)
Number of Child Labor Violations Found	63 (10)	Unknown (5,15)
Number of Child Labor Violations for Which Penalties Were Imposed	15 (10)	Unknown (5,15)
Number of Child Labor Penalties Imposed that Were Collected	15 (10)	Unknown (5,15)
Routine Inspections Conducted	Yes (10)	Yes (5)
Routine Inspections Targeted	Yes (10)	Yes (5)
Unannounced Inspections Permitted	No (10)	No (5)
Unannounced Inspections Conducted	N/A (10)	N/A (5)
Complaint Mechanism Exists	Yes (10)	Yes (5)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (10)	Yes (5)

In 2019, the Family, Child, and Youth Development Agency continued to employ 32 child rights officers who oversaw child protection issues, including child labor. (5,10) During the reporting period, 38 additional child rights officers were trained, but they have not yet been accredited. (5) NGO and government officials reported that the enforcement of child labor laws remained challenging due to the legal requirement that GASI must give employers 48 hours advance notification before conducting an inspection, which provides employers with enough time to conceal violations. (3,4,10,22,25) In addition, GASI's overall strategy is to conduct pre-announced inspections in the formal sector only, leaving children working in the informal sector more susceptible to child labor. (4,5,25)

Two to three times each year, the government conducts internal trainings for labor inspectors, but the government and NGOs noted that training opportunities remained insufficient. (5,10)

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, the government verifies that riders meet minimum age requirements, use safety equipment, and obtain required insurance. (5,10,25) GASI does not have the authority to impose penalties for child labor violations found in connection with horse racing. (5)

While 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 relating to horse racing appears to extend only to stakeholders and organizers of races, and may not cover parents or other family members who utilize 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)

During the reporting period, the government and NGOs noted that funding and resources for inspectors were insufficient, as was the total number of inspectors. (4,5,10,51) In addition, the number of labor inspectors is likely insufficient for the size of Mongolia's workforce, which includes about 1.2 million workers. According to the ILO's technical advice of a ratio approaching 1 inspector for every 15,000 workers in developing economies, Mongolia would employ about 80 labor inspectors, which would require the hiring of 14 additional inspectors to meet this threshold. (52,53)

Criminal Law Enforcement

In 2019, criminal law enforcement agencies in Mongolia took actions to combat child labor (Table 7). However, gaps exist within the operations of criminal enforcement agencies that may hinder adequate criminal law enforcement, including prosecuting criminals under articles of the criminal code that carry lighter penalties.

Table 7. Criminal Law Enforcement Efforts Related to Child Labor

Overview of Criminal Law Enforcement	2018	2019
Initial Training for New Criminal Investigators	Yes (10)	Yes (5)
Training on New Laws Related to the Worst Forms of Child Labor	Unknown (10)	Unknown (5)
Refresher Courses Provided	Yes (10)	Yes (5)
Number of Investigations	Unknown (10)	Unknown (5)
Number of Violations Found	Unknown (10)	16 (54)
Number of Prosecutions Initiated	Unknown (10)	Unknown (5,15)
Number of Convictions	Unknown (10)	Unknown (42)
Imposed Penalties for Violations Related to The Worst Forms of Child Labor	Unknown (44)	Yes (54)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (10)	Yes (5)

Despite receiving ongoing training, research indicated that there were insufficient training opportunities for criminal law enforcement officers, and law enforcement agencies received insufficient funding. (5,22)

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. (4,15) 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. (4,15,55)

During the reporting period, research found no evidence that the government continued to fine, arrest, detain, or charge child trafficking victims as a result of having been subjected to human trafficking. (5)

During the reporting period, the government distributed 50,000 informational passport inserts at its border with Russia and China to raise awareness on human trafficking issues and provide information regarding resources for potential victims. Recipients included 992 children who were travelling abroad. (22,42)

In 2019, the NGO Gender Equality Center operated a hotline in Mongolian for human trafficking victims with funding from the government. During the reporting period, one potential human trafficking victim was identified. (22)

IV. COORDINATION OF GOVERNMENT EFFORTS ON CHILD LABOR

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

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

Coordinating Body	Role & Description
National Committee for Children	Serves as overall coordinating body for nationwide child protection efforts. Implements the National Program on Child Development and Protection (2017–2021). (5,10) Headed by the Prime Minister with the Minister of Labor and Social Protection as Deputy Head. (5) During the reporting period, met to discuss the activities report and plans for member agencies. (5,42)
Anti-Trafficking Sub-Council	Coordinates government efforts to combat human trafficking and monitors implementation of anti-trafficking legislation. Functions as part of the Council on Crime Prevention under the Ministry of Justice and Home Affairs. (51) Has 23 members representing 20 different organizations, including 3 NGOs and 1 international organization. (42) Body was active during the reporting period. (5,15)

V. GOVERNMENT POLICIES ON CHILD LABOR

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

Table 9. Key Policies Related to Child Labor

Policy	Description
National Program on Child Development and Protection (2017–2021)	Incorporates the National Program for the Elimination of the Worst Forms of Child Labor and National Action Plan. (3) Coordinates child labor and child protection issues through the ministries of Labor and Social Protection; Education, Culture, Science and Sports; and Health. (3) In an effort to advance the National Program on Child Development and Protection, FCYDA accredited 41 NGOs to assist in providing child protection services. (10) In 2019, received a budget allocation of \$2.9 million. (5)
National Program on Combating Trafficking in Persons (2017–2021)	Designated lead for anti-trafficking efforts. Provides technical and professional guidance on the prevention of trafficking. (22) Implemented by the TIP-Sub Council. (22) Aims to strengthen efforts to prevent and combat different types of human trafficking, including the commercial sexual exploitation of children, and to improve protective services for victims. (3,4,18) During the reporting period, the government allocated \$195,769 to implement this policy. (15,22) Met three times in 2019. (22)
State Policy on Herders (2016–2020)	Describes the acceptable minimum conditions and criteria for employing children in herding. (56) Activities include projects to improve housing and access to information for herders, and ensure that children engaged in herding receive an education. Each year, the government allocates 1 percent of its budget to implement the policy. (57) Policy was implemented during the reporting period. (15)
Three-Pillar Development Policy (2018–2020)	Calls for improvements in education, health, social welfare, and labor policies through 2020. Priorities include the education, safety, and health of vulnerable children. (58) Policy was implemented during the reporting period. (15)

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2019, the government funded and participated in programs that include the goal of eliminating or preventing child labor (Table 10). However, gaps exist in these social programs, including funding of programs to address the full scope of the problem in all sectors.

Table 10. Key Social Programs to Address Child Labor

Program	Description
Children's Money Program†	Program operated by the General Agency for Social Welfare and Service, General Agency for State Registration, and Human Development Fund program that distributes a monthly stipend of approximately \$8 per month to vulnerable children under age 18 that aims to prevent child labor by offsetting costs related to food, school, and clothing. (3,59) In 2019, the program expanded to cover all children in Mongolia, whereas it had previously only covered approximately 60 percent of Mongolian children. (5,15)
School Lunch Program†	Government-mandated program that subsidizes meals to encourage low-income children to attend school, particularly at the primary level. (42) Program was active during the reporting period. (5)

† 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. (19)

During the reporting period, the Government of Mongolia, led by the National Police Agency, and UNICEF created, co-funded, and implemented the “Unfriend Campaign,” a 1-year program designed to monitor, raise awareness of, investigate, intervene, and prevent instances of possible online recruitment of youth into commercial exploitation, including sex trafficking and forced labor. (60) Through these efforts, the government shutdown dozens of social media pages attempting to lure children into false employment opportunities abroad, and referred several cases for criminal investigation. (60)

NGOs continued to report that the \$8 monthly funding for children participating in the Children's Money Program is insufficient. (5,10,15,44) In addition, NGOs have been critical of the screening process which had originally prohibited approximately 40 percent of children from participating based on a government-initiated family census on daily necessities. (5,15) Likewise, the IMF has periodically scrutinized the program. (5)

Research found that there is a shortage of long-term stay shelters, and most temporary shelters are not accessible to victims with disabilities. (3,5,10,22) During the reporting period, anecdotal reports from a NGO stated that there were isolated incidences of sexual abuse against commercial sexual exploitation of children (CSEC) victims staying at two government-run, government-funded shelters. (22) One shelter failed to separate CSEC victims from the general shelter population, and another provided inadequate surveillance of the premises, reportedly resulting in an incident of sexual violence perpetrated against two child victims. (22,42)

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VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE CHILD LABOR

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

Table 11. Suggested Government Actions to Eliminate Child Labor

Area	Suggested Action	Year(s) Suggested	
Legal Framework	Ensure that the minimum age for work applies to children in the informal sector and those that are self-employed.	2018 – 2019	
	Ensure that all forms of forced labor are criminally prohibited.	2016 – 2019	
	Ensure that laws clearly and comprehensively criminalize using children under age 18 for prostitution, and criminalize using, procuring, or offering all children under age 18 for the production of pornography, and pornographic performances.	2014 – 2019	
	Ensure that the law criminally prohibits the using, procuring, or offering of children under age 18 in the production and trafficking of drugs.	2016 – 2019	
	Ensure that the law criminally prohibits the recruitment of children under age 18 by non-state armed groups.	2016 – 2019	
	Ensure that laws adequately prohibit children under age 18 from horse racing at all times of the year.	2017 – 2019	
Enforcement	Publish disaggregated information on the labor inspectorate funding, 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.	2015 – 2019	
	Strengthen the inspection system by permitting the General Agency for Specialized Inspections to conduct unannounced inspections, including in the informal sector.	2013 – 2019	
	Provide sufficient training opportunities for labor inspectors and criminal law enforcement officials, including new laws related to the worst forms of child labor.	2018 – 2019	
	Conduct regular labor inspections and ensure that inspectors or other appropriate authorities are able to assess penalties for legal violations related to horse racing, including the participation of children in racing and race training during the prohibited months.	2018 – 2019	
	Increase the number of labor inspectors to meet the ILO's technical advice.	2014 – 2019	
	Publish disaggregated criminal law enforcement data, including the number of investigations and the number of prosecutions initiated.	2017 – 2019	
	Provide adequate funding for law enforcement agencies.	2019	
	Provide trainings for police officers and government officials to ensure that cases of commercial sexual exploitation involving boy victims are prosecuted under the appropriate law articles.	2011 – 2019	
	Social Programs	Increase the number of schools to help eliminate overcrowding, increase the number of trained teachers, and improve accessibility options for children with disabilities.	2019
		Ensure that the Children's Money Program is sufficiently funded to support its participants.	2018 – 2019
Increase the availability of long-term stay shelter homes.		2019	
Ensure that all government-run, government-funded shelter homes are accessible to children with disabilities.		2019	
Ensure that survivors of commercial sexual exploitation staying in government-run, government-funded shelters are kept separate from the rest of the shelter population and are protected from abuse.		2019	

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In 2019, Montenegro made a moderate advancement in efforts to eliminate the worst forms of child labor. The government adopted the new Strategy for Exercising the Rights of the Child in Montenegro, which aims to improve safeguards for children, including protection from violence and commercial sexual exploitation. The government also increased the labor inspectorate’s budget, and convicted and sentenced two individuals for child sex trafficking, while indicting another for the trafficking of four children for labor exploitation. However, children in Montenegro engage in the worst forms of child labor, including in forced begging and commercial sexual exploitation, each sometimes as a result of human trafficking. The government did not publish or make available information on criminal prosecutions initiated during the reporting period. In addition, research found that the scope of programs to address child labor in street work and forced begging is insufficient.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Montenegro engage in the worst forms of child labor, including in forced begging and commercial sexual exploitation, each sometimes as a result of human trafficking. (1-6) Table 1 provides key indicators on children’s work and education in Montenegro.

Table 1. Statistics on Children’s Work and Education

Children	Age	Percent
Working (% and population)	5 to 14	18.3 (Unavailable)
Attending School (%)	5 to 14	91.6
Combining Work and School (%)	7 to 14	19.9
Primary Completion Rate (%)		94.5

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

Source for all other data: International Labor Organization’s analysis of statistics from Multiple Indicator Cluster Survey 5 (MICS 5), 2013. (5)

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

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

Sector/Industry	Activity
Services	Street work, including vending small goods and begging (3)
Categorical Worst Forms of Child Labor‡	Commercial sexual exploitation as a result of human trafficking (7-3,6,8)
	Forced begging, sometimes as a result of human trafficking (3)
	Domestic work, sometimes as a result of human trafficking (9-12)
	Use in illicit activities, including drug trafficking and harvesting (13,14)

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

Montenegro is a source, destination, and transit country for trafficking of children for forced labor, including forced begging, especially among Roma children. (2,7,13) Some Romani girls from Montenegro are sold and forced into domestic servitude in both Montenegro and Kosovo. (2,10,11) Children, especially girls, are victims of trafficking for commercial sexual exploitation internally and transnationally within the region. (2,7,15)

Some Roma, Ashkali, and Balkan Egyptian children experience challenges in obtaining birth registration, which sometimes makes school enrollment difficult, increasing their vulnerability to engage in child labor. (3,7,12,14) The higher rate of unregistered children is mostly due to registration costs, parents’ lack of awareness of the

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importance of registration, and parents' lack of identification documents. (16,17) 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 (18)
Minimum Age for Hazardous Work	Yes	18	Article 17 of the Labor Law (18)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Articles 104 and 106 of the Labor Law; Articles 7–8 of the Regulations on Measures of Protection in the Workplace (18,19)
Prohibition of Forced Labor	Yes		Article 444 of the Criminal Code; Articles 28 and 63 of the Constitution (20,21)
Prohibition of Child Trafficking	Yes		Articles 444–446 of the Criminal Code (21)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Articles 209–211 of the Criminal Code (21)
Prohibition of Using Children in Illicit Activities	Yes		Articles 300–301 of the Criminal Code (21)
Minimum Age for Voluntary State Military Recruitment	Yes	18	Articles 47, 188, and 195 of the Declaration of the Law on the Army of Montenegro; Articles 162–163 of the Law on the Armed Forces (22,23)
Prohibition of Compulsory Recruitment of Children by (State) Military	N/A*		Articles 47, 188, and 195 of the Declaration of the Law on the Army of Montenegro; Articles 162–163 of the Law on the Armed Forces (22,23)
Prohibition of Military Recruitment by Non-state Armed Groups	Yes		Article 444 of the Criminal Code (21)
Compulsory Education Age	Yes	15	Article 4 of the Law on Primary Education (24)
Free Public Education	Yes		Article 75 of the Constitution (20)

* No conscription (22)

The Regulations on Measures of Protection in the Workplace prescribes workplace protections and prohibits specific hazardous activities for children, including workplaces that would expose them to physical, biological, or chemical hazards. (19,25) In 2019, the government, in cooperation with the ILO, formed a working group to create a list of hazardous jobs for children. (3)

III. ENFORCEMENT OF LAWS ON CHILD LABOR

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

Table 5. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
Labor Inspectorate	Leads and monitors the enforcement of labor laws, including those that protect working children and affect working conditions throughout the country. (13,16,25,26) Part of the Inspectorate General. (27)
Ministry of Interior	Houses the Police Directorate and the Office for the Fight Against Trafficking in Humans (OFTIP). The Police Directorate investigates and enforces criminal laws on forced labor and human trafficking for commercial sexual exploitation. (26) Coordinates law enforcement actions, including identification of victims of human trafficking. (13,26) Prevents and investigates child begging by removing child beggars from the streets through the Beggar Task Force. (7,8) OFTIP 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. (26)
Supreme State Prosecutor	Investigates and enforces criminal laws on forced labor and human trafficking for commercial sexual exploitation. (3) Collects data on the number of police investigations, convictions, and court rulings, and submits them to OFTIP. (13,26,29)
Ministry of Justice	Enforces the Criminal Code by prosecuting crimes against children, including human trafficking, child begging, and child abuse. (13)
Ministry of Labor and Social Welfare (MLSW)	Protects children and families by providing social, child, and family protection in its Social Welfare Centers. Identifies potential victims of human trafficking and funds programs for victim protection, as well as the shelter for victims of human trafficking. (13,26)

Labor Law Enforcement

In 2019, labor law enforcement agencies in Montenegro took actions to combat child labor (Table 6). However, gaps exist within the operations of the MLSW that may hinder adequate labor law enforcement, including inspection planning.

Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2018	2019
Labor Inspectorate Funding	\$440,235 (14)	\$584,447 (3)
Number of Labor Inspectors	40 (13)	42 (3)
Inspectorate Authorized to Assess Penalties	Yes (13)	Yes (3)
Initial Training for New Labor Inspectors	Yes (13)	Yes (3)
Training on New Laws Related to Child Labor	Yes (13)	N/A (3)
Refresher Courses Provided	Yes (13)	Yes (3)
Number of Labor Inspections Conducted	10,695 (13)	10,811 (3)
Number Conducted at Worksite	10,695 (13)	10,811 (3)
Number of Child Labor Violations Found	44 (13)	42 (3)
Number of Child Labor Violations for Which Penalties Were Imposed	25 (13)	7 (3)
Number of Child Labor Penalties Imposed that Were Collected	25 (13)	7 (3)
Routine Inspections Conducted	Yes (13)	Yes (3)
Routine Inspections Targeted	Yes (13)	Yes (3)
Unannounced Inspections Permitted	Yes (13)	Yes (3)
Unannounced Inspections Conducted	Yes (13)	Yes (3)
Complaint Mechanism Exists	Yes (13)	Yes (3)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (13)	Yes (3)

The Labor Inspectorate has 15 offices that proactively plan labor inspections. (3) Below the chief inspector, there are 31 labor inspectors who cover employment relations and 10 inspectors who cover health safety issues at work. (3) All inspectors monitor the enforcement of child labor. (13,26,30) The government maintains a database on children involved in begging, but does not collect or publish data on the worst forms of child labor. (14)

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Labor inspectors can inspect registered farms and Social Welfare Centers (SWCs) can inspect unregistered farms to detect child labor. (13) If child labor is found by SWCs, social workers cooperate with labor inspectors and criminal law enforcement to ensure that children receive proper support and protection from further exploitation. Labor inspections increase during the summer months (May 15 to September 3), particularly in the tourism sector throughout the coastal region. (3)

Children found during labor inspections can be sent to SWCs and accommodated in a government-financed, NGO-run shelter for human trafficking victims. (13,26,30) During the reporting period, there were no cases of children being removed during inspections. (3)

During the reporting period, labor inspectors received trainings, which included discussion of forced child labor, from the Ministry of Interior's Office for the Fight Against Trafficking in Humans (OFTIP) and MLSW. (3) The Labor Inspectorate reported that funding was sufficient in 2019. (3)

Criminal Law Enforcement

In 2019, criminal law enforcement agencies in Montenegro took actions to combat child labor (Table 7). However, gaps exist within the operations of the criminal law enforcement agencies that may hinder adequate criminal law enforcement, including prosecution planning.

Table 7. Criminal Law Enforcement Efforts Related to Child Labor

Overview of Criminal Law Enforcement	2018	2019
Initial Training for New Criminal Investigators	Yes (13)	Yes (3)
Training on New Laws Related to the Worst Forms of Child Labor	Yes (13)	Yes (3)
Refresher Courses Provided	Yes (13)	Yes (3)
Number of Investigations	82 (13)	66 (3)
Number of Violations Found	50 (13)	53 (3)
Number of Prosecutions Initiated	1 (13)	Unknown (3)
Number of Convictions	0 (13)	2 (3)
Imposed Penalties for Violations Related to The Worst Forms of Child Labor	Yes (29)	Yes (3)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (13)	Yes (3)

An eight-member police unit within the Police Directorate investigates human trafficking and illegal migration throughout the country. (14) Two individuals were convicted in 2019 under Article 444 of the Criminal Code for human trafficking of an underage victim. They received 15-year and 17-year prison sentences. (3) In addition, the Supreme State Prosecutor indicted one individual for trafficking four children for the purpose of labor exploitation. The government did not provide information on the number of prosecutions initiated for inclusion in this report. (3) 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 parents are located. During the reporting period, 20 boys and 9 girls were accommodated in the *Ljubović* system. (3,13,25,31) The institution provides accommodation, protection, education, and therapy for children found living on the streets. When parents are not available, children are referred to local SWCs for longer-term shelter and resources. (3,13)

During the reporting period, the Office of the National Anti-Trafficking Coordinator (TIP Office) organized law enforcement training sessions entitled "Strengthening multilateral cooperation in early identification of TIP victims," which was attended by 35 representatives from the police and labor inspectorates, communal police teams, the employment office, and the Center for Foreigners' Affairs. (3) In addition, the Ministry of Interior and the TIP Office organized another training entitled "Victims' protection in criminal cases of human trafficking and human smuggling," which was attended by 23 representatives of police forces and prosecutors. (3)

IV. COORDINATION OF GOVERNMENT EFFORTS ON CHILD LABOR

The government has established mechanisms to coordinate its efforts to address child labor (Table 8).

Table 8. Key Mechanisms to Coordinate Government Efforts on Child Labor

Coordinating Body	Role & Description
Office of the National Anti-Trafficking Coordinator (TIP Office)	Coordinates efforts, projects, and legislation against trafficking in persons and the worst forms of child labor among relevant government institutions and international organizations. (13,26) Collects and maintains data on investigations and court rulings. (3) Operates Trafficking in Persons working group to monitor and promote activities related to combating human trafficking, and assesses the progress of objectives established in action plans. Includes representatives of seven government ministries (in addition to the Police Directorate, Supreme Court, Supreme State Prosecutors, and Inspectorate Authority), two NGOs, and multiple international organizations. (3,26) During the reporting period, the TIP Office conducted multiple trainings on early identification of potential victims of trafficking and the role of local governments in strengthening public awareness of trafficking in persons. (32)
Council for the Rights of the Child	Implements and monitors the government's commitments pursuant to the UN CRC, and initiates adoption of legislation to promote and protect the rights of children. Chaired by MLSW and has 12 other members, including 4 NGO members. (3) Met once in 2019. (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 Strategy for Combating Human Trafficking (2019–2024)	Outlines objectives for combating human trafficking by raising public awareness, strengthening the capacity for victim identification and service provision, improving inter-agency coordination, and raising the efficiency of prosecutions. (33-36) The strategy and yearly action plan are evaluated and adopted through reports prepared with government and civil society collaboration. (33) In 2019, the government continued to implement the annual action plan with the aim of increasing prosecutions and improving victim identification. (32)
Strategy for Exercising the Rights of the Child in Montenegro (2019–2023)†	Seeks to enhance the ability of children to exercise their rights by improving the application of laws related to children; supporting vulnerable children, including those with disabilities; and improving protections for violence against children, including from child trafficking, child prostitution, child pornography, and involvement in armed conflicts. A working group will produce an annual report detailing the steps it has taken toward achieving the plan's goals. (37)
Strategy for the Development of the Social and Child Protection System (2018–2022)	Builds an integrated social and child protection system, including monthly social assistance, health care, and a child allowance that is contingent upon school attendance. (1,38) During the reporting period, the government continued to implement the Strategy under the Action Plan for 2019. (3,32)
Strategy for the Social Inclusion of Roma and Egyptians (2016–2020)	Aims to create social inclusion of Roma and Egyptians by increasing school attendance and birth registration while preventing child begging and human trafficking. Implemented by the Ministry for Minority and Human Rights. (39,40) During the reporting period, the strategy was implemented throughout the country via continued public awareness campaigns for the Roma community about trafficking in persons. (32)
Strategy for Prevention and Protection of Children from Violence (2017–2021)	Strengthens the national framework in preventing violence against children, including improving legislation and the judicial system. (13,41) Includes providing care and services for child victims or those at risk of violence. Aims to improve protections for children in the country by 2021. (41) 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.

The government has not included child labor elimination and prevention strategies in the Strategy for Prevention and Protection of Children from Violence. (38)

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2019, the government funded and participated in programs that include the goal of eliminating or preventing child labor (Table 10). However, gaps exist in these social programs, including adequacy of programs to address the problem in all sectors.

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Table 10. Key Social Programs to Address Child Labor

Program	Description
UNICEF Country Program (2016–2021)	Addresses access to social services for children, synchronizes the legal framework with EU and UN standards, implements and monitors policies relevant to children, and applies the principles of the UN CRC. (10,14,29) In 2019, UNICEF and MLSW released the Strategy for Exercising the Rights of the Child in Montenegro 2019–2023. (37)
Development of Standard Operating Procedures for the Treatment of Children Deprived of Parents or Unaccompanied	Implemented by the Ministry of Interior's OFTIP 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. (48) Includes procedures on identifying, accommodating, and integrating these children. (48) During the reporting period, OFTIP began to develop SOPs for trafficking in persons cases, including cases involving minors. (49)
Hotline for Victims of Human Trafficking†	SOS Hotline funded by OFTIP and run by the NGO Montenegrin Women's Lobby. Provides advice, connects victims with service providers, and raises public awareness. (33) In 2019, the government reported that there was one investigation initiated because of calls received by the hotline. (32)
Measurement, Awareness-Raising, and Policy Engagement (MAPI6) Project on Child Labor and Forced Labor	Multi-year project with support from USDOL, implemented by the ILO. Aims to create an improved knowledge base on child labor. Specific goals of the program include: improving application of knowledge in support of efforts to eliminate child labor; strengthening the policy-making process; improving the capacity of the government, national authorities, employers, workers' organizations, and other relevant entities to combat child labor; and strengthening partnerships to accelerate progress in combating child labor. Additional information may be found on the USDOL's website. (47)

† 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. (7,50,51)

The Shelter for Victims of Human Trafficking was non-operational during the reporting period due to lack of licensure; however, in December 2019, MLSW selected a new NGO partner to operate the shelter beginning in 2020. (3,32) The provision of shelter services to individuals with disabilities who are victims of human trafficking is limited. (7)

Although the Government of Montenegro has programs that target child labor, the scope of these programs is insufficient to fully address the extent of the problem, especially for street work and forced begging.

VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE CHILD LABOR

Based on the reporting above, suggested actions are identified that would advance the elimination of child labor in Montenegro (Table 11).

Table 11. Suggested Government Actions to Eliminate Child Labor

Area	Suggested Action	Year(s) Suggested
Enforcement	Consistently track and publish information about children involved in the worst forms of child labor.	2017 – 2019
	Publish information regarding the number of prosecutions initiated related to child labor.	2019
Government Policies	Integrate child labor elimination and prevention strategies into national policies for all children, including in the Strategy for Prevention and Protection of Children from Violence.	2018 – 2019
Social Programs	Build the capacity of schools and other services and programs to accommodate and provide services to children with disabilities.	2015 – 2019
	Increase funding for human trafficking shelters, including for individuals with disabilities who are victims of human trafficking.	2018 – 2019
	Expand existing programs to address the scope of the child labor problem, especially in street work and forced begging.	2018 – 2019
	Make additional efforts to register children from the Ashkali, Balkan Egyptian, and Roma communities.	2019

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Montenegro

MODERATE ADVANCEMENT

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Research found no evidence that child labor exists in Montserrat and in 2019 the government made no advancement in efforts to prevent the worst forms of child labor. The government has not determined by national law or regulation the types of hazardous work prohibited for children. In addition, the law does not prohibit the involvement of children in illicit activities.

I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Research found no evidence that child labor exists in Montserrat. (1,2) Table I provides one key indicator on children's education in Montserrat. Data on other key indicators are not available from the sources used in this report.

Table I. Statistics on Children's Work and Education

Children	Age	Percent
Working (% and population)	5 to 14	Unavailable
Attending School (%)	5 to 14	Unavailable
Combining Work and School (%)	7 to 14	Unavailable
Primary Completion Rate (%)		95.3







Source for primary completion rate: Data from 2018 published by UNESCO Institute for Statistics, 2020. (3)

Data were unavailable from International Labor Organization's analysis, 2020. (4)

II. LEGAL FRAMEWORK FOR CHILD LABOR

British Overseas Territories (BOTs) recognize the jurisdiction and sovereignty of the United Kingdom (UK), but they are constitutionally not part of the UK. They are self-governing, except in the areas of foreign affairs and defense. (5) Domestic UK law does not generally apply unless explicitly extended in Montserrat. (5) Under Article 35(4) of the ILO Constitution, when the UK ratifies a Convention, the Territory must consider if it will accept the Convention. If the Convention is accepted, it is considered applicable to that territory. (5) No key international conventions concerning child labor have been accepted by Montserrat (Table 2).

Table 2. Ratification of International Conventions on Child Labor

Convention	Ratification
 ILO C. 138, Minimum Age	
 ILO C. 182, Worst Forms of Child Labor	
 UN CRC	
 UN CRC Optional Protocol on Armed Conflict	
 UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	
 Palermo Protocol on Trafficking in Persons	

The Government of Montserrat has established laws and regulations related to child labor (Table 3). However, gaps exist in Montserrat's legal framework to adequately protect children from the worst forms of child labor, including the 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	Part 9 of the Labor Code (6)
Minimum Age for Hazardous Work	Yes	18	Parts 9–10 of the Labor Code (6)

Montserrat

NO ADVANCEMENT

Table 3. Laws and Regulations on Child Labor (Cont.)

Standard	Meets International Standards	Age	Legislation
Identification of Hazardous Occupations or Activities Prohibited for Children	No		Part 9 of the Labor Code (6)
Prohibition of Forced Labor	Yes		Schedule II, No. 55 of the Constitution Order; Part VIII-A, Sections 138A and 202D of the Penal Code (7,8)
Prohibition of Child Trafficking	Yes		Part VIII-A, Sections 138A-B, and Part XIV-A of the Penal Code (7)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Part VIII-A, Sections 138A-B of the Penal Code (7)
Prohibition of Using Children in Illicit Activities	Yes		Articles 3 and 96(8) of the Labor Code (6)
Minimum Age for Voluntary State Military Recruitment	N/A		
Prohibition of Compulsory Recruitment of Children by (State) Military	N/A*		
Prohibition of Military Recruitment by Non-state Armed Groups	No		Articles 3 and 96(8) of the Labor Code (6)
Compulsory Education Age	Yes	16	Chapter II, Part 3 of the Education Act (9)
Free Public Education	Yes		Chapter II, Part 1 of the Education Act (9)

* No conscription (10)

Children under age 18 may not be employed at night or in occupations designated as hazardous. (6) The Minister of Labor for Montserrat is responsible for deciding what constitutes hazardous work, but Montserrat has not determined by national law or regulation the types of hazardous work prohibited for children. (1,6) In addition, the law does not criminally prohibit the recruitment of children by non-state armed groups. (1,10)

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. However, in Montserrat, the UK government has established institutional mechanisms for the enforcement of labor laws (Table 4).

Table 4. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
Department of Labor	Prohibits employment of children, pursuant to the Labor Code of 2012, under the Labor Commissioner. (11,12)
Royal Montserrat Police Service	Enforces laws involving child labor laws. (11)
Department of Social Services	Employs social workers to work on child protection issues. (11)

When a report is made involving a child victim of any form of abuse, 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. (1)

Labor Law Enforcement

A total of 23 labor inspections were conducted in Montserrat during the reporting period, although none were specific to child labor. (1) Within the Montserrat Department of Labor, the Labor Officer and Labor Inspector are government employees responsible for conducting labor inspections in accordance with the Labor Code. Labor inspectors have no authority to assess penalties for child labor violations and unannounced inspections are not permitted. (1)

IV. COORDINATION OF GOVERNMENT EFFORTS ON CHILD LABOR

As there is no evidence of a problem, there appears to be no need for mechanisms to coordinate efforts to address child labor.

V. GOVERNMENT POLICIES ON CHILD LABOR

As there is no evidence of a problem, there appears to be no need for policies to address child labor.

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

As there is no evidence of a problem, there appears to be no need for programs to address child labor.

VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE CHILD LABOR

Based on the reporting above, suggested actions are identified that would advance the continued prevention of child labor in Montserrat (Table 5).

Table 5. Suggested Government Actions to Eliminate Child Labor

Area	Suggested Action	Year(s) Suggested
Legal Framework	Determine the types of hazardous work prohibited for children, in consultation with employers' and workers' organizations.	2017 – 2019
	Ensure that the law criminally prohibits the recruitment of children under age 18 by non-state armed groups.	2016 – 2019
Enforcement	Ensure that the labor inspectorate can assess penalties for child labor and that unannounced inspections are permitted.	2019
Social Programs	Collect and publish data on the extent and nature of child labor to inform policies and programs.	2019

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In 2019, Morocco made a minimal advancement in efforts to eliminate the worst forms of child labor. The government adopted Law 51.17, which requires the government to enact compulsory education for children between the ages of 4 and 16 by 2025, and significantly increased the number of prosecutions related to the worst forms of child labor, from 5 cases in 2018 to 170 cases in 2019. However, children in Morocco engage in the worst forms of child labor, including forced domestic work. Children also engage in child labor in producing artisanal handicrafts. Laws related to the minimum age for work and the use of children for illicit activities do not meet international standards, and labor inspectors are not authorized to assess penalties. In addition, research could not determine whether penalties were imposed for violations related to the worst forms of child labor. Furthermore, the scope of government programs that target child labor is insufficient to fully address the extent of the problem.

I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Morocco engage in the worst forms of child labor, including forced domestic work. Children also engage in child labor in agriculture and producing artisanal handicrafts. (1-6) Government statistics from 2017 showed 30,545 children ages 7 to 15 working; however, the government has not yet made the full data set available, including microdata, leaving the nature and causes of children's involvement in specific forms of child labor unknown. (7,8) 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 (%)		93.6

Source for primary completion rate: Data from 2018, published by UNESCO Institute for Statistics, 2020. (9)

Source for all other data: International Labor Organization's analysis of statistics from *Enquête sur la Population et la Santé Familiale (DHS), 2003–04*. (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	Planting and harvesting argan, grain, olives, vegetables, and fruits (1)
	Herding goats, cattle, and sheep and raising all three of them for the production of fertilizer, and cattle for the production of milk and butter (1)
	Fishing (2,3,7,11)
	Forestry, activities unknown (2,3,12)
Industry	Construction, including in carpentry† (3,13)
	Textiles (14)
	Producing artisanal crafts (2,3,13)
	Metallurgy, including welding (3,13)
Services	Begging (15,16)
	Domestic work (2,4,11)
	Working as salespersons in stores and as tour guides (13)
	Tailoring textiles (13,14)
	Working as waiters in cafés or restaurants (13)
	Maintenance and repair of motor vehicles (14)
Categorical Worst Forms of Child Labor‡	Street vending (13)
	Commercial sexual exploitation, sometimes as a result of human trafficking (3-6)
	Forced domestic work, sometimes as a result of human trafficking (2-4,6)
	Begging as a result of human trafficking (3,4,6)
	Illegal sand extraction (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.

Morocco

MINIMAL ADVANCEMENT

Morocco is a source, destination, and transit country for children subjected to forced labor and sex trafficking. (19,16)




According to local union observations, rural Moroccan girls, some as young as age 6, are recruited for domestic work in private urban homes. Girls from Cameroon, Côte d'Ivoire, Democratic Republic of the Congo, Nigeria, and Senegal are brought to Morocco for this same purpose. (15) Some of these girls are subjected to physical and verbal abuse, excessive working hours without regular periods of rest or days off, and no access to educational opportunities. (15)

Children face barriers to accessing education, including distance to schools, inadequate transportation, prohibitive costs associated with attending school, and the lack of safety and inclusiveness to accommodate students of diverse backgrounds and abilities. These barriers to education increase their vulnerability to child labor, especially in rural areas. (1,2,18,22,23) Children with disabilities face additional barriers to education, such as inadequate facilities and support. (24,25) Some migrant children, particularly unaccompanied children from sub-Saharan Africa and children from rural areas, face additional barriers to accessing education, such as lack of knowledge of the language of instruction. Furthermore, because birth certificates are required to attend school past the fifth grade, many unregistered children remain out of school and vulnerable to child labor. (22,23)

II. LEGAL FRAMEWORK FOR CHILD LABOR

Morocco has ratified all key international conventions concerning child labor (Table 3).

Table 3. Ratification of International Conventions on Child Labor

Convention	Ratification
 ILO C. 138, Minimum Age	✓
ILO C. 182, Worst Forms of Child Labor	✓
 UN CRC	✓
UN CRC Optional Protocol on Armed Conflict	✓
UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	✓
 Palermo Protocol on Trafficking in Persons	✓

The government has established laws and regulations related to child labor (Table 4). However, gaps exist in Morocco's legal framework to adequately protect children from the worst forms of child labor, including prohibiting the use of children in illicit activities.

Table 4. Laws and Regulations on Child Labor

Standard	Meets International Standards	Age	Legislation
Minimum Age for Work	No	15	Article 143 of the Labor Code (26)
Minimum Age for Hazardous Work	Yes	18	Article 147 of the Labor Code (26)
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 (26,27)
Prohibition of Forced Labor	No		Articles 10 and 12 of the Labor Code; Article 467-2 of the Penal Code (26,28)
Prohibition of Child Trafficking	Yes		Articles 448.1, 448.4–448.5 of the Law on Trafficking in Human Beings (29)
Prohibition of Commercial Sexual Exploitation of Children	No		Article 503-2 of the Penal Code (28)
Prohibition of Using Children in Illicit Activities	No		Article 467-2 of the Penal Code (28)

Table 4. Laws and Regulations on Child Labor (Cont.)

Standard	Meets International Standards	Age	Legislation
Minimum Age for Voluntary State Military Recruitment	Yes	19	Article 4 of Royal Decree of 9 June 1966 (30)
Prohibition of Compulsory Recruitment of Children by (State) Military	Yes		Article 4 of Law No. 44-18 (31)
Prohibition of Military Recruitment by Non-state Armed Groups	Yes		Articles 448.1 and 448.4 of the Law on Trafficking in Human Beings (29)
Compulsory Education Age	Yes	15	Article 1 of Law No. 04-00 (32)
Free Public Education	Yes		Article 1 of Law No. 04-00 (32)

The government adopted Law 51.17, which requires the government to enact compulsory education for children between the ages of 4 and 16 by 2025. (23,33)

Despite regulations to inform agencies on implementing the Law on Setting Up Employment Conditions of Domestic Workers in 2016, there remain enforcement issues, such as the inability of labor inspectors to inspect closed private residences, in which many domestic workers are employed. (22,34) In addition, the law does not provide explicit protections for self-employed children, those who work in the traditional artisan or handicraft sectors for businesses with fewer than five employees, or those who work on private farms or in residences. Despite assurances from the Government of Morocco that inspectors could inspect in the case of any established labor relationship, often verified through witnesses in the absence of contracts, there is an absence of explicit legal protections that conform to international standards, which require all children to be protected under the law establishing a minimum age for work. (4,14,26,35)

In addition, the types of hazardous work prohibited for children do not fully cover sectors in which child labor is known to occur, specifically in domestic work or sectors in which work conditions may harm children's health, safety, and morals. (27) Moroccan law does not define using, procuring, or offering children for the production or trafficking of drugs as a separate crime. (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 the Ministry of Labor and Vocational Integration (MOLVI) that may hinder adequate enforcement of their child labor laws.

Table 5. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
Ministry of Labor and Vocational Integration	Enforces child labor laws and oversees programs on child labor as the lead agency through its Child Labor Task Force. (2,4,6,22,36) Provides occupational health and safety services, administers social security, and organizes labor inspections and employment services through nationwide satellite offices. (2)
Ministry of the Interior	Enforces prohibitions on trafficking in persons, prostitution, and other exploitative crimes involving minors, as established in the Penal Code, through the General Directorate of National Security. (4,6,22)
General Prosecutor	Prosecutes criminal offenses against children and processes cases involving women and children in the court system. (6,22,37)
Ministry of Solidarity, Women, Family, and Social Development (MSWFSD)	Ensures the continuity of child protection and child labor elimination efforts and expands children's access to education. Implements the Integrated Public Policy on the Protection of Children. (3,4) Supports 142 Child Reception Centers that provide services to child victims of violence. (36)
Ministry of Foreign Affairs and International Cooperation	Coordinates efforts to reduce migrant vulnerability to child labor through its Delegate Ministry in Charge of Moroccans Living Abroad and Migration Affairs. Promotes migrant children's access to public education facilities and other social services and assistance. (2,23,37)
Ministry of National Education, Vocational Training, Higher Education, and Scientific Research	Provides education and job training to children, including former child domestic workers and migrant youth through Office of Vocational Training and Work Promotion centers. (32-35)

Morocco

MINIMAL ADVANCEMENT

Labor Law Enforcement

In 2019, labor law enforcement agencies in Morocco took actions to combat child labor (Table 6). However, gaps exist within the authority of MOLVI that may hinder adequate labor law enforcement, including the authority to assess penalties.

Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2018	2019
Labor Inspectorate Funding	Unknown (22)	Unknown (23)
Number of Labor Inspectors	297 (22)	317 (23)
Inspectorate Authorized to Assess Penalties	No (22)	No (23)
Initial Training for New Labor Inspectors	Yes (22)	Yes (23)
Training on New Laws Related to Child Labor	Yes (22)	Yes (23)
Refresher Courses Provided	Yes (22)	Yes (23)
Number of Labor Inspections Conducted	25,822 (22)	24,383† (23)
Number Conducted at Worksite	25,822 (22)	24,383† (23)
Number of Child Labor Violations Found	2,824 (22)	160 (23)
Number of Child Labor Violations for Which Penalties Were Imposed	0 (22)	0 (23)
Number of Child Labor Penalties Imposed that Were Collected	0 (22)	Unknown (23)
Routine Inspections Conducted	Yes (22)	Yes (23)
Routine Inspections Targeted	Yes (22)	Yes (23)
Unannounced Inspections Permitted	Yes (22)	Yes (23)
Unannounced Inspections Conducted	Yes (22)	Yes (23)
Complaint Mechanism Exists	Yes (22)	Yes (23)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (22)	Yes(23)

† Data are from January 1, 2019 to September 30, 2019. (23)

The activities most frequently inspected included trade, agriculture, metal, and carpentry. The government has 22 inspectors dedicated to agriculture, 23 engineers and 18 physicians in charge of health and safety labor inspections and 54 dedicated child labor inspectors distributed across the country in various governmental departments. (22,23,36,37) During the first 9 months of 2019, the government conducted 24,383 labor inspections, including 317 focused on child labor. (23) However, the government did not provide all of the information on its labor law enforcement efforts for inclusion in this report.

Research indicates that insufficient resources hamper the labor inspectorate's capacity to enforce child labor laws. (4,34,38) Although Morocco employs 317 labor inspectors, the number of labor inspectors is likely insufficient for the size of Morocco's workforce, which includes more than 12 million workers. According to the ILO's technical advice of a ratio approaching 1 inspector for every 15,000 workers in industrializing economies, Morocco would employ about 800 inspectors. (39,40)

The official procedures involved in processing child labor violations require the participation of several agencies for each case, which places considerable administrative burdens on labor inspectors. Research also indicates that the penalties against companies that employ children in hazardous work, set forth in the Labor Code, are insufficient deterrents because the labor inspectorate cannot assess penalties. (23,38,41)

Criminal Law Enforcement

In 2019, criminal law enforcement agencies in Morocco took actions to combat child labor (Table 7). However, gaps exist within the operations of the criminal enforcement agencies that may hinder adequate criminal law enforcement, including the publication of criminal law enforcement data.

Table 7. Criminal Law Enforcement Efforts Related to Child Labor

Overview of Criminal Law Enforcement	2018	2019
Initial Training for New Criminal Investigators	Yes (22)	Yes (23)
Training on New Laws Related to the Worst Forms of Child Labor	N/A (22)	N/A (23)
Refresher Courses Provided	Yes (22)	Yes (23)
Number of Investigations	12 (22)	154 (23)
Number of Violations Found	1 (22)	Unknown (35)
Number of Prosecutions Initiated	5 (22)	170 (23)
Number of Convictions	Unknown (22)	176 (23)
Imposed Penalties for Violations Related to The Worst Forms of Child Labor	Unknown (22)	Unknown (23)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (22)	Yes (23)

Criminal authorities refer victims to appropriate social services through coordination with NGOs and with the government's 54 dedicated child labor points of contact in other government entities. (22,23) The government did not provide information on the number of criminal violations found or penalties.

IV. COORDINATION OF GOVERNMENT EFFORTS ON CHILD LABOR

The government has established mechanisms to coordinate its efforts to address child labor (Table 8).

Table 8. Key Mechanisms to Coordinate Government Efforts on Child Labor

Coordinating Body	Role & Description
Technical Committee Under the Special Ministerial Commission for Children for the Protection and Improvement of Childhood	Ensures inter-sectoral coordination and monitoring for implementing international conventions on children's issues through a committee of 25 government bodies, chaired by the Head of the Government of Morocco. Establishes strategies and mechanisms to implement national policies and plans for child protection and coordinates the management of efforts at the local and regional levels. (36) Met regularly in 2019. (23)

V. GOVERNMENT POLICIES ON CHILD LABOR

The government has established policies that are consistent with relevant international standards on child labor (Table 9).

Table 9. Key Policies Related to Child Labor

Policy	Description
MSWFSD's Integrated Public Policy on the Protection of Children in Morocco (PPIPEM)	Promotes an interdisciplinary approach to respond to the exploitation of children and other issues. (2-4,42,43) Stakeholders in PPIPEM confirmed that formal meetings for review and discussion of progress related to the policy were held during the reporting period. (35) On December 18, 2019, MSWFSD launched an integrated territorial child protection systems pilot-program in 8 provinces. These programs - part of the Integrated Public Child Protection Policy - established provincial child protection committees and child protection support centers at the provincial level. (23)

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2019, the government funded and participated in programs that include the goal of eliminating or preventing child labor (Table 10). However, gaps exist in these social programs, including the adequacy of efforts to address the problem in all sectors.

Table 10. Key Social Programs to Address Child Labor

Program	Description
Social Cohesion Support Fund†	Programs that aim to improve access to education. Includes the MSWFSD-funded Tayssir Conditional Cash Transfer Program that provides direct cash transfers to qualifying families whose children meet school attendance criteria; and support programs to provide education to children with disabilities. In 2019, the Social Cohesion Fund provided assistance to 2,087,000 students from low-income families with 11,344 disabled children receiving additional support from the government. (23)

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Table 10. Key Social Programs to Address Child Labor (Cont.)

Program	Description
Measurement, Awareness-Raising, and Policy Engagement Project on Child Labor and Forced Labor (MAPI6)	USDOL-funded project implemented by ILO to conduct research and develop new survey methodologies, improve awareness, strengthen policies and government capacity, and promote partnerships to combat child labor and forced labor. In Morocco, \$362,500 was allocated for activities to support the enforcement of the 2016 Law on Setting Up Employment Conditions of Domestic Workers, which protects children from hazardous domestic work. (44) Additional information is available on the USDOL website.
Government-funded Shelters and Centers†	MSWFSD's <i>Entraide Nationale</i> agency manages three key 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 all types of violence, street children, migrant children and refugees, and those with disabilities. (23,34,35,37,45,46) Other shelters and service centers include student dormitories and training and integration programs for vulnerable children. (34,35,37,45) Research was unable to determine any additional action taken during the reporting period.
Government-funded Projects‡	Projects that aim to assist vulnerable children. Includes: After-School Program for a Second Chance (E2C), which provides students with after-school educational assistance as part of non-formal education program; Mouwakaba, a MSWFSD-funded project that assists 2,700 at-risk youth in 6 cities with vocational training; and “Cities without Street Children,” which provides assistance to homeless children in Casablanca and Méknès. These projects were active during the reporting period. (23)
Favorable Opportunities to Reinforce Self-Advancement for Today's Youth	\$12.77 million USAID-funded project implemented by Search for Common Ground that aimed to increase the social and economic inclusion of at-risk youth ages 10–24 living in the marginalized neighborhoods of Tangier and Tetouan. Additional information is available on the USAID website. (38)

† Program is funded by the Government of Morocco.

‡ The government had other social programs that may have included the goal of eliminating or preventing child labor. (2-4,6,37,38,45)

In 2019, the government continued a regularization campaign to provide legal status and documentation to foreign migrants who are vulnerable to exploitation for child labor. (6) 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. (2,23,34,37)

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 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 are self-employed, work for artisan and handicraft businesses with fewer than five employees, or work on private farms or in residences.	2009 – 2019
	Implement regulations related to the Law on Setting Up Employment Conditions of Domestic Workers, and ensure that inspectors are allowed to inspect all sectors in which children work.	2017 – 2019
	Prohibit by law all types of hazardous work that may harm children's health, safety, and morals, including domestic work.	2016 – 2019
	Ensure that laws prohibit all children age 15 and under from being used, procured, or offered for the production and trafficking of illicit drugs.	2015 – 2019
	Ensure the law provides criminal penalties for forced labor.	2019
	Ensure that the law criminally prohibits the use, procuring, and offering of a child for prostitution.	2019
Enforcement	Publish information on labor law enforcement efforts, including the amount of labor inspectorate funding.	2015 – 2019
	Authorize the labor inspectorate to assess penalties.	2017 – 2019
	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 – 2019
	Reduce administrative burdens and streamline child labor enforcement procedures among government agencies.	2013 – 2019
	Increase penalties for employers who use children in hazardous work to be an effective deterrent.	2012 – 2019
	Publish information on criminal enforcement efforts, including the number of violations found, and whether penalties were imposed related to the worst forms of child labor.	2012 – 2019

Table 11. Suggested Government Actions to Eliminate Child Labor (Cont.)

Area	Suggested Action	Year(s) Suggested
Social Programs	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 – 2019
	Take measures to ensure children's safety in schools; remove barriers to education, especially for children with disabilities or those who do not speak the language of instruction, children from rural areas, and migrant children; and increase birth registration rates.	2013 – 2019
	Expand existing programs to address the full scope of the child labor problem, including in forced domestic work.	2013 – 2019

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In 2019, Mozambique made a moderate advancement in efforts to eliminate the worst forms of child labor. The government approved an update to new Penal Code, which includes prohibitions on human trafficking, child prostitution, and the use of children in pornography. Numerous trafficking in persons trainings were conducted throughout the country for border police officers, social service providers, judges, and investigators. In addition, Provincial and District National Reference Groups were trained on available referral mechanisms and social protection services for children and victims of human trafficking, and the drafting of the National Action Plan on Trafficking in Persons was finalized. Nearly 5,000 awareness-raising events were also organized throughout all of Mozambique's 11 provinces on human trafficking, the worst forms of child labor, and the commercial sexual exploitation of children. However, children in Mozambique engage in the worst forms of child labor, including in forced domestic work. Children also perform dangerous tasks in the production of tobacco. Although Mozambique made meaningful efforts in all relevant areas during the reporting period, the established minimum age for work is not in compliance with international labor standards because it does not extend to informal employment. In addition, a coordination mechanism to address child labor is lacking and existing programs are insufficient to fully address the extent of the problem in Mozambique.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Mozambique engage in the worst forms of child labor, including in forced domestic work. (1-4) Children also perform dangerous tasks in the production of tobacco. (5) 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 (%)		52.0

Source for primary completion rate: Data from 2018, published by UNESCO Institute for Statistics, 2020. (6)

Source for all other data: International Labor Organization's analysis of statistics from Multiple Indicator Cluster Survey 3, 2008. (7)

Based on a review of available information, Table 2 provides an overview of children's work by sector and activity.

Table 2. Overview of Children's Work by Sector and Activity

Sector/Industry	Activity
Agriculture	Production of cashews, coconuts, cotton,† sesame, sugarcane,† tea, tobacco,† and tomatoes (1,2,5,8-11)
	Fishing,† including preparing nets† (1,5)
	Forestry,† activities unknown(5)
	Herding livestock,† including cattle (1,5)
	Hunting, including small and wild animals (1,5,11)
Industry	Mining,† including gold and gemstones† (5,12-14)
	Construction,† including crushing stone† and making bricks† (1,5)
Services	Domestic work,† including caring for babies and other children† (5,8,14,15)
	Street work, including car washing,† street vending, and garbage scavenging† (5,14-17)
	Selling alcoholic beverages in markets† (9)

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Table 2. Overview of Children’s Work by Sector and Activity (Cont.)

Sector/Industry	Activity
Categorical Worst Forms of Child Labor†	Commercial sexual exploitation, sometimes as a result of human trafficking (4,5,18)
	Forced labor in agriculture, domestic work, mining, and vending, each sometimes as a result of human trafficking (1–4)
	Use in illicit activities, including drug trafficking, stealing, and assisting poachers in the illegal poaching industry (5)

† Determined by national law or regulation as hazardous and, as such, relevant to Article 3(d) of ILO C. 182.

‡ Child labor understood as the worst forms of child labor *per se* under Article 3(a)–(c) of ILO C. 182.

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, street vending, and commercial sexual exploitation. (2,4)




Although primary education is free through grade nine, families must provide school supplies and uniforms. (19) Barriers to education for children include lack of schools, classroom space, and trained teachers. Many students, particularly in rural areas, also face difficulties traveling long distances to get to school. (4,20,21) In addition, physical and sexual abuse is common in schools. Research found that some male teachers coerce female students into sex. (22)

During the reporting period, due to increased insurgent-related violence in the Cabo Delgado Province, and natural disasters impacting Central and Northern parts of the country, thousands of people were displaced and schools destroyed, thus further increasing education access barriers for some children. (19)

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 (23,24)
Minimum Age for Hazardous Work	Yes	18	Article 23 of the Labor Law (24)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes	18	Hazardous Work List (25)
Prohibition of Forced Labor	Yes		Articles 5 and 10–11 of the Trafficking in Persons Law; Articles 196 and 198 of the Penal Code (26,27)

Table 4. Laws and Regulations on Child Labor (Cont.)

Standard	Meets International Standards	Age	Legislation
Prohibition of Child Trafficking	Yes		Articles 5 and 10–11 of the Trafficking in Persons Law (26)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Articles 5 and 10–11 of the Trafficking in Persons Law; Articles 226–227 of the Penal Code (26,27)
Prohibition of Using Children in Illicit Activities	Yes		Articles 33 and 40 of the Law on Drugs (28)
Minimum Age for Voluntary State Military Recruitment	Yes	18	Article 23 of the Law on Military Service (29)
Prohibition of Compulsory Recruitment of Children by (State) Military	Yes		Article 2 of the Law on Military Service (29)
Prohibition of Military Recruitment by Non-state Armed Groups	Yes		Articles 5 and 10 of the Trafficking in Persons Law (26)
Compulsory Education Age	Yes	15‡	Article 7 of the Law on the National System of Education; Article 41 of the Law of Basic Child Protection (30,31)
Free Public Education	Yes		Article 41 of the Law of Basic Child Protection (30)

‡ Age calculated based on available information (30,31)

During the reporting period, the government approved an update to the Penal Code, which includes prohibitions on human trafficking, child prostitution, and the use of children in pornography. The new penal code is scheduled to enter into force in June 2020. (32) In addition, the Attorney General's Office, in collaboration with the Ministry of Justice, Religious, and Constitutional Affairs, began updating the 2008 Trafficking in Persons Law with the aim of bringing it in line with international labor standards through the expansion of the definition of human trafficking, the provision of greater protection of victims, and the creation of a compensation fund for victims, including children. (33)

The Regulations on Domestic Work allow children ages 12 to 15 to conduct domestic work with the permission of their legal guardian. (23) The Labor Law also states that children ages 12 to 15 may work under certain conditions defined by the Council of Ministers. (24) The minimum age of 12 for light work is not in compliance with international standards. (34,35) However, in 2018, the government drafted a revision to the Labor Law, establishing age 15 as the minimum age for work, which would eliminate the current exception that allows children as young as age 12 to work. In 2019, Parliament did not vote on the draft law. (36,37)

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, 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. (24,31,35,38)

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 the Ministry of Labor, Employment, and Social Security that may hinder adequate enforcement of their child labor laws.

Table 5. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
Ministry of Labor, Employment, and Social Security	Enforces child labor laws and regulations. The labor inspectorate works with the National Police Force to enforce criminal law. (19) Monitors implementation of the National Action Plan to Combat the Worst Forms of Child Labor. (19,39)
Ministry of Industry and Trade's General Inspectorate of Economic Activities	Enforces child labor laws and regulations related to business activities. (19)

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Table 5. Agencies Responsible for Child Labor Law Enforcement (Cont.)

Organization/Agency	Role
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 to the Attorney General's Office. (19)
Attorney General's Office	Coordinates the government's efforts against human trafficking and receives cases for prosecution from the National Criminal Investigation Service. (19) In 2019, collaborated with relevant government agencies to assess and coordinate efforts in addressing victims' needs. (4)

Labor Law Enforcement

In 2019, labor law enforcement agencies in Mozambique took actions to combat child labor (Table 6). However, gaps exist within the operations of the Ministry of Labor, Employment, and Social Security that may hinder adequate labor law enforcement, including training for labor inspectors.

Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2018	2019
Labor Inspectorate Funding	Unknown	Unknown
Number of Labor Inspectors	Unknown	Unknown
Inspectorate Authorized to Assess Penalties	Yes (36)	Yes (19)
Initial Training for New Labor Inspectors	Yes (36)	Yes (19)
Training on New Laws Related to Child Labor	Unknown	Yes (19)
Refresher Courses Provided	Unknown	Yes (19)
Number of Labor Inspections Conducted	Unknown	Unknown
Number Conducted at Worksite	Unknown	Unknown
Number of Child Labor Violations Found	Unknown	Unknown
Number of Child Labor Violations for Which Penalties Were Imposed	Unknown	Unknown
Number of Child Labor Penalties Imposed that Were Collected	Unknown	Unknown
Routine Inspections Conducted	Yes (36)	Yes (19)
Routine Inspections Targeted	Unknown	Unknown
Unannounced Inspections Permitted	Yes (36)	Yes (19)
Unannounced Inspections Conducted	Yes (36)	Yes (19)
Complaint Mechanism Exists	Yes (36)	Yes (19)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (36)	Yes (19)

Although the government did not provide information on its law enforcement efforts, research found that 900 cases of child exploitation, including child labor, were registered during the first 9 months of the reporting period. (40) The government does not publicly release information on its labor law enforcement efforts. (19)

Reports indicate that the number of labor inspectors is likely insufficient for the size of Mozambique's workforce, which includes approximately 13 million workers. (19,41) According to the ILO's technical advice of a ratio approaching 1 inspector for every 40,000 workers in less developed countries, Mozambique would employ about 325 labor inspectors. (41-43) Insufficient training and limited financial resources may also hamper the labor inspectorate's ability to enforce child labor laws. (19)

Ministry of Labor, Employment, and Social Security officials can refer victims of child labor to either the police or social workers from the Ministry of Gender, Children, and Social Action (MGCAS) for family assessments and potential placement of these children in foster homes. (44)

Criminal Law Enforcement

In 2019, criminal law enforcement agencies in Mozambique took actions to combat child labor (Table 7). However, gaps exist within the operations of the criminal enforcement agencies that may hinder adequate criminal law enforcement, including the lack of published criminal data related to child labor.

Table 7. Criminal Law Enforcement Efforts Related to Child Labor

Overview of Criminal Law Enforcement	2018	2019
Initial Training for New Criminal Investigators	Yes (36)	Yes (19)
Training on New Laws Related to the Worst Forms of Child Labor	Unknown	Yes (19)
Refresher Courses Provided	Unknown	Yes (19)
Number of Investigations	10 (34)	Unknown
Number of Violations Found	Unknown	Unknown
Number of Prosecutions Initiated	7 (34)	Unknown
Number of Convictions	Unknown	Unknown
Imposed Penalties for Violations Related to The Worst Forms of Child Labor	Unknown	Unknown
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (36)	Yes (19)

In 2019, numerous trainings were conducted throughout the country, including the training of border police officers, and other stakeholders involved in assisting human trafficking victims, on the South African border. Judges and investigators in southern Mozambique also received training on trafficking in persons matters, including on human trafficking legal elements, and related crimes. (33)

Reports indicate that in 2019, the government investigated 13 potential trafficking in persons cases, and determined that 8 of these cases involved 22 human trafficking victims. Of the 22 victims, 10 were 18 years or younger. (38) The government prosecuted 2 suspects, and achieved 2 convictions with sentences ranging from 3 to 13 years imprisonment. (38) Research also indicates that, in 2019, police apprehended a suspect for trafficking 22 children between the ages of 8 and 14 in Niassa Province, in the northern region of the country. (45) In addition, police intercepted the trafficking of 20 children into South Africa for labor purposes. (46) Both cases are under investigation. (45,46)

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 service providers. (19) Furthermore, 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. (34)

IV. COORDINATION OF GOVERNMENT EFFORTS ON CHILD LABOR

The government has established mechanisms to coordinate its efforts to address child labor (Table 8). However, gaps exist that hinder the effective coordination of efforts to address child labor, including efforts to address all forms of child labor.

Table 8. Key Mechanisms to Coordinate Government Efforts on Child Labor

Coordinating Body	Role & Description
National Reference Group for the Protection of Children and Combating Trafficking in Persons	Coordinates efforts to combat all forms of human trafficking. Led by the Attorney General's Office. (47) Provincial-level groups coordinate regional efforts to combat human trafficking. (4) In 2019, provincial and district Reference groups received training aimed at improving referral mechanisms and protection services for child victims of human trafficking. Provincial and district Reference groups also conducted nationwide trainings and seminars, including training of national police officers on investigative techniques, and proper identification and referral of trafficking victims. (4,33)
National Commission on Children's Rights	Oversees and reports on children's rights in Mozambique to the African Charter and other international bodies, and performs consultations and deliberations on national action plans and legislation. Led by the Ministry of Gender, Children, and Social Action. (44) Active in 2019. (37)
Ministry of the Interior's Women and Children's Victim Assistance Units	Provides services to children who have been victims of crimes, including human trafficking. Implements a government-funded program that includes 22 victim assistance units, which provide temporary shelter, food, limited counseling, and monitoring of crime following reintegration, and operate countrywide through facilities in more than 215 police stations. (4) Active in 2019. (4)
Ministry of Gender, Children, and Social Action	Operates three shelters that provide support and reintegration services for human trafficking victims, including to victims of child trafficking. Active in 2019. (38)

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Research did not find a coordination mechanism dedicated to addressing child labor beyond the scope of human trafficking.

V. GOVERNMENT POLICIES ON CHILD LABOR

The government has established policies related to child labor (Table 9). However, policy gaps exist that hinder efforts to address child labor, including the lack of implementation of existing policies.

Table 9. Key Policies Related to Child Labor

Policy	Description
National Action Plan to Combat the Worst Forms of Child Labor (2017–2022)	Aims to map 70 percent of occurrences of the worst forms of child labor by province and activity by 2019, and to withdraw 20,000 children from the worst forms of child labor and enroll them in the Basic Social Subsidy program. (39) Mandates the coordination of several key government agencies, including the Attorney General's Office and the Ministry of Gender, Children, and Social Action. A multi-sector group comprising representatives from government, civil society, employers, and unions, including the informal sector, was also created through the plan to address child labor issues. (36) In 2019, the government provided training on child labor issues and protection of children's rights to public prosecutors, police, and criminal investigators. (19)
National Action Plan for Children II (2013–2019)	Established four priority areas for government action against child labor: child survival, child development, child participation, and child protection. (48) In 2019, the government continued their focus on the four established priority areas, especially pertaining to recovery efforts related to post-disaster situations. The government also facilitated anti-trafficking training with IOM in IDP camps, and raised awareness among students regarding the dangers of online recruitment. (38)

‡ The government had other policies that may have addressed child labor issues or had an impact on child labor. (49)

Reports indicate that the drafting of National Action Plan on Trafficking in Persons was finalized during the reporting period, although the plan has not been officially approved. (33,38) The associated referral mechanism contains a victim intake form, which, despite the plan's lengthy drafting process, has already been in use nationwide for more than 3 years by law enforcement officials to collect data on victims and ensure that they receive appropriate care and referrals to social service providers. (33,34)

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2019, the government funded and participated in programs that include the goal of eliminating or preventing child labor (Table 10). However, gaps exist in these social programs, including adequacy to address the problem in all sectors.

Table 10. Key Social Programs to Address Child Labor

Program	Description
Basic Social Subsidy Program†	Government- and donor-funded program that provides financial subsidies to orphaned children living in poor and vulnerable households, as well as child heads of households. Aims to improve secondary school attendance and reach more than 3.3 million direct program participants by 2024. (50,51) Research was unable to determine whether activities were undertaken to implement this program during the reporting period.
Programs for Street Children‡	Government and civil society organizations operate 176 shelters that provide education, occupational training activities, and health and psycho-social care for street children. (52) Active in 2019. (19)
Speak Child-116	NGO-funded program that works with the government to run a hotline to receive complaints of child abuse, including those related to child labor and sexual exploitation. (53) In 2019, 2.7 percent of cases received by the hotline were related to child labor. (38)
Memorandum of Understanding to Combat Child Labor in Tobacco Growing (2018–2021)	\$1.2 million, 3 year project funded by the Eliminating Child Labor in Tobacco Growing Foundation focusing on education, awareness raising, institutional capacity building, and revision of the government's legal framework. Incorporates training for law enforcement officials. (54–56)
Internet Watch Foundation Website	Internet portal, established by the government, in collaboration with Internet Watch Foundation, that receives anonymous reports on suspected cases of online commercial sexual exploitation of children, including in the production of pornography. (57–59)

† 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. (60)

In 2019, the government organized nearly 5,000 awareness-raising events, throughout all 18 provinces, on human trafficking, the worst forms of child labor, and the commercial sexual exploitation of children. (33)

Although a draft report on the analysis of national child labor data from the Integrated Household Survey was completed in 2017, the government has yet to publish the study's findings. (61) 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 I I).

Table I I. Suggested Government Actions to Eliminate Child Labor

Area	Suggested Action	Year(s) Suggested
Legal Framework	Ensure that all children are protected under the law, including children working outside of formal employment relationships.	2015 – 2019
	Ensure that the minimum age for light work is in compliance with international labor standards.	2018 – 2019
Enforcement	Publish data on labor law enforcement information, including the labor inspectorate's funding, number of labor inspectors, number and type of labor inspections conducted, child labor violations found, and number of child labor penalties imposed and collected.	2009 – 2019
	Allocate sufficient resources for law enforcement agencies, including by increasing the number of labor inspectors to provide adequate coverage of the workforce.	2009 – 2019
	Provide labor inspectors with adequate training and financial resources to ensure their capacity to enforce child labor laws.	2009 – 2019
	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 – 2019
Coordination	Establish coordinating mechanisms to combat all worst forms of child labor.	2010 – 2019
Social Programs	Take measures to ensure that all children have access to education by providing supplies, and establishing an adequate number of schools, classroom space, and trained teachers. Take preventative steps to protect children from physical and sexual abuse in schools.	2010 – 2019
	Publish the results of the child labor study and use the findings to inform policies and programs.	2015 – 2019
	Ensure that the Basic Social Subsidy Program is active and fulfills its mandate.	2018 – 2019
	Institute programs to address child labor in domestic work, and expand existing programs to address the scope of the child labor problem.	2010 – 2019

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In 2019, Namibia made a significant advancement in efforts to eliminate the worst forms of child labor. The government brought into force the Child Care and Protection Act, increasing protections for children from the worst forms of child labor, and began implementing an updated National Agenda for Children, which aims to strengthen enforcement of laws related to child labor. The government also began implementing the Combating of Trafficking in Persons Act, which significantly strengthens penalties for trafficking crimes and provides mechanisms to increase the protection of child trafficking victims. In addition, the government increased the number of criminal prosecutions related to the worst forms of child labor, developed a national referral mechanism for responding to trafficking cases, and worked with NGOs to provide social and psychological support to child trafficking victims, including rehabilitation into schools. However, children in Namibia engage in the worst forms of child labor, including in commercial sexual exploitation, sometimes as a result of human trafficking. Children also engage in domestic work and street work. Hazardous work prohibitions for children in the agricultural sector are not comprehensive. 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 engage in the worst forms of child labor, including in commercial sexual exploitation, sometimes as a result of human trafficking. Children also engage in domestic work and street work. (1,2) Table 1 provides key indicators on children’s work and education in Namibia. Data on some of these indicators are not available from the sources used in this report.

Table 1. Statistics on Children’s Work and Education

Children	Age	Percent
Working (% and population)	5 to 14	Unavailable
Attending School (%)	5 to 14	Unavailable
Combining Work and School (%)	7 to 14	Unavailable
Primary Completion Rate (%)		94.1

Source for primary completion rate: Data from 2018, published by UNESCO Institute for Statistics, 2020. (3)
Data were unavailable from International Labor Organization’s analysis, 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	Working on farms, including harvesting millet (5-7)
Services	Domestic work (2,7-12)
	Street work, including begging and selling candies, fruits, handicrafts, and cell phone air time vouchers (1,11,14-16)
Categorical Worst Forms of Child Labor‡	Commercial sexual exploitation, sometimes as a result of human trafficking (1,5,11,12)
	Use in illicit activities, including selling of drugs (2,11,17)
	Forced labor in agriculture, fishing, and domestic work, each sometimes as a result of human trafficking (1,8,18)

‡ Child labor understood as the worst forms of child labor *per se* under Article 3(a)–(c) of ILO C. 182.

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An extended regional drought and economic downturn in Namibia have likely affected children's vulnerability to child labor, including its worst forms. Children from rural areas move to urban centers, such as Windhoek, in pursuit of supplemental income for their families. (2) Sources of income include work in domestic service, organized begging, and vending. (2) Some of these children engage in selling drugs and commercial sexual exploitation. Commercial sexual exploitation most commonly involves girls, and occurs in cities and transit corridors. (2,5,11) Children are also trafficked from within Namibia and from neighboring countries, such as Angola, Zambia, and the Democratic Republic of the Congo, for forced labor in agriculture, domestic work, and commercial sexual exploitation. (1,12,19) Children of the San ethnic group are particularly vulnerable to forced labor on farms or in homes. (1,19) The government has not collected and published data on child labor, including its worst forms, to inform policies and social programs. (20)

Both primary and secondary education are free by law; however, long travel distances to schools, particularly in rural and remote locations, may deter some children from attending school and increase their vulnerability to child labor. (20-22) Children orphaned from the HIV/AIDS epidemic and other causes sometimes become heads of households, which requires them to leave school to find work. (20,23)

II. LEGAL FRAMEWORK FOR CHILD LABOR

Namibia has ratified all key international conventions concerning child labor (Table 3).

Table 3. Ratification of International Conventions on Child Labor

Convention	Ratification
 ILO C. 138, Minimum Age	✓
ILO C. 182, Worst Forms of Child Labor	✓
 UN CRC	✓
UN CRC Optional Protocol on Armed Conflict	✓
UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	✓
 Palermo Protocol on Trafficking in Persons	✓

The government has established laws and regulations related to child labor (Table 4). However, gaps exist in Namibia's legal framework to adequately protect children from the worst forms of child labor, including the lack of a comprehensive hazardous work list that includes children's work in the agricultural sector.

Table 4. Laws and Regulations on Child Labor

Standard	Meets International Standards	Age	Legislation
Minimum Age for Work	Yes	14	Chapter 2, Article 3(2) of the Labor Act (24)
Minimum Age for Hazardous Work	Yes	18	Article 15(2) of the Constitution; Chapter 2, Article 3(4) of the Labor Act; Article 2(2) of the Labor Act (Regulations Related to Domestic Work) (24-26)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Chapter 2, Articles 3(3)(d) and 3(4) of the Labor Act (24)
Prohibition of Forced Labor	Yes		Article 9 of the Constitution; Chapter 2, Article 4 of the Labor Act; Section 15 of the Prevention of Organized Crime Act; Articles 202 and 234 of the Child Care and Protection Act (24,26-28)
Prohibition of Child Trafficking	Yes		Section 15 of the Prevention of Organized Crime Act; Sections 202 and 234 of the Child Care and Protection Act; Chapter 2, Article 3(2) of the Combating of Trafficking in Persons Act (27-29)

Table 4. Laws and Regulations on Child Labor (Cont.)

Standard	Meets International Standards	Age	Legislation
Prohibition of Commercial Sexual Exploitation of Children	Yes		Section 2 of the Combating of Immoral Practices Amendment Act; Section 234 of the Child Care and Protection Act (27,30)
Prohibition of Using Children in Illicit Activities	Yes		Section 234 of the Child Care and Protection Act (27)
Minimum Age for Voluntary State Military Recruitment	Yes	18	Section 17 of Defence Act I of 2002 (Government Notice 189 of 2010) (31)
Prohibition of Compulsory Recruitment of Children by (State) Military	N/A*		
Prohibition of Military Recruitment by Non-state Armed Groups	Yes		Section 234(1)(b) of the Child Care and Protection Act (27)
Compulsory Education Age	Yes	14‡	Section 53 of the Promulgation of Education Act (21)
Free Public Education	Yes		Section 38 of the Promulgation of Education Act (21,22)

* No conscription (32)

‡ Age calculated based on available information

Under Namibian Law, children typically are only required to attend school until age 14 as the requirement is to attend school until the completion of 7th grade, which tends to be when children are 14 years old, or latest until children are 16 years old. (21) In 2019, the government put into effect the Child Care and Protection Act, passed in 2015, and published implementation guidelines in the Government Gazette. (20,33) The act establishes a legal framework for the care of children, including protections against the worst forms of child labor. The act also provides guidelines for the mandatory reporting of cases related to child exploitation and placement of children removed from exploitation into protective services and stipulates penalties of up to 10 years of imprisonment for offenses related to the worst forms of child labor. (27) In addition, the government began implementing the Combating of Trafficking in Persons Act, passed in 2018. The law aligns with the Palermo Protocol and establishes special provisions for the removal and care of child trafficking victims. (12,19,29,34)

Although there are hazardous work prohibitions for children, they do not extend to hazardous work in the agricultural sector, which may involve using dangerous equipment and tools, working long hours, handling heavy loads, and being exposed to hazardous agents or substances. Also, the Minister of Labor may make regulations to permit children ages 14-17 to engage in activities on the current hazardous work list. (24,35-37) Since 2011, the government has been developing an updated list of hazardous work activities, but has not yet adopted it. (36,38)

III. ENFORCEMENT OF LAWS ON CHILD LABOR

The government has established institutional mechanisms for the enforcement of laws and regulations on child labor (Table 5). However, gaps exist within the operations of the Ministry of Labor, Industrial Relations and Employment Creation (MLIREC) that may hinder adequate enforcement of their child labor laws.

Table 5. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
Ministry of Labor, Industrial Relations and Employment Creation (MLIREC)	Enforces child labor laws and investigates allegations of violations, including forced labor, and cases involving human trafficking and the commercial sexual exploitation of children. Works with the Ministry of Safety and Security (MSS), the Ministry of Gender Equality and Child Welfare (MGECW), the Namibia Central Intelligence Service, and the Ministry of Education (MOE) on child labor matters. (39) Refers children removed from child labor during inspections to MGECW for placement in social services. (40)
Ministry of Safety and Security (MSS)	Enforces criminal laws through the Namibian Police. Coordinates with the labor inspectorate of MLIREC to investigate criminal labor violations, including child labor. (39-42) Through the Namibian Police Force's Gender-Based Violence Protection Units (GBVPU), collaborates with MGECW on cases involving human trafficking and commercial sexual exploitation of children. (39)
Ministry of Gender Equality and Child Welfare (MGECW)	Collaborates with GBVPU on cases involving human trafficking and commercial sexual exploitation of children. (39) Removes children from child labor situations during inspections, and transfers them to a regional GBVPU to receive assistance from MGECW social workers. (40)

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SIGNIFICANT ADVANCEMENT

Labor Law Enforcement

In 2019, labor law enforcement agencies in Namibia took actions to combat child labor (Table 6). However, gaps exist within the operations of the MLIREC that may hinder adequate labor law enforcement, including human resource allocation.

Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2018	2019
Labor Inspectorate Funding	\$2,550,000 (39)	\$3,034,000 (20)
Number of Labor Inspectors	61 (39)	51 (20)
Inspectorate Authorized to Assess Penalties	Yes (39)	Yes (20)
Initial Training for New Labor Inspectors	Yes (39)	N/A (20)
Training on New Laws Related to Child Labor	No (39)	Yes (20)
Refresher Courses Provided	Yes (39)	Yes (43)
Number of Labor Inspections Conducted	3,900 (39)	1,628 (20)
Number Conducted at Worksite	3,900 (39)	1,628 (20)
Number of Child Labor Violations Found	0 (39)	0 (20)
Number of Child Labor Violations for Which Penalties Were Imposed	N/A (39)	N/A (20)
Number of Child Labor Penalties Imposed that Were Collected	N/A (39)	N/A (20)
Routine Inspections Conducted	Yes (39)	Yes (20)
Routine Inspections Targeted	Yes (39)	Yes (20)
Unannounced Inspections Permitted	Yes (39)	Yes (20)
Unannounced Inspections Conducted	Yes (39)	Yes (20)
Complaint Mechanism Exists	Yes (39)	Yes (20)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (39)	Yes (20)

MLIREC conducted planned annual inspections in all regions of Namibia, including in the agricultural, domestic service, fishing, retail, and services sectors. (20,44) An inadequate number of labor inspectors, however, likely hinders the inspectorate's ability to enforce laws, particularly in remote and rural areas of the country. (2) In 2019, the number of labor inspectors was reduced from 61 to 51, probably resulting from a government-imposed hiring freeze. (20,45) The number of labor inspectors is likely insufficient for the size of Namibia's workforce, which includes approximately 956,800 workers. According to the ILO's technical advice of a ratio approaching 1 inspector for every 15,000 workers in developing economies, Namibia would employ about 64 inspectors. (46,47) MLIREC reported that insufficient financial resources also limited other areas of labor law enforcement, including staff trainings. (20)

The MLIREC operates a 24-hour SMS line for labor complaints, including child labor. The SMS line received four text messages during the reporting period, although none of the complaints related to child labor. (12,48)

Criminal Law Enforcement

In 2019, criminal law enforcement agencies in Namibia took actions to combat child labor (Table 7). However, gaps exist within the operations of the Ministry of Safety and Security and the Namibian Police Force that may hinder adequate criminal law enforcement, including training of criminal law enforcement investigators.

Table 7. Criminal Law Enforcement Efforts Related to Child Labor

Overview of Criminal Law Enforcement	2018	2019
Initial Training for New Criminal Investigators	Yes (39)	No (20)
Training on New Laws Related to the Worst Forms of Child Labor	Yes (39)	No (20)
Refresher Courses Provided	Yes (39)	No (20)
Number of Investigations	3 (39)	4 (20)
Number of Violations Found	2 (39)	4 (20)

Table 7. Criminal Law Enforcement Efforts Related to Child Labor (Cont.)

Overview of Criminal Law Enforcement	2018	2019
Number of Prosecutions Initiated	0 (39)	3 (20)
Number of Convictions	0 (39)	Unknown(20)
Imposed Penalties for Violations Related to The Worst Forms of Child Labor	Unknown (39)	Unknown (20)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (39)	Yes (20)

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)

The Namibian Police Force operates a toll-free hotline for reporting crimes, including child trafficking. An NGO operates another hotline for victims of gender-based violence and child exploitation to access information about available resources and refer cases to relevant government social services providers. (49) Research indicates the Namibian Police Force’s toll-free hotline did not receive any complaints related to the worst forms of child labor. (19)

During the reporting period, the Namibian Police Force developed a new trafficking in persons training manual for police officers. The new manual provides guidance to improve police responses to trafficking in persons cases and treatment of victims, including child witnesses. (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 efficacy in accomplishing mandates.

Table 8. Key Mechanisms to Coordinate Government Efforts on Child Labor

Coordinating Body	Role & Description
Inter-Ministerial Committee on Child Labor	Coordinates government policies and efforts to combat child labor. Comprises officials from MLIREC, MOE, MGECW, MSS, and the Office of the Ombudsman. (39,52) Met quarterly in 2019. (20)
Permanent Task Force for Children	Implements and coordinates services for children at the national level. Includes key ministries, NGOs, development partners, and bilateral agencies. (39) Met on a quarterly basis in 2019 to implement the National Agenda for Children. (20)
Child Care and Protection Forums	Addresses child protection issues and coordinates services in the country at the regional and district levels. Raises community awareness of the signs of child mistreatment and available services. (53) Participants include 14 regional councils, MGECW social workers, police, teachers, government agencies, NGOs, community leaders, churches, and other local-level stakeholders. Met several times during the reporting period. (20)
Trafficking in Persons National Coordinating Body	Coordinates and monitors government and non-government responses to trafficking in persons in Namibia. (19) Led by MGECW, with participation from MLIREC, MSS, the Ministry of Justice, the Ministry of Home Affairs and Immigration, and the Prosecutor General and Attorney General. (12) The committee met three times in 2019, resulting in the creation of a new National Referral Mechanism and standard operating procedures. (12) In April 2019, MGECW and the Trafficking in Persons National Coordinating Body, with support from IOM, launched the National Referral Mechanism to direct first-line response teams on the identification, protection, referral, and safe return of victims of trafficking. The National Referral mechanism is part of an initiative to strengthen stakeholder coordination in response to trafficking in persons. (12,50) Also, led a national awareness campaign focusing on trafficking of youth and children, which included billboards, posters, television ads, and a campaign song by a local artist. (12)
Gender-Based Violence Protection Units (GBVPU)	Provide victim protection services to children rescued from the worst forms of child labor through 15 units that arrange lodging and medical and psychosocial care for victims. (20) Consist of personnel from MLIREC, the Ministry of Home Affairs and Immigration, the Namibian Police Force, MGECW, and MOE. (39) In 2019, GBVPU were active on an ongoing basis. (20)

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. (43) Although there are 15 Gender-Based Violence Protection Units in Namibia, research finds considerable variation in the operational

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performance of these units; only the Windhoek-based unit is operating at full capacity, and several other units are not able to function according to their intended mandates. (2,20)

V. GOVERNMENT POLICIES ON CHILD LABOR

The government has established policies related to child labor (Table 9). However, policy gaps exist that hinder efforts to address child labor, including mainstreaming child labor issues into relevant policies.

Table 9. Key Policies Related to Child Labor

Policy	Description
National Agenda for Children (2018–2022)†	The primary strategy for child welfare issues. Focuses on strengthening the protection of children in need of care, including enforcement of laws protecting children from child labor. (54) Outlines procedural instructions for each ministry and stakeholder for cases of child mistreatment. (39,41,55) The National Agenda for Children was drafted in 2018, with significant input from UNICEF; the government and the Permanent Task Force for Children approved and began working to implement the policy in 2019. (20,55)
Decent Work Country Program (2018–2022)	Outlines strategies to promote decent work in Namibia, including the elimination of child labor, through employment promotion, enhanced social protection, and social dialogue and collaboration. (19,56) The program was renewed in August 2018 with a memorandum of understanding among employers, ILO, the Government of Namibia, and employees (through two unions—the National Union of Namibian Workers and the Trade Union Congress of Namibia). (19,57) The memorandum of understanding includes specific actions targeting child labor, including a child labor survey. (39,41,57) Research could not determine whether activities were undertaken to implement the Decent Work Country Program during the reporting period. (20)
National Development Plan V (2017/2018–2021/2022)	Includes goals for addressing child trafficking and protection concerns. (39,58) Research was unable to determine whether activities were undertaken to implement National Development Plan V during the reporting period. (20)

† Policy was approved during the reporting period.

‡ The government had other policies that may have addressed child labor issues or had an impact on child labor. (19,43,59-61)

The 2017–2022 Strategic Plan of the Ministry of Gender Equality and Child Welfare does not integrate child labor elimination strategies. (62) The Ministry of Gender Equality and Child Welfare developed a National Action Plan on Gender-Based Violence, covering the period 2019–2023, to coordinate national efforts against gender-based violence, including rape and sexual abuse, physical domestic abuse, and trafficking. The plan includes strategies to address child trafficking; however, it does not incorporate other worst forms of child labor, such as physical abuse occurring in the course of domestic service and commercial sexual exploitation. (61) Evidence indicates that some children working in domestic service are subjected to physical abuse by their employers. (9,59)

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2019, the government funded and participated in programs that include the goal of eliminating or preventing child labor (Table 10). However, gaps exist in these social programs, including the adequacy of programs to address the full scope of the child labor problem.

Table 10. Key Social Programs to Address Child Labor

Program	Description
Social Protection Grants†	MGEWCW-funded grants to support vulnerable children and households. (64) 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-aged children; place of safety and foster care grants provide support for people and places that provide temporary care for children. (65-67) MGEWCW provided grants to families during the reporting period. (64)
Combating Human Trafficking Initiative (2016–2019)	USDOS-funded, 3 year project implemented by IOM, in collaboration with the Government of Namibia, to combat trafficking in persons. (19,68,69) In 2019, the government and the IOM launched a National Referral Mechanism for Trafficking in Persons. (12,50)
Namibian School Feeding Program†	Government program that provides mid-morning meals to school children in all 14 regions. (39,57) In 2019, the program served 377,521 learners, an increase from 333,000 in 2018. (20)

Table 10. Key Social Programs to Address Child Labor (Cont.)

Program	Description
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. (53) In 2019, the government allocated \$2.4 million for the program, a slight decrease from the \$2.5 million allotted in 2018. (20)
Shelters and Victim Services†	Government and NGO shelters provide safe accommodation, meals, clothing, toiletries, psychosocial support, legal assistance, medical services, and access to education. (19) Registered residential child care facilities provide services for children experiencing mistreatment and neglect. The government provides subsidies, either per child or as a percentage of operating expenses, for private shelter facilities. (12,55) Shelters and victims services received government support and provided services during the reporting period. (20,55)

† Program is funded by the Government of Namibia.

During the reporting period, the government partnered with a local NGO to provide protective services to Namibian and foreign victims of trafficking, which included psychological and social support, legal assistance, medical care, proper documentation for foreign victims, and educational access to child victims. (1)

Although the government has 15 designated residential care facilities for children, few of these shelters are able to provide services. The only fully operational government shelter is located in Windhoek, so children who live in rural areas must go to the capital to receive services. (2) Although the government provided assistance and services to vulnerable children and some victims of child labor, research found no evidence of programs specifically addressing the children working in agriculture or domestic work.

VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE CHILD LABOR

Based on the reporting above, suggested actions are identified that would advance the elimination of child labor in Namibia (Table 11).

Table 11. Suggested Government Actions to Eliminate Child Labor

Area	Suggested Action	Year(s) Suggested
Legal Framework	Ensure the hazardous work list is comprehensive and gives special consideration to the activities included in ILO R. 190.	2014 – 2019
Enforcement	Increase personnel and resources for the labor inspectorate to ensure adequate enforcement of labor laws, including in remote areas.	2019
	Increase the number of labor inspectors to meet the ILO's technical advice.	2019
	Ensure that training is provided to criminal law enforcement investigators on new laws related to child labor, including training for new investigators and refresher trainings.	2018 – 2019
	Establish a mechanism to compile and publish comprehensive statistics related to labor/criminal law enforcement, including convictions for crimes related to the worst forms of child labor.	2019
Coordination	Reactivate joint child labor inspection teams to strengthen coordination between ministries that respond to cases of child labor.	2019
	Ensure that all Gender-Based Violence Protection Units are able to carry out their intended mandates.	2018 – 2019
Government Policies	Ensure implementation of all key policies, such as the Decent Work Country Program.	2016 – 2019
	Integrate child labor elimination and prevention strategies into key national policies, including the Strategic Plan of the Ministry of Gender Equality and Child Welfare and the National Action Plan on Gender-Based Violence.	2019
Social Programs	Conduct research on the prevalence of child labor to inform the development of policies and social programs.	2013 – 2019
	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
	Ensure that there are adequate shelters, including in areas outside of Windhoek, to meet the needs of vulnerable children.	2019
	Institute programs or expand existing programs to address child labor in agriculture and domestic work.	2009 – 2019

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In 2019, Nepal made a moderate advancement in efforts to eliminate the worst forms of child labor. The government published the Nepal Labor Force Survey Report, with data on child labor and forced labor. In addition, the government introduced a new education policy during the reporting year, providing free and compulsory education to all children. The police also created a new anti-trafficking bureau to assist in child victims' rescue and rehabilitation, as well as coordination with the Department of Labor on cases of hazardous child labor. However, children in Nepal

engage in the worst forms of child labor, including in commercial sexual exploitation, sometimes as a result of human trafficking. Children also perform dangerous tasks in the production of bricks. The Department of Labor's budget, the number of labor inspectors, and available resources and training are all insufficient for enforcing labor laws, including those related to child labor. Furthermore, children age 17 are excluded from the protections of the country's hazardous work list, leaving them vulnerable to the worst forms of child labor.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Nepal engage in the worst forms of child labor, including in commercial sexual exploitation, sometimes as a result of human trafficking. Children also perform dangerous tasks in the production of bricks. (1,2,3) Table 1 provides key indicators on children's work and education in Nepal.

Table 1. Statistics on Children's Work and Education

Children	Age	Percent
Working (% and population)	5 to 14	37.2 (6,755,852)
Attending School (%)	5 to 14	91.7
Combining Work and School (%)	7 to 14	39.1
Primary Completion Rate (%)		120.4

Source for primary completion rate: Data from 2019, published by UNESCO Institute for Statistics, 2020. (4)

Source for all other data: International Labor Organization's analysis of statistics from Multiple Indicator Cluster Survey 5, 2014. (5)

Based on a review of available information, Table 2 provides an overview of children's work by sector and activity.

Table 2. Overview of Children's Work by Sector and Activity

Sector/ Industry	Activity
Agriculture	Farming, including harvesting caterpillar fungus (<i>yarsagumba</i>) (6-8)
	Herding and feeding livestock (6,9,10)
Industry	Producing bricks (1,6,10,11-18)
	Quarrying, collecting, and breaking stones, and quarrying and collecting sand (6-8,17,18)
	Construction,† activities unknown (8,10,18-20)
	Weaving carpet† (6,10,17,18,21,22)
	Producing embellished textiles (<i>zari</i>)† and embroidery (6,7,10,17,18,20)
	Producing metal crafts (2,7,8,10,17)
Services	Domestic work (6,10,17,18,23-25)
	Mechanical workshops for cars and motorbikes (17,18)
	Working in transportation,† portering, and collecting recyclable waste (6,8,10,17-19)
	Working in hotels,† restaurants,† tea shops, and in entertainment,† including as dancers† (6,8,17-19,26)
Categorical Worst Forms of Child Labor‡	Commercial sexual exploitation, sometimes as a result of human trafficking (3,6,17,18,26)
	Forced labor in embellishing textiles (<i>zari</i>), weaving carpets, and domestic work (2,3,17,18,20,21,24,26,27)

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Table 2. Overview of Children’s Work by Sector and Activity (Cont.)

Sector/ Industry	Activity
Category Worst	Forced labor in agriculture, producing bricks, quarrying, and breaking stones (2,3,7,13,17,18,26,28)
Forms of Child Labor‡	Use in illicit activities, including the cultivation and trafficking of drugs (2,8,18)
	Forced begging (3,26,27,29)

† Determined by national law or regulation as hazardous and, as such, relevant to Article 3(d) of ILO C. 182.

‡ Child labor understood as the worst forms of child labor *per se* under Article 3(a)–(c) of ILO C. 182.

Children are trafficked for commercial sexual exploitation both within and outside Nepal, including to India, the Middle East, Asia, and Sub-Saharan Africa. (6,20,26,27,30,31) Many children in Nepal are engaged in the production of bricks, which exposes them to hazardous working conditions, including carrying heaving loads, using dangerous machinery, and working in extreme heat. (1,3,32)

In addition, traffickers promise families work and education opportunities for the children, but instead bring them to often under-resourced and unregistered orphanages in urban centers, and there the children are exploited commercially to attract charitable donations from foreigners. There are reports that some orphanages keep children in destitute and unsanitary conditions and force them to beg on the streets. (26,27)

According to the Nepal Labor Force Survey published by the government, there are an estimated 31,338 victims of forced labor in Nepal, of which 17 percent are under age 15. Approximately 286,000 children were involved in work for pay, although the report noted that not all working children are in child labor. (33) The government and the ILO are still analyzing the Nepal Labor Force Survey-III dataset to estimate child labor victim numbers. Preliminary findings show that about 945,000 children ages 5 to 17 are involved in child labor. (18) Although the government collected and published data on child work, the survey does not report on all forms of child labor, including hazardous jobs. (33)

During the reporting period, NGOs continued to report that children were working in brick kilns carrying loads, preparing bricks, and performing other tasks for extended periods of time; however, the number of children working in this sector continues to gradually decrease. (18) Carpet factories are considered to be in the formal sector, but many of the subcontractors working in the informal sector use child labor further down the supply chain. Although NGOs believe that the number of children involved in producing carpets continued to decrease, there were no data available to verify this claim. (17,18)

As the government increased the number of raids in the entertainment sector, the number of children working in this sector has decreased; and with an increased awareness regarding child labor, NGOs are seeing a decrease in child labor across all sectors. (18)

In support of the Free and Compulsory Education Act of 2018, the government introduced a new education policy in December 2019, providing free and compulsory education to all children, thereby contributing to reducing child labor. However, some children, particularly girls, face barriers to accessing education due to lack of sanitation facilities, geographic distance, costs associated with schooling, household chores, and lack of parental support. (2,18,34) In Nepal, 32.4 percent of schools lack separate toilet facilities for girls, which can deter them from attending school, especially when they are menstruating. (2,35) During the reporting period, the government introduced free sanitary napkins in all schools across the country to encourage girls to attend their classes. (18) Barriers for attending school for school-age boys include pressure to find employment, migration to work outside of Nepal, and issues with drugs and alcohol. Children with disabilities face additional barriers to accessing education, including denial of school admission. (2,17,18)

The government allows Bhutanese refugee students in grades 9–12 to attend local public schools at no cost, but enrollment remains restricted for younger children. UNHCR provides parallel free education at lower grades to refugees in the two remaining refugee camps in the country. (18) During the reporting period, the government




allowed NGOs to provide primary- and secondary-level schooling to Tibetans living in the country. (17,18) More than 700 refugees and asylum seekers from Pakistan, Burma, Afghanistan, Sri Lanka, Bangladesh, Somalia, Iran, Iraq, and the Democratic Republic of the Congo are not recognized as having the status of refugees, but the government allows UNHCR to provide some education, health, and livelihood services to them. These refugees lack legal access to public education, as well as the right to work. (17,18) Child refugees who cannot legally access public education, as well as those 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.

The Central Level Project Implementation Unit is currently committed to reconstructing 6,456 of the 7,509 schools that were affected by the 2015 earthquakes. During the reporting period, 5,384 of the 6,456 schools have been fully reconstructed, 1,577 are under construction, and 210 have been selected for reconstruction. (18)

II. LEGAL FRAMEWORK FOR CHILD LABOR

Nepal has ratified most key international conventions concerning child labor (Table 3).

Table 3. Ratification of International Conventions on Child Labor

Convention	Ratification
 ILO C. 138, Minimum Age	✓
ILO C. 182, Worst Forms of Child Labor	✓
 UN CRC	✓
UN CRC Optional Protocol on Armed Conflict	✓
UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	✓
 Palermo Protocol on Trafficking in Persons	

The government has established laws and regulations related to child labor (Table 4). However, gaps exist in Nepal's legal framework to adequately protect children from the worst forms of child labor, including the lack of a minimum age for hazardous work that is consistent with international standards.

Table 4. Laws and Regulations on Child Labor

Standard	Meets International Standards	Age	Legislation
Minimum Age for Work	Yes	14	Section 3 of the Child Labor (Prohibition and Regulation) Act (36)
Minimum Age for Hazardous Work	No	17	Section 3 of the Child Labor (Prohibition and Regulation) Act (36)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Schedule I of the Child Labor (Prohibition and Regulation) Act (36)
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 (36,37-39)
Prohibition of Child Trafficking	No		Sections 3–4 and 15 of the Human Trafficking and Transportation Control Act (39)
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 (39,40)
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)

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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 39 of the Constitution (6,42)
Compulsory Education Age	Yes	14	Article 31 of the Constitution; Section 6 of the Free and Compulsory Education Act (34,42)
Free Public Education	Yes		Section 16D of the Education Act; Section 20 of the Free and Compulsory Education Act (34,42,43)

* No conscription (42,44)

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. (36,45) The types of hazardous work prohibited for children also do not include brickmaking, a sector in which there is evidence that work involves carrying heavy loads and being exposed to hazardous substances. (36,46)

Laws related to child trafficking are insufficient because they do not clearly criminalize recruitment, harboring, receipt, or transportation in the absence of force, fraud, or coercion. (47) The legal framework prohibiting the use of children in illicit activities is also insufficient because it does not prohibit the use of children in the production of drugs. (45)

Although the Constitution prohibits the recruitment of children by non-state armed groups, there is no specific legislation penalizing this practice. (34,42,44)

III. ENFORCEMENT OF LAWS ON CHILD LABOR

The government has established institutional mechanisms for the enforcement of laws and regulations on child labor (Table 5). However, the exceptionally low number of worksite inspections conducted at the national level in Nepal may impede the enforcement of child labor laws.

Table 5. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
Department of Labor, Ministry of Labor, Employment, and Social Security (MoLESS)	Enforces labor laws, including those involving child labor. Investigates and holds hearings in 10 District Labor Offices. (48)
Nepal Police, Women and Children Service Directorate	Investigates crimes involving women and children, including human trafficking. Conducts work through the Nepal Police Women and Children Service Centers in all 77 districts. (49) The Nepal Police handles complaints received about child labor in districts without a District Labor Office. (48)
Ministry of Land Reform and Management	Enforces laws that prohibit bonded labor in agriculture. (2)
Monitoring Action Committees, Ministry of Women, Children, and Senior Citizens (MWCS)	Investigate reports of commercial sexual exploitation at the district level, including the exploitation of children in the adult entertainment sector. (26,50)

NGOs have noted that the Department of Labor does not take meaningful action against perpetrators, despite having the authority to do so, and encourages mediation over prosecution, resulting in mild punishments for perpetrators. (17,47) High turnover rates in government staff lead to gaps in personnel capacity. (18,47)

Labor Law Enforcement

In 2019, the exceptionally low number of worksite inspections conducted at the national level in Nepal may have impeded the enforcement of child labor laws (Table 6).

Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2018	2019
Labor Inspectorate Funding	\$4,000† (47)	\$3,100‡ (18)
Number of Labor Inspectors	10† (47)	14‡ (18)
Inspectorate Authorized to Assess Penalties	Yes (17)	Yes (18)
Initial Training for New Labor Inspectors	N/A (17)	Yes (18)
Training on New Laws Related to Child Labor	Unknown (17)	N/A (18)
Refresher Courses Provided	Yes (47)	No (18)
Number of Labor Inspections Conducted	1,050† (17)	1,258‡ (18)
Number Conducted at Worksite	Unknown (17)	Unknown (18)
Number of Child Labor Violations Found	75 (17)	Unknown (18)
Number of Child Labor Violations for Which Penalties Were Imposed	Unknown (17)	Unknown (18)
Number of Child Labor Penalties Imposed that Were Collected	Unknown (17)	Unknown (18)
Routine Inspections Conducted	Yes (17)	Yes (18)
Routine Inspections Targeted	Yes (47)	Yes (18)
Unannounced Inspections Permitted	Yes (17)	Yes (18)
Unannounced Inspections Conducted	Yes (17)	Yes (18)
Complaint Mechanism Exists	Yes (17)	Yes (18)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (17)	Yes (18)

† Data are from July 2017 to July 2018.

‡ Data are from July 2018 to July 2019.

Under a new Constitutional provision and federalism, the provincial governments have been given more authority, including the task of overseeing child labor monitoring and inspection, as well as maintaining data and documentation on the inspections. (18,38) During the reporting period, the government increased the number of inspections conducted, with 746 inspections focused on child labor. (51) However, the government and NGOs agreed that the fines and employer-paid compensation outlined in the Child Labor (Prohibition and Regulation) Act were not adequate as deterrents to child labor violations. (2,52) The government has also confirmed that it calls on NGOs to assist with official inspections, because it lacks funding and resources, and to increase transparency. The government and NGOs state that most child labor occurs in the informal sector, including in companies with fewer than 10 employees and those that are not registered with the government. (17) However, the government conducted most of its labor inspections in the formal sector. (53) Although the government claims to monitor companies regularly, NGOs report that due to resource limitations, enforcement agencies respond only to child labor complaints. (17,18)

In addition, the number of labor inspectors is likely insufficient for the size of Nepal's workforce, which includes more than 16.8 million workers. According to the ILO's technical advice of a ratio approaching 1 inspector for every 15,000 workers in developing economies, Nepal would employ about 1,120 inspectors. (54,55) Although labor inspectors periodically receive training on child labor laws and inspection, this training does not necessarily adhere to any formal schedule. (48,53) The Nepali Department of Labor 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. (17,18,56)

Although formal data are not available, the local government of Rolpa district of west Nepal reported that 84 child laborers were rescued from different locations in Nepal and reintegrated with their families in Rolpa. (18) The government did not provide information on its labor law enforcement efforts, including the number of labor inspections conducted at worksites, the number of imposed penalties for child labor violations, and the number of imposed penalties that were collected for inclusion in this report.

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Criminal Law Enforcement

In 2019, criminal law enforcement agencies in Nepal took actions to combat child labor (Table 7). However, gaps exist within the operations of the criminal enforcement agencies that may hinder adequate criminal law enforcement, including allocating financial resources.

Table 7. Criminal Law Enforcement Efforts Related to Child Labor

Overview of Criminal Law Enforcement	2018	2019
Initial Training for New Criminal Investigators	Unknown (17)	Unknown (18)
Training on New Laws Related to the Worst Forms of Child Labor	N/A (17)	N/A (18)
Refresher Courses Provided	Unknown (17)	Unknown (18)
Number of Investigations	Unknown (17)	Unknown (18)
Number of Violations Found	Unknown (17)	Unknown (18)
Number of Prosecutions Initiated	Unknown (17)	Unknown (18)
Number of Convictions	Unknown (17)	Unknown (18)
Imposed Penalties for Violations Related to The Worst Forms of Child Labor	Unknown (47)	Unknown (18)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (17)	Yes (18)

Once fully operational, the newly formed Anti-Trafficking in Persons Bureau within the Nepal Police, headed by a Senior Superintendent of Police, will assist in children’s rescue, rehabilitation, and coordination for arrest of perpetrators. (17,18,26) The establishment of this bureau will allow the Government of Nepal to meet some of the obligations arising out the process of acceding to the Palermo Protocol. (26) In addition, the Nepal Police’s Crime Investigation School conducts trainings for all levels of police personnel in juvenile justice, child rights, and laws relating to child labor issues. (17,18)

According to the data received from the Office of the Attorney General, between July 2018 to November 2019, cases with 90 victims of child trafficking from different parts of the country were filed in courts. The government did not provide data on the purpose of human trafficking, the community of origin, or the destination. (18) In addition, news reports indicate that police rescued more than 300 child laborers from Telengana and different states in Nepal in January 2019. (57) However, the government lacks both the human resource and financial capacity to enforce laws prohibiting crimes related to the worst forms of child labor, and it lacks the resources to maintain a centralized database of cases involving the worst forms of child labor, including child trafficking. (8,17,58)

The government did not provide information on its criminal law enforcement efforts, including information on whether there were initial trainings for new criminal investigators or refresher courses offered. The government also did not provide disaggregated data on child labor, including the number of violations found, the number of initiated prosecutions, the number of convictions, as well as the number of penalties imposed for violations related to the worst forms of child labor for inclusion in this report. (18)

IV. COORDINATION OF GOVERNMENT EFFORTS ON CHILD LABOR

The government has established mechanisms to coordinate its efforts to address child labor (Table 8).

Table 8. Key Mechanisms to Coordinate Government Efforts on Child Labor

Coordinating Body	Role & Description
Labor Relations, Child Labor Prevention, and Information Section	Coordinates policymaking on child labor inspection guidelines and monitors implementation of guidelines. (59,60) Consists of a senior factory inspector, two labor officers, and a senior assistant in MoLESS. Confers with MWCSC, the Central Child Welfare Board, the Department of Labor, and District Labor Offices. (59) During the reporting period, organized a program in coordination with the Department of Labor and NGOs to commemorate Anti-Child Labor Day. (61)
National Child Labor Elimination Committee	Provisioned by the Nepal Master Plan and chaired by the Secretary of MoLESS. (17) Under the Child Labor Act, provides recommendations to the government on necessary reforms in the existing child labor laws and policies; provides consultations to the government to make necessary arrangements for health, safety, education, and occupational training of the children working in institutions; and monitors effective implementation of the policies and laws aimed at eliminating child labor. (36,62) During the reporting period, the committee organized two meetings with the Child Labor Inter-Agency Working Group and also contributed to implementation of Winrock International's Country Level Engagement and Assistance to Reduce Child Labor II project: the Nepal-Country Level Engagement and Assistance to Reduce Child Labor Project. (61)
National Network Against Child Labor	Coordinates the referral of children who are found in child labor to social services. Consists of District Labor Officers, District Women and Children Officers, officers from the Nepal Police Women and Children Service Centers, Chief District Officers, NGOs, and thousands of youth clubs. (61) This coordinating body was active during the reporting period. (61)
National Coordination Committee on Human Trafficking	Coordinates the implementation of anti-human trafficking laws, policies, and programs at the central, district, and local levels of government. Led by MWCSC and consists of government officials and NGO representatives. (50) The committee met at least four times between July to December 2019 to amend trafficking in persons regulations to align with the new federal structure. (61)
National Human Rights Commission	Monitors and receives complaints on child rights violations. (63) Reports on the status of human trafficking victims and coordinates with civil society organizations through the Office of the Special Rapporteur on Trafficking. (63) This coordinating body was active during the reporting period. (61) Published its human trafficking report in August 2019 with information about prevention, protection, and prosecution, as well as coordination and capacity-building regarding trafficking in persons and covering the period July 2018 to July 2019. (27)

V. GOVERNMENT POLICIES ON CHILD LABOR

The government has established policies related to child labor (Table 9). However, policy gaps exist that hinder efforts to address child labor, including updating the National Plan of Action on Combating Trafficking in Persons, Especially Women and Children to better align with the constitutional transition to federalism.

Table 9. Key Policies Related to Child Labor

Policy	Description
National Master Plan (NMP-II) to End Child Labor (July 2018–July 2028)	Prioritizes ending the worst forms of child labor by 2022, and all forms of child labor by 2025. Uses five strategies to achieve goals. Established an annual monitoring evaluation and reporting system through which information will be made publicly available. (17,18,64) During the reporting period, MoLESS formed a subcommittee Interagency Working Group comprising nine NGOs and UN agencies to help advance the implementation of NMP-II. This policy was active during the reporting period. (18)
School Sector Development Plan (2016/17–2022/23)	Aims to expand access to education and provide alternative schooling and non-formal education to vulnerable populations, including children who are out of school and at risk of entering the worst forms of child labor. Overseen by the Ministry of Education, Science and Technology. (2,17) Since July 2019, the government has implemented the School Sector Development Plan through local and provincial governments. (61)
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. This policy was active, and a mid-term review was carried out during the reporting period. (62)

‡ The government had other policies that may have addressed child labor issues or had an impact on child labor. (2)

There is a need to update the National Plan of Action so that it better aligns Nepal's anti-trafficking programming with the constitutional transition to federalism, as well as to better address forced labor. (26,27,65)

Nepal is a Pathfinder country under Alliance 8.7, which calls for the eradication of child labor by 2025, and forced labor, modern slavery, and human trafficking by 2030. In 2019, the Government of Nepal held its second

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Pathfinder Country Strategic Workshop of the Alliance 8.7, which identified national priorities, operational structure, and roadmap for Nepal to reach its Sustainable Development Goal Target 8.7. (66)

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2019, the government funded and participated in programs that include the goal of eliminating or preventing child labor (Table 10).

Table 10. Key Social Programs to Address Child Labor

Program	Description
Social Security Fund Program†	MoLESS program aimed to help support workers and their families through a tripartite contribution policy, an important initiative to help combat and prevent child labor. (17,67) This program was active during the reporting period. (61)
Helpline and Hotline Programs†	Child Helpline—1098 is a MWCSC- and Child Workers in Nepal-funded helpline operated by the Nepal Telecommunications Authority. (17,52) Responds to calls about missing children, child abuse, child labor, child trafficking, and child sexual abuse in 13 districts and municipalities in Nepal, as well as in Bangladesh, Bhutan, India, Maldives, Pakistan, and Sri Lanka. (48,52,68) Provides rescue services, medical treatment, counseling, legal support, skills training, and shelter services. (26) This program was active during the reporting period. (47) 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. (17,26) Per the Nepal Police, about four to five children on average are rescued from child labor every month from informal sectors, such as transportation, domestic help, tea shops, and restaurants, through the complaints received through the hotline. (47) “Hello Sarkar” is an initiative established by the Office of the Prime Minister. Receives child labor complaints from the public through a hotline, Facebook, and Twitter. (17) MWCSCW officials noted that, during the reporting period, the government’s attention to child labor issues has increased because of civil society awareness campaigns and widespread media coverage of the hotlines. (18)
Support for Schools†	MoLESS program that supports schools for children ages 5–16 who are at risk of working in the worst forms of child labor. Provides scholarships to cover associated schooling costs for children outside the Kathmandu Valley to attend a local public school, and works with local NGOs to verify that children are attending class. (8) The program was active during the reporting period. (61)
<i>Hamro Samman</i> (“Our Respect”) (2017–2022)	USAID-funded project, implemented by Winrock International, to strengthen national and local efforts to counter trafficking in persons, improve civil society advocacy and engagement, and increase private sector partnerships to empower survivors and prevent trafficking of at-risk populations. (2,17,69) This program was active during the reporting period. (47)
USDOL-Funded Projects	USDOL projects in Nepal focus on both forced labor and child labor, including eliminating child labor in its worst forms. These projects include Sakriya, implemented by World Education, Inc.; From Protocol to Practice: A Bridge to Global Action on Forced Labor (The Bridge Project), implemented by the ILO; Closing the Child Labor and Forced Labor Evidence Gap: Impact Evaluations, implemented by Vanderbilt University; Closing the Child Labor and Forced Labor Evidence Gap: Impact Evaluations, implemented by the University of Notre Dame; and Country Level Engagement and Assistance to Reduce Child Labor II (CLEAR II), implemented by Winrock International. (70,71) Additional information is available on the USDOL website.

† Program is funded by the Government of Nepal.

VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE CHILD LABOR

Based on the reporting above, suggested actions are identified that would advance the elimination of child labor in Nepal (Table 11).

Table 11. Suggested Government Actions to Eliminate Child Labor

Area	Suggested Action	Year(s) Suggested
Legal Framework	Accede to the Palermo Protocol on Trafficking in Persons.	2013 – 2019
	Ensure that laws are in line with ILO C. 182 by raising the minimum age to age 18 for entry into hazardous work.	2009 – 2019
	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 – 2019
	Ensure that the legal framework comprehensively and criminally prohibits the trafficking of children in accordance with international standards.	2015 – 2019
	Ensure that the law criminally prohibits the use of children up to age 18 in the production of drugs.	2015 – 2019
	Ensure that the law criminally prohibits the recruitment of children under age 18 by non-state armed groups.	2016 – 2019

Table 11. Suggested Government Actions to Eliminate Child Labor (Cont.)

Area	Suggested Action	Year(s) Suggested
Enforcement	Publish data on labor law enforcement actions, including the number of labor inspections conducted at worksites, the number of child labor violations found, the number of imposed penalties for child labor violations, and the number of imposed penalties that were collected, and criminal law enforcement actions, including whether new criminal investigators received initial training, refresher courses for investigators, and the number of violations, prosecutions, convictions, and penalties imposed for violations related to the worst forms of child labor.	2009 – 2019
	Provide sufficient resources to create a centralized database to track and monitor cases of the worst forms of child labor, disaggregated by type of activity.	2009 – 2019
	Increase the number of labor inspectors to meet the ILO's technical advice.	2010 – 2019
	Ensure that legal provisions against child labor are implemented and enforced against perpetrators.	2018 – 2019
	Ensure the Department of Labor's budget is sufficient to adequately enforce child labor laws.	2016 – 2019
	Increase penalties to ensure sufficient deterrence of child labor law violations.	2015 – 2019
	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 – 2019
	Strengthen the labor inspectorate, particularly at the local levels, by initiating routine targeted inspections rather than performing inspections solely based on complaints received.	2017 – 2019
	Improve human resource capacity, including increasing the number of child labor inspections, especially in the informal sector.	2018 – 2019
Government Policies	Institutionalize refresher training for labor inspectors on laws related to child labor, including its worst forms.	2019
	Adopt a policy that addresses all relevant worst forms of child labor, such as forced labor of children, and use of children in illicit activities.	2016 – 2019
Social Programs	Update the National Plan of Action on Combating Trafficking in Persons, Especially Women and Children to better address forced labor and align it with anti-trafficking programming.	2018 – 2019
	Conduct research to determine the types of activities carried out by children, including in construction sector, to inform social policies and programs.	2019
	Collect and publish data on child labor and its worst forms, particularly regarding hazardous work.	2018 – 2019
	Eliminate barriers to education, including the lack of sanitation facilities at schools, long distances to schools, fees associated with schooling, pressure to find employment, migration to work outside of Nepal, and issues with drugs and alcohol.	2013 – 2019
	Create social programs that support child victims of commercial sexual exploitation, as well as children working in the brick industry.	2018 – 2019
	Enhance efforts to eliminate barriers and make education accessible for all children, including children with disabilities and refugee children.	2019

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In 2019, Nicaragua made a minimal advancement in efforts to eliminate the worst forms of child labor. The government signed 6,129 cooperative agreements with employers to prevent the hiring of minors and released some information related to its labor law enforcement efforts. However, children in Nicaragua engage in the worst forms of child labor, including in commercial sexual exploitation, sometimes as a result of human trafficking. Children also perform dangerous tasks in agriculture. Laws do not establish a clear compulsory education age, and national policies to eliminate child labor and protect children have not been fully implemented. The government also lacks a specific and consistent mechanism to coordinate efforts to address child labor, and it reallocated resources away from activities geared towards preventing child labor and enforcing related laws.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Nicaragua engage in the worst forms of child labor, including in commercial sexual exploitation, sometimes as a result of human trafficking. Children also perform dangerous tasks in agriculture. (1-3) Table 1 provides key indicators on children's work and education in Nicaragua.

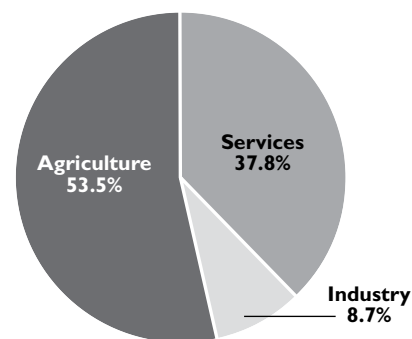
Table 1. Statistics on Children's Work and Education

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 (%)		84.9

Source for primary completion rate: Data from 2010, published by UNESCO Institute for Statistics, 2020. (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 (1,6,7)
	Raising livestock† (8-10)
	Collecting shellfish† (9)
Industry	Construction,† including transporting materials† (8-10)
	Quarrying† of pumice and limestone, and mining† of gold (1,9,11)
	Production of gravel (crushed stones)† (12,13)
Services	Domestic work (8,9)
	Work in transportation† and as couriers† (8,9)
	Work in tourism and the hotel industry (8)
	Street work, including vending,† washing car windshields,† and performing at stoplights† (8,9,14,15)
	Garbage scavenging† (16)

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Table 2. Overview of Children’s Work by Sector and Activity (Cont.)

Sector/Industry	Activity
Categorical Worst Forms of Child Labor‡	Commercial sexual exploitation, sometimes as a result of human trafficking, and use in the production of pornography (8,9,11,17-20)
	Domestic work as a result of human trafficking (19-21)
	Forced begging, sometimes as a result of human trafficking (11,21)
	Use in illicit activities, including in drug production and drug trafficking (8)

† Determined by national law or regulation as hazardous and, as such, relevant to Article 3(d) of ILO C. 182.

‡ Child labor understood as the worst forms of child labor *per se* under Article 3(a)–(c) of ILO C. 182.

Information about the prevalence of child labor in Nicaragua is limited because the last known national survey on child labor was published in 2012. (8,22) However, available research indicates that children are subjected to commercial sexual exploitation, particularly in Granada, Managua, the Caribbean Autonomous Regions, and San Juan del Sur. (11,18,23) Children from poor, rural areas, those in the Caribbean Autonomous Regions, and migrants from the Northern Triangle countries, are particularly vulnerable. (11) Limited research suggests that the 2018 political upheaval in Nicaragua resulted in the Nicaraguan National Police focusing resources on responding to anti-government protests, possibly impacting public security and leaving children more vulnerable to commercial sexual exploitation. During the reporting year, the government also reallocated resources away from activities such as preventing child labor and enforcing related laws. (8,11,20)




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. (24) An estimated 15 percent of children born in Nicaragua lack birth certificates. (25-27)

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. (8,28) Limited research indicates that investment in secondary schools has lagged behind investment in primary schools and that secondary school attendance remains low, increasing the risk that older children engage in exploitative work. (29)

II. LEGAL FRAMEWORK FOR CHILD LABOR

Nicaragua has ratified all key international conventions concerning child labor (Table 3).

Table 3. Ratification of International Conventions on Child Labor

Convention	Ratification
 ILO C. 138, Minimum Age	✓
ILO C. 182, Worst Forms of Child Labor	✓
 UN CRC	✓
UN CRC Optional Protocol on Armed Conflict	✓
UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	✓
 Palermo Protocol on Trafficking in Persons	✓

The government has established laws and regulations related to child labor (Table 4). However, gaps exist in Nicaragua’s legal framework to adequately protect children from the worst forms of child labor, including establishing a compulsory education age.

Table 4. Laws and Regulations on Child Labor

Standard	Meets International Standards	Age	Legislation
Minimum Age for Work	Yes	14	Article 131 of the Labor Code; Article 73 of the Childhood and Adolescence Code; Article 84 of the Constitution (30-33)
Minimum Age for Hazardous Work	Yes	18	Articles 130 and 133 of the Labor Code; Article 1 of Ministerial Agreement No. JCHG-08-06-10; Articles 2 and 74 of the Childhood and Adolescence Code (10,30-32)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Articles 1–7 of Ministerial Agreement No. JCHG-08-06-10; Article 133 of the Labor Code (10,30)
Prohibition of Forced Labor	Yes		Article 40 of the Constitution; Articles 61–63 of the Law Against Trafficking in Persons; Articles 182–183 and 315 of the Penal Code (33-35)
Prohibition of Child Trafficking	Yes		Articles 61–63 of the Law Against Trafficking in Persons; Articles 182–183 and 315 of the Penal Code (34,35)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Article 61 of the Law Against Trafficking in Persons; Articles 175–183 of the Penal Code; Articles 5 and 26 of the Childhood and Adolescence Code (32,34,35)
Prohibition of Using Children in Illicit Activities	Yes		Article 61 of the Law Against Trafficking in Persons; Articles 358–359 and 362 of the Penal Code; Article 71 of Law 285 (Reform to the Narcotics Law); Article 79 of the Childhood and Adolescence Code (32,34-36)
Minimum Age for Voluntary State Military Recruitment	Yes	18	Annex I of the Code on the Organization, Jurisdiction, and Social Welfare of the Military (37)
Prohibition of Compulsory Recruitment of Children by (State) Military	N/A*		
Prohibition of Military Recruitment by Non-state Armed Groups	Yes		Article 509 of the Penal Code; Article 95 of the Constitution (33,34)
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 (32,33,38)
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 (32,33,38)

* No conscription (33)

‡ Age calculated based on available information (32,33,38)

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. (33) 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. (38) 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. (32) 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. (39)

III. ENFORCEMENT OF LAWS ON CHILD LABOR

The government has established institutional mechanisms for the enforcement of laws and regulations on child labor (Table 5). However, gaps exist within the operations of the Ministry of Labor (MITRAB) that may hinder adequate enforcement of their child labor laws.

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Table 5. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
Ministry of Labor (MITRAB)	Enforces labor laws and sets child labor policy priorities. Conducts labor inspections through its General Labor Inspectorate, and conducts child labor inspections through its Child Labor Inspections Unit. (20) 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. (20)
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. (20,40)
Ministry of Governance	Coordinates participation between MITRAB and the Nicaraguan National Police in labor inspections in which employers resist inspection. (20)
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. (20)
Human Rights Attorney for Children	Assists in the enforcement of laws related to child labor and hazardous child labor. (20)
Ministry of the Family, Adolescence, and Childhood (MIFAN)	Maintains a hotline for receiving reports on human trafficking and commercial sexual exploitation. Assists in providing officials with training on child labor violations. (41) Maintains a guide for the provision of assistance to victims of commercial sexual exploitation and coordinates among agencies responsible for their care, as a part of the National Social Welfare System. (40) In 2019, coordinated services for child trafficking victims, including medical and legal services and access to education, and led a workshop for 30 employees of NGOs working in the prevention and protection of children and adolescent victims of sexual violence and trafficking in persons. (2,19)

Labor Law Enforcement

In 2019, labor law enforcement agencies in Nicaragua took actions to combat child labor (Table 6). However, gaps exist within the operations of MITRAB that may hinder adequate labor law enforcement, including resource allocation.

Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2018	2019
Labor Inspectorate Funding	\$1,286,249 (8,42)	\$1,200,000 (20)
Number of Labor Inspectors	97 (42)	97 (20)
Inspectorate Authorized to Assess Penalties	Yes (8,30)	Yes (20,30)
Initial Training for New Labor Inspectors	Yes (8,42)	Yes (20)
Training on New Laws Related to Child Labor	Yes (8,42)	N/A
Refresher Courses Provided	Yes (8,42)	Unknown(20)
Number of Labor Inspections Conducted	13,830 (8,42)	13,529 (20)
Number Conducted at Worksite	Unknown	Unknown (20)
Number of Child Labor Violations Found	262 (8)	272 (20)
Number of Child Labor Violations for Which Penalties Were Imposed	Unknown (8)	Unknown (20)
Number of Child Labor Penalties Imposed that Were Collected	Unknown (8)	Unknown (20)
Routine Inspections Conducted	Yes (8)	Yes (20)
Routine Inspections Targeted	Yes (8)	Yes (20)
Unannounced Inspections Permitted	Yes (8)	Yes (20)
Unannounced Inspections Conducted	Yes (8)	Unknown (20)
Complaint Mechanism Exists	Yes (8)	Yes (20)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (8)	Yes (20)

A lack of resources may hinder MITRAB's capacity to enforce child labor laws. (8,9,43) The number of labor inspectors is likely insufficient for the size of Nicaragua's workforce, which includes approximately 3 million workers. According to the ILO's technical advice of a ratio approaching 1 inspector for every 15,000 workers in industrializing economies, Nicaragua would employ about 203 inspectors. (44-46) Government officials and NGOs have reported that child labor inspections throughout the country, particularly in agricultural areas, are limited due to personnel constraints and insufficient transportation and other resources. (40) Furthermore,

Nicaragua has a large informal and rural workforce, and the General Labor Inspectorate may be unable to adequately cover the country’s vulnerabilities to, and the magnitude of, labor violations. (9) In 2019, MITRAB signed 6,129 cooperative agreements with businesses that pledged not to use child labor. (20)

Criminal Law Enforcement

In 2019, criminal law enforcement agencies in Nicaragua took actions to combat child labor (Table 7). However, gaps exist within the operations of the criminal enforcement agencies that may hinder adequate criminal law enforcement, including a lack of publicly available enforcement data to inform monitoring and investigations of the worst forms of child labor.

Table 7. Criminal Law Enforcement Efforts Related to Child Labor

Overview of Criminal Law Enforcement	2018	2019
Initial Training for New Criminal Investigators	Yes (8)	Yes (20)
Training on New Laws Related to the Worst Forms of Child Labor	Yes (8)	N/A
Refresher Courses Provided	Yes (8)	Unknown (20)
Number of Investigations	Unknown (8)	2 (20)
Number of Violations Found	Unknown (8)	2 (20)
Number of Prosecutions Initiated	Unknown (8)	6 (20)
Number of Convictions	Unknown (8)	Unknown (20)
Imposed Penalties for Violations Related to The Worst Forms of Child Labor	Unknown	Unknown (20)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (8)	Yes (20)

Research did not find the number of criminal investigators employed by the Nicaraguan National Police or Prosecutor General’s Office during the reporting period. Other key enforcement information was similarly not available. (9)

The government investigated two cases of commercial child sexual exploitation; however, this number is low compared to the severity of the problem in the country. (20) Research indicates that criminal law enforcement agencies lack sufficient financial resources to adequately carry out criminal investigations, and efforts related to the worst forms of child labor do not adequately address the scope of the problem. (47,48)

Although the Ministry of the Family, Adolescence, and Childhood maintains a guide for assisting child victims of commercial sexual exploitation, reports indicate that the government had no formal procedures for the identification of human trafficking victims among high-risk populations, including children who are trafficked for commercial sexual exploitation. (21,49)

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 financial resources.

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, MIFAN, the Ministry of Education (MINED), the Ministry of Health (MINSAL), and the Ministry of Governance. (42,43,50)
National Coalition Against Trafficking in Persons	Coordinates efforts to address human trafficking for labor and commercial sexual exploitation. Led by the Ministry of Governance and comprises law enforcement agencies, the Supreme Court of Justice, and NGOs. (23) During the reporting year led 15 departmental and 43 municipal working groups in capacity building and awareness-raising engagements on trafficking in persons. (2)

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Although the National Coalition Against Trafficking in Persons (NCATIP) led several working groups in 2019, for the third 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. (2,11,19,23) The NCATIP also did not appoint its Executive Secretariat, which is mandated by the Law Against Trafficking in Persons. (11)

Reporting indicates that the National Social Welfare System does not have a specific and consistent coordinating mechanism due to limited coordination among constituent ministries and a lack of financial resources dedicated to combating child labor. (13,40) In addition, coordination between the National Social Welfare System and NGOs that address child labor is limited. (41)

V. GOVERNMENT POLICIES ON CHILD LABOR

The government has established policies related to child labor (Table 9). However, policy gaps exist that hinder efforts to address child labor, including implementation of the Roadmap to Make Central America, Panama, and the Dominican Republic a Child Labor Free Zone and the Good Government Plan.

Table 9. Key Policies Related to Child Labor

Policy	Description
Roadmap to Make Central America, Panama, and the Dominican Republic a Child Labor Free Zone	Sets the goal of eliminating the worst forms of child labor by 2015 and all forms of child labor by 2020. (51) There was no indication during the reporting period that the government took actions to implement the Roadmap. (8)
Good Government Plan	Sets development goals for government ministries, including MITRAB, MINED, and MINSAs. 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. (52) Research was unable to determine whether activities were undertaken during the reporting period to implement the Good Government Plan.
National Action Plan on Human Trafficking 2018–2022	A four-pronged approach to improve awareness, capacity building, trainings, victim 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. (11) Research was unable to determine whether activities were undertaken during the reporting period to implement the National Action Plan on Human Trafficking.
National Strategy for the Comprehensive Care and Assistance to Victims of Human Trafficking	Describes the process for identifying and assisting victims. (2)

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2019, the government funded and participated in programs that include the goal of eliminating or preventing child labor (Table 10). However, gaps exist in these social programs, including the 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. (53) Overseen by Nicaragua's Vice President in coordination with MINED, MINSAs, MITRAB, and the Ministry of Governance. Includes children from birth to age 6 through the Love Program for the Smallest Ones. (53) There is little to no information available from the government regarding the impacts of the program during the 13 years since its creation. (54,55)
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. (56,57) Research was unable to determine whether activities were undertaken during the reporting period to implement Educational Bridges.
Integral School Meal Program (<i>Merienda Escolar</i>)†	MIFAN and WFP initiative that provides children and adolescents with meals at school to address poverty and improve attendance. (40,41) In 2019, the government provided food 5 days a week to a total of 1,200,000 Nicaraguan preschool and elementary school children in more than 5,000 schools. (58,59)

Table 10. Key Social Programs to Address Child Labor (Cont.)

Program	Description
National School Supply Program (<i>Paquete Escolar</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. (41) During the reporting period, planned to deliver 1 million school packages to children throughout Nicaragua, and reports indicate that the program was implemented throughout the year. (60,61)
Birth Registration Campaign†	Government initiative, in coordination with Save the Children and UNICEF, to advance birth registration campaigns. (9) Research was unable to determine whether activities were undertaken during the reporting period to implement this initiative.

† 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. (62-64)

In addition to the programs above, the government coordinates with NGOs to provide human trafficking victims with medical, educational, legal, and psychological assistance in NGO-run shelters. (23) The government diverted resources away from social programs to respond to the political upheaval in 2018 and has not created or expanded any programs to address child labor since that time. (8) 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. (20) NGOs indicate that the regions most affected by human trafficking, such as the Caribbean Autonomous Regions, lack adequate care facilities, and children who are victims of human trafficking in these areas are referred to NGO shelters in Managua. (49)

The government does not report funding levels for, or specific activities undertaken by, the Love Program; however, research indicates that the program is underfunded. (40,43)

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 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 – 2019
Enforcement	Ensure adequate training and refresher courses are provided for labor law inspectors and criminal investigators.	2019
	Increase the number of labor inspectors to meet the ILO's technical advice.	2009 – 2019
	Publish complete labor law enforcement data, including information about worksite inspections, unannounced inspections, number of child labor violations, and penalties imposed for violations.	2015 – 2019
	Ensure that the Ministry of Labor has sufficient funding to fully enforce child labor laws and ensure that personnel and resource needs are met.	2018 – 2019
	Publish complete criminal law enforcement data related to the worst forms of child labor, including number of penalties and convictions.	2014 – 2019
	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 – 2019
	Establish an adequate mechanism for identifying human trafficking victims among high-risk populations.	2018 – 2019
Coordination	Increase collaboration and resources of the National Social Welfare System ministries to ensure that the government has a specific and consistent mechanism to coordinate efforts to address child labor, including with NGOs, and publicly report on their efforts.	2014 – 2019
	Ensure that the National Coalition Against Trafficking of Persons works with relevant local stakeholders to address human trafficking issues, and ensure that it establishes its Executive Secretariat, as mandated by the Law Against Trafficking in Persons.	2015 – 2019
Government Policies	Take steps to implement the Roadmap to make Central America, Panama, and the Dominican Republic a Child Labor Free Zone, the National Action Plan for the Prevention and Response to Trafficking in Persons, and the Good Government Plan, and publish information about these efforts.	2009 – 2019

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Table 11. Suggested Government Actions to Eliminate Child Labor (Cont.)

Area	Suggested Action	Year(s) Suggested
Social Programs	Collect and publish updated data on the prevalence of child labor in the country.	2018 – 2019
	Expand birth registration programs to ensure that children have access to basic services.	2009 – 2019
	Remove barriers to education for all children and develop strategies and devote resources to improve attendance of children in secondary school.	2009 – 2019
	Implement social programs that address the full scope of the worst forms of child labor in the country, including commercial sexual exploitation.	2009 – 2019
	Ensure that social services for human trafficking victims, such as care facilities, are available throughout the country, especially in areas where children are most vulnerable.	2010 – 2019
	Ensure that social programs are adequately funded and implemented and report on their yearly efforts.	2019

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In 2019, Niger made a moderate advancement in efforts to eliminate the worst forms of child labor. The President signed legislation establishing Child Protection Committees in each commune to educate the public on the rights of children and child labor issues. The government also opened the first shelter for victims of human trafficking, which can accommodate children. In addition, the national police detained 242 individuals suspected of human trafficking, dismantling 27 national and 29 international routes for human trafficking and illicit migration. However, children in Niger engage in the worst forms of child labor, including in hereditary slavery and mining. Children also perform dangerous tasks in cattle herding. Although the government made meaningful efforts in all relevant areas during the reporting period, the minimum age for work does not meet international standards as it does not apply to children in unpaid or non-contractual work. Gaps in labor law enforcement also remain, including insufficient funding for labor inspectors to conduct inspections. In addition, social programs to combat child labor are insufficient to adequately address the extent of the problem.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Niger engage in the worst forms of child labor, including in hereditary slavery and mining. (1-5) Children also perform dangerous tasks in cattle herding. (5-8) 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 (%)		71.6

Source for primary completion rate: Data from 2016, published by UNESCO Institute for Statistics, 2020. (9)

Source for all other data: International Labor Organization's analysis of statistics from Demographic and Health Survey (DHS), 2012. (10)

Based on a review of available information, Table 2 provides an overview of children's work by sector and activity.

Table 2. Overview of Children's Work by Sector and Activity

Sector/Industry	Activity
Agriculture	Production of rice, fruits, nuts, and vegetables (3,6,7)
	Herding and caring for livestock, including cattle (3,7,8)
	Fishing (7)
Industry	Quarrying† and mining† for trona, salt, gypsum, natron, and gold (1,2,4,11-14)
	Mechanical repair,† welding,† and metal work† (15)
	Working in construction,† tanneries,† and slaughterhouses† (7,8,16)
Services	Street work, including as market vendors, begging,† and scavenging garbage (2,8,16)
	Domestic work (2,3,8,11)
Categorical Worst Forms of Child Labor‡	Commercial sexual exploitation, sometimes as a result of human trafficking (3,4,17-19)
	Forced recruitment of children by non-state armed groups for use in armed conflict (4,8,19,20)
	Hereditary and caste-based slavery, including for cattle herding, agricultural work, domestic work, and sexual exploitation (3,4,14,17,19,21,22)
	Forced begging, sometimes as a result of human trafficking (2-4,17,22-25)
	Forced labor in domestic work and mining, each sometimes as a result of human trafficking (4,11,14,27)

† 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.

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Children in Niger, especially boys and girls from the Arab, Djerma, Peulh, Tuareg, and Toubou ethnic minorities, continue to be exploited as slaves and endure slave-like practices, particularly in distant western and northern regions and along the border with Nigeria. Some children are born into slavery; others are born free but remain in a dependent status and are forced to work with their parents for their former masters in exchange for food, money, and lodging. (3,4,28,29) A particular form of slavery in Niger is the *wahaya* practice, in which men buy girls born into slavery, typically between ages 9 and 11, as “fifth wives.” Child slaves, including those involved in the practice of *wahaya*, are forced to work long hours as cattle herders, agricultural workers, or domestic workers, and are often sexually exploited. (11,17,21,22,28-31) 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. (8,17,28,29,31,32)

In Niger, some Koranic teachers known as *marabouts* may subject boys known as *talibés* to manual labor or forced begging rather than providing them with a religious education. (2-4,14,17,19,29) Children in Niger participating in seasonal migration or migrant children from West Africa travelling to Algeria and Libya may also be subject to forced begging or commercial sexual exploitation as a result of human trafficking. (23-25) According to the IOM, between January and October 2019, more than 3,500 migrant children were deported to Niger. These children may be at increased risk to trafficking due to their precarious migratory status. (38) During the reporting period, international organizations and the Government of Niger’s Directorate of Child Protection provided social services, shelter, and access to education to unaccompanied migrant children, and are working to resettle or repatriate foreign unaccompanied children. (25,36,37)




In early 2019, there were reports that government forces were collaborating with a Malian non-state armed group, GATIA, which has forcibly recruited children. In May, international partners informed the Government of Niger of these allegations, and the Nigerien armed forces subsequently ceased collaboration with GATIA. (14,29,39)

Although the Constitution of Niger provides for free education, in practice, many children, especially girls, do not attend school. (14,29,32,40) The lack of school infrastructure and school materials, and limited availability of teachers, especially in rural areas, impede access to education, which may increase the vulnerability of children to the worst forms of child labor. (3,18,32,41,42) In addition, refugee and internally displaced children may have difficulty accessing education, which makes them particularly vulnerable to the worst forms of child labor, including recruitment by non-state armed groups. (14,23-43)

II. LEGAL FRAMEWORK FOR CHILD LABOR

Niger has ratified all key international conventions concerning child labor (Table 3).

Table 3. Ratification of International Conventions on Child Labor

Convention	Ratification
 ILO C. 138, Minimum Age	✓
ILO C. 182, Worst Forms of Child Labor	✓
 UN CRC	✓
UN CRC Optional Protocol on Armed Conflict	✓
UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	✓
 Palermo Protocol on Trafficking in Persons	✓

The government has established laws and regulations related to child labor (Table 4). However, gaps exist in Niger’s legal framework to adequately protect children from the worst forms of child labor, including the minimum age for work.

Table 4. Laws and Regulations on Child Labor

Standard	Meets International Standards	Age	Legislation
Minimum Age for Work	No	14	Article 106 of the Labor Code (44)
Minimum Age for Hazardous Work	Yes	18	Article 159 of Decree No. 2017-682 (45)
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 (45,46)
Prohibition of Forced Labor	Yes		Article 14 of the Constitution; Article 4 of the Labor Code; Article 158 of Decree No. 2017-682; Article 2 of the Law on Combating Trafficking in Persons; Article 270 of the Penal Code (40,44-46)
Prohibition of Child Trafficking	Yes		Article 107 of the Labor Code; Article 158 of Decree No. 2017-682; Article 10 of the Law on Combating Trafficking in Persons; Article 16 of the Law 2015-36 on Illicit Traffic of Migrants (44,45,47,48)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Article 107 of the Labor Code; Article 158 of Decree No. 2017-682; Articles 291-292 of the Penal Code; Article 10 of the Law on Combating Trafficking in Persons (44-47)
Prohibition of Using Children in Illicit Activities	Yes		Article 107 of the Labor Code; Article 158 of Decree No. 2017-682; Articles 10 and 16 of the Law on Combating Trafficking in Persons; Article 181 of the Penal Code (44-47)
Minimum Age for Voluntary State Military Recruitment	Yes	18	Article 107 of the Labor Code (44)
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 (44)
Compulsory Education Age	No		Article 8 of Decree No. 2017-935/PRN/MEPAPLN/EC/MES; Article 2 of the Law on the Orientation of the Educational System (49, 52)
Free Public Education	Yes		Article 23 of the Constitution; Article 8 of Decree No. 2017-935/PRN/MEPAPLN/EC/MES; Article 2 of the Law on the Orientation of the Educational System (40,49,52)

* No conscription (50)

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. (51)

In addition, Article 2 of the Law on the Orientation of the Educational System in Niger guarantees education for all children ages 4 to 18 and Article 8 of Decree No. 2017-935 states that the government is required to promote access to compulsory education. However, Niger's law does not clearly articulate what age groups the provision applies to, thereby leaving the risk that some children are not covered and increasing the risk of children's involvement in child labor. (49,52)

In 2019, Niger's Supreme Court set legal precedent by ruling *wahaya* to be illegal. However, the government made limited efforts to inform the public of the court's ruling; anti-slavery organizations have indicated that they will conduct awareness-raising campaigns so that more affected women will bring cases to court. (14,29,30,53-55)

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 the Ministry of Employment, Labor and Social Security (MELSS) that may hinder adequate enforcement of their child labor laws.

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Table 5. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
Ministry of Employment, Labor and Social Security (MELSS)	Enforces labor laws and investigates Labor Code infractions, including those on child labor. Conducts awareness-raising programs to combat child labor. (3,15,56,57)
National Civil Police Force Morals and Minors Brigade	Investigates criminal cases involving minors, including issues pertaining to human trafficking, commercial sexual exploitation, and hereditary slavery. Housed under the Ministry of Interior and Public Security. (12,17,58)
Ministry of Justice's District and Magistrate Courts	Enforce criminal laws related to child labor through 10 district courts and 30 magistrate courts. (12,15,56)
Ministry for the Promotion of Women and Child Protection	Works with law enforcement officials to provide vulnerable children with social and reintegration services, including education and counseling, in 54 Centers for Prevention, Promotion, and Protection (CEPPP) across the country. (3,12,59)
National Agency to Fight Against Trafficking in Persons and Illegal Migrant Transport (ANLTP/TIM)	Implements policies and programs developed by the National Commission to Coordinate Efforts to Combat Trafficking in Persons and Illegal Migrant Transport (CNCLTP/TIM), conducts awareness campaigns about human trafficking, provides training and education to reduce the risk of human trafficking, and maintains a hotline to receive complaints on human trafficking. (4,5,60,61) In 2019, the government allocated \$202,400 to the ANLTP/TIM and the CNCLTP/TIM, although the government did not publish the exact amount allocated to the ANLTP/TIM. ANLTP/TIM also signed a Memorandum of Understanding with Nigeria's National Agency for the Prohibition of Trafficking in Persons to enhance cooperation between the two countries in combating trafficking in persons. (14,62)
National Human Rights Commission (CNDH)	Receives complaints and conducts investigations of human rights violations, including hereditary slavery. (3,56)

Labor Law Enforcement

In 2019, labor law enforcement agencies in Niger took actions to combat child labor (Table 6). However, gaps exist within the operations of the MELSS that may hinder adequate labor law enforcement, including lack of financial and human resources.

Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2018	2019
Labor Inspectorate Funding	\$20,000 (19)	\$20,000 (5)
Number of Labor Inspectors	47 (19)	51 (5)
Inspectorate Authorized to Assess Penalties	Yes (45)	Yes (45)
Initial Training for New Labor Inspectors	N/A (19)	Yes (5)
Training on New Laws Related to Child Labor	Yes (19)	N/A (5)
Refresher Courses Provided	Yes (19)	Yes (5)
Number of Labor Inspections Conducted	Unknown (19)	487 (5)
Number Conducted at Worksite	Unknown (19)	Unknown (5)
Number of Child Labor Violations Found	Unknown (19)	Unknown (5)
Number of Child Labor Violations for Which Penalties Were Imposed	Unknown (19)	Unknown (5)
Number of Child Labor Penalties Imposed that Were Collected	Unknown (19)	Unknown (5)
Routine Inspections Conducted	Yes (19)	Yes (5)
Routine Inspections Targeted	Yes (19)	Yes (5)
Unannounced Inspections Permitted	Yes (19)	Yes (5)
Unannounced Inspections Conducted	Unknown (19)	No (5)
Complaint Mechanism Exists	Yes (19)	Yes (5)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (19)	Yes (5)

Despite a slight increase in the number of labor inspectors, the total number of labor inspectors is likely insufficient for the size of Niger's workforce, which includes approximately 6.5 million workers. According to the ILO's technical advice of a ratio approaching 1 inspector for every 40,000 workers in less developed countries, Niger would employ about 163 labor inspectors. (5,63-65) Complaints related to child labor, including the worst forms, can be submitted through the National Commission on Human Rights (CNDH). Although the referral process is not clear, the MELSS reported receiving complaints from the CNDH in 2019. (3,5,29) In addition, reports indicate that the government lacks adequate funding and personnel to conduct labor inspections, especially in the informal sector and in remote locations. (5,8,22)

Criminal Law Enforcement

In 2019, criminal law enforcement agencies in Niger took actions to combat child labor (Table 7). However, gaps exist within the operations of the criminal enforcement agencies that may hinder adequate criminal law enforcement, including prosecution planning and allocating financial resources.

Table 7. Criminal Law Enforcement Efforts Related to Child Labor

Overview of Criminal Law Enforcement	2018	2019
Initial Training for New Criminal Investigators	N/A (19)	Yes (5)
Training on New Laws Related to the Worst Forms of Child Labor	N/A (19)	N/A (5)
Refresher Courses Provided	Yes (66)	Yes (5)
Number of Investigations	Unknown (19,66)	Unknown (5)
Number of Violations Found	Unknown (19,66)	Unknown (5)
Number of Prosecutions Initiated	Unknown (19,66)	Unknown (5)
Number of Convictions	Unknown (19,66)	Unknown (5)
Imposed Penalties for Violations Related to The Worst Forms of Child Labor	Yes (19,66)	Unknown (5)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (66)	Yes (5)

In 2019, the government investigated and prosecuted 54 cases of trafficking in persons with 50 suspects, and convicted 4 traffickers. However, the number of child victims involved in these cases is unknown. (38) In addition, the Nigerien National Police detained 242 suspected traffickers and dismantled 27 national and 29 international routes for human trafficking and illicit migration. (67)

During the reporting period, prosecutors, judges, police, gendarmerie, and social workers attended a multidisciplinary 3-day workshop to strengthen cooperation among key national stakeholders in identifying, investigating, and prosecuting trafficking in persons cases. In addition, the National Agency to Fight Against Trafficking in Persons and Illegal Migrant Transport (ANLTP/TIM) also conducted trainings with government officials, community leaders, and women's and youth advocacy groups on risk factors for trafficking in persons and combating traditional slavery practices. (38,68) However, reports indicate 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. (5,8,21,22,69)

The 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, according to the MELSS removal of children from child labor occurs only in extreme cases of exploitation, such as child trafficking or forced labor. (22,66,70)

Although Niger has an informal referral system, the ANLTP/TIM submitted a draft national referral mechanism to the Ministry of Justice in 2019. The proposed national referral mechanism would institutionalize a formal process for referrals and improve its use within Niger's law enforcement and judicial systems. (71)

During the reporting period, an anti-slavery organization helped victims of slavery file two cases in the ECOWAS Court of Justice against the Republic of Niger for failing to uphold the rights of the victims against their former masters. (72,73) The Nigerien Supreme Court ruled that the practice of *wahaya* is illegal, reinforcing the 2003 Penal Code that prohibits this practice. However, research found no evidence of efforts to enforce this ban or to raise awareness of this ruling. (14,30,46) In addition, a civil society organization specializing in assisting victims of traditional slavery reported that most victims do not self-identify or file complaints against their former masters due to lack of reintegration services and dependency on their former masters. (14,30)

IV. COORDINATION OF GOVERNMENT EFFORTS ON CHILD LABOR

The government has established mechanisms to coordinate its efforts to address child labor (Table 8). However, gaps exist that hinder the effective coordination of efforts to address child labor, including funding.

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Table 8. Key Mechanisms to Coordinate Government Efforts on Child Labor

Coordinating Body	Role & Description
National Steering Committee on Child Labor	Coordinates programs, advises on child labor legislation and regulations, and reviews proposals for action plans for the ILO-IPEC country program. Chaired by MELSS. (12,18,57)
National Commission to Coordinate Efforts to Combat Trafficking in Persons and Illegal Migrant Transport (CNCLTP/TIM)	Coordinates efforts to combat human trafficking, and develops and implements policies and programs related to human trafficking. (18,26,47,61) Includes representatives from MELSS and civil society organizations. (60,74) In 2019, the government increased funding to CNCLTP/TIM and ANLTP/TIM from \$129,400 in 2018 to \$202,400 in 2019. However, the government did not publish the exact amount allocated to CNCLTP/TIM. (12)
National Committee to Combat Child Labor in Agriculture	Coordinates policies and programs to combat child labor in agriculture. (75) Chaired by the Ministry of Agriculture, includes representatives from MELSS, the Ministry for the Promotion of Women and Child Protection, and non-governmental stakeholders. (76)
Child Protection Committees*	Educate the public on the rights of children and limit abuses, including child labor. Child Protection Committees were established in each commune in 2019. (14,77)

* Mechanism to coordinate efforts to address child labor was created during the reporting period.

Research was unable to determine whether most of the coordinating bodies were active during the reporting period. (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 covering all worst forms of child labor.

Table 9. Key Policies Related to Child Labor

Policy	Description
National Action Plan to Combat Trafficking in Persons (2019–2023)†	Aims to enhance the legal framework to prevent human trafficking, adequately implement the laws, and provide effective protection and care for victims, including children. Led by the ANLTP/TIM. (14,78) In 2019, the government also drafted the new National Action Plan to Combat Trafficking in Persons (2019–2023) and a separate National Action Plan on Combating Illicit Migration, and dedicated \$15,100 in 2020 for the implementation of both plans. (14,78)
Plan for Social and Economic Development (2017–2021)	Aims to promote sustainable development and social equality. Overseen by the Ministry of Planning. (18,79) Includes activities to improve access to education for vulnerable populations, especially migrant children, and to combat street work and forced begging by children. (79)
National Social Protection Strategy	Aims to improve the quality of, and access to, basic education and health services; includes strategies to combat child labor. Overseen by the Ministry for the Promotion of Women and Child Protection. (17,80)
UN Development Assistance Framework (UNDAF) (2019–2021)†	Promotes improved access to education for vulnerable children and aims to build government capacity to address child labor. Under the direction of the Ministry of Planning and receives support from international donors. (5,81)
Education and Training Sectorial Program (2014–2024)	Sets out a comprehensive map to improve the quality of, and access to, basic and higher education. Led by the Ministry of Education. (18,82,83)

† 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)

Research was unable to determine whether activities were undertaken to implement most policies during the reporting period.

The Government of Niger has not adopted the National Action Plan to Combat Child Labor, which was drafted in 2015 and aims to eliminate the worst forms of child labor in Niger by 2025. (18,19,84) During the reporting period, the government participated in a ministerial meeting of the technical special committee on social development and labor that enacted an African Union (AU) 10-Year Plan to Combat Child Labor. The AU plan is intended to guide a new National Action Plan to Combat Child Labor. (5,85)

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2019, the government funded and participated in programs that include the goal of eliminating or preventing child labor (Table 10). However, gaps exist in these social programs, including adequacy of efforts to address the problem in all sectors.

Table 10. Key Social Programs to Address Child Labor

Program	Description
Centers for the Prevention, Protection, and Promotion of Persons (CEPPP)†	Government program replacing the Judicial and Preventive Education Services, in collaboration with UNICEF, to provide food, shelter, education, and vocational training to street children, many of whom are victims of child labor. (2,3,86) In 2019, operated 54 centers nationwide. (5,14,59)
Global Action Against Trafficking in Persons and the Smuggling of Migrants	\$12.2 million EU-funded global project implemented by UNODC, UNICEF, and IOM to combat human trafficking and migrant smuggling. (87,88) In 2019, Nigerien prosecutors participated in a 5-day training-of-trainers seminar on international judicial cooperation to combat trafficking in persons in West Africa. (89)
From Protocol to Practice: A Bridge to Global Action on Forced Labor (2015–2019)	USDOL-funded global project implemented by ILO to support global and national efforts aimed at combating forced labor of adults and children under the 2014 ILO Protocol and supporting Recommendation to C.29 on Forced Labor. (84,90) In 2019, provided financial support to implement National Day Against Slavery activities and supported development of a questionnaire to identify former women victims of slavery, including <i>wahaya</i> , for a livelihoods pilot program. (91) Additional information is available on the USDOL website.
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. (92-94)

* Program was launched during the reporting period.

† Program is funded by the Government of Niger.

During the reporting period, the ANLTP/TIM and IOM opened the first shelter in Zinder for human trafficking victims, including children. The shelter received at least six girls between the ages of 14 and 22; shelter staff provided care to these victims and IOM implemented a reintegration project to help return victims to their families. (5,38,66,95-97)

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. (5,15,22,26,69,91) In addition, the resources and facilities available to social services agencies remain inadequate. (4,5)

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 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 provisions and protections apply to self-employed children and those in unpaid or non-contractual work.	2015 – 2019
	Establish a compulsory education age equal to the minimum age of employment.	2016 – 2019
Enforcement	Publish complete information on the number of worksite inspections conducted, violations found, penalties imposed and collected, investigations, prosecutions, and convictions related to the worst forms of child labor.	2012 – 2019
	Increase the resources and number of labor inspectors and criminal investigators responsible for enforcing labor laws to provide adequate coverage of the workforce and meet the ILO's technical advice.	2009 – 2019
	Ensure that inspections and enforcement efforts take place in the remote locations, in which most child labor occurs.	2014 – 2019
Enforcement	Disaggregate complaints made to the National Agency to Fight Against Trafficking in Persons and Illegal Migrant Transport's hotline by number of complaints involving children.	2013 – 2019
	Ensure victims of the worst forms of child labor are removed from exploitative situations as appropriate.	2010 – 2019
	Ensure that the Nigerien Supreme Court's ruling banning the practice of <i>wahaya</i> is enforced.	2019

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Table 11. Suggested Government Actions to Eliminate Child Labor (Cont.)

Area	Suggested Action	Year(s) Suggested
Coordination	Ensure that key coordinating mechanisms, such as the National Commission to Coordinate Efforts to Combat Trafficking in Persons and Illegal Migrant Transport and the National Steering Committee on Child Labor, are active and receive adequate funding to fulfill their missions.	2011 – 2019
Government Policies	Adopt and implement a national action plan to combat child labor, including in hereditary slavery, mining, and agriculture.	2009 – 2019
	Ensure that the policies to combat the worst forms of child labor are implemented.	2016 – 2019
Social Programs	Enhance efforts to eliminate barriers and make education accessible for all children, including girls, refugees, internally displaced children, and children in rural communities, by increasing school infrastructure, teacher availability, and school supplies.	2013 – 2019
	Ensure that government social services providers have sufficient resources and facilities to provide the necessary care to all children withdrawn from hazardous labor.	2015 – 2019
	Expand the scope of programs to address the worst forms of child labor, including in agriculture, herding, mining, and caste-based servitude.	2009 – 2019
	Implement a program to target and assist children exploited by religious instructors.	2011 – 2019

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In 2019, Nigeria made a minimal advancement in efforts to eliminate the worst forms of child labor. The government launched two new state-level task forces to combat human trafficking in Delta and Ondo states. Children engage in the worst forms of child labor, including in quarrying granite, artisan mining, commercial sexual exploitation, and armed conflict, each sometimes as a result of human trafficking. The Child's Right Act has only been adopted by 25 out of Nigeria's 36 states, leaving the remaining 11 states in northern Nigeria with legal statutes that do not meet international standards for the prohibition of child trafficking, commercial sexual exploitation, and illicit activities. In addition, the minimum age for work in the Labour Act does not apply to children who are self-employed or working in the informal economy, which does not conform to international standards that require all children to be protected by the minimum age to work. Furthermore, the number of labor inspectors does not meet the ILO's technical advice for the size of Nigeria's workforce, and social programs do not address all relevant sectors.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Nigeria engage in the worst forms of child labor, including in quarrying granite, artisanal mining, commercial sexual exploitation, and armed conflict, each sometimes as a result of human trafficking. (I-4) Table 1 provides key indicators on children's work and education in Nigeria.

Table 1. Statistics on Children's Work and Education

Children	Age	Percent
Working (% and population)	5 to 14	47.5 (Unavailable)
Attending School (%)	5 to 14	76.6
Combining Work and School (%)	7 to 14	39.9
Primary Completion Rate (%)		73.8

Source for primary completion rate: Data from 2010, published by UNESCO Institute for Statistics, 2020.(5)

Source for all other data: International Labor Organization's analysis of statistics from Multiple Indicator Cluster Survey 5, 2020.(6)

Based on a review of available information, Table 2 provides an overview of children's work by sector and activity.

Table 2. Overview of Children's Work by Sector and Activity

Sector/Industry	Activity
Agriculture	Production of manioc/cassava, cocoa, rice, and tobacco (2,7)
	Fishing, activities unknown (8)
	Herding livestock (7)
Industry	Mining and quarrying of granite and gravel (2)
	Artisanal gold mining and processing (1,7,9)
	Harvesting sand (9)
	Construction, including making bricks and carrying construction materials (2,7)
Services	Domestic work (2,7,10-12)
	Collecting money on public buses, washing cars, and automotive repair (7,10,11,13)
	Street work, including vending, begging, and scavenging (2,7,10,11,13,14)
Categorical Worst Forms of Child Labor‡	Commercial sexual exploitation, including use in the production of pornography, sometimes as a result of human trafficking (4,7,10,12,16,17)

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Table 2. Overview of Children’s Work by Sector and Activity (Cont.)

Sector/Industry	Activity
Categorical Worst Forms of Child Labor‡	Forced labor in begging; domestic work; street vending; textile manufacturing; mining and quarrying gravel, granite, and gold; and labor in agriculture, including in cocoa, each sometimes as a result of human trafficking (4,7,12,18,19)
	Recruitment of children by non-state armed groups for use in armed conflict and in non-conflict support roles (4,20,21)

‡ Child labor understood as the worst forms of child labor *per se* under Article 3(a)–(c) of ILO C. 182.

In northern Nigeria, many families send children from rural to urban areas to live with Islamic teachers and receive a Koranic education. These children may receive lessons, but teachers often force them to beg on the streets and surrender the money they collect. (12,22) Furthermore, these children are highly vulnerable to recruitment by Boko Haram, which continued to forcibly recruit and use child soldiers in combat and support roles, as well as for suicide bombers and concubines. (23)

Benin City, the capital of Edo state, is a major human trafficking hub in Africa, but increased enforcement efforts may have caused some human trafficking rings to shift their focus to other areas of southern Nigeria. (24-26) Girls from Nigeria are sent to North Africa and Europe for forced labor and commercial sexual exploitation. (26-31) Children from West African countries experience forced labor in Nigeria, including in granite and gold mines. (4,18)

In 2019, despite notable military advances and proclamations of Boko Haram’s defeat by government forces, the group remained a security threat, with escalating attacks forcing over 30,000 people out of Nigeria’s Northeastern regions. (34,35) These attacks have contributed to the displacement of over 2 million people, of which 56 percent were children. (24,29,36) Some girls, particularly unaccompanied minors, were subjected to commercial sexual exploitation in internally displaced persons (IDP) camps and military barracks, often by members of the Nigerian military, the CJTF, and other camp security personnel in exchange for food. (4,24,26,29,32,37-41)

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. (7) When families experienced economic hardship, the enrollment of boys was typically prioritized over the enrollment of girls. Other barriers to education include a lack of teachers, sexual harassment, inadequate sanitation facilities, and fear of abduction or attack by Boko Haram while at school, particularly for girls in the northeastern part of the country. (7,11,24,29,42) Furthermore, schools may be used to house IDPs or occupied by government armed forces in their campaign against Boko Haram and the Islamic State-West Africa. (25,37,43) Almost 1,400 schools have been destroyed since 2009, and more than 57 percent of schools in Borno State were closed in the 2017/2018 school year due to violence in the area, leaving about 3 million children without access to education. (25,37)

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	✓

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 Nigeria's legal framework to adequately protect children from the worst forms of child labor, including the minimum age for work.

Table 4. Laws and Regulations on Child Labor

Standard	Meets International Standards	Age	Legislation
Minimum Age for Work	No	12	Section 59(1) of the Labour Act; Sections 28 and 29 of the Child's Right Act (44,45)
Minimum Age for Hazardous Work	Yes	18	Section 59 (5) and (6) of the Labour Act; Sections 28, 29, and 277 of the Child's Right Act (44,45)
Identification of Hazardous Occupations or Activities Prohibited for Children	No		Sections 59-61 of the Labour Act; Sections 28 of the Child's Right Act; Section 23 of the Trafficking in Persons (Prohibition) Enforcement and Administration Act (44-46)
Prohibition of Forced Labor	Yes		Sections 13, 22, and 24-25 of the Trafficking in Persons (Prohibition) Enforcement and Administration Act; Sections 28 and 30 of the Child's Right Act (45,46)
Prohibition of Child Trafficking	No		Section 13 of the Trafficking in Persons (Prohibition) Enforcement and Administration Act; Sections 30 of the Child's Right Act (45,46)
Prohibition of Commercial Sexual Exploitation of Children	No		Sections 13-17 of the Trafficking in Persons (Prohibition) Enforcement and Administration Act; Section 23 of the Cybercrimes Act; Sections 30 and 32 of the Child's Right Act (45-47)
Prohibition of Using Children in Illicit Activities	No		Section 19 of the Trafficking in Persons (Prohibition) Enforcement and Administration Act; Sections 25-26 and 30 of the Child's Right Act (45-47)
Minimum Age for Voluntary State Military Recruitment	Yes	18	Section 28 of the Armed Forces Act; Section 34 of the Child's Right Act (45,48)
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 (46)
Compulsory Education Age	Yes	15	Sections 2 and 15 of the Education Act; Section 15 of the Child's Right Act (45,49)
Free Public Education	Yes		Sections 2-3 of the Education Act; Section 15 of the Child's Right Act (45,49)

* No conscription (48)

The Child's Right Act (CRA) codifies the rights of children in Nigeria and must be adopted and implemented by each state to become law in its territory. However, only 25 of the 36 states have adopted and implemented the CRA, leaving the 11 remaining states in northern Nigeria with legal statutes that do not meet international standards for the prohibition of child trafficking and commercial sexual exploitation. In these 11 states, laws prohibiting child trafficking do not criminalize both domestic and international trafficking or trafficking for the purpose of forced labor and commercial sexual exploitation; the offering of a child for prostitution is not criminally prohibited; and there is no prohibition against the use of children in illicit activities. (45-47)

Furthermore, the CRA upholds certain portions of the Labour Act which are not in compliance with international child labor standards. This includes Section 59, which sets the minimum employment age at 12, in contradiction to the CRA, which only permits children under age 18 to engage in light work for family

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members. (44,45) 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. (44,45,49)

Although the Labour Act forbids the employment of youth under age 18 in work that is dangerous to their health, safety, or morals, it does not establish the types of hazardous activity that are prohibited to children under age 18. (44,50) The National Steering Committee for the Elimination of the Worst Forms of Child Labor developed a report in 2013 that identified hazardous child labor in Nigeria; however, the government has yet to determine by law or regulation the types of hazardous work prohibited for children. (2,50) The Labour Act also permits children of any age to do light work in agriculture and domestic work if they are working with a family member. Furthermore, the minimum age protections in the Labour Act do not apply to children who are self-employed or working in the informal economy. (44,50) Lastly, children are not excluded from the Terrorism Prevention Act's penalty of life imprisonment for assisting in acts of terrorism. (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 the Ministry of Labor and Employment (MOLE) that may hinder adequate enforcement of their child labor laws.

Table 5. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
Labor Inspectorate, Ministry of Labor and Employment (MOLE)	Deploys labor inspectors across 36 state labor offices and the federal capital territory to enforce federal child labor laws. (7,29,52)
National Agency for the Prohibition of Trafficking in Persons and Other Related Matters (NAPTIP)	Enforces laws against human trafficking and exploitative labor. Coordinates with the Ministry of Women's Affairs and Social Development and state governments to provide child victims with social services and reunite trafficked children with their families. (7,12,29) Operates hotlines for victims in Abuja and each zonal command center. (26)
Nigeria Police	Enforce all laws prohibiting forced child labor and commercial sexual exploitation. Collaborate with NAPTIP on human trafficking enforcement. (7)
Nigeria Immigration Service	Collaborates with NAPTIP to enforce laws against child trafficking. (7)
State Taskforce Against Human Trafficking	Enforces the Edo State Trafficking in Persons Prohibition Law as well as other laws prohibiting trafficking in persons, and investigates all cases of child trafficking and forced child labor. Includes an Investigation and Security Unit tasked with the prevention and detection of human trafficking cases. (53,54) As of March 2019, investigated 56 cases and filed charges in 20 cases. Also during this reporting period, the Delta and Ondo states established anti-trafficking forces as well. (26,53-55)

Labor Law Enforcement

In 2019, labor law enforcement agencies in Nigeria took action to combat child labor (Table 6). However, gaps exist within the operations of MOLE that may hinder adequate labor law enforcement, including human resource allocation.

Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2018	2019
Labor Inspectorate Funding	\$506,755 (56)	\$475,600 (57)
Number of Labor Inspectors	1,164 (56)	1,415 (57)
Inspectorate Authorized to Assess Penalties	Yes (44)	Yes (57)
Initial Training for New Labor Inspectors	Yes (56)	Yes (57)
Training on New Laws Related to Child Labor	Unknown	N/A (57)
Refresher Courses Provided	Unknown	Yes (57)
Number of Labor Inspections Conducted	24,646 (56)	15,643 (57)
Number Conducted at Worksite	24,646 (56)	15,643 (57)
Number of Child Labor Violations Found	438 (56)	3,937 (57)
Number of Child Labor Violations for Which Penalties Were Imposed	320 (56)	147 (57)
Number of Child Labor Penalties Imposed that Were Collected	316 (56)	147 (57)

Table 6. Labor Law Enforcement Efforts Related to Child Labor (Cont.)

Overview of Labor Law Enforcement	2018	2019
Routine Inspections Conducted	Yes (56)	Yes (57)
Routine Inspections Targeted	Unknown	Yes (57)
Unannounced Inspections Permitted	Yes (56)	Yes (57)
Unannounced Inspections Conducted	Yes (56)	Yes (57)
Complaint Mechanism Exists	Yes (56)	Yes (57)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (56)	Yes (57)

Of the 15,643 inspections conducted in 2019, 2,415 were dedicated child labor inspections. A total of 1,263 children were removed from child labor situations. (57,58) However, enforcement of child labor laws remains challenging due to the lack of resources for inspections, and research did not find mechanisms to enforce existing protections for children in the informal sector. (57,59)

Although the Government of Nigeria increased the number of labor inspectors, the total number of labor inspectors is likely insufficient for the size of Nigeria's workforce, which includes approximately 60 million workers. According to the ILO's technical advice of a ratio approaching 1 inspector for every 15,000 workers in industrializing economies, Nigeria would employ about 4,005 labor inspectors. (60,61)

Criminal Law Enforcement

In 2019, criminal law enforcement agencies in Nigeria took actions to combat child labor (Table 7). However, gaps exist within the operations of the criminal enforcement agencies that may hinder adequate criminal law enforcement.

Table 7. Criminal Law Enforcement Efforts Related to Child Labor

Overview of Criminal Law Enforcement	2018	2019
Initial Training for New Criminal Investigators	Yes(56)	Unknown
Training on New Laws Related to the Worst Forms of Child Labor	Unknown	N/A
Refresher Courses Provided	Unknown	Unknown
Number of Investigations	314 (26)	467 (57)
Number of Violations Found	72 (7)	3,937 (57)
Number of Prosecutions Initiated	12† (62)	285 (57)
Number of Convictions	24† (62)	5 (57)
Imposed Penalties for Violations Related to The Worst Forms of Child Labor	Unknown	Yes (57)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	(26) Yes	Yes (57)

† Data are from April 2018 to February 2019.

Criminal law enforcement authorities continued to detain children for their alleged association with Boko Haram, including girls who were victims. (4,25,29,37,38,59,63) Although the government released some of the children and referred them to social services providers, many remained in detention facilities for prolonged periods. (4,25,29,59,63)

IV. COORDINATION OF GOVERNMENT EFFORTS ON CHILD LABOR

The government has established mechanisms to coordinate its efforts to address child labor (Table 8). However, gaps exist that hinder the effective coordination of efforts to address child labor, including efficacy in accomplishing mandates.

Table 8. Key Mechanisms to Coordinate Government Efforts on Child Labor

Coordinating Body	Role & Description
National Steering Committee for the Elimination of the Worst Forms of Child Labor	Coordinates efforts to combat child labor. Led by MOLE, and comprises representatives from seven governmental agencies, faith-based organizations, NGOs, ILO, and UNICEF. (7) Research was unable to determine whether this body was active during the reporting period.
Inter-Ministerial Taskforce on Trafficking in Persons	Coordinates child labor issues related to human trafficking. Chaired by NAPTIP. (7) Research was unable to determine whether this body was active during the reporting period.

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V. GOVERNMENT POLICIES ON CHILD LABOR

The government has established policies related to child labor (Table 9). However, policy gaps exist that hinder efforts to address child labor, including implementing a new national child labor action plan.

Table 9. Key Policies Related to Child Labor

Policy	Description
NAPTIP 2019 Plan of Action	Provides a framework for mobilizing NAPTIP and all stakeholders involved in combating human trafficking, with an emphasis on enforcement, prosecution, and provision of victim services. (64) Research was unable to determine whether this body was active 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, ensure that suspects under age 18 are treated in accordance with international law, and provide for disarmament, demobilization, and reintegration for children previously associated with CJTF. (65-67) In 2019, CJTF conducted awareness-raising activities to prevent child recruitment and cooperated with Borno state officials and the UN Country Task Force on Monitoring and Reporting during verification and screening procedures. (68)

Although the Government of Nigeria has adopted policies on human trafficking and the use of children in armed conflict, research found no evidence of a policy on other worst forms of child labor since the conclusion of the National Policy on Child Labor in 2017.

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2019, the government funded and participated in programs that include the goal of eliminating or preventing child labor (Table 10). However, gaps exist in these social programs, including the adequacy of 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 in Africa (ACCEL Africa) (2018-2022)	ILO-sponsored regional project aimed at eliminating child labor in supply chains, with particular focus on those involved with the production of cacao, 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. (69)
NAPTIP Shelters for Human Trafficking Victims†	Government-funded program that operates 10 shelters in Nigeria, with a total capacity of 315 victims. Shelters provide legal, medical, and psychological services, as well as vocational training and business management skills. (4,12) Continued to provide services to victims in 2019. (26)
Measurement, Awareness-Raising, and Policy Engagement Project on Child Labor and Forced Labor	USDOL-funded project implemented by ILO to conduct research and develop new survey methodologies, improve awareness, strengthen policies and government capacity, and promote partnerships to combat child labor and forced labor. Additional information is available on the USDOL website. (70)
World Bank-funded Programs	Projects aim to improve access to education. Includes: National Social Safety Nets Project (2016–2022), a \$50 million project that aims to provide primary school lunches and offers conditional cash transfers based on children's enrollment; Nigeria Partnership for Education Project (2015–2019), a \$100 million project that aimed to improve access and quality of education in selected states, particularly for girls; and the Better Education Service Delivery for All (BESDA) (2017–2022), a \$611 million project which aims to increase access to education for out-of-school youth and improve literacy. (71-73) In 2019, The National Social Safety Net Project continued working with their government partners to ensure that they would be able to start their activities in the upcoming year while the Nigeria Partnership for Education Project was able to work towards their project development objectives which included promoting school effectiveness and improved learning outcomes, increasing access to basic education for out-of-school children, and strengthening planning and management systems including learning assessment and capacity development. Highlights of the Nigeria Partnership for Education Project included awarding 13,705 school grants to pre-primary schools. (71,72) Finally, the Better Education Service Delivery for All (BESDA) project selected approximately 20,000 schools for its intensive literacy program which would reach more than 1.2 million grade 1 students. (73)
Safe Schools Initiative	Donor-funded program implemented by the government and international organizations that aims to improve access to education in northeastern Nigeria. (22,74,75) Research was unable to determine if this project was active during the reporting period.

† Program is funded by the Government of Nigeria.

‡ The government had other social programs that may have included the goal of eliminating or preventing child labor. (76)

There are increasing concerns regarding the shelter conditions which are housing trafficking victims. These conditions include poor housing facilities, a lack of food, and insufficient stipends along with reports of victims being held against their will at the NAPTIP-run shelters for extended periods of time. (59, 63)

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, commercial sexual exploitation, and illicit activities.

VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE CHILD LABOR

Based on the reporting above, suggested actions are identified that would advance the elimination of child labor in Nigeria (Table 11).

Table 11. Suggested Government Actions to Eliminate Child Labor

Area	Suggested Action	Year(s) Suggested
Legal Framework	Raise the minimum age for work to the age up to which education is compulsory; ensure that national legislation on the minimum age for work is consistent; and that all children are protected.	2012 – 2019
	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 – 2019
	Ensure laws criminalize both domestic and international trafficking or trafficking for the purpose of forced labor and commercial sexual exploitation in all states.	2019
	Criminalize the offering of a child for prostitution in all states.	2019
	Ensure that using, procuring, and offering a child for the production and trafficking of drugs are criminally prohibited in all states.	2015 – 2019
	Ensure that the law criminally prohibits the recruitment of children under age 18 by non-state armed groups.	2016 – 2019
	Ensure that provisions related to light work conform to international standards.	2009 – 2019
	Amend the Terrorism Prevention Act to prohibit the punishment of children for their association with armed groups.	2016 – 2019
Enforcement	Significantly increase the number of labor inspectors to meet the ILO's technical advice and ensure that labor inspectors receive sufficient resources to enforce child labor laws.	2016 – 2019
	Ensure that a mechanism exists for enforcing existing protections for children working in the informal sector.	2009 – 2019
	Publish information on the training provided for new criminal investigators and whether any refresher courses were provided.	2015 – 2019
	Cease the practice of detaining children associated with armed groups for prolonged periods of time and refer these children to social services providers	2016 – 2019
Coordination	Ensure that all coordinating bodies are active and able to carry out their mandates as intended.	2018 – 2019
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 – 2019
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 – 2019
	Ensure an adequate number of trained teachers and provide sufficient educational infrastructure for children, particularly girls, to access schools. Remove all armed groups and forces from schools and compounds.	2015 – 2019
	Ensure that NAPTIP shelters provide appropriate facilities, resources, and freedoms to victims.	2019
	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 – 2019

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Research found no evidence that child labor exists in Niue, and in 2019, 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.




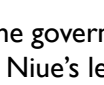

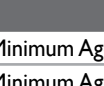
I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Research found no evidence that child labor exists in Niue.

II. LEGAL FRAMEWORK FOR CHILD LABOR

Niue is self-governing in free association with New Zealand and is fully responsible for its internal affairs. (1,2) Since 1988, no treaty signed, ratified, accepted, approved, or acceded to by New Zealand extends to Niue, unless it was done expressly on behalf of Niue. (2) Niue has ratified one key international convention concerning child labor (Table 1).

Table 1. Ratification of International Conventions on Child Labor

Convention	Ratification
 ILO C. 138, Minimum Age	
 ILO C. 182, Worst Forms of Child Labor	
 UN CRC	✓
 UN CRC Optional Protocol on Armed Conflict	
 UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	
 Palermo Protocol on Trafficking in Persons	

The government has established laws and regulations related to child labor (Table 2). However, gaps exist in Niue's legal framework to adequately protect children from the worst forms of child labor, including the prohibition of using children in illicit activities.

Table 2. Laws and Regulations on Child Labor

Standard	Meets International Standards	Age	Legislation
Minimum Age for Work	No		
Minimum Age for Hazardous Work	No		
Identification of Hazardous Occupations or Activities Prohibited for Children	No		
Prohibition of Forced Labor	No		
Prohibition of Child Trafficking	No		Articles 3 and 37 of the Terrorism Suppression and Transnational Crimes Act (3)
Prohibition of Commercial Sexual Exploitation of Children	No		
Prohibition of Using Children in Illicit Activities	No		
Minimum Age for Voluntary State Military Recruitment	Yes	17	Article 33 of the Government of New Zealand's Defence Act (4)

Niue

NO ADVANCEMENT

Table 2. Laws and Regulations on Child Labor (Cont.)

Standard	Meets International Standards	Age	Legislation
Prohibition of Compulsory Recruitment of Children by (State) Military	N/A*†		
Prohibition of Military Recruitment by Non-state Armed Groups	No		
Compulsory Education Age	Yes	16	Articles 2 and 24 of the Education Act (5)
Free Public Education	Yes		Article 19 of the Education Act (5)

* No conscription (6)

† No standing military (7)

Although Niue's Public Service Regulations prohibit the permanent employment of any person under age 18 in public service, a minimum age for work in the private sector has not been established. (8,9) 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. (8) Niue's human trafficking provision does not clearly criminalize domestic trafficking or the trafficking of children in the absence of force, fraud, or coercion. (3) 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. (8) New Zealand is responsible for Niue's defense at the territory's request and consultation. (4,7)

III. ENFORCEMENT OF LAWS ON CHILD LABOR

The government has established relevant institutional mechanisms for the enforcement of laws and regulations on child labor (Table 3).

Table 3. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
Niue Police Department	Enforces all laws, including those related to child labor, on behalf of the Government of Niue. (2)
Department of Justice	Investigates crimes, including cases involving the worst forms of child labor. (10)
Department for Community Affairs	Intakes and refers children's matters to the Niue Police Department, including child labor allegations. (2)

Labor Law Enforcement

As there is no evidence of a problem, there appears to be no need for labor law enforcement actions to address child labor.

Criminal Law Enforcement

As there is no evidence of a problem, there appears to be no need for criminal law enforcement actions to address child labor.

IV. COORDINATION OF GOVERNMENT EFFORTS ON CHILD LABOR

As there is no evidence of a problem, there appears to be no need for mechanisms to coordinate efforts to address child labor. However, the Government of Niue has established mechanisms to coordinate efforts related to child labor (Table 4).

Table 4. Key Mechanisms to Coordinate Government Efforts on Child Labor

Coordinating Body	Role & Description
National Coordinating Committee	Coordinates the implementation of the UN CRC, monitoring and implementing child protection policies at the national level. (2) 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 5).

Table 5. Key Policies Related to Child Labor

Policy	Description
United Nations Pacific Strategy (2018–2022)	A multinational strategic framework program consisting of 14 South Pacific nations to address, develop, and implement strategic economic development priorities in the South Pacific, including eliminating child labor and the worst forms of child labor. (11) Research was unable to determine whether activities were undertaken to implement the United Nations Pacific Strategy during the reporting period.

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

As there is no evidence of a problem, there appears to be no need for programs to address child labor.

VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE CHILD LABOR

Based on the reporting above, the following actions would advance the continued prevention of child labor in Niue (Table 6).

Table 6. Suggested Government Actions to Eliminate Child Labor

Area	Suggested Action	Year(s) Suggested
Legal Framework	Establish a minimum age for work of at least age 15 that equals the compulsory age of education.	2013 – 2019
	Ratify ILO C.182.	2019
	Establish age 18 as the minimum age for hazardous work and determine the types of hazardous work prohibited for children under age 18 in consultation with employers' and workers' organizations.	2013 – 2019
	Ensure that laws criminally prohibit forced labor, including debt bondage, the sale and trafficking of children, and slavery.	2016 – 2019
	Ensure that laws criminally prohibit the trafficking of children domestically and internationally for commercial sexual exploitation and forced labor, and do not require the use of force, fraud, or coercion to be established for the crime of trafficking.	2016 – 2019
	Ensure that laws criminally prohibit the use, procuring, and offering of a child for prostitution, the production of pornography, and pornographic performances.	2016 – 2019
	Ensure that laws criminally prohibit the use of children in illicit activities, including the production and trafficking of drugs.	2013 – 2019
	Ensure that the law criminally prohibits the recruitment of children under age 18 into non-state armed groups.	2016 – 2019
Coordination	Publish information on activities undertaken by the National Coordinating Committee.	2019
Government Policies	Publish information on activities undertaken to implement the United Nations Pacific Strategy.	2019

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Although research found no evidence that child labor exists on Norfolk Island, in 2019 the government made a moderate advancement in efforts to prevent the worst forms of child labor. The Government of Australia enacted the Modern Slavery Act, which applies to Norfolk Island, and took steps to begin consultations on a revised National Action Plan to Combat Human Trafficking and Slavery. Although Norfolk Island made meaningful efforts in all relevant areas during the reporting period, its legal framework does not have a minimum age for work for children. In addition, laws related to child trafficking do not meet international standards because the recruitment, harboring, transfer, and receipt of children for forced labor and commercial sexual exploitation are not prohibited.




I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Research found no evidence that child labor exists in Norfolk Island. (1)

II. LEGAL FRAMEWORK FOR CHILD LABOR

Norfolk Island is included as part of the territory of the Australian Commonwealth, which provides for its defense. (1-4) All legislation of the Federal Parliament applies, unless specifically excluded. (3) Because Australia has ratified most key international conventions concerning child labor, the following conventions apply to Norfolk Island (Table 1).

Table 1. Ratification of International Conventions on Child Labor

Convention	Ratification
 ILO C. 138, Minimum Age	
ILO C. 182, Worst Forms of Child Labor	✓
 UN CRC	✓
UN CRC Optional Protocol on Armed Conflict	✓
UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	✓
 Palermo Protocol on Trafficking in Persons	✓

The government has established laws and regulations related to child labor (Table 2). However, gaps exist in Norfolk Island's legal framework to adequately protect children from the worst forms of child labor, including the minimum age for work.

Table 2. Laws and Regulations on Child Labor

Standard	Meets International Standards	Age	Legislation
Minimum Age for Work	No		Article 24 of the Norfolk Island Employment Act 1988 (5)
Minimum Age for Hazardous Work	No		
Identification of Hazardous Occupations or Activities Prohibited for Children	No		
Prohibition of Forced Labor	Yes		Sections 270.6–270.7 and 270.7c of the Commonwealth Criminal Code Act of Australia (6)
Prohibition of Child Trafficking	No		Sections 271.1A, 271.4, and 271.7 of the Commonwealth Criminal Code Act of Australia (6)
Prohibition of Commercial Sexual Exploitation of Children	No		Section 93N of the Criminal Law Amendment Act; Articles 122–124 of the Norfolk Island Criminal Code 2007; and Sections 271.4 and 271.7 of the Commonwealth Criminal Code of Australia (6-8)
Prohibition of Using Children in Illicit Activities	No		Articles 303 and 305 of the Norfolk Island Criminal Code 2007; and Sections 309–310 (6,7)

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 (8)
Prohibition of Compulsory Recruitment of Children by (State) Military	N/A*		Canberra Act 2600 (8)
Prohibition of Military Recruitment by Non-state Armed Groups	Yes		Sections 268.68 and 268.88 of the Commonwealth Criminal Code Act of Australia (6)
Compulsory Education Age	Yes	17	Section 21(B) of the New South Wales Education Act (4,9,10)
Free Public Education	Yes		Section 31 of the New South Wales Education Act (9)

* No conscription (8)

The Norfolk Island Employment Act 1988 and the Norfolk Island Criminal Code 2007 remain in force. (4-13) Norfolk Island does not have a minimum age for work. Under the Norfolk Island Employment Act 1988, and with certain limitations, children younger than age 15 may begin working. (5,14) This is not in compliance with international standards because it allows for the employment of children under the age of 15. Further, as the minimum age for work is lower than the compulsory education age, children may be encouraged to leave school before the completion of compulsory education. (15) In addition, laws related to child trafficking are not sufficient because the recruitment, harboring, transfer, and receipt (domestically) of children for forced labor and commercial sexual exploitation—including prostitution—are not clearly prohibited. (6,16) Also, laws related to illicit activities do not criminalize the use, procuring, and offering of children for the production of drugs. (6,7)

In 2019, the Government of Australia passed the Modern Slavery Act of 2018, which requires that (a) any entity with revenue in excess of \$685,000 (\$100m AUD), and (b) is an Australian entity or an entity engaging in business in Australia at any time during a yearly reporting period; or (c) is an entity that has volunteered to comply with the Modern Slavery Act of 2018, must report via a modern slavery statement the entity’s modern slavery risks, including the worst forms of child labor, within the entity’s operations and supply chains; and actions taken by the entity to address aforementioned risks. (1,17,18)

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. (5)
Child Welfare Officers	Enforce laws prohibiting commercial sexual exploitation of children. Provide outreach and establish community programs to raise awareness about commercial sexual exploitation of children. (19)
Australian Federal Police	Enforce criminal laws related to the worst forms of child labor. (20) Oversee the Child Protection Operations Team, which coordinates and investigates online and multi-jurisdictional online child sexual exploitation issues, including child pornography; and the Human Trafficking Teams, which investigate human trafficking for the purposes of transnational sexual and labor exploitation. (21,22)

Labor Law Enforcement

As there is no evidence of a problem, there appears to be no need for enforcement actions to address child labor.

Criminal Law Enforcement

As there is no evidence of a problem, there appears to be no need for criminal law enforcement actions to address child labor.

IV. COORDINATION OF GOVERNMENT EFFORTS ON CHILD LABOR

Although there is no evidence of a problem, the Government of Australia has established mechanisms to coordinate government efforts on child labor (Table 4).

Table 4. Key Mechanisms to Coordinate Government Efforts on Child Labor

Coordinating Body	Role & Description
Inter-Departmental Committee on Human Trafficking	Deals with child labor issues, including its worst forms, from a human trafficking perspective. Comprises 11 government agencies, including the Australian Federal Police, Department of Employment, and Department of Foreign Affairs, and chaired by the Department of Home Affairs. (1,22) This Committee was active in 2019 and met to discuss issues as they arose. The Committee was also actively implementing the Modern Slavery Act of 2018. (1,23,24)

V. GOVERNMENT POLICIES ON CHILD LABOR

As there is no evidence of a problem, there appears to be no need for government policies to address child labor. However, the Government of Australia has established policies related to child labor (Table 5).

Table 5. Key Policies Related to Child Labor

Policy	Description
National Action Plan to Combat Human Trafficking and Slavery 2015–2019	Outlined cooperation and participation by government and NGOs to combat human trafficking and slavery, including commercial sexual exploitation of children. (11,25) This policy was in effect in 2019. (1,24)

In 2019, the Government of Australia took steps to begin consultations on a revised National Action Plan to Combat Human Trafficking and Slavery. (24,26,27)

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

As there is no evidence of a problem, there appears to be no need for programs to address child labor.

VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE CHILD LABOR

Based on the reporting above, the following actions would advance the continued prevention of child labor in Norfolk Island (Table 6).

Table 6. Suggested Government Actions to Eliminate Child Labor

Area	Suggested Action	Year(s) Suggested
Legal Framework	Ensure that the minimum age for work is in compliance with international standards, including by ensuring that it is not lower than the compulsory age for education.	2016 – 2019
	Establish laws to prohibit children under age 18 from engaging in hazardous work and identify hazardous occupations and activities prohibited for children in consultation with employers' and workers' organizations.	2010 – 2019
	Ensure that child trafficking, including the recruitment, harboring, transfer, and receipt of children for forced labor and commercial sexual exploitation, is clearly criminalized both domestically and internationally.	2018 – 2019
	Ensure that the law prohibits using, offering, and procuring a child under age 18 for commercial sexual exploitation, including prostitution.	2017 – 2019
	Ensure that laws related to illicit activities criminalize the use of children, including in the production of drugs.	2016 – 2019

Norfolk Island

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In 2019, North Macedonia made a moderate advancement in efforts to eliminate the worst forms of child labor. The parliament implemented changes to the existing Labor Law, which provided additional protections for children under the age of 15, and those who have not completed compulsory education. In addition, the Ministry of Education and Science implemented a new law that requires the hiring of educational mediators with the goal of removing barriers to education for Roma children. The government also increased the enrollment of children from vulnerable groups in primary school by accommodating first time and returnee students, and providing scholarships to vulnerable children.



However, children in North Macedonia engage in the worst forms of child labor, including in forced begging and commercial sexual exploitation, each sometimes as a result of human trafficking. The law's minimum age protections do not apply to children who are self-employed or working outside formal employment relationships. Local police entities have also demonstrated a lack of knowledge on handling cases pertaining to trafficking in persons. Moreover, the government has not adopted a policy to address all worst forms of child labor, with the exception of child trafficking.

I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in North Macedonia engage in the worst forms of child labor, including in forced begging and commercial sexual exploitation, each sometimes as a result of human trafficking. (1-8) Table 1 provides key indicators on children's work and education in North Macedonia.

Table 1. Statistics on Children's Work and Education

Children	Age	Percent
Working (% and population)	5 to 14	18.3 (44,161)
Attending School (%)	5 to 14	86.8
Combining Work and School (%)	7 to 14	19.5
Primary Completion Rate (%)		91.1

Source for primary completion rate: Data from 2017, published by UNESCO Institute for Statistics, 2020. (9)

Source for all other data: International Labor Organization's analysis of statistics from Multiple Indicator Cluster Survey 4 (MICS 4), 2011. (10)

Based on a review of available information, Table 2 provides an overview of children's work by sector and activity.

Table 2. Overview of Children's Work by Sector and Activity

Sector/Industry	Activity
Agriculture	Farming, activities unknown (1,3,8)
Services	Street work, including vending small items, cleaning vehicle windshields, scavenging, and begging (4,5,8,11)
Categorical Worst Forms of Child Labor‡	Commercial sexual exploitation, sometimes as a result of human trafficking (1,2,7,8,12)
	Forced begging, sometimes as a result of human trafficking (1,7,8,12)
	Domestic work as a result of human trafficking (2,6,13,14)
	Forced labor as waitstaff and dancers in restaurants, bars, and nightclubs (2,14,15)

‡ Child labor understood as the worst forms of child labor *per se* under Article 3(a)–(c) of ILO C. 182.

Most children involved in child labor in North Macedonia engage in street work, including vending small items, cleaning vehicle windshields, and begging. The majority of children involved in street work are of the Roma, Balkan Egyptian, and Ashkali ethnicities. (1,3-8)

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The majority of victims of child trafficking in North Macedonia are girls, between the ages of 12 and 18, who have been subjected to domestic trafficking for commercial sexual exploitation and forced labor in restaurants, bars, and nightclubs. (1,2,7,16) Roma girls, especially, are victims of trafficking for forced marriages in which they are subject to sexual and labor exploitation. (1,2,7,13,17)




Unaccompanied children from Afghanistan, Iraq, Iran, Syria, and other states continued to transit through the country, and were vulnerable to trafficking for labor and commercial sexual exploitation. (7,12,18,19)

In August 2019, the updated Law on Primary Education came into effect permitting the Ministry of Education and Science (MOES) to hire educational mediators to assist Roma students in overcoming barriers to education. MOES hired 22 mediators, all of whom are Roma, with plans to hire 23 more. (8) In addition, the government has continued to grant scholarships for Roma students. (8) Despite these efforts, the government was unable to fully meet the educational needs of Roma children due to a shortage of qualified teachers who can provide instruction in Romani. (16,20,21) Birth certification is required for attending school in North Macedonia, and some Roma children had difficulty accessing education due to a lack of birth registration and identity cards. (3,8,21) Also, there continues to be a lack of comprehensive data on child labor, including research on the activities of children in street work and those subjected to commercial sexual exploitation.

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; Section 18 of the Labour Relations Act (23,24)
Minimum Age for Hazardous Work	Yes	18	Sections 18 and 173 of the Labour Relations Act (24)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Rulebook on the Minimum Occupational Safety and Health Requirements for Young Workers (25)
Prohibition of Forced Labor	Yes		Article 11 of the Constitution; Articles 418, 418-c, and 418-d of the Criminal Code (23,26)
Prohibition of Child Trafficking	Yes		Articles 418-c and 418-d of the Criminal Code (26)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Articles 190–193-b of the Criminal Code (26)

Table 4. Laws and Regulations on Child Labor (Cont.)

Standard	Meets International Standards	Age	Legislation
Prohibition of Using Children in Illicit Activities	No		Article 12(3) of the Law on Child Protection (27)
Minimum Age for Voluntary State Military Recruitment	Yes	18	Article 62 of the Law on Defense (28)
Prohibition of Compulsory Recruitment of Children by (State) Military	N/A*		Article 62 of the Law on Defense (28)
Prohibition of Military Recruitment by Non-state Armed Groups	Yes		Articles 122, 322-a, and 404 of the Criminal Code (26)
Compulsory Education Age	Yes	16	Articles 8, 60, and 71 of the Law on Primary Education; Article 3 of the Law on Secondary Education (29,30)
Free Public Education	Yes		Article 44 of the Constitution (23)

* No conscription (28)

In 2019, the government of North Macedonia implemented changes to the existing Labour Relations Act, providing additional protections for working children. (8) In accordance with the Council of Europe's Committee of Social Rights, Article 18 of the law now indicates that children under the age of 15 or who have not completed compulsory education may participate in legally sanctioned work activities for no longer than 2 hours per day and no more than 12 hours per week. In addition, during a school holiday, children may not work longer than 6 hours per day or 30 hours per week. (8) However, the minimum age for work does not comply with international standards because the law's minimum age protections do not apply to children who are self-employed or working outside formal employment relationships. (4,21,24) In addition, because the minimum age for work is lower than the compulsory education age, children may be encouraged to leave school before the completion of compulsory education. (21)

III. ENFORCEMENT OF LAWS ON CHILD LABOR

The government has established institutional mechanisms for the enforcement of laws and regulations on child labor (Table 5). However, gaps exist within the operations of the Ministry of Labor and Social Policy (MLSP) that may hinder adequate enforcement of child labor laws.

Table 5. Agencies Responsible for Child Labor Law Enforcement

Organization/ Agency	Role
Ministry of Labor and Social 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. (3,5,8) Refers children to 30 Centers for Social Work (CSWs) throughout the country, which serve to counsel, educate, shelter, and assist children in need and victims of trafficking in persons. (3,11)
State Labor Inspectorate (SLI)	Enforces labor law, including child labor laws, by conducting at least 60 targeted and complaint-based cases per month. Receives complaints of child labor from MLSP and refers cases of the worst forms of child labor to the Public Prosecutor. (31,32)
Ministry of Interior (MOI)	Enforces laws related to hazardous child labor, child trafficking, commercial sexual exploitation, and the use of children in illicit activities through its special police unit for organized crime, corruption, and human trafficking. (32) In 2019, mobile teams continued their operations in Skopje, Kumanovo, Tetovo, Bitola, and Gevgelija to identify street children and remove them from hazardous situations. (1,8,16,18,33)
Public Prosecutor's Office	Prosecutes criminal law violations, including those involving the worst forms of child labor. (34) Has an Organized Crime and Corruption Unit with four prosecutors dedicated to cases of child abuse and the worst forms of child labor. The Skopje Basic Prosecutor's Office has eight prosecutors for child abuse cases. (14)
Office of the National Referral Mechanism	Refers potential cases of child victims of human trafficking to law enforcement authorities for investigation, and refers potential victims to social services. (8)

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Labor Law Enforcement

In 2019, labor law enforcement agencies in North Macedonia took actions to combat child labor (Table 6). However, gaps exist within the operations of the MLSP that may hinder adequate labor law enforcement, including financial resource allocation.

Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2018	2019
Labor Inspectorate Funding	\$2,000,000 (1)	\$1,900,000 (8)
Number of Labor Inspectors	54 (1)	78 (8)
Inspectorate Authorized to Assess Penalties	Yes (1)	Yes (8)
Initial Training for New Labor Inspectors	Yes (1)	Yes (8)
Training on New Laws Related to Child Labor	Yes (1)	No (8)
Refresher Courses Provided	Yes (1)	Yes (8)
Number of Labor Inspections Conducted	11,324 (1)	11,749 (8)
Number Conducted at Worksite	11,324 (1)	11,749 (8)
Number of Child Labor Violations Found	0 (1)	1 (8)
Number of Child Labor Violations for Which Penalties Were Imposed	0 (1)	0 (8)
Number of Child Labor Penalties Imposed that Were Collected	0 (1)	0 (8)
Routine Inspections Conducted	Yes (1)	Yes (8)
Routine Inspections Targeted	Yes (1)	Yes (8)
Unannounced Inspections Permitted	Yes (1)	Yes (8)
Unannounced Inspections Conducted	Yes (1)	Yes (8)
Complaint Mechanism Exists	Yes (1)	Yes (8)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (1)	Yes (8)

North Macedonia's State Labor Inspectorate (SLI) is responsible for enforcing all labor laws, including laws on child labor, in all sectors of the formal economy and can assess fines at any point of the inspection. (3) Although the SLI does not have a specific strategy for conducting inspections, unannounced inspections in all sectors are permitted, including on legally-registered private farms. (5,8,35) Inspectors can also inspect private homes and farms with a valid warrant. (3) In 2019, SLI found one child labor violation at a primary school, which was reported by a concerned parent and an NGO, in which a principal had agreed with a local business to have children harvest grapes for two days over a weekend. SLI did not assess a penalty for the violation and the NGO reported that the child labor ended because the work was completed. (8)

In 2019, all labor inspectors received training on labor laws. The number of labor inspectors increased from 54 to 78 and the number of inspections increased slightly due to new hires and a change in the law requiring heads of inspection departments to conduct regular inspections. (8) However, some government officials have indicated that funding is now insufficient due to the increase in inspectors. In addition, a senior government official expressed concern that 60 percent of current inspectors will reach retirement age in the next 2 to 3 years. (8) Sources also reported that labor inspectors did not consistently identify victims of human trafficking properly. (36)

The MLSP lacks a central database to track labor investigations; however, inspection results are disseminated throughout relevant departments within the MLSP. (16)

Criminal Law Enforcement

In 2019, criminal law enforcement agencies in North Macedonia took actions to combat child labor (Table 7). However, gaps exist within the operations of the criminal enforcement agencies that may hinder adequate criminal law enforcement, including investigation planning.

Table 7. Criminal Law Enforcement Efforts Related to Child Labor

Overview of Criminal Law Enforcement	2018	2019
Initial Training for New Criminal Investigators	Yes (1)	Yes (8)
Training on New Laws Related to the Worst Forms of Child Labor	Yes (1)	Yes (8)
Refresher Courses Provided	Yes (16)	Yes (8)
Number of Investigations	7 (2)	Unknown
Number of Violations Found	6 (1)	4 (8)
Number of Prosecutions Initiated	Unknown (1)	4 (8)
Number of Convictions	2 (2)	Unknown
Imposed Penalties for Violations Related to The Worst Forms of Child Labor	14 (20)	Unknown
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (1)	Yes (8)

In North Macedonia, legal requirements mandate that public prosecutors receive a 24-month training, which includes the application of international legal standards. (16) Police investigators receive initial training, yearly refresher courses, and training when legislation changes. (1) During the reporting period, investigators and Public Prosecutor’s Office representatives received specialized training from the National Unit for the Suppression of Migrant Smuggling and Human Trafficking (NUSMSHT), which also provided training on migrant smuggling and human trafficking to social workers, labor inspectors, NGOs, and civil society members. (8) However, research indicates that some local police were not aware of the specialized task force, nor did they possess knowledge on handling trafficking in persons (TIP) cases. (36)

In 2019, NUSMSHT identified four child victims of human trafficking, including victims of sexual exploitation and labor exploitation. NUSMSHT used Section 418-d of the criminal code to file two criminal charges against four individuals suspected of committing crimes. (8) The “Red Button” Hotline is an MOI-operated website application to report child abuse, human trafficking, hate crimes, and violence. The hotline was created to improve identification and timely referral of human trafficking cases, especially among migrants. (2) In 2019, three reports related to trafficking in persons were received and referred to the Anti-TIP Task Force for investigation. (8)

In 2019, criminal investigators operating in their home agencies had sufficient resources to carry out their duties. However, NUSMSHT 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. (8)

IV. COORDINATION OF GOVERNMENT EFFORTS ON CHILD LABOR

The government has established mechanisms to coordinate its efforts to address child labor (Table 8). However, gaps exist that hinder the effective coordination of efforts to address child labor, including efficacy in accomplishing mandates.

Table 8. Key Mechanisms to Coordinate Government Efforts on Child Labor

Coordinating Body	Role & Description
National Coordination Body for Protection of Children from Abuse and Neglect	Led by MLSP. (1) Comprises representatives from other ministries, civil society, WHO, and UNICEF country offices. (1,3) In 2019, the National Coordination Body began drafting a new National Action Plan for Prevention and Countering Abuse and Neglect of Children. (8)
National Commission for Trafficking in Persons and Illegal Migration (National Trafficking in Persons Commission)	Coordinates the work of all institutions involved in combating human trafficking. Led by MOI and under the direction of the National Anti-Trafficking in Persons Coordinator, with 14 representatives from 9 government institutions. (2,3,32) Includes five local committees, which implement local action plans, and the Sub-Committee for the Fight Against Trafficking in Children, which serves as an advisory body to the National Trafficking in Persons Commission on all forms of child trafficking. (2,6,8,32,37) During the reporting period, the Commission’s local committees met frequently and communicated daily. (8) In 2019, the National Commission also began drafting a new law to compensate victims of human trafficking, including children. (8) In addition, officials from the Commission’s Anti-Trafficking in Persons Task Force attended specialized OSCE trainings for its 32 permanent police members and 5 organized crime public prosecutors. (36)

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Sources reported that the local committees overseen by the National TIP Commission needed to build their capacity to adequately combat human trafficking, including via better human resource allocation. (2,8)

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 the lack of a policy that covers all worst forms of child labor.

Table 9. Key Policies Related to Child Labor

Policy	Description
National Strategy for the Fight Against Poverty and Social Exclusion (2010–2020)	Addresses social protection, social inclusion, health, education, and employment of children. (8,32) Aims to increase birth registration for Roma and other minorities, expand patrol services to identify and support street children, and improve the provision of social services for children involved in street work and begging. Implemented by MLSP. (8,32,38) In 2019, the policy continued to be implemented via birth registration promotion and the continuation of street mobile patrols and government payments for vulnerable populations. (39)
National Action Plan against Trafficking in Persons and Illegal Migration (2017–2020)	Focuses on preventing human trafficking by reducing the vulnerability of at-risk populations, improving the identification of victims, and increasing efforts to combat human trafficking and forced child begging. (3,12,40) In 2019, the government continued implementing the policy by assisting the Municipality of Kumanovo with establishing a new anti-TIP committee and 2020 Local Action Plan, bringing the total number of municipal-level anti-TIP committees in North Macedonia to seven. (36)
National Action Plan for Education (2018–2020)	Aims to expand inclusive education and improve education for the Roma community. Seeks to increase the number of Roma students in preschools and elementary schools and decrease the number of Roma students who, based on ethnicity, are enrolled in primary schools for children with special needs. (41) Includes a Strategy for 2018–2025. (16,42) In 2019, increased inclusion of children from vulnerable groups in primary school by accommodating first time and returnee students; also provided scholarships to vulnerable populations with a focus on Roma children who indicate interest in continuing their education in an underrepresented field. (8)

Although the Government of North Macedonia has adopted policies aimed at combating child trafficking, research found no evidence of a policy on other worst forms of child labor. (20)

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2019, the government funded and participated in programs that include the goal of eliminating or preventing child labor (Table 10). However, gaps exist in these social programs, including adequacy of programs to address the full scope of the problem.

Table 10. Key Social Programs to Address Child Labor

Program	Description
MLSP-Operated and Funded Centers and Shelters†	MLSP operates and funds several programs, sometimes in coordination with NGOs, which provide support and services to victims of human trafficking and vulnerable populations such as street children. MLSP runs one day center for street children and funds another operated by an NGO to provide services, healthcare, and counseling to children working in the streets. (3,8) MLSP also funds the Center for Victims of Human Trafficking, a transit center for asylum seekers, and the MOI-operated Transit Center for Illegal Migrants. (8) In 2019, MLSP funded 2 temporary centers for illegal migrants and children at the southern border and continued to operate 30 CSWs that provided services to street children and child victims of human trafficking. (8,13,32)
UNICEF Projects	UNICEF partners with the government and NGOs to provide projects for child protection, detection and referral of child victims of violence, and educational integration of vulnerable children, including Roma and migrant children. (16) In 2019, MLSP and the Inter-municipal Center for Social Work of the City of Skopje, in cooperation with UNICEF, established mobile teams to track street children and work with their families to secure benefits from the government. (8) Other projects include the Program for the Protection of Children Against Violence (2016–2020), the UNICEF Country Program (2016–2020), and the Home for Every Child Program. (11,16,44,45)
Inclusion of Roma Children in Preschool Education†	MLSP project implemented in cooperation with the Roma Education Fund and 19 government units. Part of the 2014–2020 Roma Strategy. (33,46) Aims to support the integration of Roma children by increasing the number of Roma children in preschool. (3,11) MLSP, MOI, and the Ministry of Justice are all part of the project work plan. (47) In 2019, the program continued to support Roma children by assisting their families with the school selection process, including ensuring access to schools with both Roma and Macedonian educators. (39)

† Program is funded by the Government of North Macedonia.

‡ The government had other social programs that may have included the goal of eliminating or preventing child labor. (1,2,48-50)

Day centers and other programs have not reduced child begging or the number of children on the streets, especially among Roma children, suggesting that existing programs were insufficient for combating child labor. (3,11,18,20,47,51)

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 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 – 2019
	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
	Raise the minimum age for work to the age up to which education is compulsory.	2018 – 2019
Enforcement	Conduct training on new child labor laws for labor inspectors.	2019
	Provide labor inspectors with an electronic system to record and share data on inspections with the entity receiving the citation, and publish the information.	2009 – 2019
	Provide sufficient funding for the National Unit for the Suppression of Migrant Smuggling and Human Trafficking to carry out its duties to combat human trafficking.	2019
	Ensure that the State Labor Inspectorate assesses adequate penalties for discovered child labor violations.	2019
	Ensure that local police receive proper training on handling cases related to trafficking in persons.	2018 – 2019
	Build the capacity of local commissions to adequately combat human trafficking.	2018 – 2019
Government Policies	Ensure that the National Strategy for the Fight Against Poverty and Social Exclusion is implemented.	2018 – 2019
	Adopt a policy that addresses all relevant worst forms of child labor, such as a national action plan on child labor.	2017 – 2019
Social Programs	Conduct research to determine the activities carried out by children engaged in child labor, including those in street work and those subjected to commercial sexual exploitation.	2013 – 2019
	Reduce barriers to education by increasing the number of teachers who can provide education in the Romani language, and make additional efforts to register Roma children at birth.	2014 – 2019
	Ensure that child beggars receive the support needed to be removed from the streets permanently.	2015 – 2019

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In 2019, Oman made a moderate advancement in efforts to eliminate the worst forms of child labor. The Ministry of Social Development issued regulations for determining whether a child is employed in a family business and for the medical examinations that a business must complete before employing a child. In addition, the National Committee for Combating Human Trafficking conducted two multi-day training programs on human trafficking for government officials and the Ministry of Manpower released a video in Arabic and English that clarified the rights and responsibilities of migrant workers. Although research is limited, there is evidence that children in Oman engage in child labor, including in fishing and selling items in kiosks. Government policies do not address all forms of child labor and the Ministry of Manpower is not represented on the National Committee on Implementing the United Nations Convention on the Rights of the Child. In addition, the government did not provide information on the amount of the labor inspectorate's funding, the number of inspectors, or training for inclusion in this report.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Although research is limited, there is evidence that children in Oman engage in child labor, including in fishing and selling items in kiosks. (1-3) The law limits children's work to a family business. (4) 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 (%)		100.4

Source for primary completion rate: Data from 2018, published by UNESCO Institute for Statistics, 2020. (5)

Source for all other data: Data were unavailable from ILO's analysis, 2020. (6)

Based on a review of available information, Table 2 provides an overview of children's work by sector and activity.

Table 2. Overview of Children's Work by Sector and Activity

Sector/Industry	Activity
Agriculture	Farming, activities unknown (1,3)
	Fishing, activities unknown (1-3)
Services	Selling food items in kiosks, including fish† and grilled meat† (1)

† Determined by national law or regulation as hazardous and, as such, relevant to Article 3(d) of ILO C. 182.




Limited evidence suggests that children with disabilities may face barriers to accessing education because some school buses are not wheelchair accessible. In addition, the government has not allocated resources to enable relevant ministries and schools to provide equal educational services to intellectually disabled students.(9,10)

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II. LEGAL FRAMEWORK FOR CHILD LABOR

Oman has ratified all key international conventions concerning child labor (Table 3).

Table 3. Ratification of International Conventions on Child Labor

Convention	Ratification
 ILO C. 138, Minimum Age	✓
ILO C. 182, Worst Forms of Child Labor	✓
 UN CRC	✓
UN CRC Optional Protocol on Armed Conflict	✓
UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	✓
 Palermo Protocol on Trafficking in Persons	✓

The government's laws and regulations are in line with relevant international standards (Table 4).

Table 4. Laws and Regulations on Child Labor

Standard	Meets International Standards	Age	Legislation
Minimum Age for Work	Yes	15	Article 75 of the Labor Law (12)
Minimum Age for Hazardous Work	Yes	18	Article 76 of the Labor Law; Article 45 of the Child Law (11,12)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Article 76 of the Labor Law; Ministry of Manpower Order 217/2016 (12,13)
Prohibition of Forced Labor	Yes		Articles 1–2 and 9 of the Law to Combat Human Trafficking; Article 3 bis of the Labor Law (12,14)
Prohibition of Child Trafficking	Yes		Articles 1–2 and 9 of the Law to Combat Human Trafficking (14)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Articles 1–2 and 9 of the Law to Combat Human Trafficking; Articles 254–255 and 267–268 of the Penal Code (14,15)
Prohibition of Using Children in Illicit Activities	Yes		Articles 58 and 74 of the Child Law; Article 43 of the Law on Narcotic Drugs and Psychotropic Substances (11,16)
Minimum Age for Voluntary State Military Recruitment	Yes	16	Article 55 of the Child Law (11)
Prohibition of Compulsory Recruitment of Children by (State) Military	Yes*		Article 55 of the Child Law (11)
Prohibition of Military Recruitment by Non-state Armed Groups	Yes		Articles 1(f) and 55 of the Child Law (11)
Compulsory Education Age	Yes	16‡	Article 36 of the Child Law (11)
Free Public Education	Yes		Article 13 of the Basic Law; Article 36 of the Child Law (11,17)

* No conscription (18)

‡ Age calculated based on available information (18)

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. (11,12,27)

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 authority of the Ministry of Manpower that may hinder adequate enforcement of their child labor laws.

Table 5. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
Ministry of Manpower	Monitors and enforces child labor laws, conducts labor inspections, and shares information with the Royal Oman Police on labor and criminal law violations when penalties are pursued. (8)
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. (8)
Royal Oman Police	Monitors and enforces the Child Law, including its provisions related to child labor, and refers cases to the Office of the Public Prosecutor. (8)
Office of the Public Prosecutor	Prosecutes human trafficking and sexual exploitation cases in court with assistance from the Royal Oman Police. (8,19)
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. (8,20)

Labor Law Enforcement

In 2019, labor law enforcement agencies in Oman took actions to combat child labor (Table 6). However, gaps exist within the authority of the Ministry of Manpower that may hinder adequate labor law enforcement, including penalty assessment authorization.

Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2018	2019
Labor Inspectorate Funding	Unknown (21)	Unknown (3)
Number of Labor Inspectors	316 (21)	Unknown (3)
Inspectorate Authorized to Assess Penalties	No (22)	No (3)
Initial Training for New Labor Inspectors	Yes (21)	Unknown (3)
Training on New Laws Related to Child Labor	N/A	Unknown (3)
Refresher Courses Provided	Yes (21)	Unknown (3)
Number of Labor Inspections Conducted	Unknown (21)	5,629 (4)
Number Conducted at Worksite	Unknown (21)	Unknown (3)
Number of Child Labor Violations Found	0 (21)	0 (3)
Number of Child Labor Violations for Which Penalties Were Imposed	N/A	N/A
Number of Child Labor Penalties Imposed that Were Collected	N/A	N/A
Routine Inspections Conducted	Yes (21)	Yes (3)
Routine Inspections Targeted	Unknown (21)	Unknown (3)
Unannounced Inspections Permitted	Yes (21)	Yes (3)
Unannounced Inspections Conducted	Yes (21)	Yes (3)
Complaint Mechanism Exists	Yes (21)	Yes (3)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	No (21)	Yes (3)

The Ministry of Manpower conducts yearly inspections of all private institutions and re-inspections of workplaces found to be in violation of labor laws. The Ministry of Manpower also conducts labor inspections following a complaint. (23) The Ministry of Manpower did not report an exact number of labor inspectors in 2019, but officials indicated it exceeds the ILO's recommended number of inspectors for the size of Oman's workforce. (3)

In 2019, the Ministry of Social Development (MOSD) issued implementing regulations for the Child's Law defining which family members count in determining whether a child's employment is in a family business. The regulations also stipulate intervals and certification requirements for medical examinations of employed children. (3)

The Ministry of Manpower and the MOSD can coordinate with the Royal Oman Police to shelter child victims and refer violators for criminal investigation. An official stated that the Ministry of Manpower can refer a case of child labor to the MOSD if the child is under the minimum age for work. (3)

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The government did not provide information for this report regarding the amount of the labor inspectorate's funding, the number of inspectors, or trainings provided. (4)

Criminal Law Enforcement

In 2019, 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	2018	2019
Initial Training for New Criminal Investigators	Yes (21)	Yes (3)
Training on New Laws Related to the Worst Forms of Child Labor	N/A	N/A
Refresher Courses Provided	Yes (24)	Unknown (3)
Number of Investigations	0 (21)	0 (3)
Number of Violations Found	0 (21)	0 (3)
Number of Prosecutions Initiated	0 (21)	0 (3)
Number of Convictions	0 (21)	0 (3)
Imposed Penalties for Violations Related to The Worst Forms of Child Labor	N/A	N/A
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (21)	Yes (3)

In 2019, the government held a 2-day seminar and a separate 2-day workshop on combating human trafficking for government officials. (3)

IV. COORDINATION OF GOVERNMENT EFFORTS ON CHILD LABOR

The government has established mechanisms to coordinate its efforts to address child labor (Table 8). However, gaps exist that hinder the effective coordination of efforts to address child labor, including the omission of the Ministry of Manpower from the National Committee on Implementing the UN CRC.

Table 8. Key Mechanisms to Coordinate Government Efforts on Child Labor

Coordinating Body	Role & Description
National Committee on Implementing the UN CRC	Led by the MOSD, oversees the implementation of the UN CRC, including its provisions related to child labor and its worst forms. There are subcommittees in all 11 governorates. (8) Other members include three other state agencies. The Ministry of Manpower is not represented. (8) In 2019, the Minister of Social Development met with the UNICEF Regional Director and delegation to discuss cooperation with UNICEF on implementation of the UN CRC. (25)
National Committee for Combating Human Trafficking	Oversees the National Plan for Combating Human Trafficking. Includes the Royal Oman Police and 10 other state agencies. (8) In 2019, held a seminar and a separate workshop on combating 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 covering all worst forms of child labor.

Table 9. Key Policies Related to Child Labor

Policy	Description
National Plan for Combating Human Trafficking (2018–2020)†	Aims to raise awareness among migrant workers on their rights and responsibilities and to raise awareness on countering human trafficking through leaflets, posters, websites, and social media. Establishes a human trafficking task force, including representatives from the Ministry of Manpower, the Royal Oman Police, the MOSD, and other agencies, to follow up on cases of human trafficking. (26) Establishes specialized human trafficking units in the Court of Appeals in Muscat and in the above-mentioned ministries. Regulates domestic work and allows for inspection of homes upon receipt of complaints from domestic workers. Provides annual training to government agencies and private companies on countering human trafficking. (26) In March 2019, the Ministry of Manpower released a video in Arabic and English that clarified the rights and responsibilities of migrant workers. (24)

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 2019, the government funded and participated in programs that include the goal of eliminating or preventing child labor, which cover the main sectors where child labor has been identified in the country (Table 10).

Table 10. Key Social Programs to Address Child Labor

Program	Description
Social Security Cash Transfer Program†	Provides assistance to children in low-income families, including educational services. (20) Active in 2019. (25)

† 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
Legal Framework	Raise the minimum age for work to the age up to which education is compulsory.	2019
Enforcement	Collect and publish data on labor inspectorate funding, the number of inspections conducted at worksites, and whether targeted inspections were conducted.	2013 – 2019
	Ensure that labor inspectors receive training on new regulations pertaining to child labor laws.	2019
	Ensure that refresher courses are provided for criminal investigators.	2019
	Authorize the inspectorate to assess penalties.	2017 – 2019
Coordination	Ensure that the National Committee on Implementing the UN CRC is able to carry out its intended mandate, and that the Ministry of Manpower participates in the Committee.	2016 – 2019
Government Policies	Develop a national policy to address all forms of child labor.	2013 – 2019
Social Programs	Collect and publish data on the extent and nature of child labor to inform policies and programs.	2017 – 2019
	Ensure that all children have equal access to education, including children with disabilities.	2011 – 2019

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In 2019, Pakistan made a moderate advancement in efforts to eliminate the worst forms of child labor. Punjab Province adopted the Punjab Domestic Workers Act of 2019, which prohibits children under age 15 from working in any domestic service capacity. The Pakistan National Assembly also passed the Islamabad Capital Territory Prohibition of Employment of Children Act. In addition, the Islamabad Capital Territory established its Child Protection Advisory Board, and the Khyber Pakhtunkhwa and Balochistan provincial labor departments earmarked specific funds from their budgets to conduct child labor surveys. Khyber Pakhtunkhwa Province also established a dedicated child labor unit. Children in Pakistan are engaged in the worst forms of child labor, including in commercial sexual exploitation and domestic work, each sometimes as a result of human trafficking. Children also engage in forced labor in brick kilns and agriculture. The federal government and Balochistan Province have not established a minimum age for work or hazardous work in compliance with international standards. In addition, provincial labor inspectorates do not receive sufficient resources to adequately enforce laws prohibiting child labor, and the federal and provincial governments failed to publish data on their efforts to enforce criminal or labor laws related to child labor. Further, police corruption, particularly the taking of bribes from suspected perpetrators to ignore child labor crimes and lack of willingness to conduct investigations, hindered Pakistan's ability to address the problem throughout the country.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Pakistan are engaged in the worst forms of child labor, including in commercial sexual exploitation and domestic work, each sometimes as a result of human trafficking. Children also engage in forced labor in brick kilns and agriculture. (1-4) 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.

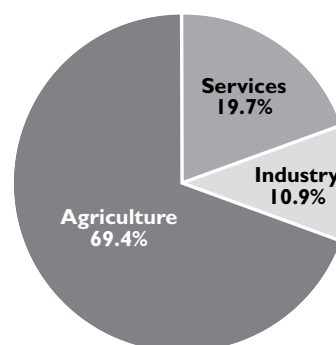
Table I. Statistics on Children's Work and Education

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		71.1
	Punjab Province		Unavailable
	Sindh Province		Unavailable

Source for primary completion rate: Data from 2018, published by the UNESCO Institute for Statistics, 2020. (5)

Source for all other data: International Labor Organization's analysis of statistics from Labour Force Study (LFS), 2017–2018; and Multiple Indicator Cluster Survey 5 (MICS 5), 2014. (6)

Figure I. Working Children by Sector, Ages 10-14



Pakistan

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Based on a review of available information, Table 2 provides an overview of children’s work by sector and activity.

Table 2. Overview of Children’s Work by Sector and Activity

Sector/Industry	Activity
Agriculture	Farming, including harvesting cotton, wheat, and sugarcane (3,7-11)
	Fishing, including deep sea fishing (12,13)
Industry	Manufacturing glass bangles,† surgical instruments,† and jewelry (3,4,10,12,14-19)
	Weaving carpets,† producing garments, and tanning leather,† (3,12,17,19-22)
	Producing bricks (1,3,4,19,21-26)
	Mining coal† and gemstones, and crushing stone† (12,21,24,27,28)
Services	Domestic work (2,4,29-31)
	Working in hotels, restaurants, gas stations, and automobile repair (3,4,8,21,32-35)
	Scavenging† and sorting garbage and recyclables, begging, and street vending (3,7,32,36-38)
Categorical Worst Forms of Child Labor‡	Forced labor in agriculture, brickmaking, carpet weaving, and coal mining (1,3,39-41)
	Forced domestic work, sometimes as a result of human trafficking (2,3,29,41)
	Commercial sexual exploitation, including use in the production of pornography, sometimes as a result of human trafficking (3,4,19,41-45)
	Forced begging, sometimes as a result of human trafficking (3,8,41)
	Forced recruitment of children by non-state armed groups for use in armed conflict (41)
	Use in illicit activities, including trafficking and producing drugs (3,38)

† Determined by national law or regulation as hazardous and, as such, relevant to Article 3(d) of ILO C. 182.

‡ Child labor understood as the worst forms of child labor *per se* under Article 3(a)–(c) of ILO C. 182.

Pakistan consists of the Islamabad Capital Territory (ICT), which is governed by federal law, as well as 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. (46) When available, data and information are included for the federal and provincial governments in this report. In 2019, Pakistan’s federal and provincial governments, with technical assistance provided by UNICEF, continued conducting nationwide child labor surveys. These surveys—the first conducted since 1996—are expected to address the lack of available child labor data that has hampered the federal and provincial governments’ ability to accurately assess the scope and prevalence of child labor. (3,29)

Many child domestic workers work under conditions of forced labor, including debt bondage, sexual assault, and extreme physical abuse. (2,3,29,31) Indeed, reports estimate that 70 percent of bonded laborers in Pakistan are children. (46,47) Poor rural families sometimes sold their children into domestic servitude or other types of work, or paid agents to arrange for such work, often believing their child would work under decent conditions. Children were also kidnapped or sold into organized begging rings, domestic servitude, gangs, and child sex trafficking. (46,48) Some children work with their families as bonded laborers in the production of bricks. (3,4,8,26,41,49)

Begging ringmasters sometimes maim children to earn more money and sometimes force children to steal, and organized criminal groups force children into drug trafficking in Sindh and Balochistan. Research found that due to the consistent lack of law enforcement efforts against those who exploited street children, including in forced labor and sex trafficking, traffickers operated openly and with impunity. (3,46,50)




Child laborers in Pakistan, particularly boys, are frequently subjected to sexual exploitation at their places of employment, including in factories, workshops, mines, or while scavenging on the streets. (51) They are also sometimes subjected to sexual exploitation in order to obtain or keep a job or for accommodations. Research indicates that in Kasur, a city in the Punjab Province where sexual exploitation of children is considered to be among the highest in the country, 90 percent of working children under age 14 have been sexually harassed or exploited. (3,41,52,51) The practice of *bacha bazi*, or boy play, in which boys are forced to provide social and sexual entertainment for older men, is common within Pakistan. Traffickers in Pakistan also promise Pakistani boys admission to Afghani religious schools only to instead sell them to Afghan security forces for the purpose of sexual exploitation. (41,53)

Children in Pakistan face several barriers to education. Of significant concern is the sexual abuse of children in Pakistan's *madrassas*—Islamic religious schools that provide free education and meals to Pakistan's poorest children. (52,54,55) There are more than 22,000 registered *madrassas* in the country, in addition to an estimated 2,000-3,000 unregistered *madrassas*; sexual abuse in *madrassas* significantly hinders the ability of a large number of Pakistani children to attend school and receive an education. (52,54) In addition, non-state armed militant groups—Tehreek-e-Taliban Pakistan, its splinter groups, and ISIL-KP—forcibly recruited and used children in terrorist activities, including suicide attacks. Further, while research found that the total number of terrorist attacks against schools have continued to decrease since 2009, schools in Pakistan may still be vulnerable to attacks by unknown armed groups, disrupting children's access to education. (3,10,19,46,56-61) Many other children face barriers to accessing education including high rates of teacher absenteeism, inadequate facilities, lack of transportation, school fees, and corporal punishment, which may deter children from attending school. (3,10,57,60,62-64) Lastly, while children are not legally required to have a birth certificate to enroll in public or private school, research indicates that some private schools may still require children's birth certificate in order to enroll. (3,46) Research also found only 31 percent of births are officially registered. Children without a birth certificate who cannot enroll in school are at much higher risk of becoming victims of exploitative labor conditions. (65)

II. LEGAL FRAMEWORK FOR CHILD LABOR

Pakistan has ratified most key international conventions concerning child labor (Table 3).

Table 3. Ratification of International Conventions on Child Labor

Convention	Ratification
 ILO C. 138, Minimum Age	✓
ILO C. 182, Worst Forms of Child Labor	✓
 UN CRC	✓
UN CRC Optional Protocol on Armed Conflict	✓
UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	✓
 Palermo Protocol on Trafficking in Persons	

The government has established laws and regulations related to child labor (Table 4). However, gaps exist in Pakistan's legal framework to adequately protect children from the worst forms of child labor, including the minimum age for work and for hazardous work.

Table 4. Laws and Regulations on Child Labor

Standard	Related Entity	Meets International Standards	Age	Legislation
Minimum Age for Work	Federal	No†	14	Section 50 of the Factories Act; Section 20 of the Shops and Establishments Ordinance; Section 26 of the Mines Act; Section 3 of the Road Transport Workers Ordinance (66-69)
	Balochistan	No		Section 50 of the Factories Act; Section 20 of the Shops and Establishments Ordinance; Section 26 of the Mines Act; Section 3 of the Road Transport Workers Ordinance (66-69)
	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 (70-72)

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Table 4. Laws and Regulations on Child Labor (Cont.)

Standard	Related Entity	Meets International Standards	Age	Legislation
Minimum Age for Work	Punjab	Yes†	14	Section 3(1) of the Punjab Restriction on Employment of Children Ordinance; Section 5 of the Punjab Prohibition of Child Labor at Brick Kilns Act; Section 3 of the Punjab Domestic Workers Act (73,74,154)
	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 (75-77)
Minimum Age for Hazardous Work	Federal	No	14	Sections 2–3 of the Employment of Children Act (78)
	Balochistan	No	14	Sections 2–3 of the Employment of Children Act (78)
	Khyber Pakhtunkhwa	Yes	18	Sections 2(1)(a) and 3(2) of the Khyber Pakhtunkhwa Prohibition of Employment of Children Act (70)
	Punjab	Yes	18	Section 3(2) of the Punjab Restriction on Employment of Children Ordinance (74)
	Sindh	Yes	18	Section 3(2) of the Sindh Prohibition of Employment of Children Act (77)
Identification of Hazardous Occupations or Activities Prohibited for Children	Federal	Yes		Parts 1–2 of the Schedule of the Employment of Children Act (78)
	Balochistan	Yes		Parts 1-2 of the Schedule of the Employment of Children Act (78)
	Khyber Pakhtunkhwa	Yes		Parts 1–2 of the Schedule of the Khyber Pakhtunkhwa Prohibition of Employment of Children Act (70)
	Punjab	Yes		Schedule of Hazardous Work of the Punjab Restriction on Employment of Children Ordinance (76)
	Sindh	Yes		Schedule of Hazardous Work of the Sindh Prohibition of Employment of Children Act (77)
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 (79-81)
	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 (79-81)
	Khyber Pakhtunkhwa	Yes		Sections 2(j) and 3 of the Khyber Pakhtunkhwa Bonded Labor System (Abolition) Act; Sections 367, 370, 371A–371B, and 374 of the Penal Code (80,82)
	Punjab	Yes		Section 11(3) of the Punjab Restriction on Employment of Children Ordinance; Section 4 of the Punjab Bonded Labor System (Abolition) Act (74,83)
	Sindh	Yes		Section 4 of the Sindh Bonded Labor System (Abolition) Act; Section 14.1(a) of the Sindh Prohibition of Children Act (77,84)
Prohibition of Child Trafficking	Federal	No		Sections 3 and 7 of the Prevention of Trafficking in Persons Act; Sections 366A–366B of the Penal Code; Sections 2(g), 3 of the Prevention and Control of Human Trafficking Ordinance (80,81,85)
	Balochistan	No		Sections 3 and 7 of the Prevention of Trafficking in Persons Act; Sections 369A of the Penal Code; Sections 2(g), 3 of the Prevention and Control of Human Trafficking Ordinance (80,81,85)

Table 4. Laws and Regulations on Child Labor (Cont.)

Standard	Related Entity	Meets International Standards	Age	Legislation
Prohibition of Child Trafficking	Khyber Pakhtunkhwa	No		Sections 2 and 52 of the Khyber Pakhtunkhwa Child Protection and Welfare Act (86)
	Punjab	No		Sections 3 and 7 of the Prevention of Trafficking in Persons Act; Sections 366A–366B of the Penal Code; Sections 2(g), 3 of the Prevention and Control of Human Trafficking Ordinance (80,81,85)
	Sindh	No		Sections 3 and 7 of the Prevention of Trafficking in Persons Act; Sections 366A–366B of the Penal Code; Sections 2(g), 3 of the Prevention and Control of Human Trafficking Ordinance (80,81,85)
Prohibition of Commercial Sexual Exploitation of Children	Federal	No		Sections 292(B)–292(C), 366A–366B, and 371A–371B of the Penal Code; Sections 2, 3, and 7 of the Prevention of Trafficking in Persons Act; Second Amendment to the Criminal Code, Section 377A, 292B (2016) (80,81,87)
	Balochistan	No		Sections 292(B)–292(C), 366A–366B, and 371A–371B of the Penal Code; Sections 2, 3, and 7 of the Prevention of Trafficking in Persons Act; Second Amendment to the Criminal Code, Section 377A, 292B (2016) (80,81,87)
	Khyber Pakhtunkhwa	No		Sections 2, 48, and 53 of the Khyber Pakhtunkhwa Child Protection and Welfare Act (86)
	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 (74,88)
	Sindh	Yes		Section 14.1(b) of the Prohibition of Employment of Children Act (77)
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 (86)
	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 (74,88)
	Sindh	Yes		Section 14.1(c) of the Prohibition of Employment of Children Act (77)
Minimum Age for Voluntary State Military Recruitment	Federal	Yes	18	Section 3 of the National Service Ordinance (89)
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 (74)
	Sindh	Yes		Section 14.1(c) of the Sindh Prohibition of Employment of Children Act (77)
Compulsory Education Age	Federal	Yes	16	Section 3 of the Right to Free and Compulsory Education Act (90)
	Balochistan	Yes	16	Section 3 of the Balochistan Compulsory Education Act (91)
	Khyber Pakhtunkhwa	Yes	16	Section 3 of the Khyber Pakhtunkhwa Free Compulsory Primary and Secondary Education Act (70)

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Table 4. Laws and Regulations on Child Labor (Cont.)

Standard	Related Entity	Meets International Standards	Age	Legislation
Compulsory Education Age	Punjab	Yes	16	The Punjab Free and Compulsory Education Ordinance (92)
	Sindh	Yes	16	Section 3(1) of the Sindh Right of Children to Free and Compulsory Education Act (93)
Free Public Education	Federal	Yes		Section 3 of the Right to Free and Compulsory Education Act (90)
	Balochistan	Yes		Section 2(f) of the Balochistan Compulsory Education Act (91)
	Khyber Pakhtunkhwa	Yes		Section 3 of the Khyber Pakhtunkhwa Free Compulsory Primary and Secondary Education Act (70)
	Punjab	Yes		The Punjab Free and Compulsory Education Act (92)
	Sindh	Yes		Section 3(1) of the Sindh Right of Children to Free and Compulsory Education Act (93)

* No conscription (89)

† 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 (66-68)

‡ The minimum age for work in brick kilns is 14 years old. The minimum age for work in domestic work is 15 years old (73,75)

The Eighteenth Amendment to the Pakistani Constitution permits provinces to pass laws that govern labor law and children's welfare. (94,153) Federal law applies only until the province passes a law on the same subject. (26,96)

In 2019, the Pakistan National Assembly passed the Islamabad Capital Territory Prohibition of Employment of Children Act, which would prohibit the employment of children age 14 and younger in any establishment, including agricultural and household establishments; would prohibit the employment of children ages 15 to 18 in hazardous work; and would establish a hazardous work list prohibited for children. However, the Senate had not approved the bill at the close of the reporting period. (3,96) The Balochistan Employment of Children (Prohibition and Regulation) Bill, which would include an updated list of hazardous work prohibited for children; prohibit hazardous work for children under 18 years of age; and establish a minimum age of 14 years of age was sent to the cabinet for consideration. (21)

Pakistan's federal and provincial laws are not completely in compliance with international standards on child labor. The federal minimum age for work provisions, as well as 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. (66-77,154)

The federal government's minimum age for hazardous work is currently 14 years old, which does not comply with international standards. (78) The federal minimum age for hazardous work still applies in Balochistan Province, as Balochistan has not established a minimum age for hazardous work. (29,78,98)

Hazardous work prohibitions for the federal government and the four provinces do not cover brickmaking, for which there is evidence that children are exposed to environmental health hazards. Hazardous work prohibitions for the federal government and every province except Punjab do not cover domestic work, for which there is evidence that children are exposed to physical abuse. (8,23,78) In 2019, Punjab Province adopted the Punjab Domestic Workers Act of 2019, which bans children under age 15 from working in any domestic service capacity, and permits only children under age 18 to perform light work that does not harm the child's health and safety or affect their education. (3,4,97,154) 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. (27,28,68,70,74,77,78,98)

Federal law, which also applies in all the provinces except Khyber Pakhtunkhwa, does not comply with international standards on child trafficking, as it does not omit the requirement of force, fraud, or coercion as elements of the crime. (80,81,85) Khyber Pakhtunkhwa Province's human trafficking law also requires the additional element of kidnapping, coercion, or receipt or giving of a benefit. (86)

Federal law, which also applies in Balochistan, does not prohibit the use of children for prostitution or the procuring and offering of children in commercial sexual exploitation, nor does Khyber Pakhtunkhwa's law. (80,81,86,87)

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. (74,77,86)

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. (13,70,73)

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. (70,90-93)

III. ENFORCEMENT OF LAWS ON CHILD 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 provincial labor inspectorates that may hinder adequate labor law enforcement.

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. Refer children taken into custody to Child Protection Officers. (13,97)
Provincial Labor Inspectors	Inspect industrial areas and markets to identify child labor violations, enforce provincial labor laws, and pursue legal action against employers. (13)
Federal Investigation Agency (FIA), Anti-Trafficking Unit	Enforces transnational human trafficking-related laws, particularly the Prevention of Trafficking in Persons Act. Cooperates with other governments on human trafficking cases, operates a hotline for victims, and publishes information on anti-trafficking efforts on its website. (3,4,10,41) Operates under the Ministry of the Interior. (4) In 2019, the FIA—in collaboration with UNODC—conducted a Regional Conference on Trafficking in Persons that enhanced regional cooperation and information sharing related to combating trafficking in persons. (102)
Labor Courts	Assesses penalties for labor violations. Located in each province and the Islamabad Capital Territory. (3,46,103-105)
District Vigilance Committees	Implement the Bonded Labor System (Abolition) Act and assist in rehabilitating bonded laborers via monitoring bodies. Consists of members of the public, civil society groups, lawyers, members of the media, and local government officials. Report to the District Magistrate. (13,41,46,79) Exists in all provinces except Balochistan and Khyber Pakhtunkhwa. (46)
Child Protection Units (CPU)	Take into custody at-risk children, including those rescued from exploitative labor situations. Present cases of children taken into custody to the Child Protection Court or the appropriate authority. Established in Punjab, Khyber Pakhtunkhwa, and Sindh Provinces. (86,88,102,106-108)

In 2019, the Punjab Provincial court ordered the provincial government to pay school fees for children working at brick kilns. (109) In addition, District Vigilance Committees (DVCs) are functioning in all of Punjab Province's 36 districts, as well in 29 districts in Sindh Province. (41,46,102) The ICT DVCs have begun taking legal efforts against brick kilns using child labor by imposing heavy fines issued under the supervision of the District Magistrate. (19)

Labor Law Enforcement

In 2019, labor law enforcement agencies in Pakistan took actions to combat child labor (Table 6). However, gaps exist within the operations of provincial labor inspectorates that may hinder adequate labor law enforcement, including limited financial and human resource allocation.

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Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	Related Entity	2018	2019
Labor Inspectorate Funding		Unknown (10)	Unknown (3)
Number of Labor Inspectors	National Total	Unknown (10)	Unknown (3)
	Balochistan	Unknown (10)	Unknown (3)
	Khyber Pakhtunkhwa	Unknown (10)	Unknown (3)
	Punjab	Unknown (10)	80 (3)
	Sindh	152 (10)	120 (3)
Inspectorate Authorized to Assess Penalties	Balochistan	Unknown	No (3)
	Khyber Pakhtunkhwa	No (10)	No (3)
	Punjab	No (10)	No (3)
	Sindh	No (10)	No (3)
Initial Training for New Labor Inspectors	National	Yes (10)	Unknown (3)
	Balochistan	N/A	No (3)
	Khyber Pakhtunkhwa	Unknown	No (3)
	Punjab	Yes (10)	Yes (3)
	Sindh	N/A	Yes (3)
Training on New Laws Related to Child Labor	National	Yes (10)	Yes (3)
Training on New Laws Related to Child Labor	Khyber Pakhtunkhwa	Unknown	Unknown
Training on New Laws Related to Child Labor	Punjab	Unknown	Yes (3)
Refresher Courses Provided	National	Yes (10)	Yes (3)
Refresher Courses Provided	Khyber Pakhtunkhwa	Unknown	Unknown
Refresher Courses Provided	Punjab	Yes (10)	Yes (46)
Number of Labor Inspections Conducted	National Total	11,910 (110)	Unknown (3)
	Balochistan	Unknown (10)	Unknown (3)
	Khyber Pakhtunkhwa	Unknown (10)	Unknown (3)
	Punjab	51,798† (111)	Unknown (3)
	Sindh	Unknown (10)	Unknown (3)
Number Conducted at Worksite	Khyber Pakhtunkhwa	Unknown (10)	Unknown (3)
Number Conducted at Worksite	Punjab	Unknown (10)	Unknown (3)
Number of Child Labor Violations Found	National Total	Unknown (10)	Unknown (3)
	Punjab	98† (111)	940 (46)
	Khyber Pakhtunkhwa	Unknown (10)	Unknown (3)
	Sindh	Unknown (10)	Unknown (3)
Number of Child Labor Violations for Which Penalties Were Imposed	National Total	Unknown (10)	Unknown (3)
Number of Child Labor Violations for Which Penalties Were Imposed	Khyber Pakhtunkhwa	Unknown (10)	Unknown (3)
Number of Child Labor Violations for Which Penalties Were Imposed	Punjab	Unknown (10)	Unknown (3)
Number of Child Labor Penalties Imposed that Were Collected	Khyber Pakhtunkhwa	Unknown (10)	Unknown (3)
Number of Child Labor Penalties Imposed that Were Collected	Punjab	Unknown (10)	Unknown (3)
Routine Inspections Conducted	Federal	N/A	Unknown
	Balochistan	N/A	Yes (3)
	Khyber Pakhtunkhwa	Yes (10)	Yes (3)
	Punjab	Yes (10)	Yes (3)
	Sindh	N/A	Yes (3)
Routine Inspections Targeted	Khyber Pakhtunkhwa	Unknown (10)	Unknown
Routine Inspections Targeted	Punjab	Unknown (10)	Unknown
Unannounced Inspections Permitted	Federal	Yes (112)	Yes (112)
	Balochistan	N/A	Yes (113)
	Khyber Pakhtunkhwa	Yes (114)	Yes (114)
	Punjab	Yes (115)	Yes (115)
	Sindh	Yes (116)	Yes (116)

Table 6. Labor Law Enforcement Efforts Related to Child Labor (Cont.)

Overview of Labor Law Enforcement	Related Entity	2018	2019
Unannounced Inspections Conducted	Khyber Pakhtunkhwa	Unknown (10)	Unknown
Unannounced Inspections Conducted	Punjab	Unknown (10)	Unknown
Unannounced Inspections Conducted	Sindh	Unknown (10)	Unknown
Complaint Mechanism Exists	Balochistan	N/A	Yes (3)
	Khyber Pakhtunkhwa	Yes (10)	Yes (3)
	Punjab	Yes (10)	Yes (3)
	Sindh	N/A	Yes (3)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Khyber Pakhtunkhwa	No (10)	No (3)
	Punjab	No (10)	No (3)

† Data are from January–September 5, 2018 (111)

Pakistan's provinces are responsible for enforcing labor laws, including those relevant to child labor law. (13) Provincial labor departments collect comprehensive data on labor law enforcement at the district level. However, there is neither a centralized federal repository for the data nor any regular mechanism for reporting it to the federal government; therefore, limited labor inspection data were available for inclusion in this report. (10)

Based on 2017 data, the number of labor inspectors is likely insufficient for the size of Pakistan's workforce, which includes approximately 64 million workers. According to the ILO's technical advice of a ratio approaching 1 inspector for every 15,000 workers in developing economies, Pakistan should employ about 4,259 labor inspectors. (118,119) Provincial labor inspectorates do not receive sufficient resources, which may hamper labor inspectors' ability to inspect workplaces. For example, labor departments in Khyber Pakhtunkhwa, Punjab, and Sindh Provinces did not provide funds to cover the cost of transportation to conduct inspections. (3,10) Furthermore, while labor inspectors do receive some initial training depending on their assigned province, this training is insufficient, as there is very little information provided that is specific to child labor issues and laws. (3,21,97,120,121)

The Punjab labor inspectorate conducted 10 training sessions for 185 labor inspectors at the Industrial Relations Institute. Further, the Punjab Labor Welfare Department registered 1,441 first investigative reports (FIRs), which are prepared by the police upon receiving information on violations of Punjab's child employment restrictions, and 616 FIRs for violations prohibiting child labor in brick kilns. (3,102) In Sindh Province, research found that inspectors stopped conducting unannounced inspections due to complaints of harassment filed against inspectors by employers. (124) Only labor courts can assess penalties for labor law violations; labor inspectors can only note the labor violation. (3,21)

Criminal Law Enforcement

In 2019, criminal law enforcement agencies in Pakistan took actions to combat child labor (Table 7). However, gaps exist within the operations of the criminal enforcement agencies that may hinder adequate criminal law enforcement, including reports of corruption and indifference on the part of investigative officials.

Table 7. Criminal Law Enforcement Efforts Related to Child Labor

Overview of Criminal Law Enforcement	2018	2019
Initial Training for New Criminal Investigators	Unknown (10)	Yes (3)
Training on New Laws Related to the Worst Forms of Child Labor	Unknown (10)	Unknown (3)
Refresher Courses Provided	Yes (110)	Unknown (3)
Number of Investigations	Unknown (10)	Unknown (3)
Number of Violations Found	Unknown (10)	Unknown (3)
Number of Prosecutions Initiated	Unknown (10)	Unknown (3)
Number of Convictions	Unknown (10)	Unknown (3)
Imposed Penalties for Violations Related to The Worst Forms of Child Labor	Unknown	Unknown (3)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Unknown (10)	No (3)

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In 2019, Pakistan’s Prime Minister directed the government to launch a new mobile application, “Mera Bacha Alert,” to improve reporting and reduce the number of abductions and sexual exploitation cases perpetrated against children. (125) The federal and provincial governments do not publish data on efforts to enforce criminal laws prohibiting the worst forms of child labor; it is unknown whether investigations, prosecutions, or convictions were undertaken or achieved for child labor crimes in 2019. (3) While training is provided to new criminal investigators, the training is inconsistent across Pakistan, and the training might not include information on child labor, child trafficking, or sexual exploitation of children. (3)

Research indicates that police corruption, particularly the taking of bribes from suspected perpetrators to ignore alleged crimes, continues to hamper Pakistan’s ability to eliminate child labor, especially in the brick kiln industry, factories, street scavenging, and the sexual abuse of children in *madrassas*. In addition, children, parents, or family members who report child labor incidents often lack faith that police will act in pursuit of justice. (26,54,52-51) Research also found that police sometimes act indifferently to reports of child labor or sexual exploitation, pointing to cultural differences as a rationale for abuse. Further, some police are reportedly afraid of being accused of blasphemy by religious clerics if they take action against the sexual abuse of children in *madrassas*. (26,54,126)

Of particular concern, in July 2019, a 14-year-old domestic worker reported substantial indicators of trafficking by her employer; a parliamentarian in Punjab, including sexual abuse and torture. While police registered the charges, they did not arrest the parliamentarian, allegedly because the provincial government did not allow them to do so. (46,127) The parliamentarian continued to pressure the victim to drop the charges. In January 2020, the Supreme Court set aside the extended three-year sentence imposed on a judge and his wife for cruelty to a child for subjecting a 10-year-old girl to torture and domestic servitude—the government’s first reported conviction of an official complicit in trafficking-related offenses in 10 years—and reinstated the initial sentence of one year’s imprisonment. (46,127)

IV. COORDINATION OF GOVERNMENT EFFORTS ON CHILD LABOR

The government has established mechanisms to coordinate its efforts to address child labor (Table 8). However, gaps exist that hinder the effective coordination of efforts to address child labor, including fulfilling mandates to establish coordinating mechanisms.

Table 8. Key Mechanisms to Coordinate Government Efforts on Child Labor

Coordinating Body	Role & Description
Provincial 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 provinces’ proposed interventions on child and forced labor at the federal level. (128) Research was unable to determine whether these coordinating bodies were active during the reporting period.
Inter-Agency Task Force	Coordinates the anti-human trafficking efforts of the Ministry of the Interior, intelligence and law enforcement agencies, the Ministry of Law and Justice, and the Ministry of Foreign Affairs. Supports 27 FIA anti-trafficking units that work with provincial and district police officers to monitor and combat domestic and transnational human trafficking. (129,130) Maintains an Integrated Border Management System. In 2019, the Inter-agency Task Force logged a total of 1,539 human trafficking border interceptions. (3,102)

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. (108) In 2019, the Balochistan Provincial Government launched the first CPU in Quetta in partnership with UNICEF (3)</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. (86) Led by the Province's Social Welfare, Special Education and Women Empowerment Department. (131) In 2019, the Khyber Pakhtunkhwa Government operated 10 welfare homes for exploited children. (46)</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 child protection courts. Chaired by an elected member of the board, which consists of three department secretaries, three members of the provincial assembly, and representatives from NGOs and academia. (88) In 2019, the Punjab Provincial Government collaborated with a mobile application developer to publish a mobile application that allows information sharing when children run away from home. It also established eight CPUs. (3,102) In 2019, the Punjab CPWB operated open reception centers to identify and register children living on the street and identified and assisted 8,114 children, a decrease from 10,203 in the previous reporting period. It also filed 616 First Information Reports (FIRs) under the Punjab Prohibition of Child Labour from Brick Kilns Act. (127)</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. 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. (107) In 2019, was in the process of launching a database that tracks child abuse cases, including the worst forms of child labor, in all 29 districts. It also established 12 CPUs and operated a 24-hour child protection hotline. (3,102)</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. Established in Punjab, Khyber Pakhtunkhwa, and Sindh Provinces. (86,88,102,106-108) Coordinate and initiate interventions against child labor at the provincial level. (128) Each CPU is led by a Child Protection Officer and supported by social workers and psychologists. Operates under the District Administrator. (46) Established in Punjab, Khyber Pakhtunkhwa, and Sindh Provinces. (46) In 2019, the Government of Khyber Pakhtunkhwa established a specialized Child and Bonded Labor Unit; the rules and regulations by which this unit will operate have not yet been established. (102) Balochistan and Sindh Provinces and the Islamabad Capital Territory (ICT) made efforts to establish specialized Child and Bonded Labor Units. (132) Research was unable to determine whether the Punjab Provincial Child Labor Unit was active during the reporting period.</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. (3,133) In 2019, 12 Child Protection Committees were established at the ICT level and began receiving orientation training on child trafficking laws. Further, the board met for the first time, chaired by the Minister for Human Rights, and agreed to form a subcommittee to plan long- and short-term policies to improve child protection issues in the ICT. (3,102,134)</p>

* Coordinating body responsible for coordinating government efforts on child labor was created during the reporting period.

The federal government had not established the National Commission on the Rights of the Child as mandated by law at the end of the reporting period. (3,46) Khyber Pakhtunkhwa has 12 CPUs, however, none were active during the reporting period due to a lack of finances. Balochistan established one CPU in Quetta, however, they have not yet instituted the remaining 33 CPUs despite passing legislation in 2016 to establish units in each district. (41,46)

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 mainstreaming child labor issues into relevant policies.

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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. (136) In 2019, an exclusive child labor unit was established under the Directorate of Labor. (21)
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. (137) This policy led to the implementation of the Punjab Domestic Workers Act 2019 during the reporting period. (46)
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. (138) While this policy was being instituted through labor inspector trainings during the reporting period, research found that labor inspectors were not provided funding to travel outside of major cities to conduct inspections and were repeatedly denied access to inspect factories by owners. (3)

‡ The government had other policies that may have addressed child labor issues or had an impact on child labor. (140-144)

Research was unable to determine whether the provincial or federal governments have educational policies and, if so, whether such policies include child labor elimination and prevention strategies. (140-143)

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2019, the government funded and participated in programs that include the goal of eliminating or preventing child labor (Table 10). However, gaps exist in these social programs, including the adequacy of programs to address the full scope of the problem.

Table 10. Key Social Programs to Address Child Labor

Program	Description
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. (145, 146) These programs were active in 2019. (3)
Hotlines	FIA operates a 24/7 hotline to combat human trafficking, including child trafficking, in Pakistan at the headquarters, ICT, and district levels. (4, 102) The Ministry of Human Rights (MOHR) also operates a hotline for reporting human rights violations, including child labor violations. In 2019, the MOHR hotline received between 4,000–15,500 calls per month. (4) The Punjab Child Protection and Welfare Bureau and Sindh Social Welfare Department also operate hotlines in their respective provinces to combat child exploitation. Both hotlines were operational in 2019. (4) Other provinces maintain functioning hotlines to report human trafficking incidents, including the commercial sexual exploitation of children. (102)
Elimination of Child Labor and Bonded Labor Project (Integrated Project for Promotion of “Decent Work for Vulnerable Workers” in Punjab Province)‡	Punjab Province-funded programs that aim to provide education to vulnerable children, rehabilitate bonded laborers working in brick kilns, promote integration and coordination of government responses, strengthen legislation, increase the capacity of law enforcement and service providers, and increase the knowledge base on these issues. (49, 147, 148) In 2019, this project provided children working in brick kilns with free education. (46)
ILO-Funded Projects	ILO projects in Pakistan that aim to eliminate child labor by improving the capacity of the national government to develop strong monitoring mechanisms and strengthen data collection strategies. The Sustaining Strengthened National Capacities to Improve ILS Compliance and Reporting in Relevant EU Trading Partners (2018–2020) works with provincial labor departments, with a focus on Balochistan, to use analytical and evidence-based initiatives to guide child labor elimination programs. (149) The Clear Cotton Project (2018–2022) works with local governments to eliminate child labor in cotton-growing districts and in the textile and garment sectors. (150) Research was unable to determine whether activities were undertaken to implement these projects during the reporting period.
Khdmat ATM Cards‡	Government-funded program to increase enrollment in schools that focuses on low income families. Provides approximately \$12.50 to a family whose child enrolls in school and then approximately \$6.25 per month to each child enrolled after verifying school attendance records. (132) This program was active in 2019.

Table 10. Key Social Programs to Address Child Labor (Cont.)

Program	Description
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. (10,130,151) Research was unable to determine whether activities were undertaken to implement this program during the reporting period.

† Program is funded by the Government of Pakistan.

In 2019, the Provincial labor departments of Khyber Pakhtunkhwa and Balochistan dedicated approximately \$1.53 million and \$1.37 million of their budgets, respectively, to conduct surveys on child labor. The Khyber Pakhtunkhwa labor department began conducting its child labor survey during the reporting period. (46,102) Child labor surveys are also being carried out in Sindh and the ICT, while the child labor survey project in Balochistan is still being planned. (21) In addition, Khyber Pakhtunkhwa, Punjab, and Sindh Provinces established rehabilitation service centers for street children in 2019. These centers provided street children with education, health, career, and psychological counseling services. (46,132)

The social programs of the federal and provincial governments are insufficient to address the prevalence and scope of Pakistan's child labor problem. Existing programs also do not provide enough protection and rehabilitation services for bonded child laborers and victims of human trafficking. (110,129) Government initiatives are needed to specifically target child labor in the informal sector, including child labor and forced child labor in domestic work. (121) Furthermore, additional social programs are necessary to raise awareness and provide assistance to children used by non-state militant groups to engage in armed conflict. (152) In addition, there is no significant social program to address sexual abuse of child workers or children learning in *madrassas* in Pakistan.

VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE CHILD LABOR

Based on the reporting above, suggested actions are identified that would advance the elimination of child labor in Pakistan (Table 11).

Table 11. Suggested Government Actions to Eliminate Child Labor

Area	Suggested Action	Year(s) Suggested
Legal Framework	Accede to the Palermo Protocol on Trafficking in Persons.	2013 – 2019
	Establish a minimum age for work of at least 14 in all sectors and informal employment, regardless of the number of employees, including in federal law and the provinces.	2011-2019
	Ensure that the law prohibits the employment of children under age 18 in hazardous work, including in federal law and Balochistan Province.	2009 – 2019
	Ensure that the federal and provincial lists of hazardous work prohibited for children are comprehensive, including brickmaking, domestic work, and mining.	2009 – 2019
	Ensure that federal and provincial law criminally prohibits child trafficking without requiring an element of force, fraud, or coercion.	2019
	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 – 2019
	Ensure that the law criminalizes the use, procurement, and offering of children in prostitution, pornography, and pornographic performances, including in federal law and Balochistan and Khyber Pakhtunkhwa Provinces.	2011 – 2019
	Ensure that the law criminally prohibits the recruitment and use of children under age 18 by non-state groups for armed conflict, including in federal law and Balochistan and Khyber Pakhtunkhwa Provinces.	2015 – 2019
	Raise the minimum age for work to the age up to which education is compulsory.	2019

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Table 11. Suggested Government Actions to Eliminate Child Labor (Cont.)

Area	Suggested Action	Year(s) Suggested
Enforcement	Ensure there are a sufficient number of inspectors trained and responsible for providing enforcement of child labor laws to meet international standards in Punjab Province.	2019
	Provide the funding necessary to adequately hire, train, equip, and cover the cost of transportation for inspectors to enforce child labor laws, especially in Khyber Pakhtunkhwa, Punjab and Sindh provinces.	2010-2019
	Ensure labor inspectors are permitted to conduct unannounced inspections in Sindh Province without harassment, as mandated by Sindh's labor code.	2019
	Ensure that District Vigilance Committees that seek to ensure enforcement and implementation of bonded labor prohibitions are established in Khyber Pakhtunkhwa and Balochistan Provinces.	2013-2019
	Ensure all allegations of sexual abuse, including allegations of <i>bacha bazi</i> and trafficking of boys into Afghanistan, are thoroughly investigated and, where appropriate, prosecuted.	2019
	Allow labor inspectors to assess penalties.	2011 – 2019
	Create a centralized repository of labor law enforcement data and a regular mechanism for reporting it to the federal government, and make the data publicly available.	2018 – 2019
	Increase the number of labor inspectors to meet the ILO's technical advice.	2016 – 2019
	Publish enforcement data for child labor law violations, penalties imposed, and penalties collected for all provinces. In addition, publish information about labor inspectorate funding, the number of labor inspectors, the number of labor inspections conducted at the worksite, whether routine inspections were targeted, and whether unannounced inspections were conducted for all provinces.	2010 – 2019
	Establish sufficient laws to end police corruption, particularly the taking of bribes from suspected perpetrators to ignore alleged crimes.	2019
	Establish a referral mechanism between criminal law enforcement agencies and social services in all provinces.	2018 – 2019
	Publish information about criminal law investigations, violations found, prosecutions initiated, and the number of convictions, as well as initial training, training on the worst forms of child labor, refresher courses, and penalties imposed and collected in all provinces.	2016 – 2019
	Establish a referral mechanism between labor authorities and social services in all provinces.	2017 – 2019
	Coordination	Establish a National Commission on the Rights of the Child Act, as mandated by federal law.
Publish information on the activities undertaken by the Provincial and Federal Tripartite Consultative Committees.		2017 – 2019
Establish the remaining 32 CPUs in Balochistan as required by law.		2019
Government Policies	Ensure inspectors are provided with sufficient resources and are not stymied from executing Sindh Province's Labor Policy by factory owners.	2019
	Integrate child labor elimination and prevention strategies in the education policies of the provincial governments.	2014 – 2019
Social Programs	Complete and publish child labor surveys at the federal and provincial levels.	2009 – 2019
	Publish information on activities undertaken during the reporting period to implement the ILO-funded programs Sustaining Strengthened National Capacities to Improve ILS Compliance and Reporting in Relevant EU Trading Partners (2018–2020) and The Clear Cotton Project (2018-2022).	2019
Social Programs	Publish information on activities undertaken by Sabaoon Rehabilitation Center during the reporting period.	2019
	Implement programs to address and eliminate the sexual abuse of children, especially in <i>madrassas</i> , workplaces, and on the street.	2019
	Improve existing programs and increase the size and scope of government programs to reach children working in the informal sector and in the worst forms of child labor, including domestic workers, bonded child laborers, and other victims of human trafficking.	2009 – 2019
	Implement programs to address high rates of teacher absenteeism, inadequate facilities, lack of transportation, and use of corporal punishment to ensure that all children have access to free and compulsory education, as required by law. Increase security for schools to protect children and teachers from attacks by non-state armed and extremist groups.	2011 – 2019
	Implement programs to raise awareness of and provide assistance to children used by non-state militant groups to engage in armed conflict.	2011 – 2019

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In 2019, Panama made a moderate advancement in efforts to eliminate the worst forms of child labor. The government implemented the Districts Free of Child Labor initiative through anti-child labor agreements with six municipalities. The government also made improvements to the Child Labor Monitoring System to streamline responses to cases of child labor from different agencies, and continued to expand labor inspector trainings and unannounced inspections. In addition, the Ministry of Labor implemented the Direct Government Action Program for the Prevention and Eradication of Child Labor, which includes a new national survey on child labor. However, children in Panama engage in the worst forms of child labor, including in commercial sexual exploitation, sometimes as a result of human trafficking. Children also perform dangerous tasks in agriculture. Panamanian law allows minors under age 16 to engage in hazardous work within training facilities in violation of international standards. Moreover, the Ministry of Labor lacks the authority to collect fines for labor violations, limiting its capacity to enforce laws on the worst forms of child labor.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Panama engage in the worst forms of child labor, including in commercial sexual exploitation, sometimes as a result of human trafficking. Children also perform dangerous tasks in agriculture. (1-10) The Ministry of Labor (MITRADEL) collected data on child work, child labor, and the worst forms of child labor in 2018, but the study has yet to be published. (1) Table 1 provides key indicators on children's work and education in Panama.

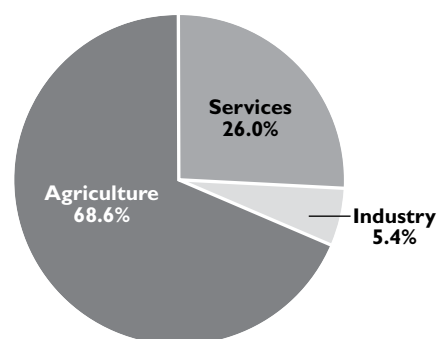
Table 1. Statistics on Children's Work and Education

Children	Age	Percent
Working (% and population)	5 to 14	4.7 (32,858)
Attending School (%)	5 to 14	94.9
Combining Work and School (%)	7 to 14	4.9
Primary Completion Rate (%)		89.8

Source for primary completion rate: Data from 2017, published by UNESCO Institute for Statistics, 2020. (11)

Source for all other data: International Labor Organization's analysis of statistics from Encuesta de Trabajo Infantil (ETI), 2014. (12)

Figure 1. Working Children by Sector, Ages 5-14



Based on a review of available information, Table 2 provides an overview of children's work by sector and activity.

Table 2. Overview of Children's Work by Sector and Activity

Sector/Industry	Activity
Agriculture	Production of beans, cereal grains, coffee, corn, melons, oilseeds, onions, pineapples, rice, and tomatoes (6,7,9,13-19)
	Raising livestock, including cattle (2-4,6,9,20)
	Fishing,† including harvesting shellfish (2-5,9,20,21)
Industry	Construction,† including mixing cement, painting, carpentry, and welding (1,2,4,5,22)
Services	Domestic work† (2,4,5,9,19,20,23-25)
	Bagging in supermarkets (6,26)
	Street work,† including vending,† washing cars, shining shoes,† and collecting recyclables (1,5-7,9,18,20,21,27-30)
Categorical Worst Forms of Child Labor‡	Forced domestic work (24,25,31)

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Table 2. Overview of Children’s Work by Sector and Activity (Cont.)

Sector/Industry	Activity
Categorical Worst Forms of Child Labor†	Use in the production of pornography (5,9)
	Commercial sexual exploitation, sometimes as a result of human trafficking (5,8,25,31)
	Scavenging the ocean for metal and other items (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.

Children in Panama are subjected to commercial sexual exploitation, mainly in tourist areas in Panama City and in beach communities. (6,7)







According to the results of Panama’s 2016 survey on child labor, the highest prevalence of child labor is in the agricultural sector in rural areas and autonomous indigenous areas, or *comarcas*. The *comarca* Ngäbe Buglé and the provinces of Panama and Bocas del Toro had the highest number of children engaged in child labor. (2)

Although the Panamanian Constitution recognizes the right to education without discrimination, indigenous children and those in rural and Afro-Panamanian communities face barriers to accessing education due to a lack of transportation, infrastructure, technology, and teachers, particularly in the *comarcas*. (1,5,9,32,33) Children of indigenous descent often travel significant distances to reach school and experience frequent interruptions in their education due to family migration to work in agriculture. (6,32,33)

II. LEGAL FRAMEWORK FOR CHILD LABOR

Panama has ratified all key international conventions concerning child labor (Table 3).

Table 3. Ratification of International Conventions on Child Labor

Convention	Ratification
 ILO C. 138, Minimum Age	✓
 ILO C. 182, Worst Forms of Child Labor	✓
 UN CRC	✓
 UN CRC Optional Protocol on Armed Conflict	✓
 UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	✓
 Palermo Protocol on Trafficking in Persons	✓

The government has established laws and regulations related to child labor (Table 4). However, gaps exist in Panama’s legal framework to adequately protect children from the worst forms of child labor, including hazardous work and light work.

Table 4. Laws and Regulations on Child Labor

Standard	Meets International Standards	Age	Legislation
Minimum Age for Work	Yes	14	Article 70 of the Constitution; Articles 508–509 and 716 of the Family Code; Articles 117, 119, and 123 of the Labor Code (34-36)
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 (24,34-37)
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 (24,36,38)

Table 2. Overview of Children’s Work by Sector and Activity (Cont.)

Standard	Meets International Standards	Age	Legislation
Prohibition of Forced Labor	Yes		Articles 157–158, 205–208, and 456 of the Penal Code; Article 489 of the Family Code; Article 21 of the Constitution (34,35,38,39)
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 (35,39,37)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Articles 179–187, 189–191, 202–203, 207, and 456 of the Penal Code; Article 63 of Law 79 on Human Trafficking (39,37)
Prohibition of Using Children in Illicit Activities	Yes		Articles 318, 333, and 336 of the Penal Code; Article 489.16 of the Family Code; Article 2.16 of Executive Decree No. 19 of 2006 (35,38,37)
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 (37)
Compulsory Education Age	Yes	15	Articles 34 and 45 of the Law on Education; Article 489 of the Family Code; Article 95 of the Constitution (34,35,40,41)
Free Public Education	Yes		Articles 34 and 41 of the Law on Education; Article 95 of the Constitution (34,40,41)

† No standing military (34)

In 2018 and early 2019, MITRADEL drafted amendments to Decree No. 1 of 2016 to raise the current minimum age for hazardous work, occupations, and activities from age 14 to age 16 if the work is performed in a training facility, and to eliminate certain work exceptions for children ages 14 to 16. (1,42) Currently, Panama 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. (24)

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. (34-36) 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. (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 MITRADEL that may hinder adequate enforcement of their child labor laws.

Table 5. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
Ministry of Labor (MITRADEL)	Enforces child labor laws through two directorates with direct authority over child labor matters: the Directorate Against Child Labor and for the Protection of Adolescent Workers (DIRETIPPAT), and the Labor Inspection Directorate. DIRETIPPAT is responsible for overseeing the enforcement of laws related to working children in the formal and informal sectors, planning and executing public policies, and carrying out education programs on child labor for employers, parents, and children. (25,43-45) DIRETIPPAT also manages the newly established Direct Government Action Program that seeks to prevent and eradicate child labor. Refers cases of children found in exploitative work to the Child and Adolescent Courts, or to the National Secretariat for Childhood, Adolescence, and Family (SENNIAF). (25) The Labor Inspection Directorate enforces the Labor Code in areas in which children may be working, particularly in the formal sector. (25)
Attorney General’s Office	Investigates and prosecutes crimes of sexual exploitation. Investigations are initiated by the Judicial Investigative Directorate; cases are passed to the prosecutors. (25)

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Table 5. Agencies Responsible for Child Labor Law Enforcement (Cont.)

Organization/Agency	Role
National Secretariat for Childhood, Adolescence, and Family (SENNIAF)	Conducts inspections to identify children and adolescents engaged in child labor, particularly in the informal sector. (4,25) Monitors and coordinates a network of government services to address the needs of vulnerable populations. (26) Runs shelters for victims of human trafficking, including minors. (46) In 2019, SENNIAF implemented a digital tool for the Child Labor Monitoring System that streamlines Panamanian institutions' collective response to child labor, and facilitates collaboration, the development of individualized care plans for victims of child labor, and monitoring of each entity's progress in completing its respective responsibilities associated with each individual case. (25,47)
Childhood and Adolescence Police	Special body of the National 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. (48,49) Supports SENNIAF inspections in areas with high rates of child labor. (26)

Labor Law Enforcement

In 2019, labor law enforcement agencies in Panama took actions to combat child labor (Table 6). However, gaps exist within the authority of MITRADEL that may hinder adequate labor law enforcement, including insufficient financial resources.

Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2018	2019
Labor Inspectorate Funding	\$1,313,417 (1)	\$1,313,417 (25)
Number of Labor Inspectors	106 (1)	100 (25)
Inspectorate Authorized to Assess Penalties	Yes (36,50)	Yes (25,36)
Initial Training for New Labor Inspectors	Yes (1)	Yes (25)
Training on New Laws Related to Child Labor	Yes (1)	Yes (25)
Refresher Courses Provided	Yes (1)	Yes (25)
Number of Labor Inspections Conducted	938 (50)	945 (25)
Number Conducted at Worksite	938 (50)	945 (25)
Number of Child Labor Violations Found	14 (50)	10 (25)
Number of Child Labor Violations for Which Penalties Were Imposed	6 (50)	10 (25)
Number of Child Labor Penalties Imposed that Were Collected	6 (50)	Unknown (25)
Routine Inspections Conducted	Yes (50)	Yes (25)
Routine Inspections Targeted	Yes (50)	Yes (25)
Unannounced Inspections Permitted	Yes (50)	Yes (25)
Unannounced Inspections Conducted	Yes (50)	Yes (25)
Complaint Mechanism Exists	Yes (1)	Yes (25)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (1)	Unknown (25)

In 2019, Panama had 100 labor inspectors, which is in line with the ILO's technical advice. However, only six inspectors received specialized training in child labor investigations, even though all inspectors must investigate and enforce child labor laws. (25) In addition to the labor inspections, with the help of Casa Esperanza (a local NGO), MITRADEL identified 1,497 cases of child labor. Of these cases, 1,444 children received 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. (25) The Labor Inspectorate conducted 945 inspections, and encountered 10 child labor violations. (25)

As part of the Roadmap Towards the Elimination of Child Labor, in 2019, the Government of Panama continued to expand labor inspector trainings, unannounced inspections, and monitoring information systems. (25) MITRADEL and the National Secretariat for Childhood, Adolescence, and Family (SENNIAF) operate a secure 311 Complaint Line, a website, and social media platforms to receive complaints. In 2019, SENNIAF responded to 25 complaints filed through the 311 line and identified two child labor cases. (25) In addition, SENNIAF staff members received training on child labor laws in 2019. (25) SENNIAF indicated that although its agency does not have labor inspectors, four social workers from the child labor department were trained on the application of child labor laws. (25)

MITRADEL noted that the budget for the Directorate Against Child Labor and for the Protection of Adolescent Workers is insufficient to meet its staffing needs. Its budget has remained the same from 2018 to 2019. (1,25,32,51,52)

Criminal Law Enforcement

In 2019, criminal law enforcement agencies in Panama took actions to combat child labor (Table 7). However, the government did not provide sufficient data on its criminal enforcement efforts, which limits the ability to assess their adequacy.

Table 7. Criminal Law Enforcement Efforts Related to Child Labor

Overview of Criminal Law Enforcement	2018	2019
Initial Training for New Criminal Investigators	Yes (50)	Unknown (25)
Training on New Laws Related to the Worst Forms of Child Labor	Yes (50)	Unknown (25)
Refresher Courses Provided	Yes (50)	Unknown (25)
Number of Investigations	333 (50)	Unknown (25)
Number of Violations Found	Unknown	Unknown (25)
Number of Prosecutions Initiated	Unknown	Unknown (25)
Number of Convictions	Unknown	Unknown (25)
Imposed Penalties for Violations Related to The Worst Forms of Child Labor	Unknown	Unknown (25)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (50)	Yes (47)

The government did not provide information on its criminal law enforcement efforts for inclusion in this report.

In 2019, the Government of Panama conducted five investigations on forced labor or trafficking for the purpose of commercial sexual exploitation. (53)

Child labor training was provided to 47 National Commissions for the Prevention of Crimes of Sexual Exploitation (CONAPREDES) staff, as well as to 105 law enforcement officials, 55 prosecutors, and 21 members of the Maritime and Tourism Authorities. (1)

IV. COORDINATION OF GOVERNMENT EFFORTS ON CHILD LABOR

The government has established mechanisms to coordinate its efforts to address child labor (Table 8). However, gaps exist that hinder the effective coordination of efforts to address child labor, including coordination among agencies.

Table 8. Key Mechanisms to Coordinate Government Efforts on Child Labor

Coordinating Body	Role & Description
Committee for the Eradication of Child Labor and the Protection of Adolescent Workers (CETIPPAT)	A public-private institution that includes government, employers, workers, and NGOs that collaborate to combat child labor. (25) 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. (52) Conducts a National Child Labor Survey every 2 years. (6)
Subcommittee to Combat Child Labor	Coordinates the Panamanian Institute for Sports and the Ministry of Education in their efforts to address child labor and its causes. Subcommittee of CETIPPAT. (7,32,45) In 2019, the subcommittees were located in Chiriquí, Veraguas, Herrera, Los Santos, Coclé, and Panama Oeste. (25)
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. In 2019, additional commissions were established in Chiriquí, Veraguas, Herrera, Los Santos, Coclé, and Panama Oeste. (1,9)

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Table 8. Key Mechanisms to Coordinate Government Efforts on Child Labor (Cont.)

Coordinating Body	Role & Description
National Commission for the Prevention of Crimes of Sexual Exploitation (CONAPREDES)	Coordinates, advises, studies, and implements public policies for the prevention and eradication of sexual exploitation. (52) 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. (52) In 2019, CONAPREDES hosted training sessions for the Ministry of Government, Public Ministry, Judicial Branch, and government security forces and police officials in key areas including Chiriquí, Panama, Veraguas, Herrera, Los Santos and Coclé, which benefited a total of 2,506 people. (25) According to CONAPREDES, in 2019 there were 331 victims of child sexual exploitation registered with the Public Ministry. Some of these cases involved child pornography and child sex tourism. (25) During the reporting year, CONAPREDES also carried out 49 sexual exploitation awareness workshops in communities with high social risk and for tourism operators, schools, universities and government institutions, which reached 4,213 people. (53,54)

MITRADEL noted the need for increased coordination on efforts to address child labor, including within the Ministry of Labor, and with social service agencies and referral mechanisms. (32)

V. GOVERNMENT POLICIES ON CHILD LABOR

The government has established policies related to child labor (Table 9). However, child labor elimination and prevention strategies do not appear to have been integrated into relevant policies.

Table 9. Key Policies Related to Child Labor

Policy	Description
Roadmap Towards the Elimination of Child Labor (2016–2019)	Aimed to eliminate all forms of child labor in Panama by 2020 by strengthening anti-poverty, health, and educational programs and policies. (55-57) In 2019, continued to expand labor inspector trainings, unannounced inspections, and monitoring information systems. Came to a close in 2019. (25)
National Multisectoral Strategy for the Prevention of Violence Against Children and Adolescents (2018–2022)	Aims to eliminate child labor and end the mistreatment, exploitation, trafficking, violence, and torture of children. Developed by the national government through the National Intersectoral Committee for the Prevention of Violence Against Children and Adolescents and SENNIAF, with technical support from UNICEF. (58,59)
National Action Plan for the Prevention and Elimination of Commercial Sexual Exploitation of Children and Adolescents	Aims to prevent and eliminate the commercial sexual exploitation of children and adolescents, including by providing services to victims, strengthening CONAPREDES, and raising awareness. Implemented by CONAPREDES, with support from the Public Ministry. (52,60) In 2019, with other institutions and NGOs including the Ministry of Education, Public Ministry, SENNIAF, Ministry of Social Development, Aldeas SOS, and Casa Esperanza, among others, CONAPREDES carried out 49 sexual exploitation awareness workshops as part of the National Action Plan. (53)
National Plan Against Trafficking in Persons (2012–2022)	Aims to combat human trafficking through prevention, victim assistance, and international cooperation. Includes provisions to protect child victims of human trafficking. (51,61) As part of the plan in 2018, the Government of Panama approved the Protocol for the Victim's Identification and Protection Unit to provide standard procedures to the Trafficking in Persons (TIP) Commission Victim's Unit and to guarantee adequate standard of care for human trafficking victims. During the reporting period the TIP Commission included a victim identification form from the Protocol for the Victim's Identification and Protection Unit in all its trainings, particularly those targeted at law enforcement agencies such as the National Border Service, the National Police, the National Migration Service, and health workers. (10,53)
Districts Free of Child Labor	Aims to establish cooperation agreements between MITRADEL and municipal councils to design and implement child labor eradication strategies. (9) Includes policies related to development and education projects that support poverty reduction. In 2019, implemented in six municipalities (Capira, San Miguelito, Panama, Tonosi, Agudulce, and Santiago). (25)

The Coordination Agreement on Labor Migration between the ministries of Labor of Costa Rica and Panama aims to strengthen dialogue on labor migration between the two countries, with an emphasis on indigenous Panamanian migrant workers, to ensure social protection of migrant workers and their families. The policy includes a bilateral technical committee to promote joint action to combat human trafficking, exchange information, and develop cooperative strategies and projects. (62) 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 2019, the government funded and participated in programs that include the goal of eliminating or preventing child labor (Table 10). However, gaps exist in these social programs, including their ability to reach the most vulnerable populations.

Table 10. Key Social Programs to Address Child Labor

Program	Description
USDOL-Funded Projects	USDOL projects that aim to eliminate child labor, including its worst forms, through research, improved monitoring and enforcement, policy development, and awareness raising. These projects include Country Level Engagement and Assistance to Reduce Child Labor (CLEAR II), implemented by Winrock International and partners Verité and Lawyers Without Borders in seven countries; and Measurement, Awareness-Raising, and Policy Engagement (MAP 16), a \$22.4 million, 6 year project implemented by ILO in several countries. (63-66) In 2019, CLEAR II's Labor Inspectorate curriculum was endorsed by the Ministry of Labor. (67) Additional information is available on the USDOL website.
Direct Government Action Program for the Prevention and Eradication of Child Labor†	MITRADEL program implemented through the Institute for Training and Utilization of Human Resources that provides a network of social and economic services to child workers and children at risk of child labor. Services include the provision of food and scholarships, support for sports activities, and social monitoring. Includes a new national survey in 2019 of child labor to monitor socio-cultural labor norms as well as child labor rates. (7,25,68) In 2019, the government continued to support the plan, coordinated unannounced visits in the informal and agricultural sectors, and served 1,444 children. (25)
SENNIAF programs† to identify, remove, and provide services to children engaged in the worst forms of child labor and commercial sexual exploitation	Prevention and Eradication of Child Labor identifies children engaged in the worst forms of child labor, removes them from exploitative situations, and connects them to a network of social and economic services offered by the government. (26) SENNIAC also developed a new case processing system to efficiently manage reports, which reduced report processing times. (1) Prevention and Care for Child and Adolescent Victims of Sexual Violence† identifies children engaged in commercial sexual exploitation, removes them from exploitative situations, and provides them with social services. Conducts training workshops nationwide for professionals providing direct care to child and adolescent victims of sexual violence. (69) Research was unable to identify specific actions undertaken during the reporting period under this program.
Network of Opportunities†	Ministry of Social Development program that provides conditional cash transfers to families in extreme poverty, conditioned on their children's participation in health and education services and the acquisition of a birth certificate. Offers training to project participants to improve income-generating opportunities. (71)
<i>El Plan Colmena*</i>	Launched in 2019, a new social program in districts located in Capira, Ciri de Los Sotos, Ciri Grande, Angela Chirú, El Cacao, La Trinidad, Ollas Arriba, and Santa Rosa. Seeks to identify the root causes of poverty and implement long-term local capacity building programs that achieve a poverty-free Panama. (25)

* Program was launched during the reporting period.

† Program is funded by the Government of Panama.

Although Panama has expanded programs that reach children in rural areas and from indigenous and Afro-Panamanian communities, reports indicate that the scope of these programs is insufficient, and these children remain vulnerable to the worst forms of child labor. (53,72)

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 child victims of trafficking are able to receive services from local NGOs, Panama lacks programs to specifically address the needs of this population. (10) Government officials have also noted that despite funds dedicated to the prevention of crimes against children, Panama lacks a specific mechanism to direct funds toward child sexual abuse victims. (73,74)

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 Panama (Table 11).

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Table 11. Suggested Government Actions to Eliminate Child Labor

Area	Suggested Action	Year(s) Suggested
Legal Framework	Establish regulations that define the types of activities that children between ages 12 and 14 can undertake as light work.	2009 – 2019
	Ensure that the law protects children from hazardous work by establishing a minimum age of 18 for all children or by ensuring that children receive adequate training in the type of work being done and that the health, safety, and morals of children are protected in accordance with international standards if children age 16 or 17 are allowed to perform hazardous work.	2013 – 2019
	Raise the working age from 14 to 15, the compulsory education age, to comply with international standards.	2019
Enforcement	Collect and make available complete data on labor law enforcement efforts and criminal enforcement efforts related to the worst forms of child labor, such as the number of violations found, number of prosecutions initiated, penalties collected, whether reciprocal mechanisms exist, and number of convictions.	2018 – 2019
	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 – 2019
	Ensure that all inspectors receive regular, specialized training on child labor issues.	2018 – 2019
Coordination	Increase coordination on efforts to address child labor, including within the Ministry of Labor, and with social services agencies and referral mechanisms.	2016 – 2019
Government Policies	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 – 2019
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 – 2019
	Ensure that social programs to prevent and eradicate child labor are being implemented.	2018 – 2019
	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 – 2019

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In 2019, Papua New Guinea made a minimal advancement in efforts to eliminate the worst forms of child labor. The Office of Child and Family Services conducted trainings for Child Protection Officers. However, children in Papua New Guinea are engaged in the worst forms of child labor, including in commercial sexual exploitation, sometimes as a result of human trafficking. Children also perform dangerous tasks in mining. Papua New Guinea's hazardous work prohibitions do not comply with international standards that require all children under 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 started charging fees as a result of not receiving promised government subsidies needed for education to remain free and accessible for all children. Lastly, insufficient resources hamper the labor inspectorate's capacity to enforce child labor laws.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Papua New Guinea are engaged in the worst forms of child labor, including in commercial sexual exploitation, sometimes as a result of human trafficking. (1,2) Children also perform dangerous tasks in mining. (2) Table 1 provides key indicators on children's work and education in Papua New Guinea. Data on some of these indicators are not available from the sources used in this report.

Table 1. Statistics on Children's Work and Education

Children	Age	Percent
Working (% and population)	5 to 14	Unavailable
Attending School (%)	5 to 14	Unavailable
Combining Work and School (%)	7 to 14	Unavailable
Primary Completion Rate (%)		77.1

Source for primary completion rate: Data from 2016, published by UNESCO Institute for Statistics, 2020. (3) Data were unavailable from International Labor Organization's analysis, 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	Working on tea, coffee, and palm oil plantations (2,5)
	Deep sea fishing, including harvesting sea cucumbers and pearls (6)
Industry	Mining, including gold mining (2)
Services	Domestic work (2)
	Street work, including scavenging for recyclables, begging, directing traffic, and sometimes directing traffic while begging (2,7)
	Working in markets, including unloading and carrying heavy bags of food (2,8)
Categorical Worst Forms of Child Labor‡	Commercial sexual exploitation, including working in bars, nightclubs, and brothels, and use in the production of pornography, each sometimes as a result of human trafficking (1,2)
	Forced domestic work (1,2,9)
	Illicit activities, including selling drugs (2,10)

‡ Child labor understood as the worst forms of child labor *per se* under Article 3(a)–(c) of ILO C. 182.

Some children from rural areas are sent to live with relatives or “host” families in cities, where they may be forced to perform domestic work to pay off family debts. (1,2) Children are commonly seen directing vehicle movements in and out of public parking spaces and directing traffic in busy urban business centers, especially during business hours. (6, 11) 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. (6)

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Although the government has established a free education policy, in practice many schools charge fees for books, uniforms, and supplies. (2,5,12-14) The Tuition Fee-Free policy provides government subsidies to primary and secondary schools to cover the costs associated with accommodating additional children in school. However, in 2019, some schools had to close due to aging infrastructure and reportedly were not receiving the subsidy. (2,15,16) Further, in 2019, schools in Morobe Province were allowed to start charging fees for students due to the Tuition Fee-Free policy not providing payment subsidies to schools. (2,16) Lack of access to schools increases children's vulnerability to child labor. In addition, research found that the threat of gender-based violence prevents many girls from attending school. (17,18) Papua New Guinea lacks comprehensive research and data on child labor, which affects the government's ability to address child labor in the country. (2)

II. LEGAL FRAMEWORK FOR CHILD LABOR

Papua New Guinea has ratified some key international conventions concerning child labor (Table 3).

Table 3. Ratification of International Conventions on Child Labor

Convention	Ratification
 ILO C. 138, Minimum Age	✓
ILO C. 182, Worst Forms of Child Labor	✓
 UN CRC	✓
UN CRC Optional Protocol on Armed Conflict	
UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	
 Palermo Protocol on Trafficking in Persons	

The government has established laws and regulations related to child labor (Table 4). However, gaps exist in Papua New Guinea's legal framework to adequately protect children from the worst forms of child labor, including the identification of hazardous occupations or activities prohibited for children and the prohibition of commercial sexual exploitation of children.

Table 4. Laws and Regulations on Child Labor

Standard	Meets International Standards	Age	Legislation
Minimum Age for Work	Yes	16	Article 103 of the Employment Act (19)
Minimum Age for Hazardous Work	No	16	Article 104 of the Employment Act (19)
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 (20,21)
Prohibition of Child Trafficking	No		Section 208 of the Criminal Code (21)
Prohibition of Commercial Sexual Exploitation of Children	No		Articles 229J–229O and 229R–229S of the Criminal Code (22)
Prohibition of Using Children in Illicit Activities	No		
Minimum Age for Voluntary State Military Recruitment	Yes	16	Section 30 of the Defence Act (23)
Prohibition of Compulsory Recruitment of Children by (State) Military	N/A*		
Prohibition of Military Recruitment by Non-state Armed Groups	No		
Compulsory Education Age	No		
Free Public Education	No		

* No conscription (24)

According to the Employment Act, children ages 11 through 16 may be allowed to work under certain conditions. The minimum age of 11 for light work is not in compliance with international standards, and the law does not specify the types of activities in which light work is permitted nor the number of hours per week that this work may be undertaken. (19,25) The minimum age of 16 for hazardous work is not in compliance with international standard because Papua New Guinea's Employment Act does not protect children ages 17 and 18. (19) Papua New Guinea also does not have laws that prohibit using, procuring, or offering a child for illicit activities, including for the production and trafficking of drugs. (26) The law does not sufficiently protect children from commercial sexual exploitation, because using, procuring, and offering a child for pornographic performances are not criminally prohibited. (22) Lastly, 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. (21)

III. ENFORCEMENT OF LAWS ON CHILD LABOR

The government has established institutional mechanisms for the enforcement of laws and regulations on child labor (Table 5). However, gaps exist within the operations of the Department of Labor and Industrial Relations that may hinder adequate enforcement of their child labor laws.

Table 5. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
Department of Labor and Industrial Relations	Implements and enforces child labor laws. (2)
Department of Community Development, Youth, and Religion	Through the Office of Child and Family 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. (2,6,11,27,28) In 2019, the Office of Child and Family Services conducted trainings for Child Protection Officers. (2)
Royal Papua New Guinea Constabulary	Enforces laws against commercial sexual exploitation of children (6) Includes the specialized Family and Sexual Violence unit, which includes protecting children's rights and safety. (2,6)
<i>I-Tok Kaunselin Helpim Lain</i>	Telephone hotline funded by the Government of Papua New Guinea to report child welfare concerns and physical or sexual violence. (29)

Research indicates that the Department of Labor and Industrial Relations (DLIR) lacks a data monitoring system to track child labor cases, which may hamper its efforts to address child labor concerns in Papua New Guinea. (2) Although the government maintained the *I-Tok Kaunselin Helpim Lain* hotline to report concerns related to child welfare and allegations of physical or sexual violence, it was not active in 2019. The IOM also maintained a hotline that provided anti-trafficking information and resources, but the number of cases identified related to children is unknown. (2,29-31)

Labor Law Enforcement

In 2019, labor law enforcement agencies in Papua New Guinea took actions to combat child labor (Table 6). However, gaps exist within the DLIR that may hinder adequate labor law enforcement, including the number of labor inspectors conducting inspections.

Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2018	2019
Labor Inspectorate Funding	Unknown (6)	Unknown (2)
Number of Labor Inspectors	Unknown (6)	Unknown (2)
Inspectorate Authorized to Assess Penalties	Yes (19)	Yes (19)
Initial Training for New Labor Inspectors	Unknown (6)	Unknown (2)
Training on New Laws Related to Child Labor	Unknown (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)

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Table 6. Labor Law Enforcement Efforts Related to Child Labor (Cont.)

Overview of Labor Law Enforcement	2018	2019
Routine Inspections Conducted	Unknown (6)	Unknown (2)
Routine Inspections Targeted	Unknown (6)	Unknown (2)
Unannounced Inspections Permitted	Yes (19)	Yes (19)
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)	No (2)

The Government of Papua New Guinea did not respond to requests for information related to its labor law enforcement efforts for inclusion in this report. (2) Although research indicates that labor inspectors sometimes carry out routine inspections in hazardous workplaces or in the manufacturing sector, due to limited personnel capacity, labor inspectors generally respond to specific child labor complaints on a case-by-case basis as complaints were filed. (1,2,32) Insufficient resources hamper the labor inspectorate's capacity to enforce child labor laws, including administrative and budgetary constraints that prevented officers from receiving sufficient training. (2,6,33) The number of labor inspectors is likely insufficient for the size of Papua New Guinea's workforce, which includes approximately 3.68 million workers. According to the ILO's technical advice of a ratio approaching 1 inspector for every 15,000 workers in developing economies, Papua New Guinea would employ about 245 labor inspectors. (24,34) Most child labor occurs in the informal sector and outside of cities—suburban and rural areas—where inspections are seldom conducted. (2) When labor inspections do occur, they are conducted in all three of Papua New Guinea's languages (English, *Hiri-Motu*, and *Pidgin/Tok Pisin*).

Criminal Law Enforcement

Research did not find information on whether criminal law enforcement agencies in Papua New Guinea took actions to combat child labor (Table 7).

Table 7. Criminal Law Enforcement Efforts Related to Child Labor

Overview of Criminal Law Enforcement	2018	2019
Initial Training for New Criminal Investigators	Unknown (6)	Unknown (2)
Training on New Laws Related to the Worst Forms of Child Labor	Unknown (6)	Unknown (2)
Refresher Courses Provided	Unknown (6)	Unknown (2)
Number of Investigations	Unknown (6)	Unknown (2)
Number of Violations Found	Unknown (6)	Unknown (2)
Number of Prosecutions Initiated	Unknown (6)	Unknown (2)
Number of Convictions	Unknown (6)	Unknown (2)
Imposed Penalties for Violations Related to The Worst Forms of Child Labor	Unknown (6)	Unknown (2)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Unknown (6)	No (2)

The Government of Papua New Guinea did not respond to requests for information on its criminal law enforcement efforts for inclusion in this report. Research indicates that there are not enough officers to conduct criminal investigations into child labor accusations due to a lack of funding, training, and report writing skills. (2) Research was unable to find evidence of trainings occurring in 2019 and was unable to determine whether training for prospective law enforcement officials would include all child labor elimination components, including recognizing the worst forms of child labor, victim identification, and prevention strategies. (30,35)

IV. COORDINATION OF GOVERNMENT EFFORTS ON CHILD LABOR

The government has established mechanisms to coordinate its efforts to address child labor (Table 8). However, gaps exist that hinder the effective coordination of efforts to address child labor, including efficacy in accomplishing mandates.

Table 8. Key Mechanisms to Coordinate Government Efforts on Child Labor

Coordinating Body	Role & Description
National Anti-Human Trafficking Committee	Coordinates efforts to combat human trafficking. Chaired by the Department of Justice and the Attorney General, with representatives from more than 15 government agencies, NGOs, and international organizations. (2,35) The Committee met in June 2019; however, for the first time, NGOs were not invited to participate, which is mandated. (30,32)
National Council for Child and Family Services	Coordinates the implementation of the Child Protection Act and the National Child Protection Policy. In partnership with UNICEF, is overseen by senior government officials, civil society organizations, faith-based organizations, and private sector representatives, and comprises 42 Child Protection Officers. (2,36,37) While the Council met a few times in 2019, research was unable to determine what activities were undertaken to coordinate efforts to eliminate child labor. (32)
National Child Welfare Office	Coordinates the promotion of children's rights through awareness campaigns and trainings. The office also refers perpetrators to police and provide help to police and social services when a child is rescued from child labor. (32) In 2019, the National Child Welfare Office worked with UNICEF produced awareness materials and appeared on radio and television to advocate for children's rights as well as implementing the Child Protection Policy. (32)

Research indicates that there is a lack of senior governmental leadership and participation at the National Anti-Human Trafficking Committee meetings. (32,35)

V. GOVERNMENT POLICIES ON CHILD LABOR

The government has established policies related to child labor (Table 9). However, policy gaps exist that hinder efforts to address child labor, including policy implementation.

Table 9. Key Policies Related to Child Labor

Policy	Description
National Action Plan to Eliminate Child Labor in Papua New Guinea (2017–2020)	Promotes government coordination efforts to eliminate the worst forms of child labor through more effective prevention, protection, rehabilitation, and reintegration measures and capacity building. (38,39) 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.
Papua New Guinea Trafficking in Persons National Action Plan (2015–2020)	Seeks to prevent human trafficking, protect victims, and prosecute offenders. (40) Research indicates that the government did not allocate any resources toward implementing this plan. (41)
Universal Basic Education Plan (2010–2019)	Promotes the enrollment of children in school and aims to improve retention rates to ensure that children receive 9 years of basic education, which also includes child labor elimination and prevention strategies. (13,30,42) In 2019, was funded with approximately \$172 million and was incorporated into the Tuition Fee-Free Policy during the reporting period. The National Educational Department provided digital and print advertisements detailing the need for all children to attend school from elementary through grade 8. (32) Research was unable to determine whether child labor elimination strategies were incorporated into the Universal Basic Education Plan.
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. (2,43) In 2019, UNICEF and Child Protection Officers from the National Child Welfare Office provided trainings covering child protection laws for law enforcement officers, court officials, teachers and NGO workers. (32)
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. (6,14,44) In 2019, provided some subsidies to select schools in Papua New Guinea. (2)

Research was unable to confirm whether the National Action Plan to Eliminate Child Labor began enacting policies or programs in 2019—none were implemented in 2018 due to a lack of effective administrative planning and human and financial resources. (11) 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 2019, the government funded and participated in programs that included the goal of eliminating or preventing child labor (Table 10). However, gaps exist in these social programs, including the adequacy of programs to address the full scope of the problem.

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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. (2,11,46) Research was unable to determine whether the Child Care Centers were active during the reporting period.

† Program is funded by the Government of Papua New Guinea.

Research was unable to determine whether the government carried out programs specifically designed to assist children engaged in commercial sexual exploitation, domestic work, or mining. Research found no evidence of any programs with the goal of eliminating or preventing child labor. (1,35,47)

VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE CHILD LABOR

Based on the reporting above, suggested actions are identified that would advance the elimination of child labor in Papua New Guinea (Table 11).

Table 11. Suggested Government Actions to Eliminate Child Labor

Area	Suggested Action	Year(s) Suggested
Legal Framework	Accede the UN CRC Optional Protocol on Armed Conflict.	2018 – 2019
	Accede the UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography.	2014 – 2019
	Accede the Palermo Protocol on Trafficking in Persons.	2014 – 2019
	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 – 2019
	Establish age 18 as the minimum age for hazardous work, and identify hazardous occupations and activities prohibited for children.	2009 – 2019
	Ensure that the law does not require threats, the use of force, or coercion to be established for the crime of child trafficking.	2019
	Ensure that the law criminally prohibits using, procuring, and offering a child for illicit activities, including for the production and trafficking of drugs.	2014 – 2019
	Ensure that the law criminally prohibits using, procuring, and offering a child for pornographic performances.	2016 – 2019
	Ensure that the law criminally prohibits the recruitment of children under age 18 by non-state armed groups.	2016 – 2019
Enforcement	Ensure that the law establishes a compulsory education age that is equal to the minimum age for employment.	2009 – 2019
	Fully fund and reopen <i>I-Tok Kaunselin Helpim Lain</i> .	2018 – 2019
	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 – 2019
	Strengthen the inspection system by ensuring that inspectors conduct routine or targeted inspections in addition to those that are complaint-driven.	2014 – 2019
	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 – 2019
	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 – 2019
	Ensure the number of labor inspectors meets the ILO's technical advice.	2017 – 2019
	Institutionalize and fully fund training for criminal inspectors on the worst forms of child labor, including training for new labor inspectors at the beginning of their employment.	2016 – 2019
	Ensure that labor inspections occur in all areas of Papua New Guinea, especially outside of urban areas.	2019
	Publish information on the criminal law enforcement efforts undertaken, including the number of child labor investigations initiated, the number of child labor penalties imposed, and the number of criminal law enforcement convictions secured.	2017 – 2019
Coordination	Establish a data monitoring system to track child labor cases.	2019
	Ensure that the established coordinating mechanisms to combat all forms of child labor, including the worst forms of child labor, fully carry out their mandates.	2009 – 2019
	Publish information related to anti-child labor activities undertaken by government coordinating mechanisms.	2018 – 2019
	Ensure that there is senior governmental leadership and participation at the National Anti-Human Trafficking Committee meetings.	2018 – 2019
	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

Table 11. Suggested Government Actions to Eliminate Child Labor (Cont.)

Area	Suggested Action	Year(s) Suggested
Government Policies	Ensure all policies are funded and implemented according to their mandate, including the National Action Plan to Eliminate Child Labor in Papua New Guinea, the Papua New Guinea Trafficking in Persons National Action Plan, and the National Child Protection Policy.	2017 – 2019
	Integrate child labor elimination strategies into the Trafficking in Persons National Action Plan and Universal Basic Education Plan.	2019
	Fully reimburse schools for the added costs of accommodating additional students as mandated under the Tuition Fee-Free Policy.	2018 – 2019
Social Programs	Increase access to education by instituting programs to address gender-based violence against girls in schools and fully eliminating school-related fees.	2014 – 2019
	Collect and publish data on the extent and nature of child labor to inform policies and programs.	2017 – 2019
	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 – 2019
	Ensure that Child Care Centers are active and are fully funded, and publish their activities undertaken during the reporting period.	2019

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In 2019, Paraguay made a significant advancement in efforts to eliminate the worst forms of child labor. The labor inspectorate increased its budget in order to hire more inspectors; inspectors received training on forced labor, trafficking in persons, child labor, and agricultural inspections; and judges were trained on the worst forms of child labor. The Ministry of Labor, Employment and Social Security and the Ministry of Children and Adolescents also signed an agreement to strengthen inter-agency coordination on child labor, and the latter launched the Immediate Response Program to provide support to street children. In addition, the government updated the National Strategy for the Prevention and Eradication of Child Labor and Protection of Working Adolescents for the 2019–2024 period, with a focus on strengthening minimum family incomes, inspection of adolescent work, and access to quality education. Finally, the government enacted a law that provides domestic workers with the same minimum wage as all other workers, effectively changing a law that previously provided domestic workers with only 60 percent of the national minimum wage. However, children in Paraguay are engaged in the worst forms of child labor, including in debt bondage in cattle raising and in domestic servitude, sometimes as a result of human trafficking. Limited funding for law enforcement agencies and social programs hampered the government’s ability to fully address the worst forms of child labor, particularly in rural areas.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Paraguay engage in the worst forms of child labor, including in debt bondage in cattle raising and in domestic servitude, sometimes as a result of human trafficking. (1-3) The 2011 National Survey of Child and Adolescent Activities found that 21 percent of all Paraguayan children were engaged in hazardous work. (4) The 2015 Survey of Activities of Rural Area Children and Adolescents, published in 2016, identified 384,677 children ages 5 to 17 engaged in child labor in agriculture. (1) Table I provides key indicators on children’s work and education in Paraguay.

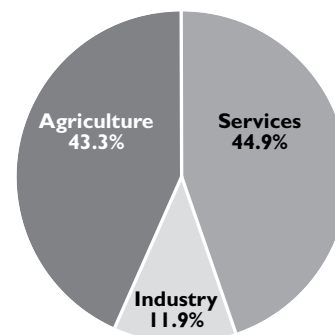
Table I. Statistics on Children’s Work and Education

Children	Age	Percent
Working (% and population)	10 to 14	7.4 (49,956)
Attending School (%)	5 to 14	96.4
Combining Work and School (%)	10 to 14	6.4
Primary Completion Rate (%)		88.0

Source for primary completion rate: Data from 2012, published by UNESCO Institute for Statistics, 2020. (5)

Source for all other data: International Labor Organization’s analysis of statistics from Encuesta Permanente de Hogares (EPH), 2018. (6)

Figure I. Working Children by Sector, Ages 10-14



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Based on a review of available information, Table 2 provides an overview of children’s work by sector and activity.

Table 2. Overview of Children’s Work by Sector and Activity

Sector/Industry	Activity
Agriculture	Production of manioc/cassava, corn, beans, peanuts, peppers, sesame, sugarcane, tomatoes, lettuce, melons, sweet potato, onions, carrots, cabbages, yerba mate (stimulant plant), and charcoal (1,7-11)
	Raising poultry, hogs, cattle,† sheep, and goats and producing milk (4,9)
	Fishing, including using hooks and harpoons,† preparing bait, and cleaning fish† (1)
Industry	Construction, activities unknown, and production of bricks (2-4,7,8)
	Limestone quarrying† and gold mining† (2,4,7,8,12)
Services	Domestic work† (2-4,13-18)
	Street work,† including vending, shoe shining, and begging (3,4,7,8,18,19)
	Horse jockeying (7,18)
	Garbage dump scavenging† (4)
Categorical Worst Forms of Child Labor‡	Debt bondage in cattle raising, dairy farms, and charcoal factories (2,3,20)
	Commercial sexual exploitation and domestic servitude, each sometimes as a result of human trafficking (2,3,14,19,21)
	Use in the production of child pornography (2,3,7,8,22-25)
	Use in illicit activities, including drug smuggling and drug trafficking (2,3,7,8)

† Determined by national law or regulation as hazardous and, as such, relevant to Article 3(d) of ILO C. 182.

‡ Child labor understood as the worst forms of child labor *per se* under Article 3(a)–(c) of ILO C. 182.




Criadazgo, a practice in which middle-class and wealthy families informally employ and house child domestic workers from impoverished families, is pervasive in Paraguay; the 2011 National Survey of Child and Adolescent Activities estimated that more than 46,000 children were engaged in *criadazgo*. (3,21) Many of these children are in situations of domestic servitude, subjected to violence and abuse, and highly vulnerable to sex trafficking. (4,16,18,19) Lack of political will continues to prevent Congress from considering draft legislation criminalizing or regulating *criadazgo*. (3) Children are subjected to commercial sexual exploitation in Ciudad del Este; in the Tri-Border area between Paraguay, Argentina and Brazil; and along commercial shipping routes on the Paraguay River. (2,3,7,26) Children work alongside their parents in debt bondage on cattle ranches, dairy farms, and charcoal factories in the remote Chaco region. (2,3,7,18) Children shine shoes on the street and in government buildings. (8)

Children from rural and indigenous communities face difficulties accessing and completing their education, including language barriers and inadequate facilities and staff. (2,27,28) 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. (29) The 2011 National Survey of Child and Adolescent Activities indicated that children who speak Guaraní exclusively are more likely to be involved in child labor and have higher rates of school absence compared to other working children; poverty is pervasive in rural Paraguay, where Guaraní is the predominant language. (4,30) Public transportation is limited in rural areas and school infrastructure and staff are often lacking in rural and indigenous communities. (3) The government has noted that girls from rural areas leave school at an earlier age than boys, and has estimated that more than 50 percent of children with disabilities could not attend school due to lack of access to public transportation. (7,8) Such challenges may leave these children more vulnerable to child labor. Approximately 13 percent of children engaged in child labor in agriculture do not attend school and 11.8 percent of working children ages 14 to 17 have not completed primary school. (1,31)

II. LEGAL FRAMEWORK FOR CHILD LABOR

Paraguay has ratified all key international conventions concerning child labor (Table 3).

Table 3. Ratification of International Conventions on Child Labor

Convention	Ratification
 ILO C. 138, Minimum Age	✓
ILO C. 182, Worst Forms of Child Labor	✓
 UN CRC	✓
UN CRC Optional Protocol on Armed Conflict	✓
UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	✓
 Palermo Protocol on Trafficking in Persons	✓

The government has established laws and regulations related to child labor (Table 4). However, gaps exist in Paraguay's legal framework to adequately protect children from the worst forms of child labor, including the lack of prohibition of child recruitment by non-state armed groups.

Table 4. Laws and Regulations on Child Labor

Standard	Meets International Standards	Age	Legislation
Minimum Age for Work	Yes	14	Article 1 of Law No. 2332; Article 58 of the Childhood and Adolescence Code (32,33)
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 (32-38)
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 (32-38)
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 (39-42)
Prohibition of Child Trafficking	Yes		Articles 6 and 7 of the Comprehensive Law Against Trafficking in Persons; Articles 125, 129, and 223 of the Penal Code; Article 54 of the Constitution (39-42)
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 (32,34,40,42)
Prohibition of Using Children in Illicit Activities	Yes		Article 1 of Law No. 1657; Article 32 of the Childhood and Adolescence Code (32,43)
Minimum Age for Voluntary State Military Recruitment	Yes	18	Articles 3 and 5 of the Obligatory Military Service Law (44,45)
Prohibition of Compulsory Recruitment of Children by (State) Military	Yes		Articles 3 and 5 of the Obligatory Military Service Law (44,45)
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 (46,47)
Free Public Education	Yes		Article 76 of the Constitution; Article 32 of the General Education Law No. 1264 (39,46)

In 2019, the Paraguayan government passed a law that provides domestic workers with the same minimum wage as all other workers in the country, effectively changing a law from 2015 that provided domestic workers with only 60 percent of the national minimum wage. This change may affect child labor because adults who work as domestic workers would have reduced need for their children to work. (48,49) As the minimum age for work is

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lower than the compulsory education age, children may be encouraged to leave school before the completion of compulsory education. (32,33,46-48)

III. ENFORCEMENT OF LAWS ON CHILD LABOR

The government has established institutional mechanisms for the enforcement of laws and regulations on child labor (Table 5). However, gaps exist within the operations of the Ministry of Labor, Employment and Social Security (MTESS) that may hinder adequate enforcement of their child labor laws.

Table 5. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
Ministry of Labor, Employment and Social Security (MTESS)	Enforces laws related to child labor, inspects workplaces for child labor, and recommends penalties or fines for companies found in violation of labor laws. Refers cases involving criminal violations of child labor to the Ministry of Adolescents and Children (MINNA). (2,3,9)
Paraguayan National Police	Maintains a special unit of 33 police officers, the Anti-Trafficking in Persons (TIP) Unit, which handles trafficking in persons complaints, including in relation to children, with offices in 5 cities. (2,9)
Public Ministry (Attorney General)	Responsible for the investigation and prosecution of criminal laws against forced child labor, child trafficking, commercial sexual exploitation, the recruitment and use of child soldiers, and use of children in illicit activities. (3) Provides support to local prosecutors throughout Paraguay. (2) Maintains the Specialized Unit to Combat Human Trafficking and Sexual Exploitation of Children and Adolescents (ATU). (2) Comprises 3 specialized prosecutors based in Asunción and 35 assistants. (2,9,17)
Ministry of Adolescents and Children (MINNA)	Maintains a unit dedicated to fighting child trafficking and a hotline to report cases of human trafficking and commercial sexual exploitation of children. Provides social services to victims referred by law enforcement agencies and refers cases of sexual exploitation and child labor to the Public Ministry's ATU. (2,3,9,50)
Ministry of Women's Affairs	Provides social services to female victims of human trafficking, half of whom are estimated to be children. Houses an office staffed with five personnel dedicated to combating trafficking of children. (2,9)

Labor Law Enforcement

In 2019, labor law enforcement agencies in Paraguay took actions to combat child labor (Table 6). However, gaps exist within the operations of MTESS that may hinder adequate labor law enforcement, including financial resource allocation.

Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2018	2019
Labor Inspectorate Funding	\$1.1 million (2)	\$1.8 million (3)
Number of Labor Inspectors	26 (2)	25 (3)
Inspectorate Authorized to Assess Penalties	No (2)	No (3,51)
Initial Training for New Labor Inspectors	Yes (2)	N/A (3)
Training on New Laws Related to Child Labor	N/A (52)	N/A (3)
Refresher Courses Provided	Yes (2)	Yes (3)
Number of Labor Inspections Conducted	684 (2)	1,591 (3)
Number Conducted at Worksite	234 (2)	341 (3)
Number of Child Labor Violations Found	137 (2)	3 (3)
Number of Child Labor Violations for Which Penalties Were Imposed	30 (2)	9 (3)
Number of Child Labor Penalties Imposed that Were Collected	6 (2)	5 (3)
Routine Inspections Conducted	Yes (2)	Yes (3)
Routine Inspections Targeted	Yes (2)	Yes (3)
Unannounced Inspections Permitted	Yes (2)	Yes (3)
Unannounced Inspections Conducted	Yes (2)	Yes (3)
Complaint Mechanism Exists	Yes (2)	Yes (3)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (2)	Yes (3)

In 2019, Paraguay's labor inspectorate increased its budget in an effort to hire 50 more inspectors in the 2020 calendar year. (51,53,54) During the reporting period, MTESS carried out both proactive and reactive inspections in sectors and geographical areas in which children are at high risk of engaging in child labor, although inspections were general and not specifically seeking incidents of child labor. (3) As part of Paraguay's plan for continual training of labor inspectors and in coordination with the Okakuaa Project, 38 inspectors were trained on forced labor, trafficking in persons, child labor, and agricultural inspections throughout the year. (51) MTESS also emphasized its commitment to the use and sustainability of the labor inspection computerized system through the issuance of a formal decree and training for labor inspectors nationwide on how to use the system. (20,55) The recently created Complaints and Followup Office received the majority of complaints on irregular work of adolescent workers and those working as cleaners. (51)

Although Paraguay has ratified ILO C. 81, its labor inspectors are contractors rather than public officials and they do not receive sufficient training on child labor issues. (2,3) Due to the instability of contract employment, the authority and training of these labor inspectors may be called into question. (56) The number of labor inspectors is likely insufficient for the size of Paraguay's workforce, which includes over 3 million workers. According to the ILO's recommendation of 1 inspector for every 15,000 workers in developing economies, Paraguay would employ about 229 inspectors. Government agencies, international organizations, NGOs, and labor organizations agree that inadequate funding and the insufficient number of labor inspectors hamper the labor inspectorate's capacity to enforce child labor laws, especially in the informal sector, including in agriculture and domestic work, and particularly in rural areas like the Chaco region. (2,3,7) The inspectorate is particularly limited by the lack of dedicated vehicles or travel funds. (2,3,7) The Labor Ministry, 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. (3)

An additional constraint to labor law enforcement is the lack of efficient and timely cooperation by judicial authorities in granting workplace inspection search warrants to the Public Ministry and MTESS when an employer does not permit an inspector to enter a workplace to conduct an inspection. The system is paper-based and orders routinely take more than 3 months to arrive. (2,3,8-10,61) 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 2019, criminal law enforcement agencies in Paraguay took actions to combat child labor (Table 7). However, gaps exist within the operations of the criminal enforcement agencies that may hinder adequate criminal law enforcement, including insufficient training for criminal investigators.

Table 7. Criminal Law Enforcement Efforts Related to Child Labor

Overview of Criminal Law Enforcement	2018	2019
Initial Training for New Criminal Investigators	Yes (2)	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)	Yes (3)
Number of Investigations	376 (2)	211 † (3)
Number of Violations Found	107 (2)	107 (3)
Number of Prosecutions Initiated	Unknown (2)	32 (3)
Number of Convictions	Unknown (2)	13 (3)
Imposed Penalties for Violations Related to The Worst Forms of Child Labor	Yes (56)	Yes (3)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	No (2)	Yes (3)

† Number of Investigations conducted between January and November of 2019.

From January to November of 2019, the Specialized Unit to Combat Human Trafficking and Sexual Exploitation of Children and Adolescents (ATU) processed 211 child labor cases, 119 of which involved sexual exploitation,

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66 involved human trafficking, and 26 involved the use of children in illicit activities. (3) Out of 13 convictions for child labor crimes, nine involved pimping, two child pornography, and two human trafficking. (3) Three individuals received prison sentences related to child labor ranging from 3 to 12 years. (3) The ATU also increased child labor and forced labor investigations in the rural Chaco region, in which the worst forms of child labor, human trafficking, and debt bondage were most prevalent. (57)

In July 2019, 25 of Paraguay's Peace Judges received training on the child labor manual and access to justice at the community level for cases of child labor. (51) In August, 28 trial-court judges were trained in a workshop on legal prohibitions and sentences on the worst forms of child labor, with specific focus on indigenous communities. (51) During the reporting period, the government also created a working group led by the ATU to assist indigenous victims of human trafficking. (21) Through its Assistance Program for Victims of Trafficking and Sexual Exploitation, the Ministry of Adolescents and Children (MINNA) inaugurated a new shelter for trafficking victims in San Lorenzo. (21)

Training for criminal investigators was considered insufficient. (3) Government agencies, international organizations, NGOs, and labor organizations have also observed a need for more specialized prosecutors to support local prosecutors nationwide and increase the Public Ministry's ability to investigate and prosecute cases involving human trafficking. (8-10,14) Overall, Paraguay's criminal law enforcement agencies lack resources, including vehicles, fuel, staff and training, to sufficiently identify, investigate, and prosecute cases of the worst forms of child labor, especially in remote areas. (21) As a result, the number of convictions of crimes related to the worst forms of child labor is insufficient. Additionally, existing penalties are inadequate deterrents. (2,7-10,14) Inconsistent application of fines and criminal penalties remain significant challenges in the elimination of the worst forms of child labor. (3) In 2019, the National Police's Anti-Trafficking Unit budget remained low and staff decreased from 38 to 36. (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 insufficient financial and human resources.

Table 8. Key Mechanisms to Coordinate Government Efforts on Child Labor

Coordinating Body	Role & Description
National Commission to Prevent and Eradicate Child Labor and Protect Adolescent Labor (CONAETI)	Leads government efforts against child labor and includes representatives from MTESS, the Ministry of Justice and Human Rights, the Ministry of Women's Affairs, MINNA, and other government agencies, and labor union representatives, industry associations, and NGOs. (2) Met seven times during the reporting period and discussed the application of the national strategy, the need to raise the minimum age for work, and the strengthening of the labor training program. (3,51)
Inter-Institutional Working Group on Preventing and Combating Human Trafficking	Coordinates inter-agency efforts to combat all forms of trafficking in persons, including child trafficking, and collects and reports statistics on those efforts. (3) Headed by the Ministry of Foreign Relations. (2) Held four plenary sessions and two committee sessions during the reporting period. (3,21)
Defense Councils for the Rights of Children and Adolescents (CODENIs)	Coordinate efforts to protect children's rights at the municipal level, including by maintaining a registry of adolescent workers and coordinating with vocational training programs for adolescents. (32) Continued to meet and undertake activities in 2019, though each municipal government's capacity varied based on political will and financial and human resources. (3) In coordination with MTESS, worked during the reporting period to promote decent work for adolescents and increase participation in the Registry of the Adolescent Worker (RAT), including a workshop with indigenous students on their rights as workers. (51)

In November 2019, MTESS and MINNA signed an agreement to strengthen inter-agency coordination in the context of the National Strategy for the Prevention and Eradication of Child Labor and Protection of Working Adolescents. (3,51,59) Through the alliance, adolescents and their families will receive job training through the National Professional Promotion Service and encourage formal employment for parents so that children will be less vulnerable to child labor. (59,60) The MTESS, in cooperation with Project Okakuaa, trained 331 representatives of Defense Councils for the Rights of Children and Adolescents (CODENIs) in 4 regions on

the digital Registry for Adolescent Workers. (51) Fifty members of the National Institute of Rural Development (INDERT) were trained on the subjects of child labor and protection of adolescent workers. (51) INDERT and the MTESS also signed an alliance in January to work together to eradicate child labor in rural areas, specifically in livestock fairs, by exchanging information and developing joint actions. (61)

The MTESS also signed a resolution in September 2019 that proposes decentralizing the National Commission to Prevent and Eradicate Child Labor and Protection of Adolescent Work into department-level commissions to better focus its efforts at the regional level. (51,62)

While the Inter-Institutional Working Group for Preventing and Combating Trafficking in Persons was effective in fostering dialogue and coordination among government agencies on anti-Trafficking in Persons efforts, it faced challenges in collecting and reporting statistics and a lack of participation from all relevant government agencies. (21) Coordination between the MTESS and the ministries of Education and Health remains insufficient to combat the worst forms of child labor. In addition, the CODENIs require additional financial and human resources to fulfill their mission to address child labor. (2,8,9,17,21,63)

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 implementation.

Table 9. Key Policies Related to Child Labor

Policy	Description
National Strategy for the Prevention and Eradication of Child Labor and Protection of Working Adolescents (2019–2024)†	Aims to raise awareness and strengthen enforcement of child labor laws. Provides child laborers with access to free quality education and offers livelihood alternatives for their families. (2,8) The government continued to support this strategy and again updated it in 2019, with a focus on strengthening minimum family incomes, inspection of adolescent work, and access to quality education. (3,64,65) In June, members of MTESS traveled to Santiago, Chile for an exchange with the Chilean government on best practices in combating child labor and the protection of adolescent workers, with a focus on how to operationalize the national child labor prevention strategy at the local level. (66)
National Strategy to Prevent Forced Labor (2016–2020)	Aims to prevent and eradicate forced labor and care for victims. (63) During the reporting period, the government held two meetings to discuss the second national plan to prevent forced labor for the 2020–2024 period and the role of the National Commission on Fundamental Work Rights and Prevention of Forced Labor. (20,51,67) In November, MTESS also held a seminar on “Best Practices in the Prevention of Forced Labor” in cooperation with the Government of Brazil as part of this national plan. Labor inspectors, public defenders, and members of the national police participated. (68) A similar seminar on forced labor inspection procedures was held in September with the Government of Peru. (20)
National Plan for Development (2014–2030)	Aims to reduce social exclusion and poverty, including by preventing and eliminating child labor. (69) The government continued to implement this plan during the reporting period. The Technical Secretariat for Planning worked with UN agencies and the Organization for Economic Cooperation and Development on implementation. (56)
National Plan on Human Rights	Promotes human rights, including the prevention and elimination of child labor and forced labor. (70) In 2019, in line with this national plan and under the Okakuaa Project, civil servants and officials from the Department of Human Rights and the Supreme Court of Justice prepared a manual for judges, “Guidelines on the Regulatory System for the resolution of Cases of the Worst Forms of Child Labor.” (20,71)

† Policy was approved during the reporting period.

Although the Inter-Institutional Working Group on Preventing and Combating Human Trafficking approved a National Plan for the Prevention and Combating of Trafficking in Persons in 2017, it is still pending a presidential decree for its implementation. (21)

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2019, the government funded and participated in programs that include the goal of eliminating or preventing child labor (Table 10). However, gaps exist in these social programs, including coverage and funding to fully address the problem in all sectors.

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Table 10. Key Social Programs to Address Child Labor

Program	Description
USDOL-Funded Projects	USDOL projects that aim to eliminate child labor, including its worst forms, through research, improved monitoring and enforcement, policy development, and awareness raising. These projects include Attaining Lasting Change (ATLAS), a \$7.5 million project that aims to build the capacity of host governments to more adequately combat child labor, forced labor, and human trafficking; and Paraguay Okakuaa (Paraguay Progresses), a \$6.8 million project implemented by Partners of the Americas. Additional information is available on the USDOL website.
Immediate Response Program*†	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)
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. (2,73) Works closely with the NGO Fortalecer in the implementation of ILO-IPEC programs and with the Sugarcane Growers’ Association, Ministry of Education and Culture, and CONAETI to set up programs tailored to at-risk children who work during the sugarcane harvesting season. (74) The program was redesigned during the reporting period, and under <i>Abrazo</i> , the First Lady of Paraguay announced the construction of two additional health centers in San Lorenzo. (3,75)
Combating Commercial Sexual Exploitation of Girls, Boys, and Adolescents in Trips and Tourism†	National campaign of the National Secretariat for Tourism (SENATUR) and the Association of Female Tourism Executives to raise awareness on protecting children from commercial sexual exploitation. (17) Launched campaign in the Department of Itapúa in November 2018. (76) In 2019 under this initiative, Las Lomas Casa Hotel was the first hotel in Paraguay to adopt a seal “The Code”, an international code of conduct of social responsibility for the protection of children and adolescents from sexual exploitation. (77) SENATUR also signed an agreement with MINNA and the Ministry of Women to promote the prevention of trafficking and sexual exploitation of children and adolescents. (78)
Well-Being Conditional Cash Transfer Program (<i>Tekoporã</i>)†	Government-administered program through the Secretariat for Social Action. Provides conditional cash transfers to families in rural communities. (9) Incorporates aspects of the Embrace Program, such as the family monitoring methodology, to ensure participant children do not engage in child labor. In 2019, 168,317 children in Paraguay were added as participants in the program. (80)

* Program was approved during the reporting period.

† 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. (2,3,73,74,79)

As part of the Paraguay Okakuaa Project, MTESS held awareness-raising campaigns among employers on trafficking in persons in the Chaco region during the reporting period. (21)

The 2012 Law Against Trafficking in Persons requires the Ministry of Women’s Affairs to provide compensation and financial assistance to victims of sexual and labor trafficking, including minors, but NGO and government officials report that compensation takes too long to be helpful. (9,10,14,26,41,81) 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. (7,9,10,14)

VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE CHILD LABOR

Based on the reporting above, suggested actions are identified that would advance the elimination of child labor in Paraguay (Table 11).

Table 11. Suggested Government Actions to Eliminate Child Labor

Area	Suggested Action	Year(s) Suggested
Legal Framework	Ensure that the law criminally prohibits the recruitment of children under age 18 by non-state armed groups.	2016 – 2019
	Raise the minimum age for work to the age of completion of compulsory education.	2018 – 2019
	Protect children from the abuse of the <i>criadazgo</i> system by regulating the practice with legislation.	2019
Enforcement	Strengthen the labor inspectorate by authorizing inspectors to determine and assess penalties for child labor violations.	2016 – 2019

Table 11. Suggested Government Actions to Eliminate Child Labor (Cont.)

Area	Suggested Action	Year(s) Suggested
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 – 2019
	Increase the number of labor inspectors to meet the ILO's technical advice.	2009 – 2019
	Increase the funding and resources available to the labor inspectorate, including dedicated vehicles and travel funds, to build enforcement capacity to address child labor in the informal sector, agriculture, and domestic work.	2009 – 2019
	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 – 2019
	Increase efforts to prosecute crimes related to the exploitation of children in the worst forms of child labor, including by hiring and training more specialized criminal investigators and prosecutors; providing resources, such as vehicles and fuel, to enable investigations in remote areas; and increasing penalties for crimes.	2012 – 2019
	Ensure that fines and penalties for the worst forms of child labor are consistently applied.	2019
	Discontinue the practice of allowing children to shine shoes in government buildings.	2017 – 2019
	Ensure that the National Police's Anti-Trafficking Unit is properly funded and staffed.	2018 – 2019
Coordination	Ensure that the Inter-Institutional Working Group for Preventing and Combating Trafficking in Persons fulfills its mandates, including in collecting and reporting statistics.	2018 – 2019
	Strengthen inter-agency coordinating mechanisms, with particular focus on the communication between the Ministry of Labor, Employment and Social Security and the ministries of Education and Health, to combat child labor, including its worst forms.	2013 – 2019
	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 – 2019
Government Policies	Ensure that there is a comprehensive approach to combat trafficking in persons by approving the National Plan for the Prevention and Combating of Trafficking in Persons.	2019
Social Programs	Further expand government programs to assist more families and children affected by child labor in agriculture in rural areas, including cattle herding, and domestic work.	2010 – 2019
	Increase access to education for children vulnerable to child labor, particularly children with disabilities, children living in rural and indigenous communities with language barriers, and girls who leave school early. Address the lack of infrastructure, staff, and transportation, in order to improve access to education for all children.	2014 – 2019
	Ensure that financial assistance programs for child trafficking and forced labor victims are properly funded.	2018 – 2019

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In 2019, Peru made a significant advancement in efforts to eliminate the worst forms of child labor. The government published a law modifying the Penal Code to strengthen penalties for the sexual exploitation of women and minors and drafted an executive decree to establish a standardized government procedure to register adolescent workers. Under Operation Mercury to stop illegal gold mining, Peruvian authorities also dismantled a human trafficking network in the Madre de Dios region. In addition, the government renewed the National Plan to Combat Forced Labor for the 2019–2022 period and the Ministry of Women and Vulnerable Populations approved a guide for the reintegration of human trafficking victims. Moreover, under the Semilla Project, the Ministry of Labor created the Child Labor Free Seal which recognizes products and services whose supply chains are free of child labor. However, children in Peru engage in the worst forms of child labor, including in mining and in commercial sexual exploitation, sometimes as a result of human trafficking. Peruvian law allows children ages 12 to 14 to do light work without specifying the activities in which children may work. In addition, labor law enforcement agencies in Peru lack sufficient inspectors and training to adequately combat child labor.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Peru engage in the worst forms of child labor, including in mining and in commercial sexual exploitation, sometimes as a result of human trafficking. (1,2) In the 2015 National Child Labor Survey, the government identified 1,619,200 children, ages 5 to 17, engaged in child labor. Rates of child labor were higher in the sierra and jungle regions than in the coastal region, and higher in rural areas than in urban areas. (3) The government estimated that 1,251,400 children, ages 5 to 17, were engaged in hazardous child labor and that 58.4 percent of these children worked in agriculture, fishing, or mining. The government also identified 70,500 children, ages 10 to 17, who were at risk of forced labor. (3) Table 1 provides key indicators on children’s work and education in Peru.

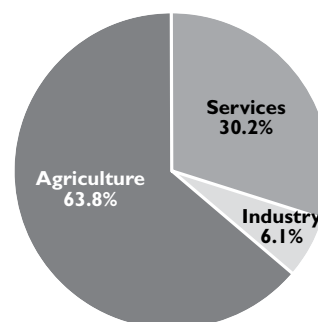
Table 1. Statistics on Children’s Work and Education

Children	Age	Percent
Working (% and population)	5 to 14	21.8 (1,261,484)
Attending School (%)	5 to 14	97.6
Combining Work and School (%)	7 to 14	25.0
Primary Completion Rate (%)		96.1

Source for primary completion rate: Data from 2018, published by UNESCO Institute for Statistics, 2020. (4)

Source for all other data: International Labor Organization’s analysis of statistics from Encuesta de Trabajo Infantil (ETI), 2015. (5)

Figure 1. Working Children by Sector, Ages 5-14



Based on a review of available information, Table 2 provides an overview of children’s work by sector and activity

Table 2. Overview of Children’s Work by Sector and Activity

Sector/Industry	Activity
Agriculture	Transplanting and harvesting rice, collecting and harvesting Brazil nuts/chestnuts (1,2)
	Fishing,† including deep sea fishing,† organizing tools, throwing fishing lines and nets,† unloading ships, harvesting crabs and shrimp eggs, and cleaning shrimp and prawns for packaging† (1,3-6)
	Logging† timber and clearing forestland for mining, including cutting down and burning trees (3,6,7)

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Table 2. Overview of Children’s Work by Sector and Activity (Cont.)

Sector/Industry	Activity
Industry	Mining,† including for silver and gold (6-9)
	Construction and production of bricks† and fireworks†, metal manufacturing (6-11)
Services	Street work,† including vending, begging, shoe shining, carrying loads, selling in kiosks and markets, collecting fares on public buses,† and washing cars (3,6,8,12)
	Treating leather and working on shoes, tailoring work (8,13)
	Repairing motor vehicles† (14)
	Garbage scavenging† (7,15,16)
	Working in restaurants, domestic work† and cleaning offices and hotels (7-9)
Categorical Worst Forms of Child Labor‡	Forced labor in mining, including gold mining (6,9,14,17,18)
	Forced labor in logging timber, street vending, and begging (6,9,15-18)
	Forced domestic work, sometimes as a result of human trafficking (6,9,19)
	Commercial sexual exploitation, including in bars, nightclubs, brothels, and mining camps, each sometimes as a result of human trafficking (6,19,20)
	Growing and processing coca (stimulant plant), sometimes as a result of human trafficking, and transporting drugs (1,6,9,19,21,22)
	Counterfeiting U.S. dollars and lightbulbs (3,19,23,24)
	Recruitment of children by non-state armed groups for use in armed conflict (9,19)

† Determined by national law or regulation as hazardous and, as such, relevant to Article 3(d) of ILO C. 182.

‡ Child labor understood as the worst forms of child labor *per se* under Article 3(a)–(c) of ILO C. 182.

Children in Peru work in informal and small-scale mining, particularly for gold, sometimes in situations of forced labor, and are exposed to hazards, including wall and mine collapses, landslides, explosives accidents, and exposure to mercury and harmful gases. Near mining areas, children are also subjected to commercial sexual exploitation, sometimes as a result of human trafficking. (2,11,18,28-30) Young girls from Ecuador, Colombia, and Venezuela are also subjected to commercial sexual exploitation, domestic work, and forced labor in mining regions. (29) Remnants of the Shining Path terrorist group continue to use children in combat, domestic servitude, and drug trafficking. (11,21) Forced labor in support of narco trafficking can include using hazardous chemicals to process coca or working as a drug courier. (11) Communities located near illegal mining operations are often isolated and lack a permanent government presence, increasing the likelihood of illicit activity, including commercial sexual exploitation and labor trafficking of girls who are indebted for transportation fees. (13)

The influx of more than 800,000 Venezuelan migrants and refugees into Peru since 2017 may have exacerbated child labor and human trafficking. (11,31) During the 2019 school cycle, the Ministry of Education struggled to provide free public education to approximately 35,000 Venezuelan students, 71 percent of them in Lima alone. (11,32) The 2018 National Institute of Statistics report found that an estimated 54 percent of Venezuelan children ages 6 to 11 were not enrolled in school, with both a lack of economic resources and necessary documentation being barriers to education access. (11,33) However, the Peruvian government did take measures throughout the reporting period to ensure that Venezuelan families were aware of the process for enrollment and the educational assessment process in place for students without documentation. (34,35)







Indigenous and Afro-Peruvian children and children from rural communities experience lower school enrollment and completion rates, with indigenous children being especially vulnerable to dropping out of school and engaging in hazardous work in agriculture. (12,36,37) NGOs and government officials report that there is a lack of data on migration and forced labor; however, in 2019 the National Institute of Statistics and Technology and the ILO worked on a forced labor survey in the Cusco region to address this issue. (15,22,23,38)

The swift removal of several sitting presidents in recent years, ultimately leading to the dissolution of Congress in late 2019, may have impacted work on child labor issues during the reporting period due to the high turnover of staff in each cabinet. (15,22,39)

II. LEGAL FRAMEWORK FOR CHILD LABOR

Peru has ratified all key international conventions concerning child labor (Table 3).

Table 3. Ratification of International Conventions on Child Labor

Convention	Ratification
 ILO C. 138, Minimum Age	✓
 ILO C. 182, Worst Forms of Child Labor	✓
 UN CRC	✓
 UN CRC Optional Protocol on Armed Conflict	✓
 UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	✓
 Palermo Protocol on Trafficking in Persons	✓

The government has established laws and regulations related to child labor (Table 4). However, gaps exist in Peru's legal framework to adequately protect children from the worst forms of child labor, including the lack of prohibition of child recruitment by non-state armed groups.

Table 4. Laws and Regulations on Child Labor

Standard	Meets International Standards	Age	Legislation
Minimum Age for Work	Yes	14	Article 51 of the Child and Adolescent Code (25)
Minimum Age for Hazardous Work	Yes	18	Article 58 of the Child and Adolescent Code (26)
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 (26,27)
Prohibition of Forced Labor	Yes		Articles 2 and 23 of the Constitution; Article 4 of the Child and Adolescent Code; Articles 128, 129, 153, 168, and 182 of the Penal Code; Article 153 of the Law Against Trafficking of Persons and the Illicit Trafficking of Migrants; Article 153 of the Law that Perfects the Typification of the Crime of Trafficking of Persons (26,28-31)
Prohibition of Child Trafficking	Yes		Article 4 of the Child and Adolescent Code; Articles 153 and 182 of the Penal Code; Article 153 of the Law Against Trafficking in Persons and the Illicit Trafficking of Migrants (26,28-30)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Article 4 of the Child and Adolescent Code; Articles 153, 153 H 153-J, and 179–183-B of the Penal Code (26,29,32)
Prohibition of Using Children in Illicit Activities	Yes		Articles 128 and 297 of the Penal Code (29,33)
Minimum Age for Voluntary State Military Recruitment	Yes	18	Articles 2, 6, and 42 of the Military Service Law (34)
Prohibition of Compulsory Recruitment of Children by (State) Military	N/A		
Prohibition of Military Recruitment by Non-state Armed Groups	No		
Compulsory Education Age	Yes	17‡	Article 17 of the Constitution; Articles 12 and 36 of the General Education Law; Article 61 of Supreme Decree No. 011-2012-ED (31,35-37)
Free Public Education	Yes		Article 17 of the Constitution; Article 4 of the General Education Law (31,35)

‡ Age calculated based on available information (42,46-49)

In 2019, the government published a law modifying the Penal Code, which added multiple new provisions that defined additional crimes and strengthened penalties for the commercial sexual exploitation of children. The government also established a single, standardized procedure to process work authorizations for adolescents.

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Regional labor departments will have to carry out an evaluation of the proposed work activities to ensure that they will not affect the health, safety, or school attendance of the adolescents involved. These evaluations will be used by the National Labor Inspection Superintendency (SUNAFIL) to target labor inspections. (11,30,51) The National Commission for the Prevention and Eradication of Child Labor also agreed to update the list of hazardous work for adolescents with guidance from the ILO's Latin America and Caribbean Free of Child Labor Regional Initiative using studies of agriculture supply chains developed under the Semilla Project. (11)

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. (11,39) 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. (36,42,46,47)

III. ENFORCEMENT OF LAWS ON CHILD LABOR

The government has established institutional mechanisms for the enforcement of laws and regulations on child labor (Table 5). However, gaps exist within the operations of the Ministry of Labor and Promotion of Employment (MTPE) that may hinder adequate enforcement of their child labor laws, particularly in the informal sector.

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. (38,39) Maintains an online reporting service to receive complaints of labor law violations. (40) Responsible for supporting the National Labor Inspection Superintendency (SUNAFIL), which enforces labor laws in 16 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. (3,41-43) SUNAFIL maintains a dedicated unit of 10 inspectors who target forced labor and child labor violations and who train other inspectors on these topics. (3,43,44) Regional Directorates for Labor consist of one representative of the regional government, one representative of MTPE, and one representative of SUNAFIL. These directorates operate in regions without a SUNAFIL office and conduct inspections in workplaces with fewer than 10 registered workers. (45) The Department of Promotion and Protection of Fundamental Labor Rights implements the child labor free supply chains program [Child Labor Free Seal/ <i>Sello Libre de Trabajo Infantil</i> (SELTI)], to help agricultural producers comply with child labor laws, including in rural agricultural zones that are difficult for the labor inspectorate to regulate. (46)
Ombudsman's Department for Children and Adolescents (DEMUNA)	Coordinates government policies and programs that target children and adolescents. Helps MTPE investigate child labor complaints. (47) Operates 28 offices nationwide, one per region, with 10 modules, or small offices. (11) Works collaboratively with local municipal officials, including police, under the Municipal Management Model's referral protocol, to ensure adolescents who are removed from hazardous work receive appropriate social services. (46)
Public Ministry	Coordinates with MTPE, SUNAFIL, and the National Police to investigate and prosecute cases of criminal violations of child labor laws. Maintains a specialized human trafficking prosecutorial unit in the Public Prosecutor's Office. (48)
Ministry of the Interior (MININTER)	Investigates child trafficking cases. (9) Maintains a hotline to receive reports of human trafficking. Provides victims and the public with information on human trafficking, refers cases of human trafficking to the relevant government offices, and coordinates services for victims. (9,49) Within MININTER, the Peruvian National Police (PNP) enforce criminal laws regarding child labor and child exploitation, and maintain a human trafficking investigation unit to investigate cases of child trafficking for labor and sexual exploitation. Coordinates with the Public Ministry and MIMP to place rescued minors with family members or state social services. (3,19) PNP's Trafficking in Persons Directorate has approximately 150 investigators. (6) Municipal police also use the Semilla Project's Municipal Management Model to work collaboratively with DEMUNA to remove children and adolescents from hazardous work. (46)
MIMP Children's Bureau	Designs, promotes, coordinates, monitors, and evaluates government policies and programs for the well-being of children. (47,50) Provides social services to children found in the worst forms of child labor and refers cases to MTPE. (6)

In 2019, SUNAFIL opened 5 new regional inspection offices in Junin, Lima, Madre de Dios, Pasco, and San Martin, resulting in 21 offices across Peru's 25 regions and the Province of Lima. (11,59) The Peruvian National Police (PNP) also established a local presence in Madre de Dios. (13)

Labor Law Enforcement

In 2019, labor law enforcement agencies in Peru took actions to combat child labor (Table 6). However, gaps exist within the operations of the MTPE that may hinder adequate labor law enforcement, including insufficient financial resources.

Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2018	2019
Labor Inspectorate Funding	\$43,000,000 (3)	\$52,000,000 (6)
Number of Labor Inspectors	686 (51)	607 (6)
Inspectorate Authorized to Assess Penalties	Yes (3)	Yes (6)
Initial Training for New Labor Inspectors	Yes (3)	Yes (6)
Training on New Laws Related to Child Labor	Yes (3)	Yes (6)
Refresher Courses Provided	Yes (3)	Yes (6)
Number of Labor Inspections Conducted	Unknown (3)	55,928 (6)
Number Conducted at Worksite	Unknown (3)	Unknown (6)
Number of Child Labor Violations Found	Unknown (3)	26‡ (6)
Number of Child Labor Violations for Which Penalties Were Imposed	Unknown (3)	Unknown (6)
Number of Child Labor Penalties Imposed that Were Collected	Unknown (3)	Unknown (6)
Routine Inspections Conducted	Yes (3)	Yes (6)
Routine Inspections Targeted	Yes (3)	Yes (6)
Unannounced Inspections Permitted	Yes (3)	Yes (6)
Unannounced Inspections Conducted	Yes (3)	Yes (6)
Complaint Mechanism Exists	Yes (3)	Yes (6)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (3)	Yes (6)

‡ Data are from March to October 2019.

From March to October 2019, SUNAFIL's special inspection group on forced labor and child labor, comprising 10 labor inspectors, conducted inspections throughout the country, ultimately removing 26 minors from child labor. (59,62) In January 2019, SUNAFIL inspectors carried out a joint operation with the PNP and the Attorney General's trafficking in persons office at a brickyard in Cusco where five minors between the ages of 13 and 17 worked. In April and May 2019, SUNAFIL followed up with a series of awareness-raising workshops for brickyard employers and workers in the region about forced labor and child labor. (11,13) In March, SUNAFIL and the PNP's anti-trafficking unit also removed three minors from the Gamarra garment district of Lima and who had been working in dangerous conditions by operating industrial sewing machines without proper authorization. (11,13) In 2019, SUNAFIL, the MTPE, and the Public Ministry coordinated child labor training for more than 3,800 labor inspectors and regional government officials. During the reporting period, SUNAFIL continued to remove children from dangerous working conditions in quarries, timber fields, markets, public transportation, restaurants, and the metal manufacturing industry and trained at-risk adolescents at non-traditional education centers. (11,59)

Despite these efforts, NGOs, the MTPE, and SUNAFIL report that budgetary constraints continue to hamper efforts to address child labor in Peru. Although the inspection budget has increased each year, funding remains inadequate to carry out inspections, train inspectors, and maintain offices. (1,6,11,63) Civil society and labor sector experts reported that SUNAFIL labor inspector training was not adequate to reduce child labor. (11) Not all labor inspectors receive regular training on child labor and forced labor, although SUNAFIL reported that it was working on expanding this training to more inspectors. (59) Enforcement against child labor in the informal sector, which is a large portion of Peru's economy, remains inadequate due to these constraints. (11) Despite efforts to expand SUNAFIL's reach, experts have noted the lack of labor inspections in rural areas. (11,59)

The number of labor inspectors is likely insufficient for the size of Peru's workforce, which includes over 17 million workers. According to the ILO's technical advice of a ratio approaching 1 inspector for every

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15,000 workers in industrializing economies, Peru would employ about 1,135 inspectors. (66,67) 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. (68) Auxiliary inspectors must have full inspectors supervise their inspection processes and review their inspection acts for any businesses with more than 10 employees. (65,68) SUNAFIL reported plans to remove the auxiliary inspector classification and require that all inspectors at the national level be full-fledged inspectors with full authority. (65) SUNAFIL prohibits inspectors from conducting follow-up inspections of any given worksite within the same year. (68) Furthermore, SUNAFIL collected no fines for child labor violations issued between 2014 and 2019 because the fines remained in the judicial appeals process. (1,6,69)

Throughout the reporting period, the MTPE implemented the risk identification model by using information from the national household survey to identify regional areas of risk for child labor and better target efforts on prevention and eradication. (23,70) Also, under the Semilla Project, the government adopted the Municipal Model for Child Labor Detection and Response, formally establishing a referral system for cases of child labor detected at the municipal level. The model, developed and implemented in conjunction with the Ombudsman’s Department for Children and Adolescents (DEMUNA), incorporates child labor oversight into the existing enforcement function of municipal governments with regard to regulating public spaces, including by imposing sanctions, such as closing down establishments engaging in the worst forms of child labor; establishing a referral system for cases of child labor detected at the municipal level; promoting local governments as child labor free zones; launching a municipal adolescent worker registry; and showcasing local businesses that comply with child labor laws. (23,60) However, the MTPE failed to replicate critical components of the model during its adoption and expansion. (59)

Criminal Law Enforcement

In 2019, criminal law enforcement agencies in Peru took actions to combat child labor (Table 7). However, gaps exist within the operations of the criminal enforcement agencies that may hinder adequate criminal law enforcement, including insufficient financial resources.

Table 7. Criminal Law Enforcement Efforts Related to Child Labor

Overview of Criminal Law Enforcement	2018	2019
Initial Training for New Criminal Investigators	Yes (3)	Yes (6)
Training on New Laws Related to the Worst Forms of Child Labor	Yes (3)	Yes (6)
Refresher Courses Provided	Yes (3)	Yes (6)
Number of Investigations	Unknown (3)	Unknown (6)
Number of Violations Found	Unknown (3)	Unknown (6)
Number of Prosecutions Initiated	Unknown (3)	Unknown (6)
Number of Convictions	Unknown (3)	Unknown (6)
Imposed Penalties for Violations Related to The Worst Forms of Child Labor	Yes (3)	Yes (52)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (3)	Yes (6)

In 2019, the Government of Peru continued “Operation Mercury” to combat the pervasive practice of illegal gold mining in the Amazonian region, which has historically fostered child labor, forced labor, and commercial sexual exploitation. (71) In September 2019, during this operation, Peruvian authorities dismantled a human trafficking network in Madre de Dios, arresting 15 people, including 2 officers with the PNP who were accused of providing information about police operations to the network. (72) In June 2019, the Peruvian government convicted a couple for human trafficking, labor exploitation, and enslavement following the heavily publicized case of forced labor found at their illegal workshop in Lima, which caught fire and killed two workers, including a 17 year old. (11,13) In November 2019, the trafficking in persons prosecutors’ mandate was expanded under the modifications made in the Penal Code to include crimes of sexual exploitation, forced labor, and slavery, which previously were handled by general prosecutors. (13) Although these changes were recognized as a positive advancement, both government and civil society officials noted that justice system operators will require significant training to understand these changes in an already complex legal system. (13)

Despite these efforts, reports indicate that investigations and prosecutions were inadequate to deter child trafficking, particularly in illegal mining areas and bars. Moreover, reports noted too few investigators, insufficient funding or resources to carry out investigations, low conviction rates, and inadequate training for MTPE investigators, police, and members of the judicial system. (2,11,13,15,22,30)

In December, members of the MTPE, DEMUNA, the Ministry of the Interior's (MININTER) trafficking team, and the *Educadores de la Calle* program worked together to assist eight children who were involved in forced street work in the city of Chimbote. (73) In 2019, the Ministry of Women and Vulnerable Populations (MIMP) established five new shelters dedicated specifically to child trafficking victims, for a total of seven shelters for children in Peru. (13) However, these shelters only serve girls. (13) In 2019, MIMP also approved a guide for the reintegration of trafficking victims, designating MIMP as the lead agency for the management of these plans. (11,74,75) The Minister of MIMP also met with members of the armed forces and national police working to combat labor issues in the mining sector through Operation Mercury in the Madre de Dios region. During the visit, she reinforced the need to identify victims of human trafficking and child commercial sexual exploitation and refer them to the recently renovated local shelter “*Centro de Acogida Residencial Florecer.*” (73) Despite the increase in shelters, there is an insufficient number of shelters throughout the country, including shelters to serve boys. In addition, there is a lack of specialized services for victims of human trafficking. (2,22,30,76)

IV. COORDINATION OF GOVERNMENT EFFORTS ON CHILD LABOR

The government has established mechanisms to coordinate its efforts to address child labor (Table 8). However, gaps exist that hinder the effective coordination of efforts to address child labor, including the creation and implementation of action plans under the Regional Commissions for the Prevention and Eradication of Child Labor.

Table 8. Key Mechanisms to Coordinate Government Efforts on Child Labor

Coordinating Body	Role & Description
National Commission 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. (3,40) Proposes public policies and coordinates, evaluates, and monitors government actions to combat child labor. Maintains subcommittees, including on informal mining, child labor in indigenous villages, and project evaluations. (47) Led by MTPE, comprises representatives from 17 government agencies, including MININTER; the Ministries of Education and Justice; PNP; and business associations, unions, and NGOs. (47,53) During the reporting period, the Commission met on a monthly basis and collaborated with MTPE and the Semilla Project to create the Child Labor Free Seal. (6,54,55)
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. (56) Some Regional Commissions for the Prevention and Eradication of Child Labor have not fulfilled their mandate to create action plans to combat child labor, while others have action plans but have failed to provide the necessary funding to carry them out. (3,1,20) In 2019, the regional commission for Metropolitan Lima organized a MTPE-led training for 95 local government officials on protocols related to child labor, forced labor, and human trafficking. (57) The regional commissions also received technical assistance from the MTPE's General Directorate of Fundamental Rights and Health and Safety at Work which included analysis of the commissions to achieve leveling capacities between the regions and improve policy implementation. (6)
National Commission Against Forced Labor	Coordinates government efforts to combat forced labor, including conducting research and awareness-raising campaigns, developing legislation, and strengthening Peru's institutional capacity to address forced labor. Led by MTPE, with the participation of eight additional government ministries. (3) In 2019, held two sessions, one in which members agreed to update the National Plan to Combat Forced Labor for the 2019–2022 period, and one in which members approved the 2019 Annual Operation Plan. (6)
Permanent Multi-Sectoral Commission on Illegal Mining	Coordinates government efforts to address illegal mining by developing programs to eradicate child labor and commercial sexual exploitation of children in mining areas. Led by the Prime Minister's Office and includes representatives from regional governments and six national government agencies, including the Ministry of Energy and Mines and MININTER. (58) Met several times in 2019 to plan interventions across the country to address illegal mining, forced labor, child labor, and dangerous working conditions. (59,60)

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Table 8. Key Mechanisms to Coordinate Government Efforts on Child Labor (Cont.)

Coordinating Body	Role & Description
Multi-Sector Commission Against Trafficking in Persons	Leads and coordinates government efforts to combat human trafficking by designing, recommending, monitoring, and implementing policies to combat human trafficking, including of children. Chaired by MININTER, comprises 12 government agencies, including MTPE, MIMP, and the Ministries of Justice, Education, and Health. (61) In 2019, the Commission held training and awareness workshops for 774 individuals in 10 regions of the country and videoconferencing sessions for 4 regions on forced labor and its link to human trafficking. In November, the Commission also held a trafficking identification workshop for the PNP's Special Operations Unit. (6) However, the Commission and the Ministry of Finance and Economy missed the deadline of September 2019 to produce a multi-sectoral anti-trafficking budget, which contributed to anti-trafficking budget cuts across government ministries including MININTER. (9)

‡ The government has other coordinating mechanisms that may have addressed child labor issues or had an impact on child labor. (11)

In 2019, the MTPE and Ecuador's Ministry of Labor signed an Action Plan (2019–2020) to exchange experiences on the prevention and eradication of child labor. (83) The MTPE also signed an inter-institutional agreement with the Government of Chile to exchange knowledge and experiences on the eradication of child labor, youth employment, job skill certification, and occupational safety and health. (84)

Under the U.S.-Peru Child Protection Compact Partnership Bilateral Dialogue (2017–2021), the Peruvian government pledged to provide \$2.4 million to increase personnel of the relevant member entities of the Multi-sectoral Commission Against Trafficking in Persons to strengthen prosecution of child trafficking crimes, identification of child victims, and coordination of protective services. (13)

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 Strategy for the Prevention and Eradication of Child Labor (2012–2021)	Aims to eliminate the worst forms of child labor by improving livelihoods of low-income families, educational opportunities, and working conditions for adolescents; raising awareness of child labor; and increasing child labor law enforcement. (3,12,56) Also seeks to improve the quality of child labor data in Peru. (12) In 2019 under this strategy, MTPE held an event in Lima to raise awareness in commemoration of World Day Against Child Labor. (62) The Minister of Labor and the Superintendent of SUNAFIL also met with local municipal leaders in the La Libertad region to reinforce inter-institutional work on eradicating child labor and forced labor, highlighting the important role that local mayors play in these efforts. (63) Members of MTPE also met with municipal mayors in Chincha, Ica, Nazca, Plapa, and Pisco to discuss efforts to eradicate child labor and dangerous adolescent work and develop a series of technical assistance workshops on SUNAFIL's inspection and sanction process. (20,64)
National Action Plan for Children and Adolescents (2012–2021)	Establishes a comprehensive set of government policies for children and adolescents to eradicate the worst forms of child labor. (3,50,56) The National Commission for the Prevention and Eradication of Child Labor (CPETI) met in September 2019 to discuss advances made under this strategy. (54,65)
National Plan to Combat Forced Labor (2019–2022)†	Establishes policies and priorities for combating forced labor, including programs and projects focusing on the most vulnerable populations, such as children. (56,66) In September 2019, the government of Peru renewed this national plan for the 2019–2022 period as part of its commitments under Alliance 8.7 to eliminate the worst forms of child labor. (9,66,67)
Inter-sectoral Protocol Against Forced Labor	Outlines the government's role in combating forced labor and provides for the housing, legal defense, and educational reintegration of children and adolescent victims of forced labor. Monitored by the National Commission Against Forced Labor. (56,68,69) In 2019, the National Commission proposed that February 1 st be recognized as Peru's National Day in the Fight Against Forced Labor; the proposal passed in early 2020. (6,70)
National Plan of Action Against Trafficking in Persons (2017–2021)	Aims to prevent and reduce human trafficking by addressing root causes, prosecuting perpetrators, assisting victims, and strengthening programs for vulnerable populations, including child laborers. (3,19,71,72) Emphasizes the needs of human trafficking victims through a dedicated Victim Reintegration Plan. (3,19) In 2019, under this plan, individual government ministries and bodies were actively engaged in anti-trafficking efforts at the national, regional, and local levels through prevention, prosecution, and protection actions. In addition, 24 regions created their own anti-trafficking plans to increase efforts. (9)

† Policy was approved during the reporting period.

In 2019, the Government of Peru became one of the 17 countries designated as a “Pathfinder Country” under the ILO’s Alliance 8.7 program to eliminate child labor by 2025 and forced labor and human trafficking by 2030, solidifying its commitment to significantly accelerate efforts in these areas, specifically through the use of the ILO’s Child Labor Risk Identification Model. (94) The government also approved a National Multi-sectoral Policy to Combat Organized Crime (2019–2030), which establishes strategic actions to prevent and eradicate the sexual exploitation of children and adolescents. (11)

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2019, the government funded and participated in programs that include the goal of eliminating or preventing child labor (Table 10). However, gaps exist in these social programs, including the adequacy of efforts to address the problem in all sectors.

Table 10. Key Social Programs to Address Child Labor

Program	Description
Educational Programs†	The Carabayllo Project provides scholarships, education assistance, psychological help, and other services to 1,000 families and 1,500 children to reduce urban child labor, especially in garbage dumps. (15,16,48) The government did not provide information on activities taken under this project in 2019 for inclusion in this report. The Secondary Tutorial Program is a rural basic education program supported by the Ministry of Education that includes school meal plans (<i>Qali Warma</i>) for rural students throughout the country, including hard-to-reach indigenous communities. (46) In 2019, the Ministry of Education issued a resolution approving this model program, the first of its kind, and giving its participants access to the <i>Qali Warma</i> school meal plan, thereby expanding access to nutrition and education. (46)
Learn Program (<i>Yachay</i>)†	MIMP program to increase protection and access to social services for children subjected to street work, begging, and commercial sexual exploitation. (76) 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. (3,1,77) Connects working children and their families to educational and social services to withdraw them from exploitative work and improve family welfare. (6,77-80) Between January and November 2019, the <i>Educadores de Calle</i> program reached 7,922 children throughout the country, and of those children, 1,090 discontinued their street work. (6)
Together Program (<i>Juntos</i>)†	Ministry of Development and Social Inclusion program that provides cash transfers to approximately 763,000 low-income households in 15 of the country’s 25 regions. (3,1,40,82) The program was active during the reporting period and closed out 2019 with 747,540 families affiliated with its benefits. (83)
USDOL-Funded Projects	USDOL projects that aim to eliminate child labor, including its worst forms, through research, improved monitoring and enforcement, policy development, and awareness-raising. These projects include Promoting Better Understanding of Indicators to Address Forced Labor and Labor Trafficking in Peru, a \$2 million, 4 year project implemented by <i>Capital Humano y Social Alternativo</i> (CHS); <i>Proyecto Semilla</i> (Seed Project): Combating Exploitative Rural Child Labor in Peru, a \$16.25 million, 8 year project implemented by <i>Desarrollo y Autogestión</i> ; Engaging Workers and Civil Society to Strengthen Labor Law Enforcement, a \$2.8 million, 3-year project implemented by the American Center for International Labor Solidarity; and From Protocol to Practice: A Bridge to Global Action on Forced Labor (The Bridge Project), a global project implemented by ILO. Additional information is available on the USDOL website. (46,84) In 2019 under the <i>Semilla</i> Project, the MTPE created the Child Labor Free Seal [<i>Sello Libre de Trabajo Infantil</i> (SELT1)], which recognizes companies and organizations, including cooperatives and associations, that incorporate specific measures to monitor, prevent, and eradicate child labor in their production processes and supply chains. Businesses receive training on child labor from the MTPE and support for access to socially responsible markets. (46,55,85) The <i>Semilla</i> Project and MTPE also hosted an international forum in July on “Productive Supply Chains without Child Labor: Public Policy and Social Responsibility” as an opportunity for regional government officials, business leaders, and civil society to exchange experiences on promoting child labor free social responsibility in the agricultural sector. (86)

† Program is funded by the Government of Peru.

In 2019, the government issued a law that recognizes the implementation of temporary shelters for victims of human trafficking and sexual exploitation as a national interest and public need and mandates the design of a multi sectoral-funded program to address these issues. (11,13,50)

However, 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. (6,109,110)

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VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE CHILD LABOR

Based on the reporting above, suggested actions are identified that would advance the elimination of child labor in Peru (Table I I).

Table I I. Suggested Government Actions to Eliminate Child Labor

Area	Suggested Action	Year(s) Suggested
Legal Framework	Ensure that the law criminally prohibits the recruitment of children younger than age 18 by non-state armed groups.	2016 – 2019
	Ensure that the law's light work provisions are specific enough to prevent children from involvement in child labor.	2017 – 2019
	Raise the minimum age for work to the age up to which education is compulsory.	2018 – 2019
Enforcement	Publish information on the number of labor law enforcement efforts including the number of inspections conducted at work sites and violations for which penalties were imposed and collected.	2015 – 2019
	Ensure that inspectors are properly trained on child labor and forced labor issues.	2019
	Ensure adequate enforcement of child labor laws, particularly in the informal sector, including in artisanal mining and domestic work.	2009 – 2019
	Increase the number of labor inspectors to meet the ILO's technical advice.	2019
	Increase the collection rate for fines related to child labor law violations to deter future violations.	2015 – 2019
	Establish National Labor Inspection Superintendency offices in all regions of Peru to support labor law enforcement throughout the country, including rural areas, and remove the "auxiliary inspector classification" to increase efficiency in the inspection process.	2017 – 2019
	Ensure that there are sufficient shelters, including shelters for boys, and specialized services available for victims of trafficking.	2019
	Increase the level of funding and the resources allocated for labor and criminal law enforcement related to the worst forms of child labor, including for increased training on the worst forms of child labor for criminal investigators.	2015 – 2019
	Publish information on the total number of criminal investigations conducted, violations found, prosecutions initiated, and convictions related to the worst forms of child labor.	2015 – 2019
Coordination	Ensure that authorities conduct adequate inspections, investigations, and prosecutions in mining areas and bars to deter the worst forms of child labor.	2016 – 2019
	Ensure that Regional Commissions for the Prevention and Eradication of Child Labor develop action plans to combat child labor and allocate sufficient funding to implement these plans.	2010 – 2019
Social Programs	Ensure that efforts to address trafficking in persons of minors are fully funded by the approval of a multi-sectoral anti-trafficking budget.	2019
	Enhance efforts to eliminate barriers and make education accessible for all children, regardless of documentation, in particular in indigenous and Afro-Peruvian communities and rural areas, and in Venezuelan migrant and refugee communities.	2014 – 2019
	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 – 2019
	Publish information on activities taken under all social programs that address child labor.	2018 - 2019

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In 2019, the Philippines made a moderate advancement in efforts to eliminate the worst forms of child labor. The President signed Executive Order No. 92 institutionalizing the National Council Against Child Labor to help further implement the Philippines Program Against Child Labor Strategic Framework. The government also permanently closed nine establishments found to be in violation of child labor laws, and launched the 6-year #SaferKidsPH campaign, which aims to strengthen the investigation and prosecution of cases of online commercial sexual exploitation of children. Additionally, through new Republic Act No. 11310, the government institutionalized the Pantawid Pamilyang Pilipino Program, which is a conditional cash transfer program that focuses on reducing child labor. However, children in the Philippines engage in the worst forms of child labor, including in commercial sexual exploitation, sometimes as a result of human trafficking, and in armed conflict. Children also perform dangerous tasks in agriculture and gold mining. Although the government made meaningful efforts in all relevant areas during the reporting period, it did not adequately protect children allegedly engaged in drug trafficking from inappropriate incarceration, penalties for crimes they were forced to commit, or physical harm. Additionally, research was unable to find evidence that the government investigated police officers accused of extrajudicial killings of children during anti-drug operations in 2019. The enforcement of child labor laws remains challenging, especially due to the limited number of inspectors, lack of resources for inspections, and inspectors' inability to assess penalties.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in the Philippines engage in the worst forms of child labor, including in commercial sexual exploitation, sometimes as a result of human trafficking, and in armed conflict. Children also perform dangerous tasks in agriculture and gold mining. (1-3,4-7) The Survey on Children indicated that 3.2 million children ages 5 to 17 engage in child labor, of whom approximately 3 million engage in hazardous work. (10) Table 1 provides key indicators on children's work and education in the Philippines.

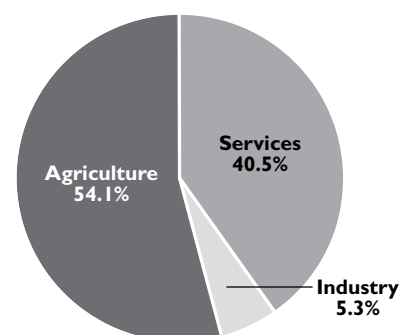
Table 1. Statistics on Children's Work and Education

Children	Age	Percent
Working (% and population)	5 to 14	7.5 (1,549,677)
Attending School (%)	5 to 14	93.7
Combining Work and School (%)	7 to 14	7.8
Primary Completion Rate (%)		108.7

Source for primary completion rate: Data from 2017, published by UNESCO Institute for Statistics, 2020. (11)

Source for all other data: International Labor Organization's analysis of statistics from Survey on Children (SIMPOC), 2011. (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.

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Table 2. Overview of Children’s Work by Sector and Activity

Sector/Industry	Activity
Agriculture	Production of sugarcane,† including growing, weeding,† harvesting,† cutting,† and carrying sugarcane bundles† (1-3,6,7,13-15)
	Growing bananas, coconuts, corn, rice, rubber, and tobacco (1,6,7,13,14,16)
	Hog farming (13,14)
	Production of palm oil, including harvesting,† hauling,† and loading palm oil fruits (1,13)
	Deep-sea fishing† (6,7,13,17)
Industry	Mining† and quarrying,† including for gold and nickel (1,4,6,7,17,18)
	Manufacturing pyrotechnics† (6,7,17,21)
	Construction,† activities unknown (6,7,22,23)
	Production of fashion accessories (6,7,21)
Services	Domestic work (6,7,14)
	Street work, including scavenging, selling flowers, and begging (3,6,7,24-26)
	Scavenging in dumpsites† and in rivers (17,27,28)
Categorical Worst Forms of Child Labor‡	Commercial sexual exploitation, including use in the production of pornography, sometimes as a result of human trafficking (6,7,26,29-33,34)
	Forced labor, including domestic work, sometimes as a result of human trafficking (7,29,34)
	Recruitment of children by non-state armed groups for use in armed conflict (6,7,35)
	Forced begging (6,7,26,36)
	Use in illicit activities, including in the distribution, procurement, and sale of drugs, including methamphetamine (<i>shabu</i>) (6,7,26,36-38)

† Determined by national law or regulation as hazardous and, as such, relevant to Article 3(d) of ILO C. 182.

‡ Child labor understood as the worst forms of child labor *per se* under Article 3(a)–(c) of ILO C. 182.

Children, primarily girls, are trafficked domestically from rural communities to urban centers and tourist destinations for the purpose of domestic work and commercial sexual exploitation. (31,32,34,39) Research indicates that the Philippines continues to be one of the top global Internet sources of online sexual exploitation of children (OSEC), which continues to be a highly profitable and growing sector. (33,34,40-42) Children are induced to perform sex acts at the direction of paying foreigners and local Filipinos, including family members, for live Internet broadcasts that usually take place in small Internet cafes, private homes, or windowless dungeon-like buildings commonly known as “cybersex dens.” (6,7,32-34,41-48) NGOs reported an increase in the number of sex tourists visiting the Philippines after first initiating contact with their victims online. (34) According to data from OSEC cases analyzed by the International Justice Mission Philippines, the median age of the victims at the time of rescue was 11 years. (6,32,34,49,50) In addition, according to 2019 data, the Philippines Department of Justice’s Office of Cybercrimes received more than 45,000 reports of online child abuse and cybercrimes from the National Center for Missing and Exploited Children; research could not confirm the number of these reports that were confirmed cases of OSEC. (7)

During the reporting period, the government—led by the Anti-Money Laundering Council—conducted a study entitled “Child Pornography in the Philippines: Evaluation using Suspicious Transaction Reports (STR) Data from 2015 to 2018,” which revealed common red flag indicators in financial transactions that may be linked to OSEC. It also demonstrated an increase in child pornography cases from 2015 to 2018. (34)




Recruitment of child soldiers by non-government militias and terrorist organizations, predominately on the southern island of Mindanao, remains a concern. (6,7,33,34,41,35) In Marawi City, many children as young as age 7 were recruited, paid, and trained as fighters by the Maute Group, a terrorist organization linked to the Islamic State of Iraq and Syria (ISIS). Research also suggests that the New People’s Army, Abu Sayyaf Group, and the Bangsamoro Islamic Freedom Fighters continue to recruit children from schools for use as human shields, cooks, and fighters, while offering religious education and material incentives to join. (6,7,33,34) 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. (7,34,51)

The most recent Functional Literacy, Education and Mass Media Survey, published in 2015 with 2013 data, indicated that 10.6 percent of all school-aged children did not attend school. (6,52) A more recent survey published in 2018 with 2017 data, the Annual Poverty Indicator Survey, estimated that of the 44 million school-aged children (ages 3 to 19), one-third were not enrolled in or attending school. The highest percentage of children not in school was in the newly formed Bangsamoro Autonomous Region in Muslim Mindanao (BARMM). (7) In an effort to facilitate youth school attendance, the BARMM authorities provided the Ministry of Basic, Higher, and Technical Education the largest share of its budget for calendar year 2020. (7,41) In addition, the Department of Education made improving accessibility and resources for schools in geographically isolated, disadvantaged, and conflict-affected areas a top priority in 2019. (7) It identified nearly 7,200 schools (15 percent) as “Last Miles Schools,” an initiative launched in July 2019 to provide additional resources to needy schools. Schools meeting this criteria must: (a) be located more than 1 hour away from the town center, (b) be only accessible through difficult terrain, (c) have fewer than 4 classrooms, (d) have fewer than 100 students, (e) have indigenous students comprise more than 75 percent of the school’s population, or (f) have little or no educational equipment. (7)

II. LEGAL FRAMEWORK FOR CHILD LABOR

The Philippines has ratified all key international conventions concerning child labor (Table 3).

Table 3. Ratification of International Conventions on Child Labor

Convention	Ratification
 ILO C. 138, Minimum Age	✓
ILO C. 182, Worst Forms of Child Labor	✓
 UN CRC	✓
UN CRC Optional Protocol on Armed Conflict	✓
UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	✓
 Palermo Protocol on Trafficking in Persons	✓

The government’s laws and regulations are in line with relevant international standards (Table 4).

Table 4. Laws and Regulations on Child Labor

Standard	Meets International Standards	Age	Legislation
Minimum Age for Work	Yes	15	Article 137 of the Labor Code as renumbered; Section 12 of the Special Protection of Children Against Child Abuse, Exploitation, and Discrimination Act; Section 16 of the Act Instituting Policies for the Protection and Welfare of Domestic Workers (53-55)
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 (54-56)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Department Order 149 and 149A on Guidelines in Assessing and Determining Hazardous Work in the Employment of Persons Below 18 Years of Age; Sections 12-D and 14 of the Special Protection of Children Against Abuse, Exploitation, and Discrimination Act (6,56-58)
Prohibition of Forced Labor	Yes		Sections 4–5 of the Expanded Anti-Trafficking in Persons Act; Sections 12-D and 16 of the Special Protection of Children Against Abuse, Exploitation, and Discrimination Act (56,59)
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 (56,59)

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Table 4. Laws and Regulations on Child Labor (Cont.)

Standard	Meets International Standards	Age	Legislation
Prohibition of Commercial Sexual Exploitation of Children	Yes		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 (56,60-62)
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 (56,63)
Minimum Age for Voluntary State Military Recruitment	Yes	18	Section 12 of the Providing for the Development, Administration, Organization, Training and Maintenance and Utilization of the Citizen Armed Forces of the Philippines, and for Other Purposes Act (64)
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 (64)
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 (56)
Compulsory Education Age	Yes	18‡	Section 4 of the Enhanced Basic Education Act (65)
Free Public Education	Yes		Section 2 of the Philippine Constitution (66)

* No conscription (64)

‡ Age calculated based on available information (65)

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.

On January 10, 2019, President Duterte signed into law Republic Act No. 11188 (R.A. No. 11188), Special Protection of Children in Situations of Armed Conflict. (7,34,41,67) R.A. No. 11188 provides protection for children involved in and affected by armed conflict. (7,68,69) R.A. No. 11188 also requires that the Government of the Philippines take all feasible measures to prevent the recruitment, use, or displacement of children, or grave child rights' violations against children involved in armed conflict. (7,34,41,67-69) On June 4, 2019, the government enacted implementing rules and regulations for R.A. No. 11188. (34,35)

For a second year, the Government of the Philippines reportedly continued reviewing proposed amendments to R.A. No. 9231, that would: (a) increase the minimum age of employment from age 15 to age 16, (b) devolve the issuance of child work permits to local government units, (c) institute stricter working hours for children, (d) mandate that part of the money legally earned by children be set aside in a trust fund, (e) authorize the Department of Labor and Employment (DOLE) to determine the types of non-hazardous agricultural employment or work that children ages 16 to 18 can perform, and (f) design a holistic intervention program for children working in the informal economy. It is unclear what progress was made in 2019 toward passing these amendments. (6,7)

III. ENFORCEMENT OF LAWS ON CHILD LABOR

The government has established institutional mechanisms for the enforcement of laws and regulations on child labor (Table 5). However, gaps exist within the authority of the DOLE that may hinder adequate enforcement of their child labor laws.

Table 5. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
Department of Labor and Employment (DOLE): Bureau of Working Conditions (BWC) and Bureau of Workers with Special Concerns (BWSC)	<p>BWC enforces child labor and child trafficking laws and regularly trains inspectors and regional personnel. (6,32,34,71) Inspects establishments and monitors compliance with labor laws in the formal sector. (71) Registers DOLE enforcement activities using the Labor Law Compliance System, a management information system. (72) During the reporting period, identified 16 establishments in violation of child labor laws, and subsequently closed 9 of the 16 establishments. In addition, in collaboration with the Department of the Interior and Local Government, hired 2,509 employees, including 301 project-based community facilitators, to supervise all profiling activities, conducted needs assessments, facilitated the provision of necessary services, and monitored the status of child laborers until they were withdrawn from child labor. (7) Also on-boarded 100 new labor inspectors during the reporting period. (7)</p> <p>BWSC oversees the Profiling Child Laborers Initiative. (7,73) 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. (74) During the reporting period, BWSC continued to profile child laborers nationwide (excluding the Bangsamoro Autonomous Region of Muslim Mindanao), with regional DOLE offices profiling 85,582 child laborers as of June 2019. (75) Issued Administrative Order No. 579 on “Revised Guidelines on the Profiling of Child Laborers and Provision of Service to Remove Them from Child Labor.” (42) Also, participated in an advocacy campaign to bring awareness of child labor issues, provided multiple trainings to child profilers and community facilitators on how to encode information, and conducted an orientation program on the issuance of child labor permits to regional and local DOLE offices, as well as to a prominent television station (ABS-CBN). (7)</p>
Department of Social Welfare and Development (DSWD)	<p>Rehabilitates and reintegrates child laborers. Coordinates regional Special Action Units, with at least one dedicated staff member per region to conduct rescue operations for child laborers, and cooperates with social workers to manage ongoing cases. (17) Maintains 16 Crisis Intervention Units to address human trafficking, operates 44 temporary or residential care facilities nationwide (including 24 specifically for child victims of human trafficking and other forms of abuse and exploitation), and maintains social media accounts to address cases of child abuse and support child abuse victims, including children exploited in hazardous labor. (17,32,34,36,51) Oversees and implements the Recovery and Reintegration Program for Trafficked Persons. (34) During the reporting period, provided assistance to 446 child laborers, including educational and livelihood assistance, birth registration, and counselling services. (7)</p>
Rescue the Child Laborers Quick Action Teams (Sagip Batang Manggagawa—SBM QAT)	<p>Detects, monitors, and rescues child laborers in hazardous, exploitative, or extremely abject working conditions. (6,7,36,76,67) An interagency, quick reaction mechanism that is chaired by DOLE-BWSC. During the reporting period, led 19 rescue operations and removed 44 child laborers from child labor, reflecting a 50 percent increase in operational activity from 2018. (34,42) Since its inception in 1993 through October 2019, rescued a total of 3,656 children from child labor. (42)</p>
Criminal Law Enforcement Agencies: Philippine National Police (PNP), National Bureau of Investigation (NBI), Philippine Drug Enforcement Agency (PDEA)	<p>PNP investigates and prosecutes cases related to the worst forms of child labor. In the case of the Women and Children’s Protection Center (WCPC), enforces laws on child trafficking and commercial sexual exploitation of children, and has 273 personnel nationwide. (34) During the reporting period, launched a hotline and textline exclusively for cases of online sexual exploitation of children. (34) In addition, conducted two separate trainings on the “Proper Handling of Children at Risk (CAR) and Children in Conflict with the Law (CICL)” reaching 202 police officers, and the “Investigation of Crimes against Women and Children” reaching 115 PNP and WCPC officers. (7,42)</p> <p>NBI investigates and prosecutes child labor cases and operates a national Trafficking in Persons Task Force and a Task Force on the Protection of Children from Exploitation and Abuse. (6,77) Oversees the Anti-Human Trafficking Division (AHTRAD), which investigates trafficking and illegal recruitment nationwide. (34)</p> <p>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. (6) Between January and September 2019, PDEA rescued 703 children during anti-drug operations nationwide. (7)</p>

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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	<p>National Telecommunications Commission enforces the Anti-Child Pornography Law. Coordinates with Internet Service Providers to block websites containing pornographic material involving children. (60,78)</p> <p>Department of Justice—Office of Cybercrime receives CyberTips reports from the U.S.-based National Center for Missing and Exploited Children regarding potential online sexual exploitation of children (OSEC) cases, conducts initial investigation into CyberTips, prioritizes cases, then sends cases to the PNP's Internet Crime Against Children Center for follow-up. (79) Comprises legal and investigative divisions. (79) During the reporting period, acted on 18 National Center for Missing and Exploited Children Priority CyberTipline Reports involving OSEC, which were sent to police for investigation. (34)</p> <p>Philippine Internet Crimes Against Children Center (PICACC) aims to combat the online sexual exploitation of children. Comprises the PNPWCPC-Anti-Human Trafficking Division and NBI Anti-Human Trafficking Division, and aims to coordinate WCPC and NBI investigation of Internet crimes against children. (51,80) Coordinates international investigations with the United Kingdom's National Crimes Agency (UK NCA) and the Australian Federal Police (AFP). (33,34,47,80-82) Receives funding from the UK NCA, AFP, and the U.S. Government. (47,81) Launched in February 2019. (34)</p> <p>Department of Information and Communication Technology—Cybersecurity Bureau provides preventative technological assistance to law enforcement and protects cybersecurity of Filipino citizens. (83) Oversees an anti-OSEC program comprising awareness-raising programs, computer software, website monitoring, cybersecurity, and a Visible Internet application, a form of artificial intelligence which allows for remote screen access. Shows an educational anti-OSEC video for communities, in collaboration with the Philippines Online Corporation. (83) Coordinates efforts with the Inter-Agency Council Against Child Pornography, and consults with telecommunications companies and civil society organizations to produce the National Cybersecurity Strategy. (62,83,84) During the reporting period, developed and implemented CyberSafePH, an awareness campaign and capacity-building program with a 3-year roadmap aimed at combating OSEC and cyberbullying. (34) The launch of an online hotline to report OSEC cases in collaboration with the National Computer Emergency Response Team remained pending in 2019. (75)</p>

* Agency responsible for child labor enforcement was created during the reporting period.

A lack of resources, including staff, is an area of concern within law enforcement agencies because it impedes their ability to act quickly upon complaints of child labor, including OSEC, in both investigations and prosecutions. (34)

Labor Law Enforcement

In 2019, labor law enforcement agencies in the Philippines took actions to combat child labor (Table 6). However, gaps exist within the authority of DOLE that may hinder adequate labor law enforcement, including a lack of authority to assess penalties.

Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2018	2019
Labor Inspectorate Funding	\$3,017,240 (6)	\$6,718,800 (7)
Number of Labor Inspectors	610 (6)	710 (7)
Inspectorate Authorized to Assess Penalties	No (6)	No (54)
Initial Training for New Labor Inspectors	Yes (6)	Yes (7)
Training on New Laws Related to Child Labor	Yes (6)	Yes (7)
Refresher Courses Provided	Yes (6)	Yes (7)
Number of Labor Inspections Conducted	58,091 (6)	70,298 (75)
Number Conducted at Worksite	Unknown (6)	Unknown (7)
Number of Child Labor Violations Found	Unknown (6)	Unknown (7)
Number of Child Labor Violations for Which Penalties Were Imposed	Unknown (6)	Unknown (7)
Number of Child Labor Penalties Imposed that Were Collected	Unknown (6)	Unknown (7)
Routine Inspections Conducted	Yes (6)	Yes (7)
Routine Inspections Targeted	Yes (6)	Yes (7)
Unannounced Inspections Permitted	Yes (6)	Yes (7)
Unannounced Inspections Conducted	Yes (6)	Yes (7)
Complaint Mechanism Exists	Yes (6)	Yes (7)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (6)	Yes (7)

During the reporting period, DOLE's budget more than doubled due to the approval of additional labor inspector positions and the need to further support regional labor inspectorate operations. (51)

In November 2019, DOLE issued Administrative Order No. 495 (A.O. No. 495) mandating that all regional offices suspend inspection activities during the holiday season – from November 14, 2019 through January 15, 2020 – except for: (a) complaint inspections, (b) occupational safety and health standards investigations, (c) technical safety inspections, and (d) inspection of any establishment or industry as directed by the DOLE Secretary. (7,51) Complaint-based and other special inspections, under which child labor inspections are categorized, were not affected. Routine inspections recommenced on January 15, 2020. (75)

During the reporting period, the Philippine Congress provided the Bureau of Working Conditions (BWC) with an additional \$560,400 in funding for additional trainings for labor inspectors, procurement of personal protective equipment, and additional supplies for enforcement activities. Despite this, enforcement of child labor laws remains challenging due to the lack of resources for inspections and the limited number of inspectors, especially in rural areas where many vendors are unregistered and highly mobile. (6,7,17,36,72) The BWC acknowledged that more specialized training on child labor is needed to enhance labor inspectors' ability to readily identify and act on child labor situations. (7)

The number of labor inspectors is likely insufficient for the size of the Philippines's workforce, which includes approximately 42 million workers. According to the ILO's technical advice of a ratio approaching 1 inspector for every 15,000 workers in developing economies, the Philippines would employ about 2,852 labor inspectors. (6,85-87)

During the reporting period, the BWC exceeded its initial inspection target of 64,000 by more than 5,000. (7) DOLE's Department Order No. 131-B, Series of 2016 remains in effect, prioritizing the inspection of establishments and workplaces employing children. In addition, the DOLE Secretary identified the following additional priority industries for inspections: (a) construction, (b) manufacturing, (c) agriculture, (d) fishing, (e) Philippines Offshore Gaming Operations, (f) security agencies, and (g) hotels. (7)

Scheduling routine inspections is based on the national target set by the DOLE Central Office, with regional offices implementing their inspections based on factors such as prevailing industries and geographical areas. (6,7,73) Despite this, enforcement of child labor protections is not sufficient for children employed in the informal sector and in small- and medium-size enterprises, particularly in agriculture, due to DOLE's lack of capacity and resources. (6,7,41,88) The Rescue the Child Laborers Quick Action Teams (SBM QATs) are permitted to conduct unannounced compliance visits to video karaoke bars, massage parlors, sauna and bath houses, and farms, but they are not authorized to conduct visits to private homes to search for underage child domestic workers. (6,7,72)

The government did not provide information on its labor law enforcement efforts relating to the number of worksite inspections conducted, number of child labor violations found, number of child labor violations for which penalties were imposed, and the number of child labor penalties imposed that were collected.

Criminal Law Enforcement

In 2019, criminal law enforcement agencies in the Philippines took actions to combat child labor (Table 7). However, gaps exist within the operations of criminal law enforcement agencies that may hinder adequate criminal law enforcement, including the ongoing government anti-drug campaign, which began in 2016, and did not ensure that children in the worst forms of child labor were protected from inappropriate incarceration, penalties, or physical harm. (41,89-92)

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Table 7. Criminal Law Enforcement Efforts Related to Child Labor

Overview of Criminal Law Enforcement	2018	2019
Initial Training for New Criminal Investigators	Unknown (6)	Yes (7)
Training on New Laws Related to the Worst Forms of Child Labor	No (6)	Yes (7)
Refresher Courses Provided	Unknown (6)	Yes (7)
Number of Investigations	124 (6)	116 (7)
Number of Violations Found	Unknown (6)	305 (7)
Number of Prosecutions Initiated	Unknown (6)	54 (7)
Number of Convictions	Unknown (6)	34 (7)
Imposed Penalties for Violations Related to The Worst Forms of Child Labor	Yes (47)	Yes (7)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (6)	Yes (7)

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, penalties, or physical harm. (89,90,93-98) The government attests that 2,799 minors were arrested between July 2016 and November 2019 during anti-drug operations nationwide, of whom 879 were arrested in 2019. (7,51) Of those, 1,556 were identified as drug pushers, 732 as possessors, 353 as users, 139 as drug den visitors, 10 as drug den employees, 7 as drug den maintainers, and 2 as drug cultivators. (7)

According to a leading children’s rights NGO, from January to July 2019, 13 children were victims of extrajudicial killings during law enforcement operations. (7,51) In addition, there were collateral deaths of children caught in the crossfire during police operations connected to the drug war, including a 3-year old whose father was the target. (7,92,99-105) Some high-level government officials suggested that killing suspected drug traffickers and users was necessary to wipe out drug-related crime, increasing the vulnerability of children being used in the drug trade. (92,93,103,106-108) The Philippine National Police (PNP) referred children involved in drug trafficking to the Department of Social Welfare and Development (DSWD) to receive shelter or rehabilitation programs through the Houses of Hope. (6,38) Research was unable to find evidence that the government investigated, prosecuted, or convicted police officers accused of killing children during anti-drug operations in 2019. (109-111)

During the reporting period, two women from Cebu province were given sentences of 21 and 26 years, respectively, for an OSEC crime. Both were arrested after attempting to offer to sexually abuse children online in exchange for money. (112,113)

The International Justice Mission provided Video In-Depth Interview (VIDI) kits to the PNP’s Women and Children’s Protection Center (WCPC) to allow for an overall victim-centered approach during prosecution. The VIDI kits are an innovative case work approach to assisting child victims by reducing the number of forensic interviews and allowing them to avoid physically appearing before a court, thus helping to prevent re-traumatization. (34,51) During the reporting period, the use of VIDI kits protected 91 OSEC victims from appearing in court. (34)

IV. COORDINATION OF GOVERNMENT EFFORTS ON CHILD LABOR

The government has established mechanisms to coordinate its efforts to address child labor (Table 8).

Table 8. Key Mechanisms to Coordinate Government Efforts on Child Labor

Coordinating Body	Role & Description
National Council Against Child Labor (NCACL)*	Formerly the National Child Labor Committee (NCLC) and reorganized after the signing of E.O. No. 92 in 2019. Chaired by DOLE and co-chaired by DSWD. (7,34,114-116) Expanded membership to include seven other government agencies, two members from managerial associations, two members from employee associations, and two members from NGOs working on child labor issues. (7,115) New members will be nominated and serve a 3-year term. (7) Coordinates national efforts to combat child labor and implements the Philippine Program Against Child Labor. (6,67,116,117) Promotes information-sharing at the national, regional, and provincial levels, and tasked with establishing and disseminating a child labor reporting mechanism for use by local and national authorities. (7,34) Held its first meeting in January 2020. (7) During the reporting period, prior to transitioning into the NCACL, the NCLC offered media training to members to improve awareness of child labor policies, celebrated World Day Against Trafficking through awareness campaigns targeting child labor in the agricultural sector, and held a roundtable discussion on proposed amendments to Republic Act (R.A.) No. 9231. (7)
Anti-Trafficking: Inter-Agency Council Against Trafficking (IACAT) and Task Force Against Illegal Recruitment, Recruitment of Minor Workers, and Trafficking in Persons	<p>IACAT oversees the 1343 Actionline emergency hotline for trafficking in person victims. (32,118) Coordinates, monitors, and oversees efforts to combat human trafficking, including child trafficking. Chaired by the Department of Justice and co-chaired by DSWD. (6,32-34,51,118) Composed of 11 government agencies and 3 NGOs. (34) Comprises 24 anti-human trafficking task forces, including 16 regional task forces and 8 interagency task forces in major seaports and airports. (17,51,72) During the reporting period, the government increased the budget to \$1.8 million, a 16 percent increase from 2018, with \$61,000 for the operations of the 1343 hotline. (34) In June and November 2019, collaborated with the U.S. Embassy-Manila and International Justice Mission, and provided a training for 132 prosecutors and investigators in combating OSEC. (119,120) In addition, during the reporting period, continued to identify and address gaps in implementation of the Prosecutor's Trafficking in Persons Case Management System (PTCMS), including securing missing information on archived and dismissed cases. (32,33,42) Hired administrative staff in the Regional Task Forces to work specifically on case monitoring and updating of PTCMS. (42) Through Regional Anti-Trafficking Task Forces, conducted 8 trainings specifically designed to train 221 law enforcement officers on how to properly handle OSEC and labor trafficking cases. (7)</p> <p>The Task Force addresses illegal recruitment, recruitment of minor workers, and trafficking in persons. Coordinates all DOLE programs and initiatives and is chaired by DOLE. (6) During the reporting period, created a technical working group to formulate the operational guidelines for the Task Force which will allow it to create standard operating guidelines in addressing reports, complaints, and information on illegal recruitment. Draft standard operating guidelines have been under review since 2018. (121)</p>
Inter-Agency Council Against Child Pornography (IACACP)	Serves as the primary government coordinating mechanism to address child pornography. (6,7) Monitors and implements the Anti-Child Pornography Act (R.A. No. 9775). (7,122) Comprises 12 government agencies and 3 NGOs. (117) Chaired by DSWD. (123) During the reporting period, Guidelines on the Management of Compensation for Victim-Survivors of Online Sexual Abuse and Exploitation of Children – which were approved in 2018 but later retracted – continued to be edited and have not been fully implemented. (42)
Children Involved in Conflict: Inter-Agency Council for the Welfare of Children (CWC) and Inter-Agency Committee on Children in Situations of Armed Conflict (IAC-CSAC)	<p>CWC initiates, promotes, and advocates policies and measures protecting children's rights. (6,7) Operates and maintains the Monitoring, Reporting and Response System (MRSS) for reporting incidents of children in armed conflict, including monitoring the six grave child rights violations. (34,121) Received 181 total reports from 2013 to 2019. (121)</p> <p>IAC-CSAC advocates protecting children and preventing the involvement of children in armed conflict. Chaired by the CWC. (34,72,76) Coordinates and monitors the implementation of the Children in Armed Conflict Program Framework. (51,124) Convenes quarterly. Ensures that international instruments, including the Optional Protocol on the Involvement of Children in Armed Conflict, are referenced in discussions. (124) 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. (124) Conducts human rights training, advocacy and information campaigns, and capability building of local government units. Implements a monitoring, reporting, and response system for grave child rights' violations in situations of armed conflict. (124) In 2019, continued to develop an Advocacy and Communication Plan for children in armed conflict, whose drafting began in 2018. (121,124)</p>
Juvenile Justice and Welfare Council	Leads community outreach and education efforts, through offices located throughout the country, to prevent the use of children in illicit activities, including drug trafficking. Manages livelihood, rehabilitation, food, and scholarship programming. (38) Overseen by DSWD. (125) During the reporting period, conducted five council meetings. Additionally, conducted profiling in 55 <i>Bahay Pag-asas</i> nationwide that highlighted areas of improvement, including program delivery and personnel compliance. (126) In May 2019, conducted the first Regional Juvenile Justice and Welfare Committee Summit with 271 participants, including Council members, and regional Juvenile Justice and Welfare Councils (JJWCs), as well as JJWC partners. (126)

* Mechanism to coordinate efforts to address child labor was created during the reporting period.

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In October 2019, the Government of the Philippines, in collaboration with the Government of Australia, UNICEF, Save the Children Philippines, and the Asia Foundation, launched the #SaferKidsPH campaign. This 6-year campaign aims to strengthen investigation and prosecution of OSEC cases in the country, promote safe online habits for children through awareness campaigns, and improve service delivery for OSEC survivors. (7) Led by the Inter-Agency Council Against Trafficking (IACAT) in conjunction with DSWD, the Department of Information and Communication Technology, and the Department of Education, the #SaferKidsPH campaign will partner with a coalition of government agencies, educational institutions, private companies, and local community members, including parents and children to combat OSEC. (7)

On the sidelines of the 74th session of the UN General Assembly, the Governments of the Philippines, Bahrain, and Nigeria hosted a high-level meeting on combating human trafficking in migration entitled, “Combating Trafficking in Migration Contexts: Best Practices, Challenges, and the Global Compact for Migration.” During the meeting, the Philippine government reiterated its solidarity in the fight against child trafficking, in particular, with fellow UN member states. (127) In November 2019, as part of the 4-year U.S.-Philippines Child Protection Compact Partnership, the two governments held talks related to progress being made in combating OSEC cases, including efforts to “provide comprehensive, trauma-informed care for child victims,” as well as to mark progress in “efforts to prosecute and convict child traffickers.” (128,129)

In May 2019, the Secretary of the Department of the Interior and Local Government (DILG) issued Memorandum Circular No. 2019-73, Profiling of Child Laborers, to provide guidelines on the roles of local government units (LGUs) in profiling child laborers. (7,34) The aim is to help LGUs provide all necessary interventions and remove children from child labor situations by: (a) identifying and profiling child laborers and their families, (b) assessing their needs, (c) conducting referrals, (d) providing all necessary services, and (e) monitoring the status of child laborers until they are removed from child labor situations. (7) In addition, as of December 2019, 38,811 barangays have established a Barangay Council for the Protection of Children (BCPC), which is tasked with handling concerns related to children. (34)

During its 41st session in 2019, the UN Human Rights Council approved a resolution put forth by Iceland requesting the Office of the High Commissioner for Human Rights produce a report on potential human rights abuses surrounding the anti-drug operations in the Philippines. (130,131) The report was released in June 2020. (131,132)

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 (2017–2022)	Aims to gradually reduce violence against children through consultations with government institutions, local and international NGOs, civil society organizations, faith-based groups, professional associations, academia, the private sector, parents, and children. (6,133) Aims to remove at least 630,000 children from child labor by 2022. (75,134) During the reporting period, held events during the nationwide celebration of the 2019 World Day Against Child Labor, including conducting a training on child labor for the Speakers Bureau and Writers Bureau, commencing the profiling of child laborers, and conducting four regular meetings with the former NCLC. (7) Implementation led by DOLE's BWSC. (75,135)

Table 9. Key Policies Related to Child Labor (Cont.)

Policy	Description
Anti-Trafficking Policies: National Strategic Action Plan Against Trafficking in Persons (2017–2021) and Child Protection Compact Partnership (CPC) (2017–2021)	The National Strategic Action Plan Against Trafficking in Persons (Third StratPlan) aims to address labor trafficking and sex trafficking, including OSEC. (136) Chaired by the Secretary of the Department of Justice and co-chaired by the Secretary of the Department of Social Welfare and Development. Employs a multi-stakeholder approach to fight human trafficking. (137) Mandated to prevent and suppress trafficking, and ensure victim recovery, rehabilitation, and reintegration into society via four key result areas: 1. Prevention and Advocacy; 2. Protection, Recovery, Rehabilitation, and Reintegration; 3. Prosecution and Law Enforcement; and 4. Partnership and Networking. (137) Policy was implemented during the reporting period. (51) The Child Protection Compact Partnership , a plan jointly developed with USDOS, seeks to increase prevention efforts and protections for child victims of OSEC and labor trafficking, while holding perpetrators accountable. (118,138) Aims to improve the response to child trafficking, including live-streaming online of child sexual exploitation and child trafficking for labor purposes, by (1) increasing criminal investigations, prosecutions, and convictions; (2) strengthening the government's and civil society's capacities to identify and provide comprehensive services for victims; and (3) strengthening existing community-based mechanisms that identify and protect victims of child trafficking. (118,139,140) The government committed approximately \$800,000 for its implementation. (138,141) During the reporting period, provided additional specialized training, identification and protection of exploited children, and prosecution and conviction of traffickers. (51)
Philippine Development Plan (2017–2022)	Aims to build the socio-economic resilience of individuals and families by reducing their vulnerability to various risks and disasters; this includes the goal of universal social protection for all Filipinos. (5) Aims to reduce the number of children engaged in child labor by 30 percent or about 630,000 children. (117) Policy was implemented during the reporting period. (51)
National Strategic Framework for Plan Development for Children (Child 21) (2000–2025) and 3rd National Plan of Action for Children (2017–2022)	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. (142) Addresses concerns related to the worst forms of child labor under the section on children in need of special protection. (17) Chaired by the Council for the Welfare of Children. (6) Policy was implemented during the reporting period. (51) 3rd National Plan of Action for Children strengthens strategies, policies, and programs for children to achieve Child 21's vision for Filipino children by 2025. (6,51,142,143) Policy was implemented during the reporting period. (7,51)
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. (7,144) Consistent with Child 21 and the National Plan of Action for Children visions. Policy was implemented during the reporting period. (7)

‡ The government had other policies that may have addressed child labor issues or had an impact on child labor. (58,146,147)

In September 2019, President Duterte signed Executive Order (E.O.) No.92 institutionalizing the National Council Against Child Labor to help further implement the Philippine Program Against Child Labor Strategic Framework. E.O. No.92 formally changed the name of the National Child Labor Committee to the National Council Against Child Labor. (7,34,41,114-148)

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2019, the government funded and participated in programs that include the goal of eliminating or preventing child labor (Table 10). However, gaps exist in these social programs, including the provision of adequate services for victims of child pornography.

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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. (6) Includes a provision of livelihood assistance to parents of child laborers, <i>Sagip Batang Manggagawa</i>, and Project Angel Tree. (6,118) From July to December 2019, profiled a total of 188,577 child laborers and removed 623 children from child labor situations. (7,42) Project Angel Tree is a social service with local government agency benefactors, known as “angels,” who provide educational supplies to communities. (73,149) From January to October 2019, conducted 15 Project Angel Tree gift giving activities, providing school supplies, food packs, toiletries, and other donated items to 7,000 child laborers and children at risk. (42)</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. (47) During the reporting period, provided starter kits or materials needed to begin earning money through legitimate means to 3,533 parents of child laborers. (42) To receive this assistance, beneficiaries must pledge to stop allowing children to engage in situations of child labor. (7)</p> <p>Conditional Cash Transfer Program is a DSWD 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. (6,7,150) Includes a child labor module within the sessions on family development for program participants. (6,36,151) Covers 1,627 cities and municipalities in 79 provinces in all 17 regions. (6,7,72) During the reporting period, raised awareness and combated the prevalence of child labor as being “socially acceptable.” Studies conducted by the Asian Development Bank and the World Bank indicated that this program has aided in child labor reduction efforts. (7,34)</p>
Strategic Helpdesks for Information, Education, Livelihood and Other Developmental Interventions (SHIELD) for Child Laborers†	<p>DSWD-led project implemented in 13 barangays in Catanauan, Labo, Jose Panganiban, Paracale, Kananga, and Ormoc City, with support from the ILO CARING Gold Mining Project. Currently in a 2-year pilot, with official program launch in 2020. (73) During the pilot, from July 2017 to September 2019, removed 407 children from child labor. (75) Comprises three components: (1) Child Labor Local Registry (CLLR); (2) Helpdesk and Convergence of Services; and (3) Advocacy, Organizing, and Capacity Building. (6,151) Focuses on areas with a high child labor incidence rate, with interventions based on data from the Child Labor Local Registry. (151) Focused particularly on eliminating the worst forms of child labor in the small-scale gold mining, deep sea fishing, and sugarcane industries. (6,7,67,152) During the reporting period, compiled profiles of child laborers in 15 barangays in Regions IV-A, V, VIII, and X, which will be used by the Philippine Statistical Development Program. (7,42) As of November 2019, reported having identified 596 child laborers needing assistance, and removing 380 from child labor situations. (7)</p>
Anti-Trafficking Programs: Recovery and Reintegration Program for Trafficked Persons (RRPTP)† and Strengthening Local Systems and Partnerships for More Effective and Sustainable Counter-Trafficking in Persons in the Philippines (Strength CTIP), 2019-2022	<p>RRPTP is a DSWD and IACAT program that provides recovery and reintegration services to victims of human trafficking and raises awareness in vulnerable communities. Includes the National Referral System, which strengthens coordination among agencies providing services to human trafficking victims through the use of standard referral and reporting forms. (153) There are 149 referral networks established in 16 regions. (36) Program was active during the reporting period. (51,154)</p> <p>Strength CTIP works in partnership with the Advocate for the Protection and Prevention of Abuse and Exploitation of Children (APPROACH) Consortium. Initiates and sustains counter trafficking in persons activities in selected project sites in Iloilo City, Dumaguete City, and Cebu province. (7) Designed to accommodate the needs of victims of human trafficking, specifically children subjected to commercial sexual exploitation and human trafficking. (7) Program was active during the reporting period. (51,155)</p>
Alternative Learning System Program†	<p>Department of Education program that offers non-formal education to out-of-school children, including child laborers and children displaced from military conflict, and opportunities to attain a certificate of education equivalency. (156) Enrolled 759,723 participants in 2019. (42)</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 (2018-2022), a \$2.6 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; CARING Gold Mining Project, implemented by ILO; Building the Capacity of the Philippines Labor Inspectorate, implemented by ILO; Building a Generation of Safe and Healthy Workers: SafeYouth@Work, implemented by ILO; and Country Level Engagement and Assistance to Reduce Child Labor (CLEAR), implemented by ILO. (157-165) 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. (168,169)

During the reporting period, President Duterte signed into law R.A. No. 11310, which institutionalized the *Pantawid Pamilyang Pilipino Program* (4Ps), also referred to as the Conditional Cash Transfer Program. (7,34,170) R.A. No.11310 designated the 4Ps as the national poverty reduction strategy and human capital investment program, providing conditional cash transfer to poor households for a maximum period of up to 7 years to improve the health, nutrition, and educational needs of beneficiaries. (7,34,170)

R.A. No.11315, signed in April 2019, formally established the Community-Based Monitoring System, which is intended to collect, process, and validate disaggregated data used for planning, program implementation, and impact monitoring at the local level to raise Filipinos out of poverty; this includes data related to employment, income, and education. (7,34,171) Overseen by the Philippine Statistics Authority, data will be collected every 3 years by each city and municipality to create a baseline to enact poverty reduction programs. (7,34,171)

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 online commercial sexual exploitation. (36) In addition, there are not adequate programs to provide insight on the impact of OSEC on child victims. (43,45,46,51)

Although the DSWD works in consultation with parents and community leaders to determine how best to assist children suspected of being involved in the drug trade, the DSWD does not have programs specifically designed to increase protections for or assistance to children engaged in drug trafficking to address their heightened vulnerability. (6)

The Philippine Drug Enforcement Agency (PDEA) continued to coordinate with the DSWD when dealing with children involved in drug trafficking. Upon PDEA turning over “rescued” children, DSWD transferred the children to juvenile detention centers, or “houses of hope” (*Bahay ng Pag-asa*), within 8 hours of the conclusion of their court proceedings. (6,7,95) In 2019, reports continued to surface that children in these detention centers are subjected to physical and emotional abuse, deprived of liberty, and forced into overcrowded and unhygienic cells. (41,95-98,172-175)

VII. SUGGESTED 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 – 2019
Enforcement	Increase the overall number of law enforcement officials, including police and prosecutors, to ease the workload burden and allow for quicker action on cases involving the worst forms of child labor.	2019
	Authorize the labor inspectorate to assess penalties.	2015 – 2019
	Ensure that labor enforcement resources, including funding, are sufficient to enforce child labor protections for children employed in the informal sector, including agricultural work.	2017 – 2019
	Develop and provide specialized training for labor inspectors on identification of child labor.	2019
	Increase the number of labor inspectors to meet the ILO’s technical advice, and increase resources available to provide sufficient coverage of the workforce, particularly in rural areas where child labor is prevalent.	2014 – 2019
	Allow Rescue the Child Laborers Quick Action Teams to conduct unannounced compliance visits to private homes.	2018 – 2019
	Publish labor law enforcement information, including the number of labor inspections conducted at worksites, 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.	2015 – 2019
	Enhance efforts to prevent the inappropriate incarceration of, and violence against, children suspected to be engaged in the production and trafficking of drugs.	2017 – 2019
	Prosecute law enforcement officials and civilians responsible for the killing of children engaged in the drug trade.	2017 – 2019

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Table 11. Suggested Government Actions to Eliminate Child Labor (Cont.)

Area	Suggested Action	Year(s) Suggested
Social Programs	Institute a program to address and combat the sexual abuse and exploitation of children in the production of child pornography, including live streaming.	2017 – 2019
	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 – 2019
	Develop programs to increase protections for and provide assistance to children engaged in drug trafficking to address their heightened vulnerability.	2017 – 2019
	Ensure that <i>Bahay ng Pag-asa</i> child detention centers in the Philippines do not subject children to physical or emotional abuse, and that centers are provided with adequate resources to remedy overcrowding and unhygienic conditions.	2017 – 2019

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In 2019, Rwanda made a moderate advancement in efforts to combat the worst forms of child labor. The government published its first ever comprehensive study examining human trafficking trends in the country and completed the drafting of a light work framework for children working under the minimum age. The government also removed 316 children from hazardous work situations, and punished 74 employers with fines totaling about \$3,000. Children in Rwanda engage in the worst forms of child labor, including in forced domestic work, sometimes as a result of human trafficking. Children also perform dangerous tasks in agriculture. The number of labor inspectors does not meet the ILO's technical advice for the size of the workforce. In addition, Rwandan law potentially allows authorities to place children engaged in labor in transit centers, where children are often subject to physical abuse. Finally, social programs did not address all relevant sectors where child labor was present.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Rwanda engage in the worst forms of child labor, including in forced domestic work, sometimes as a result of human trafficking. Children also perform dangerous tasks in agriculture. (1,2,3) Table 1 provides key indicators on children's work and education in Rwanda.

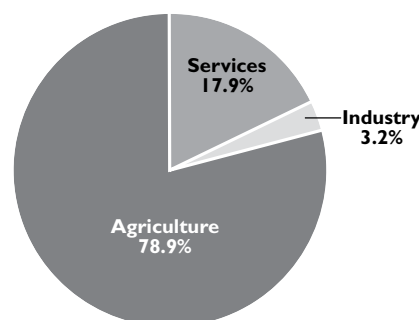
Table 1. Statistics on Children's Work and Education

Children	Age	Percent
Working (% and population)	6 to 14	5.4 (156,522)
Attending School (%)	6 to 14	89.4
Combining Work and School (%)	7 to 14	4.9
Primary Completion Rate (%)		86.5

Source for primary completion: Data from 2018, published by UNESCO Institute for Statistics, 2020. (4)

Source for all other data: International Labor Organization's analysis of statistics from Integrated Household Living Conditions Survey (EICV-5), 2016–2017. (3)

Figure 1. Working Children by Sector, Ages 6-14



Based on a review of available information, Table 2 provides an overview of children's work by sector and activity.

Table 2. Overview of Children's Work by Sector and Activity

Sector/Industry	Activity
Agriculture	Forestry activities (5)
	Production of tea, including applying fertilizers,† carrying heavy loads,† planting, plucking tea leaves, and weeding (7)
	Fishing† (5)
Industry	Construction,† including laying bricks (6,2,8)
	Mining† tantalum ore (coltan) and quarrying (6,2,9)
Services	Domestic work† (6,1,8,10,11)
	Repair and cleaning of motorcycles and motor vehicles (6,12)
	Street work, including collecting scrap metal,† carrying heavy loads as porters,† and small-scale vending (12-14)
Categorical Worst Forms of Child Labor‡	Commercial sexual exploitation, sometimes as a result of human trafficking (11,12,15)
	Forced labor in agricultural and domestic work, each sometimes as a result of human trafficking (8,10,15)

† Determined by national law or regulation as hazardous and, as such, relevant to Article 3(d) of ILO C. 182.

‡ Child labor understood as the worst forms of child labor per se under Article 3(a)–(c) of ILO C. 182.

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Data collected in a 2016-2017 national household survey showed that approximately 3.6 percent of all children in Rwanda are engaged in child labor, primarily in the agriculture and service sectors. (5,16) In 2019, the government collaborated with the IOM and the NGO Never Again Rwanda, with funding from USAID, to produce Rwanda's first ever comprehensive study on human trafficking in the country. (17) The report showed that although Rwanda is not a major destination for child trafficking, it is a source and transit country for child victims, primarily those heading to Saudi Arabia, Uganda, Kenya, and elsewhere in East Africa and the Middle East. (17,18) Within Rwanda, young girls are vulnerable to being 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. (11,15,17,18)

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. (16-21) On January 9, 2019, the Ministry of Education issued a statement expressing concern that schools were levying excessive school fees on families and prohibited schools from increasing fees during the first term of the 2019/2020 school year. The Ministry issued the same warning in January 2020. (2,16) Furthermore, children with disabilities face particular difficulties accessing education due to stigma and because schools lack the capacity to accommodate special needs. (16,22)

II. LEGAL FRAMEWORK FOR CHILD LABOR

Rwanda has ratified all key international conventions concerning child labor (Table 3).

Table 3. Ratification of International Conventions on Child Labor

Convention	Ratification
 ILO C. 138, Minimum Age	✓
ILO C. 182, Worst Forms of Child Labor	✓
 UN CRC	✓
UN CRC Optional Protocol on Armed Conflict	✓
UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	✓
 Palermo Protocol on Trafficking in Persons	✓

The government's laws and regulations are in line with relevant international standards (Table 4).

Table 4. Laws and Regulations on Child Labor

Standard	Meets International Standards	Age	Legislation
Minimum Age for Work	Yes	16	Article 5 of the Labor Law; Article 9 of the Ministerial Instruction Relating to Prevention and Fight Against Child Labor (23,24)
Minimum Age for Hazardous Work	Yes	18	Article 6 of the Labor Law (23)
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 (23-26)
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 (23,24,27,28)

Table 4. Laws and Regulations on Child Labor (Cont.)

Standard	Meets International Standards	Age	Legislation
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 (24,27-31)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Articles 3.2 and 24 of the Law on Prevention, Suppression, and Punishment of Trafficking in Persons; Articles 190, 211, and 260 of the Penal Code; Article 51 of the Law Relating to the Rights and Protection of the Child; Articles 34–35 of the Law Relating to the Protection of the Child; Article 9 of the Ministerial Instruction Relating to Prevention and Fight against Child Labor (24,27,28,30,31)
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 (24,27,28,32)
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 (33,34)
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 (32,33)
Prohibition of Military Recruitment by Non-state Armed Groups	Yes		Article 221 of the Penal Code (28)
Compulsory Education Age	No	12	Article 47 of the Law Relating to the Rights and Protection of the Child; Articles 32-34, 36, and 38 of the Law Governing the Organization and Functioning of Nursery, Primary and Secondary Education (27,35)
Free Public Education	No		Article 47 of the Law Relating to the Rights and Protection of the Child; Articles 32 and 34 of Law Governing the Organization and Functioning of Nursery, Primary and Secondary Education (27,35)

* No conscription (27,33,34)

Rwanda passed several child labor-related laws in 2018 that entered into force in 2019, but some still required ministerial orders or the implementation of provisions. For example, the Ministry of Public Service and Labor (MIFOTRA) indicated that in 2019, it had drafted a light work framework for children ages 13 to 15 engaged in apprenticeships, but the draft was not yet publicly available. (16)

Although Rwanda has adopted policies to implement fee-free and compulsory education through age 16, national education laws make education compulsory only up to age 12 and provide for free schooling for only 6 years, while basic education is a total of 9 years. (20,27,35) The failure to provide for complete free basic education may increase the risk of children’s involvement in the worst forms of child labor. Furthermore, the age up to which education is compulsory makes children between 12 and 16 vulnerable to child labor as 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 MIFOTRA that may hinder adequate enforcement of their child labor laws.

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Table 5. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
Ministry of Public Service and Labor (MIFOTRA)	Enforces labor laws, including laws on child labor. (21) 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 Commission for Children, the Ministry of Justice, and the Ministry of Local Government, to take an active role in child labor law enforcement. (2)
Rwandan National Police (RNP)	Enforces criminal laws related to the worst forms of child labor and operates a free hotline to report incidents of gender-based violence or child abuse, including child labor. Through its Child Protection Unit and Anti-Trafficking Unit, enforces laws related to the worst forms of child labor. (2,21,36) It is unknown how many calls to the hotline, if any, were related to child labor.
Rwanda Investigation Bureau	Conducts investigations into criminal matters, including child labor. In the case of the Directorate for Anti-Gender-Based Violence, assists victims of the worst forms of child labor through anti-gender-based violence officers at each of the country's 78 police stations. (2)
National Public Prosecution Authority (NPPA)	Prosecutes violations of labor laws, including laws on child labor. (2) Through its anti-Gender Based Violence unit, 12 prosecutors work with an additional 60 prosecutors trained in handling relevant cases at the district level. (37)
Directorate General of Immigration and Emigration	Receives referrals for human trafficking cases and employs an anti-trafficking specialist. Trains border and immigration officials to identify potential human trafficking victims and verify that children transported across the border are traveling with the permission of their parents or guardians. (2)

Labor Law Enforcement

In 2019, labor law enforcement agencies in Rwanda took actions to combat child labor (Table 6). However, gaps exist within the operations of MIFOTRA that may hinder adequate labor law enforcement, including human resource allocation.

Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2018	2019
Labor Inspectorate Funding	\$155,287 (2)	\$155,000 (16)
Number of Labor Inspectors	35 (2)	33 (38)
Inspectorate Authorized to Assess Penalties	Yes (2)	Yes (23,38)
Initial Training for New Labor Inspectors	Yes (2)	Yes (16)
Training on New Laws Related to Child Labor	Yes (2)	Yes (16)
Refresher Courses Provided	Yes (2)	Yes (16)
Number of Labor Inspections Conducted	912 (2)	2,150 (38)
Number Conducted at Worksite	912 (2)	2,150 (22)
Number of Child Labor Violations Found	51 (2)	393 (38)
Number of Child Labor Violations for Which Penalties Were Imposed	Unknown (2)	Unknown
Number of Child Labor Penalties Imposed that Were Collected	Unknown (2)	Unknown
Routine Inspections Conducted	Yes (2)	Yes (16)
Routine Inspections Targeted	Yes (2)	Yes (16)
Unannounced Inspections Permitted	Yes (2)	Yes (16,39)
Unannounced Inspections Conducted	Yes (2)	Yes (22)
Complaint Mechanism Exists	Yes (2)	Yes (16)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (2)	Yes (16)

According to MIFOTRA officials, labor inspectors had adequate funding to carry out inspections. MIFOTRA officials indicated that the number of labor inspections increased significantly from 2018 to 2019 because inspectors were required to conduct three child labor inspections per week. (16) In addition, other ministries and agencies received funding for “child rights protection and promotion.” For example, the Ministry of Gender and Family Promotion (MIGEPF) had a budget of \$1.4 million for child rights protection for fiscal year 2018/2019. (16)

The number of labor inspectors is likely insufficient for the size of Rwanda's workforce, which includes more than 6 million workers. According to the ILO's technical advice of a ratio approaching 1 inspector for every 40,000 workers in less developing economies, Rwanda would employ about 156 labor inspectors. (40,41) Despite

MIFOTRA's indication that the inspectorate was sufficiently funded, research indicates that low resources, lack of personnel, high workloads, and a lack of training may limit labor inspectors' ability to enforce child labor laws and perform onsite inspections. (4) Reports indicate that officials at the local level had difficulty identifying characteristics of child trafficking and child labor. (37)

Criminal Law Enforcement

In 2019, criminal law enforcement agencies in Rwanda took actions to combat child labor (Table 7). However, gaps exist within the operations of the Rwandan National Police (RNP) that may hinder adequate criminal law enforcement, including investigation planning.

Table 7. Criminal Law Enforcement Efforts Related to Child Labor

Overview of Criminal Law Enforcement	2018	2019
Initial Training for New Criminal Investigators	Yes (37)	Yes (16)
Training on New Laws Related to the Worst Forms of Child Labor	Yes (37)	Yes (16)
Refresher Courses Provided	Yes (37)	Yes (16)
Number of Investigations	Unknown (37)	Unknown
Number of Violations Found	7(2)	Unknown
Number of Prosecutions Initiated	2 (2)	Unknown
Number of Convictions	1 (2)	Unknown
Imposed Penalties for Violations Related to The Worst Forms of Child Labor	Yes (42)	Yes (16)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (2)	Yes (16)

The government has acknowledged detaining thousands of street children per a 2017 law establishing a National Rehabilitation Service to address “deviant behavior” and the accompanying 2018 Ministerial Order, which defines deviant behavior to include prostitution, begging, and informal street vending. (43,44) Under the purview of these laws, authorities may apprehend 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. 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. (21,43-45) Research indicates that rehabilitation services were limited and children were detained for prolonged periods at transit centers before being referred to a rehabilitation facility. (46,47) Since some of 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. (44)

The RNP did not provide comprehensive data regarding criminal law enforcement efforts related to child labor, but it disclosed that it had arrested at least 10 individuals in 3 different cases involving violations related to the worst forms of child labor in 2019. The GOR reported some individuals were arrested for alleged crimes related to forced labor, but specific information regarding how many arrests, prosecutions, or convictions were achieved during the reporting period for crimes related to the worst forms of child labor was unavailable. Meanwhile, MIGEPROF's National Commission for Children reported that between July 2018 and July 2019, 316 children were removed from hazardous work situations, and 74 employers were punished with fines of about \$3,000. (16)

According to MIFOTRA, the National Public Prosecution Authority, and the RNP, investigators received training on the worst forms of child labor, including Rwandan law and international convention commitments; trafficking in persons; and social services available to victims. (16) Law enforcement agencies also engaged in a series of campaigns to educate the public and implement existing policies on child labor. For instance, on October 9, 2019, the RNP in Karongi District conducted a campaign, in coordination with the Gender Monitoring Office, to raise awareness of the fight against child abuse and child labor. (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 efforts to address all forms of child labor.

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Table 8. Key Mechanisms to Coordinate Government Efforts on Child Labor

Coordinating Body	Role & Description
Inter-Ministerial Steering Committee on Child Labor	Coordinates government efforts related to the worst forms of child labor; reviews child labor laws, advocates the inclusion of child labor policies in national development plans, oversees the implementation of child labor interventions, and conducts field visits to assess the prevalence of child labor and raise awareness of child labor. (2) MIFOTRA coordinates and provides monitoring and evaluation, including the publication of annual updates on program and policy implementation related to child labor. (42) Research was unable to identify activities taken during the reporting period.
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. (2) Held coordinating meetings once every 2 months during the reporting period. (18)
MIGEPROF's National Commission for Children (NCC)	Monitors, promotes, and advocates children's rights; develops action plans to protect children from abuse and exploitation. Overseen by MIGEPROF and supported by a board of directors and an advisory council of 14 institutions. (2) In 2019, conducted numerous trainings and public awareness campaigns to inform local leaders, service providers, law enforcement officials, and the general public on child protection, the dangers of child labor, and restorative justice for children. (16)
Child Labor Steering Committees	Monitors incidents of child labor nationwide and implements policies developed by the Inter-Ministerial Steering Committee on Child Labor in 30 districts by coordinating with district-level officials in enforcing labor laws and providing social services to child labor victims. (2) In the case of Gender-Based Violence Committees, operates 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, identifies and reports cases of child rights violations at the district, sector, and cell levels. (2,11) During the reporting period, the government continued to expand the presence of committees from the national and district levels to the sector, cell, and village levels. (16) MIFOTRA reported that it collaborated with committees to conduct 187 awareness campaigns between July 2019 and December 2019. (18,38)
Kigali City Council Task Force	Coordinates activities to combat child labor in the districts of Gasabo, Kicukiro, and Nyarugenge. (2) Research was unable to identify activities taken during the reporting period.

Reports indicate that poor coordination and resource constraints hindered efforts to combat human trafficking and that efforts were focused on transnational rather than domestic human trafficking. (2,36,37)

V. GOVERNMENT POLICIES ON CHILD LABOR

The government has established policies related to child labor (Table 9). However, gaps exist that hinder efforts to address child labor, including mainstreaming child labor issues into relevant policies.

Table 9. Key Policies Related to Child Labor

Policy	Description
Strategic Plan for Integrated Child Rights Policy 2019–2024†	Revised in 2018 and implemented in 2019, with a focus on identity and nationality; family and alternative care; health, survival and standard of living; education; protection; justice; and participation. Aims to improve coordination and implementation issues identified in the previous plan that expired in 2016 and includes strategies to address child labor. (49)
7 Years Government Programme: National Strategy for Transformation (2017–2024)	Aims to smooth the transition between the Vision 2020 and Vision 2050 national development plans and improve standards of living for Rwandans, including access to quality education. (53) Research was unable to identify activities undertaken during the reporting relevant to the goals of improving access to quality education.

† Policy was approved during the reporting period.

‡ The government had other policies that may have addressed child labor issues or had an impact on child labor. (20,54,55,56)

The government has not included child labor elimination and prevention strategies in the National Technical and Vocational Education and Training Policy. (57)

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2019, the government funded and participated in programs that include the goal of eliminating or preventing child labor (Table 10). However, gaps exist in these social programs, including the adequacy of efforts to address the problem in all sectors.

Table 10. Key Social Programs to Address Child Labor

Program	Description
Programs to Combat Child Labor and Raise Awareness†	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>Incuti Z'Umuryango</i>), which trains volunteers to prevent and respond to child protection issues and establishes monitoring committees at various levels to combat child labor. (2) In 2019, the government partnered with UNICEF to train more than 10,700 Friends of the Family (<i>Inshuti z'Umuryango</i>) volunteers in 11 districts on child rights, basic psychosocial support, conflict, communication, and referral pathways. (16)
Victim Assistance Programs‡	Musanze Child Rehabilitation Center in Northern Province assists children separated from armed groups in the Democratic Republic of the Congo. (21) Gitagata Center provides education, vocational training, and psychosocial support, and aims to reunite former street children with their families. "One-Stop" centers located in 44 hospitals and district capitals assist victims of gender-based violence and human trafficking. (2,36) In 2019, One-Stop centers provided medical care, counseling, legal aid, short-term shelter, and access to police services. The Musanze Center meanwhile assisted 11 children separated from armed groups. (16)
It Takes Every Rwandan to End Child Exploitation	5-year advocacy campaign against child labor and sexual abuse of children supported by MIGEPROF, the National Commission for Children, and World Vision Rwanda. (2,50) In 2019, the campaign held awareness-raising events at primary and high schools in various parts of the country. (51,52) In 2019 the program provided training to grassroots organizations and that the program had reached 42,803 children thus far. (50)
Strengthening Social Protection Project (2017–2021)	\$80 million World Bank-funded project in support of the Vision 2020 Umurenge Program which aims to deliver cash transfers and improve social safety nets. (58) During the reporting period, Rwanda succeeded in ensuring that 100 percent of eligible households were covered by the cash transfer program, surpassing the 2021 target of 70 percent of households. The government also increased the number of project participants from 405,421 in 2018 to 1,520,623 in 2019. (59)
The Children's Forum	Provides a platform at the village, cell, sector, and district levels for children to express their opinions and be heard on matters concerning their lives, family, and country, which are incorporated into government plans of action and considered during the development of policies and programs. Managed by the NCC and Ministry of Local Government (MINALOC), comprises children between ages 6 and 15. (16) Held a nationwide training from April 16 to 18, 2019, of 104,622 children committee members on the committee's responsibilities and child rights. (16)

† 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. (60,61)

Although Rwanda has programs that target child labor, the scope of these programs is insufficient to address the extent of the child labor problem in the agriculture sector and domestic work. (36,37) The IOM study on human trafficking also revealed that despite efforts to protect and assist victims of human trafficking, the country lacked a sufficient number of shelters, and assistance was typically short-term. Furthermore, One-Stop centers tended to lack services for male victims. (17,18) In addition, service providers lacked sufficient training to properly identify and categorize victims of human trafficking. (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 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.	2019
Enforcement	Disaggregate the number of complaints received by the Rwandan National Police's hotline and the National Public Prosecution Authority's investigations that relate to child labor.	2013 – 2019
	Publish information on the number of penalties imposed and collected for child labor violations, the number of criminal investigations conducted, violations found, prosecutions initiated, and convictions obtained.	2015 – 2019
Enforcement	Increase the number of inspectors to meet the ILO's technical advice.	2009 – 2019
	Ensure that labor inspectors and criminal investigators receive sufficient training to identify cases of child labor, including its worst forms.	2017 – 2019
	Cease the Rwandan National Police practice of detaining and beating children who work on the street and ensure that children in detention are not subjected to beatings or unhealthy detention conditions.	2018 – 2019

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Table 11. Suggested Government Actions to Eliminate Child Labor (Cont.)

Area	Suggested Action	Year(s) Suggested
Coordination	Ensure that all coordinating mechanisms are active and carrying out their intended mandates.	2019
	Ensure that coordinating bodies receive adequate resources and are able to combat both domestic and transnational human trafficking.	2019
Government Policies	Ensure that actions are taken to implement the National Transformation Strategy.	2019
	Integrate child labor elimination and prevention strategies into the National Transformation Strategy, the National Social Protection Strategy, and the National Technical and Vocational Education and Training Policy.	2011 – 2019
Social Programs	Remove barriers to education, such as costs for uniforms, school supplies, and unofficial school fees, and ensure access for children with disabilities.	2010 – 2019
	Expand existing social programs to address all relevant sectors of child labor, including agriculture and domestic work.	2017 – 2019
	Expand services for human trafficking victims, including the number of shelters, programs for long-term care, and services for male victims.	2019
	Ensure that service providers are properly trained to identify victims of human trafficking.	2019

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Saint Helena, Ascensión, and Tristán da Cunha

MINIMAL ADVANCEMENT

Although research found no evidence that child labor exists in Saint Helena, Ascensión, and Tristán da Cunha (formerly Saint Helena), in 2019 the government made a minimal advancement in efforts to prevent the worst forms of child labor. The Children and Adults Social Care Directorate updated its policy on child exploitation, which includes sexual and criminal exploitation. However, the government has yet to define by law or regulation the types of work prohibited to children, other than work on vessels engaged in maritime navigation. Gaps also remain in legislation related to forced child labor and the trafficking of children for labor exploitation.




I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Research found no evidence that child labor exists in Saint Helena, Ascensión, and Tristán da Cunha. (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

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. (3,4) 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 child trafficking and using children in illicit activities.

Table 2. Laws and Regulations on Child Labor

Standard	Meets International Standards	Age	Legislation
Minimum Age for Work	Yes	16	Section 157B of the Welfare of Children Ordinance (5)
Minimum Age for Hazardous Work	Yes	18	Sections 157B and 158 of the Welfare of Children Ordinance (5)
Identification of Hazardous Occupations or Activities Prohibited for Children	No		Sections 157A and 158 of the Welfare of Children Ordinance (5)
Prohibition of Forced Labor	No		Sections 8 (Saint Helena), 125 (Ascensión), and 190 (Tristán da Cunha) of the Constitution Order (6)
Prohibition of Child Trafficking	No		Articles 57–60 of the Sexual Offences Act (7)

Saint Helena, Ascensión, and Tristán da Cunha

MINIMAL ADVANCEMENT

Table 2. Laws and Regulations on Child Labor (Cont.)

Standard	Meets International Standards	Age	Legislation
Prohibition of Commercial Sexual Exploitation of Children	Yes		Articles 47–51 of the Sexual Offences Act; Sections 145–147 of the Welfare of Children Ordinance (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	Section 34 of the Education Ordinance (Saint Helena and Tristán da Cunha); Ascensión Island Education Policy (Ascensión) (8,9)
Free Public Education	Yes		Section 16 (Saint Helena), Section 132 (Ascensión), and Section 198 (Tristán da Cunha) of the Constitution Order; Section 43 (Saint Helena) of the Education Ordinance; and Education Policy (Ascensión) (6,8,9)

* No conscription (10)

† No standing military (10)

The Government of Saint Helena, Ascensión, and Tristán da Cunha has not determined by national law or regulation the types of work prohibited to children, other than work on vessels engaged in maritime navigation. (3,5) 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. (6) While the UK Sexual Offences Act, which is applicable to this territory, prohibits trafficking for sexual exploitation, there are no laws prohibiting the trafficking of children for labor exploitation. (7) The law also does not criminally prohibit the recruitment of children by non-state armed groups.

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.

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.

In 2019, the Children and Adults Social Care Directorate updated its policy on child exploitation, which includes sexual and criminal exploitation. (3)

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

As there is no evidence of a problem, there appears to be no need for programs to address child labor.

During the reporting period, the Government of Saint Helena, Ascensión, and Tristán da Cunha improved social services for vulnerable children, specifically child protection. (3)

Saint Helena, Ascension, and Tristán da Cunha

MINIMAL ADVANCEMENT

VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE CHILD LABOR

Based on the reporting above, suggested actions are identified that would advance the continued prevention of child labor in Saint Helena, Ascension, and Tristán da Cunha (Table 3).

Table 3. Suggested Government Actions to Eliminate Child Labor

Area	Suggested Action	Year(s) Suggested
Legal Framework	Determine the types of hazardous work prohibited for children, in consultation with employers' and workers' organizations.	2013 – 2019
	Ensure that forced labor, debt bondage, and slavery are criminally prohibited.	2017 – 2019
	Establish laws to prohibit the use of children in illicit activities.	2015 – 2019
	Ensure that the law criminally prohibits the recruitment of children under age 18 by non-state armed groups.	2016 – 2019
	Establish laws to criminally prohibit trafficking of children for labor exploitation.	2014 – 2019
Social Programs	Collect and publish data on the extent and nature of child labor to inform policies and programs.	2017 – 2019

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In 2019, Saint Lucia made a moderate advancement in efforts to eliminate the worst forms of child labor. The government launched a trafficking in persons hotline and the Ministry of Home Affairs, National Security, and Justice implemented a case management system for victims of human trafficking. In addition, the government assumed full financial responsibility for an International Organization for Migration program, which aims to counter human trafficking. A rapid assessment conducted by the International Labor Organization in 2016 revealed limited evidence that children in Saint Lucia engage in 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 law does not sufficiently protect children from hazardous work and illicit activities. The government also does not have any policies addressing all forms of child labor, including the commercial sexual exploitation of children.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Although research is limited, there is evidence that children in Saint Lucia engage in the worst forms of child labor, including in commercial sexual exploitation, 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 (%)		94.9

Source for primary completion rate: Data from 2018, published by UNESCO Institute for Statistics, 2020. (5)

Source for all other data: International Labor Organization's analysis of statistics from Multiple Indicator Cluster Survey 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 (1-3)
	Use in illicit activities, including in the sale and distribution of drugs (1,2)

‡ Child labor understood as the worst forms of child labor *per se* under Article 3(a)–(c) of ILO C. 182.

Saint Lucia lacks detailed data on the extent of child labor in the country. A rapid assessment conducted by the ILO in 2016 revealed limited evidence that children engage in commercial sexual exploitation, sometimes in exchange for rides, clothing, or cell phones, or with the knowledge or encouragement of parents in situations of financial need. (1-4) Local and foreign children are also subjected to human trafficking for the purpose of commercial sexual exploitation, including by parents and caregivers. (2,3) Limited evidence also suggests that children are used to transport and sell drugs. (1,2,4)

All children in Saint Lucia are entitled to free public education. However, violence in schools, some gang-related, may hinder some children from attending. (7) Children who do not attend school are vulnerable to engaging in child labor.




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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 Labour Code (8,9)
Minimum Age for Hazardous Work	Yes	18	Article 122(2) of the Labour Code (8)
Identification of Hazardous Occupations or Activities Prohibited for Children	No		Articles 126(b) and 214 of the Labour Code (8)
Prohibition of Forced Labor	No		Article 4 of the Constitution; Article 6 of the Labour Code (8,10)
Prohibition of Child Trafficking	Yes		Articles 3, 5, and 10(c) of Counter-Trafficking Act No. 7 (11)
Prohibition of Commercial Sexual Exploitation of Children	No		Article 141 of the Criminal Code; Articles 2 and 5 of Counter-Trafficking Act No. 7 (11,12)
Prohibition of Using Children in Illicit Activities	No		Articles 141 and 560 of the Criminal Code (12)
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 (13)
Free Public Education	Yes		Article 16 of the Education Act (13)

* No conscription (14)

† No standing military (14)

In 2019, the government drafted an amendment to the 2010 Counter Trafficking Act to ensure penalties are commensurate with penalties of other serious crimes. The amendment has been submitted for Parliament's approval. (15)

Saint Lucia has not determined by national law or regulation the types of hazardous work prohibited for children. (8) 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. (12) Moreover, forced labor is only criminally prohibited if it results from human trafficking, and the use or offering of children for commercial sexual exploitation is not criminally prohibited. (8,10,12)

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 authority of the Ministry of Infrastructure, Ports, Energy and Labor that may hinder adequate enforcement of their child labor laws.

Table 5. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
Ministry of Infrastructure, Ports, Energy and Labor	Enforces laws on child labor through labor inspections conducted by its Department of Labor. (2)
Royal Saint Lucia Police Force	Enforces criminal laws related to the worst forms of child labor. (2) 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. (2,4) Uses a specific manual to investigate crimes related to children. (2)
Ministry of Home Affairs, Justice, and National Security	Coordinates and leads anti-human trafficking efforts among various ministries. (16,17)
Human Services Department	Leads efforts related to child care, protection, and adoption as mandated in the 2018 Child Care, Protection, and Adoption Bill. (7,18) Located within the Ministry of Equity. (7)

Labor Law Enforcement

In 2019, labor law enforcement agencies in Saint Lucia took actions to combat child labor (Table 6). However, gaps exist within the authority of the Ministry of Infrastructure, Ports, Energy and Labor that may hinder adequate labor law enforcement, including penalty assessment authorization.

Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2018	2019
Labor Inspectorate Funding	Unknown	Unknown
Number of Labor Inspectors	9 (7)	6 (2)
Inspectorate Authorized to Assess Penalties	No (16)	No (2)
Initial Training for New Labor Inspectors	Unknown	No (2)
Training on New Laws Related to Child Labor	Unknown	N/A
Refresher Courses Provided	Unknown	No (2)
Number of Labor Inspections Conducted	Unknown	300 (2)
Number Conducted at Worksite	Unknown	300 (2)
Number of Child Labor Violations Found	Unknown	0 (2)
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 (7)	Yes (2)
Routine Inspections Targeted	Unknown	Unknown (2)
Unannounced Inspections Permitted	Yes (7)	Yes (2)
Unannounced Inspections Conducted	Yes (19)	Yes (2)
Complaint Mechanism Exists	Yes (7)	Yes (2)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (7)	Yes (2)

Although inspectors look for child labor and forced labor violations during all conducted 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. (2) Inspectors can make recommendations to the Labor Commissioner, but cannot assess penalties, and furthermore existing penalties are insufficient to deter employers from committing child labor violations. (4,20)

Criminal Law Enforcement

In 2019, criminal law enforcement agencies in Saint Lucia took actions to combat child labor (Table 7). However, gaps exist within the operations of the criminal enforcement agencies that may hinder adequate criminal law enforcement, including insufficient resources.

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Table 7. Criminal Law Enforcement Efforts Related to Child Labor

Overview of Criminal Law Enforcement	2018	2019
Initial Training for New Criminal Investigators	Unknown	Yes (21)
Training on New Laws Related to the Worst Forms of Child Labor	Unknown	N/A
Refresher Courses Provided	Unknown	Yes (21)
Number of Investigations	Unknown	0 (2)
Number of Violations Found	Unknown	0 (2)
Number of Prosecutions Initiated	Unknown	0 (2)
Number of Convictions	Unknown	0 (2)
Imposed Penalties for Violations Related to The Worst Forms of Child Labor	Unknown	N/A
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (7)	Yes (2)

In August and November 2019, criminal law enforcement officers received training on the use of the newly implemented human trafficking case management system coordinated by the Ministry of Home Affairs, National Security, and Justice. (21) In addition, the government finalized a comprehensive standard operating procedure for human trafficking victim identification, protection, and referral, which police officers have begun using as a uniform guide. Police officers also received training on human trafficking victim identification and protection procedures, and a trafficking in persons hotline, which operates 24 hours a day in the Police Control Room, was launched during the reporting period. (21)

However, insufficient resources, including funding, transportation, and equipment, hamper police capacity to enforce child labor laws. (4,22) The judicial system within the Ministry of Home Affairs, National Security, and Justice also has a backlog of cases and lacks the personnel and resources needed to address these issues. (23)

IV. COORDINATION OF GOVERNMENT EFFORTS ON CHILD LABOR

The government has established mechanisms to coordinate its efforts to address child labor (Table 8).

Table 8. Key Mechanisms to Coordinate Government Efforts on Child Labor

Coordinating Body	Role & Description
Ministry of Education, Innovation, Gender Relations, and Sustainable Development	Coordinate investigations of child labor cases and ensure the use of established protocols in collaboration with the Royal Saint Lucia Police. (22) Active in 2019. (2)
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. (11,24) In 2019, the Task Force's mandate was reauthorized, and it coordinated anti-trafficking efforts and conducted trainings and awareness-raising campaigns. (2,21)
Office of Gender Relations	Provides referrals to human trafficking victims for health, advocacy, crisis, and legal services. (25) Active in 2019. (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 no evidence of a policy regarding other worst forms of child labor beyond the government's policy related to trafficking in persons.

Table 9. Key Policies Related to Child Labor

Policy	Description
National Action Plan to Combat Trafficking in Persons (2016–2019)	Identified the strategic goals and objectives for combating human trafficking, and the means to achieve them. Established the coordination of counter-trafficking measures and the adequate cooperation between all actors through the National Framework for Combating Trafficking in Persons. (2,4,26) Active in 2019. (2)
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. (4) Child protection policies are incorporated into poverty reduction concepts and promote access to education. (22,27) Research was unable to determine whether activities were undertaken to implement this policy during the reporting period.

Research did not reveal policies addressing other worst forms of child labor, including commercial sexual exploitation, aside from human trafficking.

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2019, the government funded and participated in programs that may contribute to eliminating or preventing child labor (Table 10). However, gaps exist in these social programs, including funding and adequacy of programs to address the full scope of the problem.

Table 10. Key Social Programs to Address Child Labor

Program	Description
Educational Programs†	Programs focused on increasing school attendance and promoting access to education. Includes the Saint Lucia Social Development Fund and Public Assistance Program, which fosters school attendance; the Community Empowerment's After School Program, which aims to improve academic performance and 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 <i>Koudmen Sent Lisi</i> program, which funds textbook rentals, a book bursary that reimburses students for textbooks, a school feeding program, and a transportation subsidy program at most secondary schools. (16) All programs were active in 2019. (2)
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. (21) In 2019, the government assumed full financial support for this program from the IOM. (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. (7,28)

Research found no evidence of any programs with the specific goal of eliminating or preventing child labor, including its worst forms. In addition, overall funding for social programs remains a concern because it does not meet the needs of all children in the country, especially children subjected to human trafficking and those engaged in illicit activities, and funding is highly dependent on foreign assistance. (16,19)

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 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 – 2019
	Ensure that laws criminally prohibit the forced labor of children in all instances.	2016 – 2019
	Ensure that laws criminally prohibit using or offering a child for commercial sexual exploitation.	2016 – 2019
	Ensure that laws prohibit procuring or offering a child for illicit activities, including drug trafficking and production.	2011 – 2019
	Ensure that the law criminally prohibits the recruitment of children under age 18 into non-state armed groups.	2016 – 2019
Enforcement	Ensure that the labor inspectorate receives sufficient funding for conducting labor inspections.	2015 – 2019
	Authorize labor inspectors to assess penalties for labor law violations.	2016 – 2019
	Ensure that new labor inspectors receive training on child labor law enforcement, and that refresher courses are provided for all labor inspectors.	2015 – 2019
	Strengthen the labor inspectorate by initiating targeted inspections based on analysis of data on risk-prone sectors and patterns of serious incidents.	2015 – 2019
	Increase the resources allocated to criminal investigators, including transportation and equipment.	2017 – 2019
	Ensure that existing penalties are sufficient to deter employers from committing child labor violations.	2018 – 2019
	Ensure that the judiciary has sufficient resources and personnel to allow cases to be tried in a timely manner.	2017 – 2019

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Table 11. Suggested Government Actions to Eliminate Child Labor (Cont.)

Area	Suggested Action	Year(s) Suggested
Government Policies	Adopt a policy that addresses all worst forms of child labor, including the commercial sexual exploitation of children.	2010 – 2019
	Ensure that existing policies to combat child labor are implemented, including the National Social Protection Policy.	2015 – 2019
Social Programs	Collect and publish data on the extent and nature of child labor to inform policies and programs.	2017 – 2019
	Enhance efforts to eliminate barriers to education, and make it accessible for all children by ensuring that violence does not occur at schools.	2018 – 2019
	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 – 2019
	Ensure that funding for social programs is sufficient so that it can meet the needs of all vulnerable children in the country and does not rely on foreign funding.	2017 – 2019

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Saint Vincent and the Grenadines

MINIMAL ADVANCEMENT

In 2019, Saint Vincent and the Grenadines made a minimal advancement in efforts to eliminate the worst forms of child labor. The Anti-Trafficking in Persons Unit trained criminal law enforcement personnel on identifying child labor, child trafficking, and commercial sexual exploitation of children. The government also conducted public awareness-raising seminars at primary and secondary schools, reaching over 1,500 students and 70 teachers. Although research is limited, there is evidence that children in Saint Vincent and the Grenadines engage in the worst forms of child labor, including in commercial sexual exploitation. Gaps remain in the legal framework, as the minimum age for hazardous work falls below international standards and there is no law to prohibit the use of children in the production of drugs. In addition, the law does not prohibit the use of children for prostitution, pornography, or pornographic performances.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Although research is limited, there is evidence that children in Saint Vincent and the Grenadines engage in the worst forms of child labor, including in commercial sexual exploitation. (1,2) Table 1 provides key indicators on children's work and education in Saint Vincent and the Grenadines. Data on some of these indicators are not available from the sources used in this report.

Table 1. Statistics on Children's Work and Education

Children	Age	Percent
Working (% and population)	5 to 14	Unavailable
Attending School (%)	5 to 14	Unavailable
Combining Work and School (%)	7 to 14	Unavailable
Primary Completion Rate (%)		105.5

Source for primary completion rate: Data from 2018, published by UNESCO Institute for Statistics, 2020. (3) Data were unavailable from International Labor Organization's analysis, 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	Activities unknown (1,5)
Categorical Worst Forms of Child Labor‡	Commercial sexual exploitation (1,2)

‡ Child labor understood as the worst forms of child labor *per se* under Article 3(a)–(c) of ILO C. 182.

Limited research and information received from various sources suggest that some children in Saint Vincent and the Grenadines are subjected to commercial sexual exploitation, including by their relatives, in exchange for money or goods. (1,2)

All children in the country are able to access education. (5,6) However, inadequate public transportation for children in rural villages causes them to walk long distances, which may make attending school difficult. (5) 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).

Saint Vincent and the Grenadines

MINIMAL ADVANCEMENT

Table 3. Ratification of International Conventions on Child Labor

Convention	Ratification
 ILO C. 138, Minimum Age	✓
ILO C. 182, Worst Forms of Child Labor	✓
 UN CRC	✓
UN CRC Optional Protocol on Armed Conflict	✓
UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	✓
 Palermo Protocol on Trafficking in Persons	✓

The government has established laws and regulations related to child labor (Table 4). However, gaps exist in Saint Vincent and the Grenadines' legal framework to adequately protect children from the worst forms of child labor, including the minimum age for hazardous work and the prohibition of using children in illicit activities.

Table 4. Laws and Regulations on Child Labor

Standard	Meets International Standards	Age	Legislation
Minimum Age for Work	Yes	14	Article 8 of the Employment of Women, Young Persons, and Children Act (7)
Minimum Age for Hazardous Work	No		Schedule, Part I, Articles 1–2 and 5 of the Employment of Women, Young Persons, and Children Act (7)
Identification of Hazardous Occupations or Activities Prohibited for Children	No		Part I, Sections 3–4, and Articles 1–2 and 5 of the Employment of Women, Young Persons, and Children Act; Section VI(37) of the Saint Vincent and the Grenadines Occupational Safety and Health Act of 2017 (7,8)
Prohibition of Forced Labor	Yes		Chapter XII, Part 207 of the Criminal Code (9)
Prohibition of Child Trafficking	Yes		Part II, Articles 5–8 of the Prevention of Trafficking in Persons Act (10)
Prohibition of Commercial Sexual Exploitation of Children	No		Part II, Article 7 of the Prevention of Trafficking in Persons Act (10)
Prohibition of Using Children in Illicit Activities	No		
Minimum Age for Voluntary State Military Recruitment	N/A*		
Prohibition of Compulsory Recruitment of Children by (State) Military	N/A*†		
Prohibition of Military Recruitment by Non-state Armed Groups	No		
Compulsory Education Age	Yes	16	Part I, Article 2 of the Education Act (6)
Free Public Education	Yes		Part III, Articles 14–16 of the Education Act (6)

* No conscription (11)

† No standing military (12)

The government has not determined by national law or regulation the types of hazardous work prohibited to children. (7,8) In addition, the law does not prohibit the use of children for prostitution, pornography, or pornographic performances. (10)

The minimum age for work is lower than the compulsory education age, which may encourage children to leave school before the completion of compulsory education. (6,7)

III. ENFORCEMENT OF LAWS ON CHILD LABOR

The government has established institutional mechanisms for the enforcement of laws and regulations on child labor (Table 5). However, gaps exist within the operations of the Ministry of Labor that may hinder adequate enforcement of their child labor laws.

Table 5. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
Ministry of Labor	Enforces child labor laws through its Department of Labor, and refers victims to appropriate social services. (13)
Royal Police Force	Makes criminal arrests, including those involving the worst forms of child labor. Addresses human trafficking through the Anti-Trafficking in Persons Unit (ATIPU), refers victims to appropriate social services, and funds financial requests made by ATIPU. (14)
Ministry of Social Development	Maintains the Child Protection Unit, which includes Child Protection Officers who report cases of child abuse. (15)

Labor Law Enforcement

In 2019, labor law enforcement agencies in Saint Vincent and the Grenadines took actions to combat child labor (Table 6). However, gaps exist within the operations of the Ministry of Labor that may hinder adequate labor law enforcement, including allocating resources.

Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2018	2019
Labor Inspectorate Funding	\$612,991 (5)	\$626,076 (2)
Number of Labor Inspectors	6 (5)	6 (2)
Inspectorate Authorized to Assess Penalties	No (5)	No (2)
Initial Training for New Labor Inspectors	N/A (5)	N/A (2)
Training on New Laws Related to Child Labor	N/A (5)	N/A (2)
Refresher Courses Provided	No (5)	No (2)
Number of Labor Inspections Conducted	33 (5)	42 (2)
Number Conducted at Worksite	33 (5)	42 (2)
Number of Child Labor Violations Found	0 (5)	0 (2)
Number of Child Labor Violations for Which Penalties Were Imposed	0 (5)	0 (2)
Number of Child Labor Penalties Imposed that Were Collected	0 (5)	0 (2)
Routine Inspections Conducted	Yes (5)	Yes (2)
Routine Inspections Targeted	Yes (5)	Yes (2)
Unannounced Inspections Permitted	Yes (5)	Yes (2)
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)

The Ministry of Labor, through its Department of Labor, can inspect all sectors and is responsible for investigating labor violations. If the Department finds a criminal violation, it forwards the case to the Royal Police Force. (13)

During the reporting period, the Department of Labor reported that the number of inspectors and funding was sufficient; however, a lack of appropriate resources, such as computers and training, hampered the Department's abilities to enforce child labor laws. (2,5)

Criminal Law Enforcement

In 2019, criminal law enforcement agencies in Saint Vincent and the Grenadines took actions to combat child labor (Table 7). However, gaps exist within the operations of the criminal enforcement agencies that may hinder adequate criminal law enforcement, including allocating resources.

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Table 7. Criminal Law Enforcement Efforts Related to Child Labor

Overview of Criminal Law Enforcement	2018	2019
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)	N/A (2)
Refresher Courses Provided	Yes (5)	Yes (2)
Number of Investigations	0 (5)	0 (2)
Number of Violations Found	0 (5)	0 (2)
Number of Prosecutions Initiated	0 (5)	0 (2)
Number of Convictions	0 (5)	0 (2)
Imposed Penalties for Violations Related to The Worst Forms of Child Labor	Unknown	0 (2)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (5)	Yes (2)

In 2019, more than 100 police officers received initial and refresher training on child labor, child trafficking, and the commercial sexual exploitation of children. According to the police department, officers received sufficient training; however, insufficient resources hampered the capacity of the Anti-Trafficking in Persons Unit to combat human trafficking on both islands, and especially in remote, mountainous areas. (2, 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 effective coordination of efforts to address child labor, including efforts to address all forms of child labor.

Table 8. Key Mechanisms to Coordinate Government Efforts on Child Labor

Coordinating Body	Role & Description
National Task Force Against Trafficking in Persons	Develops a national plan to address human trafficking, coordinates the collection of data among government agencies, establishes policies to enable government agencies to work with NGOs to prevent human trafficking and assist victims, and provides training to all relevant government officials and authority figures. Chaired by the Prime Minister. (10) Comprises representatives from police, immigration, public prosecutions, social services, gender affairs, and the Department of Labor. (16) In 2019, trained more than 100 police officers on child labor, child trafficking, and child prostitution, and conducted various awareness-raising events. (2, 16)

Research shows that there is no specific coordinating mechanism dedicated solely to addressing issues related to the worst forms of child labor, outside the scope of human trafficking.

V. GOVERNMENT POLICIES ON CHILD LABOR

The government has established policies related to child labor (Table 9). However, policy gaps exist that hinder efforts to address child labor, including implementation.

Table 9. Key Policies Related to Child Labor

Policy	Description
National Child Protection Policy Framework (2015–2020)	Strengthens national child protection strategies and programs, and ensures effective coordination among all organizations and entities working for the protection and development of children in the country, including child labor victims. (17) Research was unable to determine whether the National Child Protection Policy Framework was implemented during the reporting period.
National Plan of Action Against Trafficking in Persons (2016–2020)	Establishes procedures to eradicate human trafficking, including training for frontline staff and other relevant stakeholders; conduct awareness-raising campaigns; and provide victim protection and assistance. Administered by the National Task Force Against Trafficking in Persons, which is chaired by the Prime Minister as head of the Ministry of National Security. (16, 18) In 2019, increased training for frontline officers, including ATIPU staff, Passport and Immigration Department officials, and 79 police officers. (16)
Memorandum of Understanding (MOU) on Countering Human Trafficking in Saint Vincent and the Grenadines	Outlines the responsibilities of each signatory agency in combating human trafficking and the worst forms of child labor. Assigns tasks and responsibilities among nine government stakeholders regarding trafficking in persons. (19) Includes the Department of Labor, Ministry of Foreign Affairs, Trade and Commerce, ATIPU, and others. (20) In 2017, the MOU was extended to 2020. During 2019, the government continued to support the MOU between signatory agencies. (16)

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VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2019, the government funded and participated in programs that include the goal of eliminating or preventing child labor (Table 10). However, gaps exist in these social programs, including the adequacy of programs to address the full scope of the problem.

Table 10. Key Social Programs to Address Child Labor

Program	Description
Government-funded educational programs†	Provide free meals to students and low-income families through the Supplementary Feeding Program. (21) In 2019, the government also continued to fund other programs, such as the Book Loan Program, the Street Children Rehabilitation Program, and the Foster Care Program. (2)
Zero Hunger Trust Fund†	Provides meals, materials, and uniforms to children in need. (22) Research indicates that during the reporting period, limited resources prevented the program from sufficiently assisting all children in need. (2)

† Program is funded by the Government of Saint Vincent and the Grenadines.

In 2019, the government conducted public awareness-raising seminars at primary and secondary schools, reaching more than 1,500 students and 70 teachers. (2)

Although the government has implemented programs to address educational and food needs, research found no evidence that it has carried out programs specifically to assist children who are victims of commercial sexual exploitation. (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 Saint Vincent and the Grenadines (Table 11).

Table 11. Suggested Government Actions to Eliminate Child Labor

Area	Suggested Action	Year(s) Suggested
Legal Framework	Determine the types of hazardous work prohibited to children, in consultation with workers' and employers' organizations, and ensure that the minimum age for hazardous work is age 18.	2009 – 2019
	Ensure that the laws regarding commercial sexual exploitation of children are sufficient and do not only apply to human trafficking.	2017 – 2019
	Ensure that laws prohibit the use of a child in illicit activities, including in the production and trafficking of drugs.	2011 – 2019
	Ensure that the law criminally prohibits the recruitment of children under age 18 by non-state armed groups.	2016 – 2019
	Raise the minimum age for work to the age up to which education is compulsory.	2018 – 2019
Enforcement	Authorize the labor inspectorate to assess penalties for labor law violations.	2016 – 2019
	Strengthen the labor inspectorate by providing sufficient resources to conduct labor inspections, including computers and training.	2015 – 2019
	Ensure that labor inspectors are provided refresher courses related to child labor.	2018 – 2019
	Increase the amount of resources, including personnel and vehicles, for the Anti-Trafficking in Persons Unit.	2017 – 2019
Coordination	Establish coordinating mechanisms to combat all forms of child labor.	2019
Government Policies	Ensure that the National Child Protection Policy Framework is implemented.	2019
Social Programs	Collect and publish data on the extent and nature of child labor to inform policies and programs.	2017 – 2019
	Enhance efforts to eliminate barriers and make education accessible for all children, including children in rural communities, by providing public transportation.	2018 – 2019
	Institute programs to address the worst forms of child labor in commercial sexual exploitation.	2017 – 2019
	Ensure that the Zero Hunger Trust Fund program has sufficient resources to assist all children in need.	2019

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In 2019, Samoa made a minimal advancement in efforts to eliminate the worst forms of child labor. The Government of Samoa continued to fund the Government Grant to Mission and Public Schools. Children in Samoa are engaged in the worst forms of child labor, including in commercial sexual exploitation, sometimes as a result of human trafficking. Children also perform dangerous tasks in street vending. Research found no evidence of laws that ban using, procuring, or offering children for illicit activities, including for the production and trafficking of drugs. While the government has a mechanism to coordinate interagency efforts to address child labor, it did not meet during the reporting period.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Samoa are engaged in the worst forms of child labor, including in commercial sexual exploitation, sometimes as a result of human trafficking. (1) Children also perform dangerous tasks in street vending. (1-3) Table 1 provides key indicators on children's work and education in Samoa. Data on some of these indicators are not available from the sources used in this report.

Table 1. Statistics on Children's Work and Education

Children	Age	Percent
Working (% and population)	5 to 14	Unavailable
Attending School (%)	5 to 14	Unavailable
Combining Work and School (%)	7 to 14	Unavailable
Primary Completion Rate (%)		104.8

Primary completion rate was unavailable from UNESCO Institute for Statistics, 2020. (4)

Data were unavailable from International Labor Organization's analysis, 2020. (5)

Based on a review of available information, Table 2 provides an overview of children's work by sector and activity.

Table 2. Overview of Children's Work by Sector and Activity

Sector/Industry	Activity
Agriculture	Farming and animal husbandry, activities unknown (1)
Services	Domestic work (1)
	Street vending, including selling food, garlands, and other products (1-3,6-10)
	Garbage scavenging (1)
Categorical Worst Forms of Child Labor‡	Commercial sexual exploitation, sometimes as a result of human trafficking (1)
	Use in illicit activities, including producing and trafficking drugs (1)

‡ Child labor understood as the worst forms of child labor *per se* under Article 3(a)–(c) of ILO C. 182.

Children who are street vending may work late at night, are exposed to exhaust fumes, and have an increased risk of being hit by passing traffic. (1,8) The Samoa School Fee Grant Scheme and the Government Grant to Mission and Public Schools provide financial assistance to families to help offset and alleviate some of the burden of school fees, such as registration, uniforms, and transportation fees. (11,12)

In 2019, a measles outbreak prompted the government to shut down all schools and mandated vaccinations; schools were closed for about a month and a half, which likely left children without alternative educational opportunities as children were banned from all public gatherings. (3,13-15) The government responded to this by drafting and passing the Infants Amendment Bill No. 2, which introduced an immunization and vaccination policy mandating up-to-date vaccinations for all school-aged children before being admitted to attend schools; there have been no reported cases of children prevented from attending. (3,16,17)




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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 do not adequately protect children from the worst forms of child labor, including the prohibition of using children in illicit activities.

Table 4. Laws and Regulations on Child Labor

Standard	Meets International Standards	Age	Legislation
Minimum Age for Work	Yes	15	Article 51 of the Labour and Employment Relations Act (18)
Minimum Age for Hazardous Work	Yes	18	Article 51 of the Labour and Employment Relations Act (18)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Article 51 of the Labour and Employment Relations Act; Article 21 of the Labour and Employment Relations Regulations; Government of Samoa Public Notice on Hazardous Work for Children (18-20)
Prohibition of Forced Labor	Yes		Article 8 of the Constitution; Article 18 of the Labour and Employment Relations Act; Sections 155–157 of the Crimes Act (18,21,22)
Prohibition of Child Trafficking	Yes		Sections 155–157 of the Crimes Act (22)
Prohibition of Commercial Sexual Exploitation of Children	No		Sections 73–74, 82, and 157 of the Crimes Act (22)
Prohibition of Using Children in Illicit Activities	No		
Minimum Age for Voluntary State Military Recruitment	N/A†		
Prohibition of Compulsory Recruitment of Children by (State) Military	N/A†		
Prohibition of Military Recruitment by Non-state Armed Groups	No		Article 8 of the International Criminal Court Act (23)
Compulsory Education Age	Yes	16	Article 2 (Section 2) of the Education Amendment Bill (24)
Free Public Education	No		

† No standing military (23)

In 2019, the Division for Research, Policy, and Planning met with the Division for Social Development to review two draft legislations—the Child Protection Policy and the Inter-Agency Services Guide—which will be forwarded to the Samoan cabinet for approval. (25) While a separate Child Care and Protection Bill draft bill—prohibiting children under age 14 to engage in street vending—does not meet the international standard of age 15 as the minimum age for work, it does prohibit children younger than the compulsory education age from engaging in street vending after 7 p.m. (26,27) The current law permits children between ages 12 and 14 to engage in light work for a limited number of hours; however neither the current law or the draft Child Care and Protection Bill specify the conditions under which light work may be undertaken, nor do they define the activities that are permitted. (19)

Research found no evidence of laws that ban using, procuring, or offering children for illicit activities, including for the production and trafficking of drugs. Samoa does not meet the international standard for prohibiting non-state military recruitment because its International Criminal Court Act does not apply to children age 15 to 18. (23) 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 age 16 to 18. (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. (18,24)

III. ENFORCEMENT OF LAWS ON CHILD LABOR

The government has established institutional mechanisms for the enforcement of laws and regulations on child labor (Table 5). However, gaps exist within the authority of the Ministry of Commerce, Industry, and Labor (MCIL) that may hinder adequate enforcement of their child labor laws.

Table 5. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
Ministry of Commerce, Industry, and Labor (MCIL)	Enforces the Labour and Employment Relations Act, which includes investigating complaints of child labor law violations. (28,29) Refers cases to the Ministry of Police and the Office of the Attorney General for enforcement. (29)
Ministry of Police	Enforces criminal laws related to child labor. (29)
Office of the Attorney General	Prosecutes criminal cases of the worst forms of child labor. (29)
Ministry for Women, Community, and Social Development	Assists in MCIL investigations as needed. Mandated to protect children, including those working on the street. (30-32) In 2019, under the division of the Child Protection (CP) Unit, sweeps to monitor children in street vending were conducted. Once a child was identified, his or her family was located and a home visit scheduled, during which the CP teams would educate families on the importance of attending school and the risks and hazards of street vending. (25)
Ministry of Education, Sports, and Culture	Assists in MCIL investigations, as needed. (33)

Labor Law Enforcement

In 2019, labor law enforcement agencies in Samoa took actions to combat child labor (Table 6). However, gaps exist within the authority of the MCIL that may hinder adequate labor law enforcement, including lack of labor inspectors' ability to assess penalties.

Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2018	2019
Labor Inspectorate Funding	\$0 (34)	\$48,422 (35)
Number of Labor Inspectors	4 (34)	3 (35)
Inspectorate Authorized to Assess Penalties	No (34)	No (18)
Initial Training for New Labor Inspectors	N/A (34)	N/A (35)
Training on New Laws Related to Child Labor	N/A (34)	N/A (35)
Refresher Courses Provided	Yes (34)	Yes (35)
Number of Labor Inspections Conducted	7 (34)	32 (29)
Number Conducted at Worksite	7 (34)	32 (29)
Number of Child Labor Violations Found	0 (34)	0 (35)
Number of Child Labor Violations for Which Penalties Were Imposed	0 (34)	N/A (35)
Number of Child Labor Penalties Imposed that Were Collected	0 (34)	N/A (35)
Routine Inspections Conducted	Yes (34)	Yes (35)
Routine Inspections Targeted	Yes (34)	Yes (35)
Unannounced Inspections Permitted	Yes (18)	Yes (18)
Unannounced Inspections Conducted	N/A	Yes (29)
Complaint Mechanism Exists	Yes (34)	Yes (35)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	No (34)	No (35)

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In 2019, the Government of Samoa continued to distribute its Letter of Intent for the Employment of Children, which reiterates restrictions on child labor in street vending, when conducting inspections. (29,36)

Criminal Law Enforcement

Research did not find information on whether criminal law enforcement agencies in Samoa took actions to combat child labor (Table 7).

Table 7. Criminal Law Enforcement Efforts Related to Child Labor

Overview of Criminal Law Enforcement	2018	2019
Initial Training for New Criminal Investigators	Unknown (37)	Unknown (3)
Training on New Laws Related to the Worst Forms of Child Labor	Unknown (37)	Unknown (3)
Refresher Courses Provided	Unknown (37)	Unknown (3)
Number of Investigations	Unknown (37)	Unknown (3)
Number of Violations Found	Unknown (37)	Unknown (3)
Number of Prosecutions Initiated	Unknown (37)	Unknown (3)
Number of Convictions	Unknown (37)	Unknown (3)
Imposed Penalties for Violations Related to The Worst Forms of Child Labor	Unknown (37)	Unknown (3)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Unknown (37)	Unknown (3)

The Government of Samoa did not respond to requests for information regarding its criminal law enforcement efforts.

IV. COORDINATION OF GOVERNMENT EFFORTS ON CHILD LABOR

The government has established mechanisms to coordinate its efforts to address child labor (Table 8). However, gaps exist that hinder the effective coordination of efforts to address child labor, including efforts to address all forms of child labor.

Table 8. Key Mechanisms to Coordinate Government Efforts on Child Labor

Coordinating Body	Role & Description
Transnational Crime Unit	A multi-agency unit that comprises the Ministry of Police, the Ministry for Revenue-Customs, and the Ministry of the Prime Minister's Immigration Unit to investigate and enforce laws against human trafficking, including possible commercial child exploitation. (38,39)
Child Vendor Taskforce (CVTF)	A multi-agency taskforce that comprises the MCIL; Ministry of Police; Ministry of Women, Community, and Social Development; and Ministry of Education, Sports, and Culture to reduce the prevalence of child vendors in towns and cities through patrol sweeps and conducting outreach activities. (29) While the CVTF did not meet in 2019, research indicates that child vendor sweeps did occur during the reporting period. (29)

V. GOVERNMENT POLICIES ON CHILD LABOR

The government has established policies related to child labor (Table 9). However, policy gaps exist that hinder efforts to address child labor, including mainstreaming child labor issues into relevant policies.

Table 9. Key Policies Related to Child Labor

Policy	Description
United Nations Pacific Strategy (2018–2022)	A multinational strategic framework program consisting of 14 South Pacific nations to address, develop, and implement strategic economic development priorities in the South Pacific, including eliminating child labor and the worst forms of child labor. (42) Research was unable to determine whether activities were undertaken to implement the United Nations Pacific Strategy during the reporting period.

The government has not integrated child labor elimination and prevention strategies into the Strategy for the Development of Samoa or the Education Sector Plan. (43,44)

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2019, the government funded and participated in programs that include the goal of eliminating or preventing child labor (Table 10). However, gaps exist in these social programs, including the adequacy of programs to address the full scope of the problem.

Table 10. Key Social Programs to Address Child Labor

Program	Description
Samoa Decent Work Country Program (2017–2020)†	ILO and government program that promotes decent work in Samoa. Supports legal reform and improved implementation of laws related to child labor, and promotes access to information and employment services for youth. (45) Research was unable to determine whether activities were undertaken to implement the Samoa Decent Work Country Program during the reporting period.
Government Grant to Mission and Public Schools†	A government-sponsored program that provides financial support to families to assist with ancillary school fees, supplies, and equipment that their child may need during the school year. (12) In 2019, the government allocated \$5.6 million to continue this grant. (3,46)
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. (37,46) Research was unable to determine whether activities were undertaken to implement One Government Grant program during the reporting period.

† Program is funded by the Government of Samoa.

Although the government has implemented educational support programs, research also found no evidence that it has carried out programs specifically designed to assist children engaged in commercial sexual exploitation or street vending.

VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE CHILD LABOR

Based on the reporting above, suggested actions are identified that would advance the elimination of child labor in Samoa (Table 11).

Table 11. Suggested Government Actions to Eliminate Child Labor

Area	Suggested Action	Year(s) Suggested
Legal Framework	Ratify the Palermo Protocol on Trafficking in Persons.	2017 – 2019
	Ensure that the law's light work provisions are specific enough to prevent children from involvement in child labor, including street vending.	2013 – 2019
	Ensure that the law criminally prohibits commercial sexual exploitation of children between ages 16 to 18.	2018 – 2019
	Ensure that the law criminally prohibits using, procuring, or offering a child for illicit activities, including for the production and trafficking of drugs.	2014 – 2019
	Ensure that the law criminally prohibits the recruitment of children under age 18 by non-state armed groups.	2016 – 2019
	Raise the minimum age for work to the age up to which education is compulsory.	2019
Enforcement	Publish information on the number of criminal law enforcement efforts undertaken, including the number of investigations conducted, violations found; prosecutions initiated; convictions made, and penalties imposed.	2013 – 2019
	Authorize the labor inspectorate to assess penalties.	2015 – 2019
	Establish a referral mechanism between labor enforcement authorities and social services providers.	2014 – 2019
Coordination	Ensure the Child Vendor Taskforce meets regularly and effectively carries out its mandate.	2019
Government Policies	Integrate child labor elimination and prevention strategies into the Strategy for the Development of Samoa and the Education Sector Plan.	2012 – 2019
	Publish information regarding the activities carried out by the United Nations Pacific Strategy.	2019
Social Programs	Enhance efforts to make education accessible for all children by fully eliminating school-related costs, including registration fees, uniforms, transportation fees.	2016 – 2019
	Institute programs to address child labor, including in street vending and commercial sexual exploitation of children.	2009 – 2019
	Collect and publish data on the extent and nature of child labor to inform policies and programs.	2017 – 2019
	Publish information regarding the activities carried out by the Samoa Decent Work Country Program.	2018 – 2019
	Publish information regarding the activities carried out by the One Government Grant program.	2019

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In 2019, São Tomé and Príncipe made a minimal advancement in efforts to eliminate the worst forms of child labor. The government launched the Family Program to implement education policies and provide cash stipends to vulnerable families. However, children in São Tomé and Príncipe engage in the worst forms of child labor in commercial sexual exploitation. Children also perform dangerous tasks in agriculture. The Labor Code permits children younger than age 14 to work under certain circumstances, which is not consistent with international standards. In addition, limited financial resources hampered law enforcement efforts and prevented the National Action Plan for the Elimination of Child Labor from being implemented. Social programs also do not address child labor in all relevant sectors, including in agriculture.

I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in São Tomé and Príncipe engage in the worst forms of child labor in commercial sexual exploitation. (1) Children also perform dangerous tasks in agriculture. (2) Table 1 provides key indicators on children's work and education in São Tomé and Príncipe. Data on some of these indicators are not available from the sources used in this report.



Table 1. Statistics on Children's Work and Education

Children	Age	Percent
Working (% and population)	5 to 14	22.6 (Unavailable)
Attending School (%)	5 to 14	89.2
Combining Work and School (%)	7 to 14	24.9
Primary Completion Rate (%)		84.3

Source for primary completion rate: Data from 2017, published by UNESCO Institute for Statistics, 2020. (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	Farming,† including weeding and fertilizing† (2,5,6)
	Fishing,† including line and hook fishing (2,6)
Industry	Carpentry and woodworking (7)
	Construction† (2)
Services	Working in shops, restaurants, and bars† (2,5)
	Street work,† including begging and street vending† (2,7)
Categorical Worst Forms of Child Labor‡	Commercial sexual exploitation (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.




II. LEGAL FRAMEWORK FOR CHILD LABOR

São Tomé and Príncipe has ratified most key international conventions concerning child labor (Table 3).

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Table 3. Ratification of International Conventions on Child Labor

Convention	Ratification
 ILO C. 138, Minimum Age	✓
ILO C. 182, Worst Forms of Child Labor	✓
 UN CRC	✓
UN CRC Optional Protocol on Armed Conflict	
UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	
 Palermo Protocol on Trafficking in Persons	✓

The government has established laws and regulations related to child labor (Table 4). However, gaps exist in São Tomé and Príncipe's legal framework to adequately protect children from the worst forms of child labor, including the minimum age for work.

Table 4. Laws and Regulations on Child Labor

Standard	Meets International Standards	Age	Legislation
Minimum Age for Work	No	15	Article 268(2) of the Labor Code (8)
Minimum Age for Hazardous Work	Yes	18	Article 274 of the Labor Code; Article 171 of the Civil Code (8,9)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Hazardous Work List in Annex IV of Labor Code (8)
Prohibition of Forced Labor	Yes		Articles 159–160 and 181 of the Penal Code (10)
Prohibition of Child Trafficking	Yes		Articles 160 and 181 of the Penal Code (10)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Articles 179–182 of the Penal Code (10)
Prohibition of Using Children in Illicit Activities	Yes		Articles 279–280 and 289 of the Penal Code (10)
Minimum Age for Voluntary State Military Recruitment	Yes	17	Legislation title unknown (11)
Prohibition of Compulsory Recruitment of Children by (State) Military	Yes		Article 1 of Decree-Law 3/83 (12)
Prohibition of Military Recruitment by Non-state Armed Groups	No		
Compulsory Education Age	Yes	15†	Articles 11–12 of the Basic Education System Law (13)
Free Public Education	Yes		Article 12 of the Basic Education System Law (13)

† Age calculated based on available information (13)

The Labor Code permits children younger than age 14 to work under certain circumstances, which is not consistent with international labor standards. In addition, the Labor Code permits children age 14, who have completed their compulsory education, to perform light work that is not deemed harmful to their health or development; however, special legislation specifying the activities and conditions in which light work may be undertaken has yet to be adopted. (8)

The minimum age protections contained in the Legal Regime of Individual Employment Conditions do not apply to children working outside of a formal labor relationship, such as children who are self-employed. (14,15)

III. ENFORCEMENT OF LAWS ON CHILD LABOR

The government has established institutional mechanisms for the enforcement of laws and regulations on child labor (Table 5). However, gaps exist within the operations of the Ministry of Labor and Social Affairs that may hinder adequate enforcement of their child labor laws.

Table 5. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
Ministry of Labor and Social Affairs	Enforces labor laws, including child labor. (5)
Ministry of Justice and Human Rights	Enforces criminal laws against the worst forms of child labor. (5)

Labor Law Enforcement

In 2019, labor law enforcement agencies in São Tomé and Príncipe took actions to combat child labor (Table 6). However, gaps exist within the operations of the Ministry of Labor and Social Affairs that may hinder adequate labor law enforcement, including financial resource allocation.

Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2018	2019
Labor Inspectorate Funding	Unknown	\$20,000 (5)
Number of Labor Inspectors	6 (1)	3 (5)
Inspectorate Authorized to Assess Penalties	Yes (1)	Yes (5)
Initial Training for New Labor Inspectors	N/A	N/A (5)
Training on New Laws Related to Child Labor	N/A	N/A (5)
Refresher Courses Provided	No (1)	No (5)
Number of Labor Inspections Conducted	180 (16)	50 (5)
Number Conducted at Worksite	Unknown (1)	Unknown
Number of Child Labor Violations Found	1 (1)	0 (5)
Number of Child Labor Violations for Which Penalties Were Imposed	0 (1)	N/A (5)
Number of Child Labor Penalties Imposed that Were Collected	0 (1)	N/A (5)
Routine Inspections Conducted	Yes (1)	Yes (5)
Routine Inspections Targeted	No (1)	No (5)
Unannounced Inspections Permitted	Yes (1)	Yes (5)
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)

Reports indicate there are a total of three labor inspectors and five assistants in the Ministry of Labor and Social Affairs. Although inspections are permitted in all sectors, they are seldom conducted in the informal sector, in which instances of child labor are more prevalent, and are rarely conducted at worksites. (5) Reports also indicate that the allotted budget for the labor inspectorate was insufficient to cover operating costs, including fuel and transportation. (5)

Children found working during inspections by labor inspectors are referred to the Department of Social Protection and Solidarity in the Ministry of Labor and Social Affairs. (1)

Criminal Law Enforcement

In 2019, criminal law enforcement agencies in São Tomé and Príncipe took actions to combat child labor (Table 7). However, gaps exist within the operations of the criminal enforcement agencies that may hinder adequate criminal law enforcement, including training for criminal investigators.

Table 7. Criminal Law Enforcement Efforts Related to Child Labor

Overview of Criminal Law Enforcement	2018	2019
Initial Training for New Criminal Investigators	No (1)	N/A (5)
Training on New Laws Related to the Worst Forms of Child Labor	N/A	N/A (5)
Refresher Courses Provided	No (1)	No (5)
Number of Investigations	0 (1)	Unknown
Number of Violations Found	0 (1)	0 (5)

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Table 7. Criminal Law Enforcement Efforts Related to Child Labor (Cont.)

Overview of Criminal Law Enforcement	2018	2019
Number of Prosecutions Initiated	0 (1)	0 (5)
Number of Convictions	0 (1)	0 (5)
Imposed Penalties for Violations Related to The Worst Forms of Child Labor	N/A	0 (5)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (1)	Yes (5)

During the reporting year, investigators lacked resources, including transportation, fuel and other necessities to carry out investigations. (5)

Children found by Ministry of Justice and Human Rights officials are referred to the Department of Social Protection and Solidarity in the Ministry of Labor and Social Affairs for integration and counseling services. (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 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. (17) Led by the Ministry of Labor and Social Affairs. (18) In 2019, conducted workshops and seminars for government officials. (5)
Department of Social Protection and Solidarity, Ministry of Labor and Social Affairs	Provides counseling and integration services to children found during labor inspections and criminal investigations. (1) Due to a lack of financial resources, the Department of Social Protection and Solidarity was inactive during the reporting period.

V. GOVERNMENT POLICIES ON CHILD LABOR

The government has established policies related to child labor (Table 9). However, policy gaps exist that hinder efforts to address child labor, including funding and implementation.

Table 9. Key Policies Related to Child Labor

Policy	Description
National Action Plan for the Elimination of Child Labor	Guides the government's efforts to combat child labor. (19) Lack of funding prevented the implementation of the policy during the reporting period. (5)

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2019, the government funded and participated in programs that include the goal of eliminating or preventing child labor (Table 10). However, gaps exist in these social programs, including the adequacy of efforts to address the problem in all sectors.

Table 10. Key Social Programs to Address Child Labor

Program	Description
Family Program (<i>Programa Família</i>)*†	\$10 million World Bank-funded, 4-year education program to implement education policies. In addition, the program provides cash stipends in the amount of \$55, distributed twice a month, to the poorest families. (5)
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) Active in 2019. (5)
Disadvantaged Mothers Program (<i>Mães Carenciadas</i>)†	Government program that provides family stipends, school materials, and uniforms on an as-needed basis. The support is distributed by social workers. (21) Active in 2019. (5)
Decent Work Country Program (2018–2021)†	Government program in collaboration with ILO that aims to eliminate the worst forms of child labor through legislative action and strategic programs. (1,22)

* Program was launched during the reporting period.

† Program is funded by the Government of São Tomé and Príncipe.

Although São Tomé and Príncipe has programs that target child labor, the scope of these programs is insufficient to fully address the problem, especially in agriculture.

VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE CHILD LABOR

Based on the reporting above, suggested actions are identified that would advance the elimination of child labor in São Tomé and Príncipe (Table 11).

Table 11. Suggested Government Actions to Eliminate Child Labor

Area	Suggested Action	Year(s) Suggested
Legal Framework	Accede to the UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography.	2014 – 2019
	Ensure that the law criminally prohibits the recruitment of children under age 18 by non-state armed groups.	2016 – 2019
	Ensure that the minimum age for work of age 15 applies to all children.	2018 – 2019
	Adopt legislation defining the activities and conditions permissible for light work.	2018 – 2019
	Ensure that all children are protected by law, including children who are self-employed.	2015 – 2019
Enforcement	Strengthen the labor inspectorate by initiating targeted inspections based on analysis of data related to risk-prone sectors and patterns of serious incidents.	2017 – 2019
	Provide inspectors and investigators with appropriate training, and equip labor inspectors and criminal investigators with the necessary resources to conduct inspections, including fuel and transportation.	2009 – 2019
	Publish information on the number of inspections conducted at worksites and the number of investigations conducted.	2018 – 2019
Coordination	Ensure that coordinating bodies to combat child labor are able to fulfill their mandates, including the Department of Social Protection and Solidarity.	2019
Government Policies	Ensure that the National Action Plan for the Elimination of Child Labor has sufficient resources for implementation.	2018 – 2019
Social Programs	Implement programs that specifically target child labor in agriculture.	2010 – 2019

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In 2019, Senegal made a moderate advancement in efforts to eliminate the worst forms of child labor. The country's first national human trafficking database, "Systraite," was piloted in five regions, and the Ministry of Supervised Education and Social Protection released a multi-disciplinary action plan to address forced begging. However, children in Senegal engage in the worst forms of child labor, including in forced begging, sometimes as a result of human trafficking. Children also perform dangerous tasks in gold mining. Hazardous work prohibitions do not include domestic work and street work, areas in which child labor is prevalent, and labor and criminal law enforcement agencies lack resources to adequately enforce child labor law. In addition, an overlap of mandated activities among mechanisms to coordinate efforts to address child labor creates confusion and obstructs effective collaboration.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Senegal engage in the worst forms of child labor, including in forced begging, sometimes as a result of human trafficking. Children also perform dangerous tasks in gold mining. (1-5) Table I provides key indicators on children's work and education in Senegal.

Table I. Statistics on Children's Work and Education

Children	Age	Percent
Working (% and population)	5 to 14	22.3 (Unavailable)
Attending School (%)	5 to 14	53.0
Combining Work and School (%)	7 to 14	13.9
Primary Completion Rate (%)		57.1

Source for primary completion rate: Data from 2018, published by UNESCO Institute for Statistics, 2020. (1)

Source for all other data: International Labor Organization's analysis of statistics from Demographic and Health Survey (DHS), 2015. (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	Herding cattle (7)
	Fishing, activities unknown (5)
	Farming, including the production of cotton, rice, peanuts, and mangoes (2,5)
Industry	Washing ore, crushing rocks, using mercury, and carrying heavy loads† while mining gold, iron, and salt, and quarrying rock (3,7)
	Welding and auto repair (8)
Services	Domestic work (2-5)
	Street work, including vending (4,5,9)
Categorical Worst Forms of Child Labor‡	Forced domestic work, gold mining, fishing, and farming, each sometimes as a result of human trafficking (2,4,10,11)
	Commercial sexual exploitation, sometimes as a result of human trafficking (8,12,13)
	Forced begging, sometimes as a result of human trafficking (4,5,10,14-22)

† Determined by national law or regulation as hazardous and, as such, relevant to Article 3(d) of ILO C. 182.

‡ Child labor understood as the worst forms of child labor *per se* under Article 3(a)–(c) of ILO C. 182.

Children in Senegal are exploited in domestic servitude and forced labor in gold mines, and are victims of trafficking for commercial sexual exploitation, particularly within the country. (4,14,15) Forced begging remains a significant problem in Senegal. It is a traditional practice to send boys to Koranic schools called *daaras*, at which

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students known as *talibés* receive a Koranic education from teachers known as *marabouts*; however, some *daaras* have corrupted the traditional practices, forcing many students to beg. (4,5,12,15,23-26) Corrupt *marabouts* take the *talibés*' earnings and beat those who fail to meet the daily quota. (5,12,16,18,24,25) According to a report by UNODC, this practice enriches *marabouts*, bringing in over \$10 million annually in Dakar alone. (27,28) *Talibés* at such institutions often live in overcrowded, unsanitary conditions, receive inadequate food and medical care, and are vulnerable to physical and sexual abuse. (5,12,13,16,17,25) Children from rural areas in Senegal and neighboring countries are particularly vulnerable to this practice, and are sometimes victims of human trafficking. (12,16,23,25,26,29)

Barriers to education exist that force some students to quit school, including school-related fees, a lack of birth registration documents, and a lack of both teachers and rural schools. Some girls reportedly quit school due to sexual harassment, including by teachers. (8,10,30,31)

II. LEGAL FRAMEWORK FOR CHILD LABOR

Senegal has ratified all key international conventions concerning child labor (Table 3).

Table 3. Ratification of International Conventions on Child Labor

Convention	Ratification
 ILO C. 138, Minimum Age	✓
ILO C. 182, Worst Forms of Child Labor	✓
 UN CRC	✓
UN CRC Optional Protocol on Armed Conflict	✓
UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	✓
 Palermo Protocol on Trafficking in Persons	✓

The government has established laws and regulations related to child labor (Table 4). However, gaps exist in Senegal's legal framework to adequately protect children from the worst forms of child labor, including the prohibition of military recruitment by non-state armed groups.

Table 4. Laws and Regulations on Child Labor

Standard	Meets International Standards	Age	Legislation
Minimum Age for Work	Yes	15	Article 1. 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 (32,33)
Minimum Age for Hazardous Work	Yes	18	Article 1 of the Ministerial Order No. 3749 Determining and Prohibiting the Worst Forms of Child Labor; Article 1 of the Ministerial Order No. 3750 Determining the Types of Hazardous Work Prohibited for Children and Youth; Article 1 of the Ministerial Order No. 3751 Determining the Categories of Business and Work Prohibited to Children and Youth; Article 2 defining the Worst Forms of Child Labor; Article 3 Prohibiting Acts defined in Article 1 (34-36)
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 (34-36)

Table 4. Laws and Regulations on Child Labor (Cont.)

Standard	Meets International Standards	Age	Legislation
Prohibition of Forced Labor	Yes		Article L. 4 of the Labor Code; Article 2 of the Ministerial Order No. 3749 Determining and Prohibiting the Worst Forms of Child Labor; Article 1 of the Law Concerning the Fight Against Trafficking in Persons and Similar Practices and the Protection of Victims (32,36,37); Article L.279 of the Labor Code; Article 4 of the Ministerial Order
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 (37)
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 (36,38)
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 (36)
Minimum Age for Voluntary State Military Recruitment	Yes	18	Article 19 of Law No. 2008-28 (39)
Prohibition of Compulsory Recruitment of Children by (State) Military	N/A*		
Prohibition of Military Recruitment by Non-state Armed Groups	No		
Compulsory Education Age	Yes	16	Article 3 of Law No. 2004-37 (40)
Free Public Education	Yes		Article 3 of Law No. 2004-37; Articles 21 and 22 of the Constitution (40,41)

* No conscription (7)

While the 2005 anti-trafficking law criminalized forced begging, provisions in the penal code that allowed seeking of alms under certain conditions may have hampered the ability of law enforcement officials to distinguish between traditional alms seeking and exploitation through forced begging. (3,26,36,42) Government officials, UNODC, UNICEF, and local NGOs have stated that penalties for child labor violations may not be severe enough to deter employers from exploiting children, particularly because the penalties are rarely enforced. (43) 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. (7,34-36) The light work provisions are not specific enough to prevent children from involvement in child because they do not limit the number of hours per week for light work, determine the activities in which light work may be permitted, or specify the conditions under which light work may be undertaken. The light work framework also does not meet international standards as it applies to children under the age of 13. (32,33) 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. (23,32,33,40) In September 2018, as part of the draft law comment period, government finalized and publicized a draft of the revamped Child Code but it was still pending final approval at the end of the reporting period. (5,44)

III. ENFORCEMENT OF LAWS ON CHILD LABOR

The government has established institutional mechanisms for the enforcement of laws and regulations on child labor (Table 5). However, gaps exist within the operations of the Ministry of Labor, Social Dialogue, Professional Organizations, and Institutional Relations (MOL) that may hinder adequate enforcement of their child labor laws.

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Table 5. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
Ministry of Labor, Social Dialogue, Professional Organizations, and Institutional Relations (MOL)	Enforces child labor laws through the Directorate General of Labor and Social Security and by using social security inspectors. (31,43)
Ministry of Women, Family, Gender, and Child Protection (MWFGCP)	Contributes to the creation and implementation of child protection policies and provides services to victims of exploitative child labor. Operates the Ginddi Center for vulnerable children and a toll-free child protection hotline through which the public can report child labor abuses. (14,19,26) During the reporting period, the Ministry of Good Governance and Child Protection (MGGCP) collaborated with international donors and an NGO to lead a train-the-trainers session for juvenile justice practitioners on child protection, especially for victims or witnesses of violence, human trafficking, or exploitation. MGGCP also partnered with religious leaders to participate in the second phase of the president's campaign to remove vulnerable children from the streets of Dakar. (11) In April 2019, MGGCP was incorporated into MWFGCP. (4)
Ministry of Justice (MOJ)	Prosecutes violations of child labor laws. (45) Trains police and judiciary on laws related to human trafficking and forced begging. (16) Through its Department of Correctional Education and Social Protection, helps develop draft texts in the field of social protection and juvenile delinquency; strengthens the capacity of stakeholders to care for children; and shares responsibility with the Ministry of Women, Family, and Children to provide services to vulnerable children. (19,46,47)
Ministry of the Interior and Public Security	Oversees all law enforcement agencies, including the local and national police officials who investigate cases of human trafficking and forced child begging, and arrests perpetrators of the worst forms of child labor. (45,48-50) Houses the Children's Unit, located in Dakar, which employs three officers who specialize in child protection, victim identification, and reintegration. (19,48,49) Through its Children's Unit, receives assistance from the Vice Squad in child protection cases. (51) Through its Air and Border Police (<i>Police de l'air et des frontières</i>), focuses on migrant smuggling and transnational crimes. (52)

Labor Law Enforcement

In 2019, labor law enforcement agencies in Senegal took actions to combat child labor (Table 6).

Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2018	2019
Labor Inspectorate Funding	\$183,685 (54)	\$203,100 (5)
Number of Labor Inspectors	55 (54)	68 (5)
Inspectorate Authorized to Assess Penalties	Yes (54)	Yes (5)
Initial Training for New Labor Inspectors	Yes (54)	Yes (5)
Training on New Laws Related to Child Labor	N/A (54)	N/A (5)
Refresher Courses Provided	Yes (54)	Yes (5)
Number of Labor Inspections Conducted	2,557 (55)	Unknown (5)
Number Conducted at Worksite	Unknown (54)	Unknown (5)
Number of Child Labor Violations Found	0 (54)	0 (5)
Number of Child Labor Violations for Which Penalties Were Imposed	0 (54)	0 (5)
Number of Child Labor Penalties Imposed that Were Collected	0 (54)	0 (5)
Routine Inspections Conducted	Yes (54)	Yes (5)
Routine Inspections Targeted	Yes (54)	Yes (5)
Unannounced Inspections Permitted	Yes (54)	Yes (5)
Unannounced Inspections Conducted	Yes (54)	Yes (5)
Complaint Mechanism Exists	No (54)	No (5)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	No (54)	Yes (5)

The number of labor inspectors is insufficient for the size of Senegal's workforce, which includes over 6 million workers. According to the ILO's technical advice of a ratio approaching 1 inspector for every 40,000 workers in less developed economies, Senegal would employ about 175 labor inspectors. (56,57) MOL acknowledged that the current number of labor inspectors is insufficient; and although the number of inspectors increased during the reporting period, a high turnover rate and limited funding level have further hindered the labor inspectorate's capacity to enforce child labor laws. (7,45)

Anecdotal reports indicate that there is a lack of child labor law enforcement in the informal sector, in which most children are employed. This is especially true in the artisanal gold mining sector because most activities take place in the far southeast of the country in the Kédougou region, far from the capital. (5,14,26,58) Article L. 241 of the Labor Code grants inspectors the authority to assess penalties for all offenses; however, they typically do so only for minor offenses and refer the more serious infractions to the courts for determination of penalties. (32,45,58) Courts may require violations to be resolved through conciliation at the labor inspectorate and if that fails, refer cases to a tribunal for judgment. (45) The Ginddi Center’s child protection hotline was operational during the reporting period, but research was unable to determine how many children were supported. It was noted that the Ginddi Center was overcrowded, so the government relied on NGOs to support victims of human trafficking. (4)

Criminal Law Enforcement

In 2019, criminal law enforcement agencies in Senegal took actions to combat child labor (Table 7). However, gaps exist within the authority and operations of the criminal law enforcement agencies that may hinder adequate criminal law enforcement, including poor coordination among agencies.

Table 7. Criminal Law Enforcement Efforts Related to Child Labor

Overview of Criminal Law Enforcement	2018	2019
Initial Training for New Criminal Investigators	Yes (54)	Yes (5)
Training on New Laws Related to the Worst Forms of Child Labor	N/A (54)	N/A (5)
Refresher Courses Provided	No (54)	Yes (5)
Number of Investigations	Unknown (54)	9 (5)
Number of Violations Found	Unknown (54)	7 (5)
Number of Prosecutions Initiated	Unknown (54)	7 (5)
Number of Convictions	Unknown (54)	2 (55)
Imposed Penalties for Violations Related to The Worst Forms of Child Labor	Unknown (26)	Yes (5)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	No (54)	Yes (5)

Of the seven cases prosecuted during the reporting period, five were for exploitation of child begging and two were for child procurement for sexual services. (5)

The authorities have had limited success in prosecuting cases related to forced begging due to a lack of coordination and resource constraints, and partly due to a perceived lack of political support, cultural norms, and pressure from influential Koranic teachers who support this practice, particularly in rural areas. (14,58,60,61) 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. (62) Research indicates that training for criminal investigators was cursory and not sufficient to fully enforce existing laws against labor abuses involving children. (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 clarity of institutional mandates.

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Table 8. Key Mechanisms to Coordinate Government Efforts on Child Labor

Coordinating Body	Role & Description
National Committee Against Child Labor	Coordinates initiatives, policies, and partnerships with civil society organizations to address child labor. Chaired by MOL and includes representatives from three ministries, the police, and elected officials. (58) Research was unable to determine whether this organization was active during the reporting period.
National Task Force Against Trafficking in Persons (CNLTP)	Reports on human trafficking in Senegal, with a focus on women and children; coordinates the implementation of the National Action Plan to Combat Trafficking in Human Beings and other efforts to prevent human trafficking; prosecutes perpetrators; and protects victims. (14,49,58,63) Chaired by MOJ and employs five staff members. (48,58,63)
Childhood Protection Unit (CAPE)	Coordinates government efforts related to child protection, including through the implementation of the National Strategy on Child Protection. (51,52,54,58,64) Contributes to the creation and implementation of child protection policies, and develops a national system for collecting and disseminating data on vulnerable children. Advocates on behalf of all entities working on issues related to child begging, violence against children, and child labor. (65) During the reporting period, CAPE became attached to MWFGCP. (4) Research was unable to determine whether CAPE was active during the reporting period.
Trafficking in Persons Database “Systraite”	In October 2019, the Government of Senegal officially launched the country’s first national trafficking in persons database, <i>Système de suivi de la traite</i> , or “Systraite.” Currently in a pilot phase collecting information on human trafficking victims, convictions, and perpetrators in five regions: Dakar, Saint Louis, Thies, Kedougou, and Tambacounda. (4,66,67) Launched in partnership with IOM and with funding from USDOS. (68)
Daara Mapping	In collaboration with local communities, USAID, foreign NGOs, UNODC, and CNLTP, <i>daara</i> mapping has been taking place since 2014. (4,11) During the reporting period, mapping took place in the four municipalities of Dakar, which resulted in the closure of several substandard facilities. (4)

The National Task Force Against Trafficking in Persons remains underfunded. Overlap among the activities of the coordinating bodies due to their institutional mandates also creates confusion and obstructs effective collaboration and implementation of efforts. (14,15,58)

V. GOVERNMENT POLICIES ON CHILD LABOR

The government has established policies related to child labor (Table 9). However, policy gaps exist that hinder efforts to address child labor, including lack of a national policy to address child labor, including its worst forms.

Table 9. Key Policies Related to Child Labor

Policy	Description
National Action Plan to Combat Trafficking in Human Beings (2018–2020)	Implemented by CNLTP, a continuation of the previously ended action plan along four axes: prevention, protection and prosecution, capacity building, and research and evaluation. (14,58) During the reporting period, CNLTP continued the 2018–2020 National Action Plan, with wide participation by both public and non-public entities. However, it continued to utilize international donors as the primary mechanism to provide training due to insufficient government funding. (4)
National Strategy on Child Protection	Aims to establish an integrated national social protection system and specifically identifies the issue of child begging through an action plan with a recommended budget of \$18 million. (19) Implemented through Child Protection Committees, currently established in 24 prefectures, which refer victims to social services and assist law enforcement with reintegrating child trafficking victims. (19,48) It has not been operational since 2012. The committee did not meet in 2019. However, government and civil society stakeholders have held informal, ad hoc consultations throughout the year. (55)

‡ The government had other policies that may have addressed child labor issues or had an impact on child labor. (48)

Research was unable to determine whether any actions were undertaken in 2019 to renew the National Action Plan on the Prevention and Abolition of Child Labor in Senegal, which expired in 2016.

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2019, the government funded and participated in programs that include the goal of eliminating or preventing child labor (Table 10). However, gaps exist in these social programs, including adequacy of programs to address the full scope of the problem.

Table 10. Key Social Programs to Address Child Labor

Program	Description
Removal of Street Children (<i>Retrait des enfants de la Rue</i>)	Government program to remove children who are begging from the streets of Dakar and place them in government-run shelters or return them to their homes. (4,26,54,69) The first phase removed over 1,500 children, including around 1,000 <i>talibés</i> , from the streets of Dakar from June 2016 to early 2017. In early 2018, the government launched phase two, picking up over 300 <i>talibés</i> between April and June 2018. (70) During the reporting period, the government continued planning for a third phase to take place in the cities of Dakar, Thies, and Saint-Louis. (4)
<i>Daara</i> Modernization Program†	\$18.5 million government-funded voluntary program implemented by Tostan and <i>La Rencontre Africaine pour la Défense des Droits d'Homme</i> that aims to regulate, inspect, and fund <i>daaras</i> and eliminate forced begging. (3,61,71) Research was unable to determine whether activities were conducted during the reporting period.
Ginddi Center‡	Shelter that serves abused and vulnerable children, including runaway <i>talibés</i> , street children, and child trafficking victims. (19,31,58,61) Provides food, education, vocational training, family mediation, medical care, and psychological care. (46,58,72) Research was unable to determine whether activities were conducted during the reporting period.
Centers to address child trafficking‡	MOJ-run transit houses in Dakar, Pikine, and Saint-Louis that provide monitoring, education, and rehabilitation and reintegration services for victims of child trafficking. (48) Research was unable to determine whether activities were conducted during the reporting period.

† Program is funded by the Government of Senegal.

‡ The government had other social programs that may have included the goal of eliminating or preventing child labor. (73-75)

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. (10)

In December 2019, the Ministry of Supervised Education and Social Protection released a multi-disciplinary action plan to address the problem of forced begging. (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 Senegal (Table 11).

Table 11. Suggested Government Actions to Eliminate Child Labor

Area	Suggested Action	Year(s) Suggested
Legal Framework	Ensure that penalties for child labor violations, including the worst forms, are stringent enough to serve as a deterrent.	2014 – 2019
	Ensure that the types of hazardous work prohibited for children are comprehensive.	2016 – 2019
	Ensure that the law criminally prohibits the recruitment of children under age 18 by non-state armed groups.	2016 – 2019
	Clarify ambiguity in forced begging provisions in the Penal Code and the Law Concerning the Fight Against Trafficking in Persons to explicitly guarantee that no exceptions can enable a child to be forced to beg.	2017 – 2019
	Ensure that the law's light work provisions are specific enough to prevent children's involvement in child labor.	2017 – 2019
Enforcement	Establish by law a compulsory education age equal to the minimum age for work.	2018 – 2019
	Publish all relevant information on labor inspections conducted, including those at worksites.	2013 – 2019
	Ensure all penalties are assessed, particularly in the most serious cases.	2019
	Increase the number of labor inspectors to meet the ILO's technical advice, and ensure adequate labor inspectorate funding.	2010 – 2019
	Ensure that labor law enforcement and inspections are carried out in the informal sector.	2014 – 2019
	Establish a mechanism to receive child labor complaints, and track cases of child labor for referral to law enforcement or social services providers.	2014 – 2018
	Establish a formal and reciprocal complaint mechanism between labor law enforcement .	2016 – 2019
	Ensure that training for criminal investigators adequately addresses issues related to the worst forms of child labor in Senegal.	2019
	Ensure courts have sufficient resources and coordination to be able to successfully prosecute cases.	2019
Disaggregate Ginddi Center hotline call data to show how many calls are regarding children.	2019	

Table 11. Suggested Government Actions to Eliminate Child Labor (Cont.)

Area	Suggested Action	Year(s) Suggested
Coordination	Ensure that coordinating mechanisms on child labor are active and able to carry out their intended mandates by providing adequate resources, support, and distinct scopes of responsibility.	2010 – 2019
Government Policies	Adopt a national policy to address child labor.	2016 – 2019
Social Programs	Ensure that all children have access to education by eliminating school-related fees, building schools in rural areas, training additional teachers, ensuring that all children have access to birth registration, and ensuring that schools are free from sexual abuse.	2011 – 2019
	Institute programs to address child labor in domestic work, agriculture, and mining, and ensure that adequate funding is available to support existing programs targeting the worst forms of child labor, including forced begging.	2010 – 2019
	Ensure the <i>Daara</i> Modernization Program and the Centers address child trafficking conduct activities to eradicate forced begging and support victims of child trafficking.	2017 – 2019

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In 2019, Serbia made a moderate advancement in efforts to eliminate the worst forms of child labor. During the reporting period, the government implemented the Law on Simplified Hiring of Seasonal Labor in Certain Economic Areas to regulate seasonal work, including in agriculture where child labor occurs. The City of Belgrade also opened a shelter to provide services to street children. In addition, the government identified 21 child trafficking victims and 32 child labor violations. However, children in Serbia engage in the worst forms of child labor, including in forced begging and commercial sexual exploitation, each sometimes as a result of human trafficking. Children also perform dangerous tasks in street work. Serbia's laws do not treat 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. In addition, investigations and prosecutions of child labor crimes significantly decreased in 2019 compared with 2018.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Serbia engage in the worst forms of child labor, including in forced begging and commercial sexual exploitation, each sometimes as a result of human trafficking. Children also perform dangerous tasks in street work. (4,5) 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	15.1 (Unavailable)
Attending School (%)	5 to 14	94.7
Combining Work and School (%)	7 to 14	17.4
Primary Completion Rate (%)		98.7

Source for primary completion rate: Data from 2018, published by UNESCO Institute for Statistics, 2020. (6)

Source for all other data: International Labor Organization's analysis of statistics from Multiple Indicator Cluster Survey 5 (MICS 5), 2014. (7)

Based on a review of available information, Table 2 provides an overview of children's work by sector and activity.

Table 2. Overview of Children's Work by Sector and Activity

Sector/Industry	Activity
Agriculture	Farming, activities unknown (5)
	Forestry, activities unknown (8)
	Fishing, activities unknown (8)
Industry	Manufacturing, activities unknown (9)
	Construction, activities unknown (10)
Services	Street work, including washing cars, collecting scrap material, vending, and begging (1,5,9,11,12)
	Wholesale and retail trade (8-11)
	Working in food service, information and communication, and transportation and storage (5,9,10)
Categorical Worst Forms of Child Labor‡	Commercial sexual exploitation, sometimes as a result of human trafficking(4,5,9,10,13)
	Forced begging, sometimes as a result of human trafficking (4,5,9,10,13,14)
	Use in the production of pornography, sometimes as a result of human trafficking (5,10,12)
	Domestic work, sometimes as a result of human trafficking (15,16)
	Use in illicit activities, including in petty crime (4,9,12-14,17)

‡ Child labor understood as the worst forms of child labor *per se* under Article 3(a)–(c) of ILO C. 182.

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Children from Serbia, particularly those from Roma communities, are victims of domestic human trafficking to engage in the worst forms of child labor, including commercial sexual exploitation. (4,9,13,14) Girls, Roma children, and children from low-income families in rural communities are most vulnerable to child labor, including trafficking in persons. (1,18)

Undocumented migrants are at a significantly higher risk of human trafficking for the purposes of labor or sexual exploitation. (52) In 2019, UNHCR encountered 30,216 migrants arriving in Serbia, many of whom were unaccompanied children. (19) Asylum seekers and grantees are allowed to access free primary and secondary education in Serbia. (1,20) In addition, Serbia has social programs to assist migrant children with access to education. (15,20-22)

Some Roma, Ashkali, and Balkan Egyptian children experience challenges in obtaining birth registration, which may make school enrollment difficult and increases their vulnerability to engage in child labor. (9,23-28) Although the government has a program to increase the attendance of Roma children in preschool, and the law allows children to enroll in school without identity documents, economic hardship, ethnic discrimination, language barriers, disabilities, and placement in non-mainstream schools sometimes discourage Romani children, especially girls, from attending school. (9,23-30) In addition, Roma children are more likely to begin school at a later age and drop out of school more frequently than their non-Roma peers. (9,24)




Constitutional and legal protections prohibit discrimination against individuals with disabilities in the education system. (23,31,32) However, some individuals with disabilities, especially Roma children, face difficulties in accessing education due to social prejudices. (23,27,28,33,34)

Reports indicate some children are being recruited to participate in non-state-affiliated military training camps at which they learn how to use weapons and other basic paramilitary skills. (35-38) In 2019, pictures surfaced online indicating that the camps were still in operation despite a local government announcement that they were disbanded. (36)

II. LEGAL FRAMEWORK FOR CHILD LABOR

Serbia has ratified all key international conventions concerning child labor (Table 3).

Table 3. Ratification of International Conventions on Child Labor

Convention	Ratification
 ILO C. 138, Minimum Age	✓
ILO C. 182, Worst Forms of Child Labor	✓
 UN CRC	✓
UN CRC Optional Protocol on Armed Conflict	✓
UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	✓
 Palermo Protocol on Trafficking in Persons	✓

The government has established laws and regulations related to child labor (Table 4). However, gaps exist in Serbia'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 24 of the Labor Law; Article 66 of the Constitution (31,39)
Minimum Age for Hazardous Work	Yes	18	Article 25 of the Labor Law; Article 66 of the Constitution (31,39)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Articles 25, 84, and 87–88 of the Labor Law; Regulation on Hazardous Labor of Children (39,40)
Prohibition of Forced Labor	Yes		Article 390 of the Criminal Code; Article 26 of the Constitution (31,41)
Prohibition of Child Trafficking	Yes		Article 388 of the Criminal Code; Article 26 of the Constitution (31,41)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Articles 112 and 183–185 of the Criminal Code (41)
Prohibition of Using Children in Illicit Activities	No		Article 388 of the Criminal Code (41)
Minimum Age for Voluntary State Military Recruitment	Yes	18	Article 39 of the Law on the Army (42)
Prohibition of Compulsory Recruitment of Children by (State) Military	N/A*		Article 4 of the Law on Military, Labor, and Material Obligation (43)
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 (44)
Compulsory Education Age	Yes	15‡	Article 71 of the Constitution; Articles 94 and 98 of the Law on the Foundations of the Education System (31,45)
Free Public Education	Yes		Article 71 of the Constitution; Article 91 of the Law on the Foundations of the Education System (31,45)

* No conscription (43)

‡ Age calculated based on available information (31,44)

In January 2019, Parliament implemented the new Law on Simplified Hiring of Seasonal Labor in Certain Economic Areas. (5,9,46) The Law regulates seasonal work, including in agriculture, and specifies that a work contract be required to employ minors. (46) In addition, the Department for Family Care has continued drafting the Law on Children’s Rights and Child Ombudsman that would create an Ombudsman for Children’s Rights, establish a new agency to oversee the protection of children’s rights in government agencies, and would increase other protections for children. (5,9,47)

Serbia’s law does not treat child beggars as victims, but rather as perpetrators and offenders. (5,48,76) In addition, Serbian law does not criminally prohibit use of a child in illicit activities except when it results from human trafficking. (41)

III. ENFORCEMENT OF LAWS ON CHILD LABOR

The government has established institutional mechanisms for the enforcement of laws and regulations on child labor (Table 5). However, gaps exist within the operations of the Ministry of Labor, Employment, Veteran, and Social Affairs (MOLEVSA) that may hinder adequate enforcement of child labor laws.

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Table 5. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
Ministry of Labor, Employment, Veteran, and Social Affairs (MOLEVSA)	Through the Labor Inspectorate, inspects businesses, including unregistered businesses. Per mandate established by the Special Protocol of Labor Inspection for Protecting Children Against Child Labor, receives and investigates child labor complaints and informs Centers for Social Work of child labor violations. (5,9,49) Has internal sub-units that focus on the protection of children with disabilities and children working on the street. (5) Through the Center for Human Trafficking Victims' Protection (CPTV), MOLEVSA identifies victims of child trafficking and those at risk, conducts needs assessments, contributes to trafficking research projects, and refers victims to social services. (17) CPTV is divided into two parts: the Agency for Coordination of Protection of Trafficking Victims and the new Urgent Reception Center, which opened in early 2019. (13,16,23) In addition, CPTV works with state institutions, international organizations, and NGOs on human trafficking prevention and protection efforts and activities. (23) In 2019, CPTV identified 29 victims of human trafficking, 21 of whom were minors. (5)
Ministry of the Interior (MOI)	Oversees the General Police Directorate and enforces laws prohibiting commercial sexual exploitation and human trafficking through the Criminal Police Department. (14,17,50) Informs the Centers for Social Work of any child labor violations found. (5,16) In 2019, MOI completed the transfer of jurisdiction of human trafficking law enforcement from the Border Police Department to the Criminal Police Department. (5) The move was done to improve human trafficking investigation techniques. (13,23)
Republic Public Prosecutor's Office	Leads investigations on human trafficking cases and exchanges information through a network of 27 local prosecutors and NGOs. Provides financial support to CPTV. (5)
Parliamentary Committee on Children	Reviews draft legislation and monitors the implementation of laws pertinent to children's rights. (5)
Deputy Ombudsman for Children's Rights, Office of the Protector of Citizens	Monitors and conducts research on the situation of children's rights in Serbia. Produces reports on child begging, promotes inclusive education and legal prohibition of corporal punishment, and manages draft laws on children's rights for parliamentary approval. (5)

Social Welfare Centers (SWCs) provide social services, track the number of street children, and receive labor violations from MOLEVSA and the Ministry of the Interior. According to the MOLEVSA, the SWCs are significantly overburdened. (5,9)

Labor Law Enforcement

In 2019, labor law enforcement agencies in Serbia took actions to combat child labor (Table 6). However, gaps exist within the operations of MOLEVSA that may hinder adequate labor law enforcement, including labor inspector training.

Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2018	2019
Labor Inspectorate Funding	\$3,483,536 (9)	\$3,453,170 (5)
Number of Labor Inspectors	240 (9)	236 (51)
Inspectorate Authorized to Assess Penalties	Yes (9)	Yes (5)
Initial Training for New Labor Inspectors	No (9)	N/A (5)
Training on New Laws Related to Child Labor	Yes (9)	Yes (5)
Refresher Courses Provided	No (9)	Yes (5)
Number of Labor Inspections Conducted	70,122† (52)	77,806 (51)
Number Conducted at Worksite	70,122† (52)	77,806 (51)
Number of Child Labor Violations Found	39 (52)	33 (51)
Number of Child Labor Violations for Which Penalties Were Imposed	15 (52)	20 (5)
Number of Child Labor Penalties Imposed that Were Collected	Unknown (9)	Unknown (5)
Routine Inspections Conducted	Yes (9)	Yes (5)
Routine Inspections Targeted	Yes (52)	Yes (5)
Unannounced Inspections Permitted	Yes (9)	Yes (5)
Unannounced Inspections Conducted	Yes (9)	Yes (5)
Complaint Mechanism Exists	Yes (9)	Yes (5)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (9)	Yes (5)

† Data are from January 2018 to December 2018.

Labor inspectors are responsible for inspecting registered and unregistered businesses, including businesses within the agricultural sector. (9) The Labor Inspectorate utilizes a work plan for inspections that is drafted at the beginning of each year, and targets high-risk sectors in which child labor is known to occur, such as in agriculture and construction. (9,53) 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 Social Welfare Centers (SWCs) on cases of child labor. (9,10,54)

In 2019, the Labor Inspectorate identified 32 child labor violations, one of which involved an individual under 15 years of age. The Labor Inspectorate issued 6 decrees for a minor to stop working and filed 13 misdemeanor charges against employers. (5)

The Labor Inspectorate has designated experts on child labor at each of its branches to provide training to other inspectors. However, new labor inspectors do not receive formal training but are trained instead on-the-job by working alongside seasoned inspectors. According to the ILO, this informal training may be inadequate without also including formal training. (5)

During the reporting period, the government adopted a 2020 budget that includes authorization to hire 40 new inspectors and purchase new vehicles over the next 2 years to facilitate the level of travel necessary for conducting countrywide worksite inspections. (5)

Criminal Law Enforcement

In 2019, criminal law enforcement agencies in Serbia took actions to combat child labor (Table 7). However, gaps exist within the operations of the criminal enforcement agencies that may hinder adequate criminal law enforcement, including financial resource allocation.

Table 7. Criminal Law Enforcement Efforts Related to Child Labor

Overview of Criminal Law Enforcement	2018	2019
Initial Training for New Criminal Investigators	Yes (2)	Unknown
Training on New Laws Related to the Worst Forms of Child Labor	Yes (13)	No (5)
Refresher Courses Provided	Yes (52)	No (5)
Number of Investigations	22 (9)	30 (51)
Number of Violations Found	4 (9)	26 (51)
Number of Prosecutions Initiated	21 (9)	15 (51)
Number of Convictions	19 (9)	5 (51)
Imposed Penalties for Violations Related to The Worst Forms of Child Labor	25 (9)	5 (51)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (9)	Yes (5)

Training on identifying human trafficking is provided as a part of the general police curriculum given to law enforcement officials who process immigration cases. (52) Continuous training on identifying human trafficking is also provided to one public prosecutor in each of the 25 Higher Public Prosecutor's Offices. (5) However, sources indicated that some agencies responsible for investigation of trafficking in persons cases lack funding. (5)

The SWCs, the primary provider of social services to human trafficking victims, assist with child trafficking cases. (17)

IV. COORDINATION OF GOVERNMENT EFFORTS ON CHILD LABOR

The government has established mechanisms to coordinate its efforts to address child labor (Table 8). However, gaps exist that hinder adequate coordination of efforts to address child labor, including efficacy in accomplishing mandates.

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Table 8. Key Mechanisms to Coordinate Government Efforts on Child Labor

Coordinating Body	Role & Description
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. (55) In December 2019, had a meeting to finalize the strategy for combating child labor for 2020–2023. (5)
National Council for Combating Trafficking in Human Beings	Sets government policies on trafficking in persons, chaired by MOI. Drafts updated annual SOP for the Center for Human Trafficking Victims' Protection. (5) The National Coordinator for Combating Trafficking in Persons acts as the Secretary of the Council and manages the work of the implementation team. (17) In February 2019, the Council opened an Urgent Reception Center for victims of human trafficking, which accepted its first participants in June 2019. During the reporting period, the Council prepared the 2020 SOP for final review and adoption by the government. (5)
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. (22) The group met quarterly throughout the reporting period. (51)

The position of National Coordinator for Combating Trafficking in Persons continues to experience constraints on time and financial resources. (23)

V. GOVERNMENT POLICIES ON CHILD LABOR

The government has established policies related to child labor (Table 9). However, policy gaps exist that hinder efforts to address child labor, including mainstreaming child labor issues into relevant Roma policies.

Table 9. Key Policies Related to Child Labor

Policy	Description
Roadmap for Eliminating Abuse of Child Labor in Serbia (2018–2022)	Creates a roadmap for eliminating the worst forms of child labor. Activities focus on the prevention and elimination of child abuse, support for children working on the streets and vulnerable families, the creation of a system within Social Welfare Centers (SWCs) to monitor and record risks of child labor, and continuous development for professional workers. (56) During the reporting period, the Center for Social Protection began collecting data on child labor as recommended by the ILO per the Roadmap's framework. (5)
Action Plan for Protection of Children from Violence (2018–2022)	Provides improved prevention, protection, and support for children against violence. (57,58) Part of the Roadmap for Eliminating Abuse of Child Labor in Serbia. Includes enhanced interventions for the protection of children from violence, including organizational mechanisms. (57) Research was unable to determine whether activities were undertaken to implement the policy during the reporting period.
Strategy for Preventing and Suppressing Human Trafficking and Action Plan (2017–2022)	Creates a legislative framework, budget, benchmarks, and strategic areas in need of improvement to combat trafficking in persons. (10,59) In 2019, in keeping with the strategy, MOI's Criminal Police assumed complete investigative authority for human trafficking cases from the Border Police. The National Trafficking Coordinator reports that this has increased Serbia's capacity to investigate cases of human trafficking. (5)
Protocol on Rules and Procedures for the Institutions and Organizations Working with Children Involved in Life and Work on the Streets of Belgrade	Aims to enhance institutional cooperation among MOI, the Criminal Police Directorate, the Communal Police, city SWCs, the City Secretariat for Education, the City Secretariat for Health, and civil society organizations. (62) Defines street children, worst forms of child labor, child work, and child trafficking. (1,62) Stipulates lead institutions, rules, and procedures for interacting with street children. Save the Children is funding the first round of training on the Protocol. (1) In 2019, the city of Belgrade opened a shelter to house children engaged in street work. (5,52)
National Strategy for Roma Inclusion (2016–2025)	Seeks to include representatives from Roma communities in policy implementation and aims to improve access to education for Roma population in Serbia, including access to preschool. (63) In addition, the government adopted the Action Plan for the Strategy for Social Inclusion of Roma Men and Women for 2017–2018, which mandates the inclusion of Roma in education and employment. (20) In 2019, Serbia recorded increased primary school enrollment for Roma children. (5)

Child labor elimination and prevention strategies do not appear to have been integrated into the National Strategy for Roma Inclusion (2016–2025). (11)

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2019, the government funded and participated in programs that include the goal of eliminating or preventing child labor (Table 10). However, gaps exist in these social programs, including the adequacy of programs to address the full scope of the problem.

Table 10. Key Social Programs to Address Child Labor

Program	Description
Access to Education Programs†	The Inclusive Early Childhood Education and Care program is a World Bank, Ministry of Finance, and Ministry of Education, Science, and Technological Development project that aims to improve access to early childhood education for socially disadvantaged children. (70) In 2019, a bylaw was adopted defining procedures for internal and external evaluation to improve program efforts. (5) The Child Allowance program is a government cash benefits program for poor families, conditional on school enrollment for children ages 7 and older. (9)
Assistance to Roma Children in Education*	A Ministry of Education, Science, and Technological Development policy that seeks to improve the school attendance rate of Roma children. In 2019, school attendance rates for Roma children improved. (5) Includes the Law on the Foundations of the Education System, which encompasses affirmative action measures to improve participation and performance of Roma children in the education system. (9)
Belgrade Children's Shelter†*	A social welfare institution funded by the City of Belgrade; opened in 2019. (5) Caters to vulnerable children 7 to 18 years of age. Provides accommodation services and daytime shelter services to meet the needs of young people and street children from which they are referred to competent social work centers and judicial authorities. (5)
Strengthening the Identification and Protection of Victims of Trafficking†	An IOM, CPTV, and MOI project that contributes to the implementation of the National Anti-Trafficking Strategy by improving mechanisms for the prevention and identification of victims of human trafficking. (24) In 2018, MOI, MOLEVSA, and the Public Prosecution Office signed a Memorandum on Cooperation in the Field of Suppression of Human Trafficking and the Rights Protection of Human Trafficking Victims. (9,71) The Memorandum defines mutual rights in the identification of human trafficking, assistance and protection of victims, and statistical reporting. (13,71) In 2019, the "Fundamentals of Child Safety" program was implemented via 3,848 lectures held at primary schools discussing the prevention and protection of children from human trafficking. During the lectures, the mobile phone application "Basics of Child Safety" was presented and 50,000 handbooks on child safety were distributed to children and educators. (51)
Measurement, Awareness-Raising, and Policy Engagement (MAPI6) Project on Child Labor and Forced Labor	The government collaborates with the ILO to implement the USDOL-funded MAPI6 project in Serbia. Specific goals of the program include improving application of knowledge in support of efforts to eliminate child labor; strengthening the policy-making process; improving the capacity of the government, national authorities, employers' and workers' organizations, and other relevant entities to combat child labor; and strengthening partnerships to accelerate progress in combatting child labor. (5,67-69)

* Program was launched during the reporting period.

† Program is funded by the Government of Serbia.

‡ The government had other social programs that may have included the goal of eliminating or preventing child labor. (9, 13,72)

The Government of Serbia has implemented programs on child labor and inclusive education. In 2019, the government took steps to assist children living and working in the streets by opening the Belgrade Children's Shelter. (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 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 – 2019
	Ensure that the law criminally prohibits the use of children in illicit activities, including in the production and trafficking of drugs.	2019
	Ensure that the Law on Children's Rights and Child Ombudsman is passed.	2019
Enforcement	Ensure that staff members at the Social Welfare Centers have sufficient resources, such as personnel and funding, to address the specific needs of child trafficking victims.	2015 – 2019
	Ensure that children are not recruited by non-state armed groups, including to participate in non-state-affiliated military training camps.	2019
	Train new labor inspectors on child labor.	2015 – 2019
	Ensure that criminal investigators and agencies combating trafficking in persons have the necessary funding to conduct thorough investigations.	2010 – 2019

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Table 11. Suggested Government Actions to Eliminate Child Labor (Cont.)

Area	Suggested Action	Year(s) Suggested
Coordination	Ensure that the National Coordinator for Combating Trafficking in Persons has a level of financial support that facilitates efforts to eliminate child labor.	2019
Government Policies	Integrate child labor elimination and prevention strategies into the National Strategy for Roma Inclusion.	2017 – 2019
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 – 2019

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In 2019, Sierra Leone made a moderate advancement in efforts to eliminate the worst forms of child labor. In early 2020, the government officially overturned a 10-year-old policy that prohibited pregnant girls from attending regular public schools or taking secondary and post-secondary school entrance exams. The government also published a report on the results of a 2018 household-level survey on child labor and employment. However, children in Sierra Leone engage in the worst forms of child labor, including in the mining sector and in commercial sexual exploitation, sometimes as a result of human trafficking. Children also perform dangerous tasks in quarrying stone and fishing. The types of hazardous work prohibited for children do not cover all sectors where 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 engage in the worst forms of child labor, including in the mining sector and in commercial sexual exploitation, sometimes as a result of human trafficking. Children also perform dangerous tasks in quarrying stone and fishing. (1) 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. (1,2) Table 1 provides key indicators on children's work and education in Sierra Leone.

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 (%)		81.8

Source for primary completion rate: Data from 2018 published by UNESCO Institute for Statistics, 2020. (3)

Source for all other data: International Labor Organization's analysis of statistics from the Demographic and Health Survey, 2017. (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	Cultivation of cassava, coffee, cocoa, palm oil, peanuts, and rice (1,5)
	Fishing, including deep-sea fishing,† mending nets, and working on boats in the open sea† (1)
Industry	Mining† for alluvial diamonds, sand, and gold, including loading gravel in sacks or basins, carrying sacks on their heads, washing, and sieving (1)
	Quarrying† and crushing stone, including granite, and transporting gravel (1)
	Construction, activities unknown (1)
	Manufacturing,† activities unknown (1,2,6)
Services	Scavenging scrap metals and recyclable materials from dumpsites (1,7-9)
	Domestic work (1,9)
	Street work, including begging, trading, and selling goods (1,9,10)
	Portering, including carrying heavy loads† (1)
	Working as apprentices, including in auto repair shops and on transportation vehicles, including mini buses and motorbike taxis (9,11)

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Table 2. Overview of Children’s Work by Sector and Activity (Cont.)

Sector/Industry	Activity
Categorical Worst Forms of Child Labor†	Forced begging, sometimes as a result of human trafficking (1,12)
	Forced domestic work, sometimes as a result of human trafficking (1,12)
	Commercial sexual exploitation, sometimes as a result of human trafficking (1,12)
	Forced labor at street hawking, domestic work, mining, agriculture, scavenging for scrap metal, and motorbike taxi driving, granite and alluvial diamond mines, sometimes as a result of human trafficking (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.




Sierra Leone is a source, transit, and destination country for children trafficked for forced labor and commercial sexual exploitation. (13-15) Sierra Leone has a form of internal child trafficking called “*men pikin*,” meaning foster care in Krio, in which family members send children with promises of better educational opportunities to relatives in urban areas. However, some children are instead subjected to forced labor, including in street hawking, domestic work, mining, agriculture, scavenging for scrap metal, and motorbike taxi driving. Some children sent to Koranic schools are trafficked for labor exploitation. (9) In addition, LGBTQI children are at a higher risk for human trafficking. (16) There are also reports that children, mostly boys ages 5–17, are forced to mine for diamonds for long hours in hazardous conditions, sometimes without pay. (13-15)

In December, the Economic Community of West African States ruled that Sierra Leone’s policy, which prohibited pregnant girls from attending regular public schools or taking secondary and post-secondary school entrance exams, was illegal. Since that time, the government has allowed pregnant girls to take secondary and post-secondary school entrance exams, and on March 30, 2020, the government officially overturned its policy that prevented pregnant girls from attending school and taking entrance exams. (1,17,18) Despite government initiatives to make education free through secondary school, substantial barriers remain, including a lack of schools and teachers, limited transportation to schools, and sexual abuse by teachers. (1,19-21) However, the government enacted the Sexual Offenses Amendment Act in 2019, which provides harsher punishments for offenders, which may lessen a barrier to education. (22) The government also conducted a survey of household data throughout the country; however, the data were not disaggregated to illustrate the level of child labor found in Sierra Leone. (2)

II. LEGAL FRAMEWORK FOR CHILD LABOR

Sierra Leone has ratified all key international conventions concerning child labor (Table 3).

Table 3. Ratification of International Conventions on Child Labor

Convention	Ratification
 ILO C. 138, Minimum Age	✓
ILO C. 182, Worst Forms of Child Labor	✓
 UN CRC	✓
UN CRC Optional Protocol on Armed Conflict	✓
UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	✓
 Palermo Protocol on Trafficking in Persons	✓

The government has established laws and regulations related to child labor (Table 4). However, gaps exist in Sierra Leone’s legal framework to adequately protect children from the worst forms of child labor, including the lack of specific provisions on light work.

Table 4. Laws and Regulations on Child Labor

Standard	Meets International Standards	Age	Legislation
Minimum Age for Work	Yes	15	Section 125 of the Child Right Act; Section 52 of Chapter 212, Employers and Employed Act (23,24)
Minimum Age for Hazardous Work	Yes	18	Section 128 of the Child Right Act; Sections 47–56 of Chapter 212, Employers and Employed Act (23,24)
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 (23-25)
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 (26,27)
Prohibition of Child Trafficking	Yes		Part II, Section 2, and Part IV, Sections 14–15 and 21 of the Anti-Human Trafficking Act; Section 60 of the Child Right Act (23,26)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Sections 19–34 of the Sexual Offenses Act; Part II, Section 2, of the Anti-Human Trafficking Act (22,26,28)
Prohibition of Using Children in Illicit Activities	Yes		Sections 7 and 13 of the National Drugs Control Act (29)
Minimum Age for Voluntary State Military Recruitment	Yes	18	Section 28 of the Child Right 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	Yes	15	Section 3 of the Education Act; Section 125 of the Child Right Act (23,30)
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 (23,27,30)

* No conscription (29)

Although Sierra Leone's Child Right Act identifies areas of hazardous work prohibited for children, such as portage of heavy loads, going to sea, and working in places in which machines are used, the types of hazardous work identified do not include, among others, street work. (15,23,24,) Furthermore, children may be exposed to hazardous conditions while working in agriculture and domestic work. (15,23,24,31)

The Child Right Act sets the minimum age for light work at age 13; however, it is not specific enough to prevent children from involvement in child labor because it does not limit the number of hours per week for light work, determine the activities in which light work may be permitted, or specify the conditions in which light work may be undertaken. (32)

III. ENFORCEMENT OF LAWS ON CHILD LABOR

The government has established institutional mechanisms for the enforcement of laws and regulations on child labor (Table 5). However, gaps exist within the operations of the Ministry of Labor and Social Security (MLSS) that may hinder adequate enforcement of their child labor laws.

Table 5. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
Ministry of Labor and Social Security (MLSS)	Formulates, implements, and monitors compliance with child labor regulations through its Child Labor Unit. (1) MLSS District Labor Officers enforce labor laws in the formal sector. (1) In October 2019, the Ministry of Labor embarked on nationwide sensitization and popularization of the labor migration policy, impacting child labor. (33)
Ministry of Justice's Director of Public Prosecution	Responsible for undertaking criminal proceedings, including enforcement of criminal laws against forced child labor; child trafficking, commercial sexual exploitation, recruitment and use of child soldiers, and use of children in illicit activities. (1)

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Table 5. Agencies Responsible for Child Labor Law Enforcement (Cont.)

Organization/Agency	Role
Ministry of Mines and Mineral Resources	Enforces regulations against the use of child labor in mining. Authorized to suspend licenses of mining operators found using child labor. (1,24)
Ministry of Gender and Children's Affairs (MGCA)	Serves as the umbrella agency to oversee child protection issues, including child labor. (1,31) In November 2019, President Bio announced the split of the Ministry of Social Welfare, Gender, and Children Affairs (MSWGCA) into the Ministry of Social Welfare (MSW) and the Ministry of Gender and Children's Affairs (MGCA). (1,33)
Ministry of Internal Affairs' Police and Transnational and Organized Crime Unit	The Sierra Leone Police lead the investigation and prosecution of sexual abuse, domestic violence, and child abuse through Family Support Units, which are mandated to minimize and eradicate the incidence of sexual abuse, domestic violence, and child abuse. (1) Transnational Organized Crime Unit (TOCU) enforces human trafficking laws and provides statistical data and general information on particular cases of human trafficking. (1)

The Child Right Act requires the establishment of a Child Welfare Committee in every village and chiefdom, however, research indicates that these committees have been established in only a few parts of the country due to budgetary constraints. (33,35,36) The Ministries of Social Welfare and Justice lead the TIP Task Force. (33)

Labor Law Enforcement

In 2019, labor law enforcement agencies in Sierra Leone took actions to combat child labor (Table 6). However, gaps exist within the operations of the MLSS that may hinder adequate labor law enforcement, including labor inspector training.

Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2018	2019
Labor Inspectorate Funding	Unknown (13)	\$475,600 (1)
Number of Labor Inspectors	27 (15)	30 (1)
Inspectorate Authorized to Assess Penalties	Yes (13)	Yes (1)
Initial Training for New Labor Inspectors	Yes (13)	Yes (1)
Training on New Laws Related to Child Labor	N/A	N/A (1)
Refresher Courses Provided	No (13)	No (1)
Number of Labor Inspections Conducted	350 (13)	450 (1)
Number Conducted at Worksite	350 (13)	450 (1)
Number of Child Labor Violations Found	0 (13)	0 (1)
Number of Child Labor Violations for Which Penalties Were Imposed	0 (13)	N/A (1)
Number of Child Labor Penalties Imposed that Were Collected	N/A	N/A (1)
Routine Inspections Conducted	Yes (13)	Yes (1)
Routine Inspections Targeted	Yes (13)	Unknown (1)
Unannounced Inspections Permitted	Yes (13)	Yes (1)
Unannounced Inspections Conducted	Yes (13)	Yes (1)
Complaint Mechanism Exists	No (13)	No (1)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	No (13)	No (1)

The number of labor inspectors is likely insufficient for the size of Sierra Leone's workforce, which includes more than 2.9 million workers. According to the ILO's technical advice of a ratio approaching 1 inspector for every 40,000 workers in least developed economies, Sierra Leone would employ about 75 inspectors. (37,38) In addition to the insufficient number of inspectors, enforcement of child labor laws remains challenging due to insufficient training and the lack of resources for inspections. (1) Although the Ministry of Mines and Mineral Resources can conduct inspections of mines and revoke licenses from license holders who are found to be using child labor, reports indicate that a limited number of inspectors and a lack of funding may have hindered the enforcement of these laws in the diamond-mining sector. (13,16,24,32) Routine inspections were conducted only in the formal sector. The MLSS inspected the construction, agriculture, mining, manufacturing, and fishing industries. Labor inspections were not conducted in the informal economy in which most child labor is known to occur. (1)

Criminal Law Enforcement

In 2019, criminal law enforcement agencies in Sierra Leone took actions to combat child labor (Table 7). However, gaps exist within the operations of the criminal enforcement agencies that may hinder adequate criminal law enforcement, including lack of data on criminal law enforcement efforts.

Table 7. Criminal Law Enforcement Efforts Related to Child Labor

Overview of Criminal Law Enforcement	2018	2019
Initial Training for New Criminal Investigators	Yes (13)	Yes (1)
Training on New Laws Related to the Worst Forms of Child Labor	N/A	No (1)
Refresher Courses Provided	No (13)	No (1)
Number of Investigations	0 (13)	0 (1)
Number of Violations Found	Unknown (13)	Unknown (1)
Number of Prosecutions Initiated	Unknown (13)	Unknown (1)
Number of Convictions	Unknown (13)	Unknown (1)
Imposed Penalties for Violations Related to The Worst Forms of Child Labor	Unknown (15)	Unknown (1)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (13)	Yes (1)

Reports indicate that criminal law enforcement in Sierra Leone, particularly efforts to address human trafficking, is hampered by a lack of coordination, limited funding, and a lack of training of law enforcement personnel and the judiciary. (1) The government does not provide information on the number of violations found, prosecutions initiated, convictions, or whether it imposed penalties for violations related to the worst forms of child labor. (1,15) On February 11, 2020, and for the first time in 15 years, the High Court of Sierra Leone convicted perpetrators of human trafficking. (39)

IV. COORDINATION OF GOVERNMENT EFFORTS ON CHILD LABOR

The government has established mechanisms to coordinate its efforts to address child labor (Table 8). However, gaps may exist that hinder the effective coordination of efforts to address child labor, including efficacy in accomplishing mandates.

Table 8. Key Mechanisms to Coordinate Government Efforts on Child Labor

Coordinating Body	Role & Description
National Technical Steering Committee on Child Labor	Coordinates efforts to address child labor. (1) Led by MLSS and MGCA and includes representatives from 10 other government agencies, international organizations, and NGOs. As part of the National Technical Steering Committee on Child Labor, the National Commission for Children advises the government on ways to improve child welfare. (1)
National Trafficking in Persons Task Force	Coordinates the needs and requirements of agencies that provide shelter and services for human trafficking victims, gathers data on reported human trafficking cases, and meets regularly to develop policies related to child trafficking. During the reporting period, the Government of Sierra Leone made efforts to increase funding to fight human trafficking. (1)
Child Welfare Committees	Promote awareness of children's rights and report child welfare concerns to officials responsible for children's issues. Provide recommendations on the support of village children and address complaints and concerns by village inhabitants. (1,34,35)

During the reporting period, Child Welfare Committees in all district capitals across the country were active monitoring mining sites.

V. GOVERNMENT POLICIES ON CHILD LABOR

The Government of Sierra Leone has established policies related to child labor (Table 9). However, gaps exist that hinder efforts to address child labor, including the lack of policies that cover all worst forms of child labor.

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Table 9. Key Policies Related to Child Labor

Policy	Description
National Action Plan on Human Trafficking (2015–2020)	Includes strategies to address human trafficking through prevention efforts, victim identification, protection and referral of victims to services, training of personnel, and government coordination and monitoring. (1,14) In 2019, this plan was implemented. Among the activities during the reporting period include providing temporary housing to TIP survivors and training social welfare personnel in TIP caregiving and police in victim identification. (33)

‡ The government had other policies that may have addressed child labor issues or had an impact on child labor. (1,19,40)

Although the Government of Sierra Leone has adopted the National Action Plan on Human Trafficking, research found no evidence of a policy on other worst forms of child labor.

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2019, the government funded and participated in programs that include the goal of eliminating or preventing child labor (Table 10). However, gaps exist in these social programs, including the adequacy of programs to address the problem in all sectors.

Table 10. Key Social Programs to Address Child Labor

Program	Description
Child Trafficking Shelters†	Government-funded program that refers child trafficking victims to privately run shelters that house child victims of forced labor and human trafficking. (41) In 2019, the government provided World Hope International with a building to be used as a recovery and rehabilitation shelter for human trafficking victims. (1)
Free Quality School Education (2018–2023)	Program that covers the costs of school tuition and fees, food programs in remote communities, textbooks, and some teaching materials. (1) In 2019, 21 percent of the national budget was allocated to implement this program, which increased access to primary, secondary, vocational, and university education. (1) President Bio, Vice President Jalloh, and other government officials each donated 3 months of their salaries to establish a government program to pay for textbooks, eliminate school fees, and train teachers in an effort to support free public primary and secondary education for more than 2 million students. (13,17,18,42,43) Immediately after implementation, school enrollment at the primary and secondary school levels increased. (33)

† 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. (44,45)

Sierra Leone has insufficient and under-funded shelters and safe houses for children who have been withdrawn from working on the streets or in forced labor. (6,14,25)

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 law criminally prohibits the recruitment of children under age 18 by non-state armed groups.	2016 – 2019
	Ensure that children are protected from hazardous work in sectors that have dangerous conditions and in which child labor is known to occur, including in agriculture and domestic work.	2014 – 2019
	Ensure that the law's light work provisions are specific enough to prevent children's involvement in child labor.	2015 – 2019
	Establish a complaint and reciprocal referral mechanism for labor law enforcement efforts.	2015 – 2019
	Increase the number of labor inspectors to meet ILO's technical advice.	2011 – 2019
	Provide labor law and criminal law enforcement officials with sufficient resources to adequately enforce labor laws throughout the country.	2012 – 2019
	Enforce laws prohibiting child labor in mining, particularly in the diamond mining sector.	2015 – 2019

Table 11. Suggested Government Actions to Eliminate Child Labor (Cont.)

Area	Suggested Action	Year(s) Suggested
Legal Framework	Publish information on the number of labor law violations found and routine inspections targeted as well as criminal violations found, prosecutions initiated, convictions obtained, and whether penalties were imposed for the worst forms of child labor.	2011 – 2019
	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 – 2019
Coordination	Ensure that the National Trafficking in Persons Task Force, and all government bodies, are active and able to adequately coordinate anti-child labor efforts.	2018 – 2019
	Ensure that Village Child Welfare Committees are established and operational in all areas.	2014 – 2019
	Adopt policies to address child labor in relevant sectors, such as mining, quarrying, and commercial sexual exploitation.	2019
Social Programs	Ensure that data for household surveys are disaggregated so the prevalence of child labor in Sierra Leone is known.	2019
	Institute programs to address child labor in the education sector by providing transportation, increasing the number of schools, and eliminating abuse by teachers.	2013 – 2019
	Increase the availability of and funding for shelters and safe houses for victims of forced labor and for children removed from street work.	2009 – 2019
	Institute programs to address child labor in the sectors of agriculture, domestic work, and street vending.	2019

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In 2019, the Solomon Islands made a minimal advancement in efforts to eliminate the worst forms of child labor. The Anti-Human Trafficking Advisory Committee was fully established and began meeting quarterly to coordinate the government's anti-human trafficking efforts. Further, the government actively investigated two child sex trafficking cases involving five children. However, children in the Solomon Islands are engaged in the worst forms of child labor, including in commercial sexual exploitation, sometimes as a result of human trafficking. Children also perform dangerous tasks in the harvesting of palm oil fruits. The minimum age for employment does not meet international standards, and the government has not comprehensively identified the hazardous occupations prohibited for children. In addition, education is not compulsory, which increases children's vulnerability to child labor exploitation.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in the Solomon Islands are engaged in 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 the harvesting of palm oil fruits. Table 1 provides key indicators on children's work and education in the Solomon Islands. Data on some of these key indicators are not available from the sources used in this report.

Table 1. Statistics on Children's Work and Education

Children	Age	Percent
Working (% and population)	5 to 14	Unavailable
Attending School (%)	5 to 14	Unavailable
Combining Work and School (%)	7 to 14	Unavailable
Primary Completion Rate (%)		86.8

Source for primary completion rate: Data from 2018, published by UNESCO Institute for Statistics, 2020. (6)
Data were unavailable from International Labor Organization's analysis, 2020. (7)

Based on a review of available information, Table 2 provides an overview of children's work by sector and activity.

Table 2. Overview of Children's Work by Sector and Activity

Sector/Industry	Activity
Agriculture	Working on plantations, including harvesting palm oil fruits (5)
	Harvesting sea cucumbers, including diving in deep water (3,5)
Industry	Alluvial mining† (5)
	Furniture construction (5)
	Construction on roads and buildings, including making bricks (5)
Services	Domestic work, including working as cooks (3,5)
	Scavenging for cans and metal in garbage dumpsites, streets, and streams (2,5)
	Working in nightclubs, casinos, and motels (3,5)
Categorical Worst Forms of Child Labor‡	Commercial sexual exploitation, sometimes as a result of human trafficking (1-5,8-10)
	Use in illicit activities, including in the cultivation and trafficking of drugs (2,5)
	Forced domestic work and forced work as cooks (3,5,8)

† Determined by national law or regulation as hazardous and, as such, relevant to Article 3(d) of ILO C. 182.

‡ Child labor understood as the worst forms of child labor *per se* under Article 3(a)–(c) of ILO C. 182.

In the Solomon Islands, the commercial sexual exploitation of both boys and girls is prevalent near logging camps; near or aboard fishing vessels; and at hotels, casinos, and entertainment establishments. (1,4,5,8,11) Children are exposed to toxic pesticides on palm oil plantations while tending to, harvesting, and collecting palm oil fruits. In addition, children—mainly boys—are exposed to extreme water depths and temperatures while diving for sea

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cucumbers. (3,5) The government provides a nominal amount of funding towards its Fee Free Basic Education Policy for free education. Additional school fees, teacher absenteeism, and transportation limitations make it challenging for some children to access education. (5, 12) There are no nationally representative data available on the prevalence and nature of child labor in the Solomon Islands.

II. LEGAL FRAMEWORK FOR CHILD LABOR

The Solomon Islands has ratified some key international conventions concerning child labor (Table 3).

Table 3. Ratification of International Conventions on Child Labor

Convention	Ratification
 ILO C. 138, Minimum Age	✓
ILO C. 182, Worst Forms of Child Labor	✓
 UN CRC	✓
UN CRC Optional Protocol on Armed Conflict	
UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	
 Palermo Protocol on Trafficking in Persons	

The government has established laws and regulations related to child labor (Table 4). However, gaps exist in the Solomon Islands' legal framework to adequately protect children from the worst forms of child labor, including the minimum age for work and the minimum age for hazardous work.

Table 4. Laws and Regulations on Child Labor

Standard	Meets International Standards	Age	Legislation
Minimum Age for Work	No	12	Article 46 of the Labor Act (13)
Minimum Age for Hazardous Work	No		
Identification of Hazardous Occupations or Activities Prohibited for Children	No		Articles 47–49 of the Labor Act (13)
Prohibition of Forced Labor	Yes		Article 6 of the Constitution; Articles 251 and 256 of the Penal Code; Part 7 of the Immigration Act (14-16)
Prohibition of Child Trafficking	No		Part 7 of the Immigration Act; Article 145 of the Penal Code (15, 16)
Prohibition of Commercial Sexual Exploitation of Children	No		Articles 141 and 143–144 of the Penal Code (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		
Compulsory Education Age	No		
Free Public Education	No		

† No standing military (17)

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. (13) While the Labor Code prohibits all children under age 18 from working at night and regulates work in mines and on ships, it does not clearly establish a minimum age for hazardous work or delineate the type of work considered hazardous for all children. In addition, the legal framework does not prohibit dangerous work in scavenging or in agricultural activities for which there is evidence of children being exposed to injuries, extreme temperatures, or chemicals. (13, 18, 19)

The Penal Code includes heightened penalties if an offense is committed against a child, but has insufficient prohibitions against child trafficking because threats, the use of force, or other forms of coercion are required to be established for the crime of child trafficking. Furthermore, the laws on child commercial sexual exploitation are insufficient, as they do not include prohibiting pornographic performances. (16) Although there are no laws that provide free basic education, there is a policy that sufficiently provides for free basic education. (20)

III. ENFORCEMENT OF LAWS ON CHILD LABOR

The government has established institutional mechanisms for the enforcement of laws and regulations on child labor (Table 5). However, gaps exist within the operations of the Ministry of Commerce, Industry, Labor and Immigration that may hinder adequate enforcement of their child labor laws.

Table 5. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
Ministry of Commerce, Industry, Labor and Immigration	Enforces child labor laws. (5) Through the Immigration Division, leads efforts to combat human trafficking, including the trafficking of children. (21)
Royal Solomon Islands Police	Enforce criminal laws against the worst forms of child labor. (5) Lead investigations of internal human trafficking cases. (22)
Joint Monitoring and Investigation Team	Monitors and investigates cases of transnational human trafficking, specifically in the logging industry. Comprising representatives from the Immigration Division, the Royal Solomon Islands Police, Customs, and the Forestry Division. (21,23)

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. (5)

Labor Law Enforcement

Research did not find information on whether labor law enforcement agencies in the Solomon Islands took actions to combat child labor (Table 6).

Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2018	2019
Labor Inspectorate Funding	Unknown (18)	Unknown (5)
Number of Labor Inspectors	Unknown (18)	Unknown (5)
Inspectorate Authorized to Assess Penalties	No (13)	No (13)
Initial Training for New Labor Inspectors	Unknown (18)	Unknown (5)
Training on New Laws Related to Child Labor	Unknown (18)	Unknown (5)
Refresher Courses Provided	Unknown (18)	Unknown (5)
Number of Labor Inspections Conducted	Unknown (18)	Unknown (5)
Number Conducted at Worksite	Unknown (18)	Unknown (5)
Number of Child Labor Violations Found	Unknown (18)	Unknown (5)
Number of Child Labor Violations for Which Penalties Were Imposed	Unknown (18)	Unknown (5)
Number of Child Labor Penalties Imposed that Were Collected	Unknown (18)	Unknown (5)
Routine Inspections Conducted	Unknown (18)	Unknown (5)
Routine Inspections Targeted	Unknown (18)	Unknown (5)
Unannounced Inspections Permitted	Yes (13)	Yes (13)
Unannounced Inspections Conducted	Unknown (18)	Unknown (5)
Complaint Mechanism Exists	Unknown (18)	Unknown (5)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Unknown (18)	Unknown (5)

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 continue to hamper the labor inspectorate's capacity to enforce child labor laws, including a lack of budget transparency and enforcement efforts. (5)

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Criminal Law Enforcement

Research did not find information on whether criminal law enforcement agencies in the Solomon Islands took actions to combat child labor (Table 7).

Table 7. Criminal Law Enforcement Efforts Related to Child Labor

Overview of Criminal Law Enforcement	2018	2019
Initial Training for New Criminal Investigators	Unknown (18)	Unknown (5)
Training on New Laws Related to the Worst Forms of Child Labor	Unknown (18)	Unknown (5)
Refresher Courses Provided	Unknown (18)	Unknown (5)
Number of Investigations	Unknown (18)	Unknown (5)
Number of Violations Found	Unknown (18)	Unknown (5)
Number of Prosecutions Initiated	Unknown (18)	Unknown (5)
Number of Convictions	Unknown (18)	Unknown (5)
Imposed Penalties for Violations Related to The Worst Forms of Child Labor	Unknown (18)	Unknown (5)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Unknown (18)	Unknown (5)

While 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, the government is actively investigating two cases of trafficking for the purpose of child sexual exploitation. (5,11)

IV. COORDINATION OF GOVERNMENT EFFORTS ON CHILD LABOR

The government has established mechanisms to coordinate its efforts to address child labor (Table 8). However, gaps exist that hinder the effective coordination of efforts to address child labor, including efforts to address all forms of child labor.

Table 8. Key Mechanisms to Coordinate Government Efforts on Child Labor

Coordinating Body	Role & Description
Anti-Human Trafficking Advisory Committee (AHTAC)	Coordinates efforts across the government to address human trafficking. (21) Includes the Immigration Division, which acts as secretariat, and representatives from law enforcement agencies, NGOs, and UN agencies. An Executive Officer from the Royal Solomon Islands Police acts as the Committee Chair. (9,19,22) In 2019, the AHTAC was fully established and met quarterly during the reporting period; entities cooperated to coordinate all anti-human trafficking efforts in the Solomon Islands. (11)
National Advisory and Action Committee on Children (NAACC)	Coordinates government and NGOs to address child trafficking and commercial sexual exploitation of children. (24) The committee consists of several ministries, including the Ministry of Women, Youth, Children and Family Affairs; Ministry of Commerce, Industry, Labor and Immigration; and Ministry of Home Affairs. Several NGOs participate, including Save the Children, UNICEF, and the WHO. (19) In 2019, the NAACC was active and met quarterly. (10)

The Government of the Solomon Islands did not respond to requests for information on its coordination efforts to eliminate child labor. (5) Although the National Advisory and Action Committee on Children was established in 2012, and met quarterly in 2019, research was unable to determine whether activities took place during the reporting period to address child trafficking and commercial sexual exploitation of children. (19,25)

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 covering all worst forms of child labor.

Table 9. Key Policies Related to Child Labor

Policy	Description
National Action Plan on Human Trafficking and People Smuggling (2015–2020)	Establishes a framework for national anti-human trafficking efforts. (26) Raises awareness about commercial sexual exploitation of children and the services available for vulnerable children. The National Action Plan is funded by NGOs and the Government of the Solomon Islands. (9,19,26) Research was unable to determine whether activities were undertaken to implement the National Action Plan on Human Trafficking and People Smuggling during the reporting period
Fee Free Basic Education Policy	Subsidizes school fees for grades one through nine to increase access to education. (18-20,27) This policy was active during the reporting period. (28)

Table 9. Key Policies Related to Child Labor (Cont.)

Policy	Description
National Education Action Plan	Establishes a timeline within the National Development Strategy 2016–2035 to provide free primary and secondary education to boys and girls by 2020. (29) Research was unable to determine whether activities were undertaken to implement the National Education Action Plan during the reporting period.
United Nations Pacific Strategy (2018–2022)	A 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. (30) 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. (30)

The Government of the Solomon Islands did not respond to requests for information regarding its policies to eliminate child labor. (5) Child labor prevention and elimination strategies do not appear to be integrated into the Fee Free Basic Education Policy. (27) Research did not find evidence that the National Action Plan on Human Trafficking and People Smuggling contains policies to eliminate the worst forms of child labor.

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

Research found no evidence that the government funded or participated in social programs that include the goal of preventing or eliminating child labor.

VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE CHILD LABOR

Based on the reporting above, suggested actions are identified that would advance the elimination of child labor in the Solomon Islands (Table 10).

Table 10. Suggested Government Actions to Eliminate Child Labor

Area	Suggested Action	Year(s) Suggested
Legal Framework	Ratify the UN CRC Optional Protocol on Armed Conflict.	2014 – 2019
	Ratify the UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography.	2014 – 2019
	Ratify the Palermo Protocol on Trafficking in Persons.	2014 – 2019
	Raise the minimum age for employment to comply with international standards.	2009 – 2019
	Establish age 18 as the minimum age for hazardous work.	2009 – 2019
	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 – 2019
	Establish by law an age up to which education is compulsory that extends to the minimum age for employment.	2009 – 2019
	Ensure that the law criminally prohibits child trafficking, regardless of whether threats, the use of force, or other forms of coercion can be established.	2016 – 2019
	Ensure that the law criminally prohibits using, procuring, and offering a child for pornographic performances.	2016 – 2019
	Ensure that the law criminally prohibits using, procuring, and offering a child for illicit activities, including in the production and trafficking of drugs.	2011 – 2019
Enforcement	Ensure that the law criminally prohibits the recruitment of children under age 18 by non-state armed groups.	2016 – 2019
	Establish by law free basic public education.	2018 – 2019
	Publish information on child labor law enforcement efforts undertaken, including labor inspectorate funding; the number and type of labor inspections conducted; violations found; and penalties imposed and collected.	2009 – 2019
	Strengthen the labor inspectorate by ensuring the ability to assess penalties.	2019
	Publish information on the number of criminal law enforcement efforts undertaken, including the number of child labor investigations initiated, the number of child labor penalties imposed, and the number of criminal law enforcement convictions secured.	2009 – 2019
Government Policies	Allocate sufficient resources to enforce child labor laws, including increasing budget transparency.	2014 – 2019
	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 – 2019
	Integrate child labor elimination and prevention strategies into the Fee Free Basic Education Policy.	2014 – 2019
	Publish activities undertaken to implement the National Action Plan on Human Trafficking and People Smuggling.	2018 – 2019
	Publish activities undertaken to implement the Fee Free Basic Education Policy.	2018 – 2019

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Table 10. Suggested Government Actions to Eliminate Child Labor (Cont.)

Area	Suggested Action	Year(s) Suggested
Government Policies	Publish activities undertaken to implement the National Education Action Plan.	2018 – 2019
	Publish activities undertaken to implement the United Nations Pacific Strategy.	2019
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 – 2019
	Collect and publish data on the extent and nature of child labor to inform policies and programs.	2013 – 2019
	Eliminate barriers to basic education, including by improving access to school transportation and eliminating school-related fees.	2014 – 2019

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MINIMAL ADVANCEMENT – EFFORTS MADE BUT CONTINUED PRACTICES THAT DELAYED ADVANCEMENT

In 2019, Somalia made a minimal advancement in efforts to eliminate the worst forms of child labor. The Ministry of Labor and Social Affairs unveiled an expansive social protection policy and finalized a National Employment Policy, while a newly established tripartite labor committee also drafted an action plan to eradicate child labor. Additionally, the Ministry of Defense committed to a UN Roadmap to end and prevent grave violations against children, including recruitment and use in combat. However, despite new initiatives to address child labor, Somalia is receiving an assessment of minimal advancement because it continued a practice that delayed advancement in eliminating the worst forms of child labor. The Somali National Army continued to recruit and use children in armed conflict, in violation of its national law, during the reporting period. Somalia is also receiving this assessment because it lacks a labor inspectorate, and as such conducted no worksite labor inspections. Children engage in the worst forms of child labor, including in armed conflict. Children also perform dangerous tasks in street work. Somali laws do not criminally prohibit child trafficking for labor, commercial sexual exploitation, or the recruitment of children by non-state armed groups.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Somalia engage in the worst forms of child labor, including in armed conflict. (1) Children also perform dangerous tasks in street work. (2) Table 1 provides key indicators on children's work and education in Somalia. Data on some of these indicators are not available from the sources used in this report. (3) However, in 2019 the ILO funded the completion of Somalia's first labor force survey in 2019, which included sectoral information on child labor and IDPs. (3-6)

Table 1. Statistics on Children's Work and Education

Children	Related Entity	Age	Percent
Working (%)	Somalia (North East zone)	5 to 14	9.5
	Somalia (Somaliland)	5 to 14	13.2
Attending School (%)	Somalia (North East zone)	5 to 14	38.3
	Somalia (Somaliland)	5 to 14	44.2
Combining Work and School (%)	Somalia (North East zone)	7 to 14	4.7
	Somalia (Somaliland)	7 to 14	6.6
Primary Completion Rate (%)	All (Somalia)		Unavailable

Primary completion rate was unavailable from UNESCO Institute for Statistics, 2020. (7)

Source for all other data: International Labor Organization's analysis from Multiple Indicator Cluster Survey 4, 2011. (8)

Based on a review of available information, Table 2 provides an overview of children's work by sector and activity.

Table 2. Overview of Children's Work by Sector and Activity

Sector/Industry	Activity
Agriculture	Farming, including arranging harvested seeds and light cleaning (3-9)
	Herding livestock, including goats, sheep, and camels (3,4)
	Fishing, including cleaning fish (3,11)
Industry	Construction, including crushing stones, mining, and excavating (1,3,10,11)
	Mining and quarrying (11)
	Producing garments and textiles (12)

Somalia

MINIMAL ADVANCEMENT – EFFORTS MADE BUT CONTINUED PRACTICES THAT DELAYED ADVANCEMENT

Table 2. Overview of Children’s Work by Sector and Activity (Cont.)

Sector/Industry	Activity
Services	Working as maids or domestic staff in hotels and private residences (4,9)
	Domestic work (2,4,13)
	Street work, including shining shoes, washing cars, driving minibuses, vending, and transporting <i>khat</i> (a legal, amphetamine-like stimulant) (2,4-9,12,13)
	Voluntarily recruited children used in hostilities by state armed groups (1,4,9)
Categorical Worst Forms of Child Labor‡	Recruitment of children by non-state armed groups for use in armed conflict and supporting roles, including as cooks, porters, and informants, or to operate checkpoints (1,4,9,10)
	Forced labor in domestic work, agriculture, herding livestock, breaking rocks, selling or transporting <i>khat</i> , begging, and construction work, each sometimes as a result of human trafficking (1,4,12)
	Commercial sexual exploitation, sometimes as a result of human trafficking (1)

‡ Child labor understood as the worst forms of child labor *per se* under Article 3(a)–(c) of ILO C. 182.

As Somalia approaches its fourth decade of civil war, the country’s IDPs are estimated at 2.6 million, with unofficial estimates approaching 3.6 million. (4,14) IDPs, including children, are vulnerable to human trafficking for sexual and labor exploitation. Members of the terrorist group *Al-Shabaab* infiltrate madrassas and mosques, using deception or coercion tactics to forcibly recruit victims, including children, into sexual slavery and combat and support roles. (1) Some children fleeing *Al-Shabaab* seek shelter in Kenya, where they are subsequently revictimized for labor and commercial sexual exploitation. (1) Some are transited through Nairobi’s Eastleigh neighborhood, a known trafficking hub, en route to Somalia. (15) Research also found that children in Somalia are trafficked to Saudi Arabia and Djibouti and forced to beg on the streets. (1) Children from minority clan households are uniquely vulnerable to forced recruitment by military groups, including at school. (16)

In 2019, Somalia also recorded the highest number of child abductions by non-state actors in the world. (17) State and non-state armed groups recruited 1,495 children during the reporting period, down from 2,300 in 2018. (17,18) The majority of these violations were attributed to *Al-Shabaab*, which forcibly recruited children as young as age 8 for combat. (1,17-19) The group continued the practice of forcing communities to “volunteer” children to join its ranks in the Galgadud and Middle Shabelle regions. (1,17-21) *Al-Shabaab* recruited children or “taxed” families to provide male children to serve as child soldiers. (4,22) These children planted explosive devices, acted as human shields, conducted assassinations and suicide attacks, gathered intelligence, and provided domestic services. Some girls were also forced into sexual servitude. (1,4,22) Moreover, research found that the *Ahlu Sunnah Wal Jama’a* militia, which to date has not yet integrated into the Somali National Army (SNA), recruited at least 14 children during the reporting period. Additionally, Somalia’s numerous clan militias reportedly recruited children for use in armed conflict. (1,9,20)

The reporting period also saw an increase in grave violations against children linked to government forces, including recruitment and use, killing and maiming, and sexual violence. (17-19,23) Perpetrators included the SNA, the Somali Police Force, and the National Intelligence and Security Agency. Officials also verified child recruitment by Galmudug, Jubaland, and Puntland forces. (18,20) The trend coincided with an escalation in military operations against *Al-Shabaab*. (17-19,23) Child recruitment is in violation of General Order No. 1, which prohibits military personnel from recruiting and employing child soldiers. (1,20,24)

Protracted violence has reduced access to all basic services, including public education. Seventy-six attacks on schools and hospitals were documented between January and September 2019; the majority (60) were attributed to *Al-Shabaab*. (17-20,23) State and non-state forces also occupied and damaged schools during the reporting period, further limiting access educational facilities. (18,20,25,26) The limited number of public schools outside of Mogadishu, and high fees charged by private schools, also undercut enrollment rates. (4,16) In 2019, 3 million school-aged children, including 65 percent of girls and 59 percent of boys, did not attend school. (27) The primary enrollment rate for nomadic or pastoralist children was 3.1 percent. (4) Children and youth among these groups are considered at high risk of exploitation or recruitment into armed groups like *Al-Shabaab*. (4,16)

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The Federal Government of Somalia (FGS) has not conducted a standalone survey of child work, child labor, or the worst forms of child labor. Somalia also lacks a country-wide birth registration system, further complicating efforts to identify victims of child labor. (4)

The FGS maintains limited territorial control outside the capital. Al-Shabaab occupied rural areas in south-central Somalia. (4) In other parts of the country, essential governance functions were provided by regional administrations, including the self-declared independent region of Somaliland in the northwest and the federal member state of Puntland in the northeast. (4,28)

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	

For the first time, the FGS fulfilled the reporting requirements mandated under ILO Convention 182 in 2019. (3,8) The government also submitted letters of intent to the ILO to accede to the Minimum Age Convention and Optional Protocol on Armed Conflict. (8)

The government has established laws and regulations related to child labor (Table 4). However, gaps exist in Somalia's legal framework to adequately protect children from the worst forms of child labor, including the lack of a prohibition of recruitment of children under age 18 by non-state armed groups.

Table 4. Laws and Regulations on Child Labor

Standard	Meets International Standards	Age	Legislation
Minimum Age for Work	Yes	15	Article 93 of the Labor Code; Article 38(1) of the Private Sector Employees Law (29,30)
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 (29-31)
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 (29,30)
Prohibition of Forced Labor	Yes		Articles 455 and 464 of the Penal Code (32)
Prohibition of Child Trafficking	No		
Prohibition of Commercial Sexual Exploitation of Children	No		Articles 403–404 and 407–408 of the Penal Code (32)
Prohibition of Using Children in Illicit Activities	No		
Minimum Age for Voluntary State Military Recruitment	Yes	18	General Order No. 1 (24)
Prohibition of Compulsory Recruitment of Children by (State) Military	Yes		General Order No. 1 (24)

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Table 4. Laws and Regulations on Child Labor (Cont.)

Standard	Meets International Standards	Age	Legislation
Prohibition of Military Recruitment by Non-state Armed Groups	No		
Compulsory Education Age	No	14‡	Articles 13 and 15 of the General Education Law (33)
Free Public Education	Yes		Article 14 of the General Education Law (33)

‡ Age calculated based on available information (33)

During the reporting period, the Ministry of Labor and Social Affairs (MOLSA) finalized a National Labor Code mandating safe and legal work environments for minors. (4,5) As of March 2020, the law was pending ratification in the upper house of Parliament. (6) The Ministry of Women and Human Rights also drafted the Child Rights Bill, which will domesticate into law the Convention on the Rights of the Child. (6,20) The law will protect all children under age 18 from prosecution as an adult and will codify a compulsory education age. (6) 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. (13,33)

It is unclear whether laws issued prior to 1991 are still in effect in Somalia. However, in 2014, Parliament issued a public statement citing some pre-1991 laws, which suggests that the FGS continued to recognize relevant historic laws. (6) Although the Provisional Constitution of 2012 does not provide a minimum age for employment, the pre-1991 Labor Code establishes age 15 as the minimum age for work. (29) 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 legislation that comprehensively prohibits hazardous occupations and activities for children. (29) While the labor code enables the publication of a hazardous works list, MOLSA has the government has not determined by regulation the types of hazardous work prohibited for children. (4)

Laws related to the commercial sexual exploitation of children are not sufficient, because using, procuring, and offering a child for prostitution, pornography, and pornographic performances are not criminally prohibited. Furthermore, it appears that under Article 405 of the Criminal Code, children involved in prostitution would not be protected from criminal charges. (32) The Penal Code requires extensive updating. Many fines in the Code equal less than \$1, which does not serve as an effective deterrent. (32,34)

Both Somaliland and Puntland, which are semiautonomous regions, maintain separate legal systems. (35) Somaliland has criminalized trafficking for commercial sexual exploitation, and a draft human trafficking law remains under review. (36,37) Although Puntland State’s 2017 penal and criminal procedure codes reportedly meet international standards, research could not find a publicly available version of these laws. (36)

III. ENFORCEMENT OF LAWS ON CHILD LABOR

Somalia 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
Somali National Police	Investigates and enforces laws related to the worst forms of child labor. (38) The Counter-Trafficking and Organized Crime Unit has six officers. (39)
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. (4) Through its Child Protection Unit (CPU), screens Somali National Army (SNA) units for child soldiers. (9,4) Raises awareness of child soldier issues, and implements standard operating procedures on protecting children associated with armed conflict. (11,40,41)
Puntland Security Forces	Investigate and enforce human trafficking laws. (42)
Puntland Ministry of Justice	Prosecutes human trafficking cases. (42)

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Table 5. Agencies Responsible for Child Labor Law Enforcement (Cont.)

Organization/Agency	Role
Somaliland Police	Investigates human trafficking. (43)
Somaliland's Attorney General's Office	Prosecutes human trafficking cases. (43)

Labor Law Enforcement

In 2019, the lack of a labor inspectorate in Somalia may have impeded the enforcement of child labor laws. (4)

Criminal Law Enforcement

Research did not find information on whether criminal law enforcement agencies in Somalia took actions to combat child labor (Table 6).

Table 6. Criminal Law Enforcement Efforts Related to Child Labor

Overview of Criminal Law Enforcement	Related Entity	2018	2019
Initial Training for New Criminal Investigators	All (Somalia)	No (9)	No (4)
Training on New Laws Related to the Worst Forms of Child Labor	All (Somalia)	0 (9)	0 (4)
Refresher Courses Provided	All (Somalia)	0 (9)	0 (4)
Number of Investigations	All (Somalia)	0 (13)	0 (4)
Number of Violations Found	All (Somalia)	0 (9)	1,331 (4,44)
Number of Prosecutions Initiated	All (Somalia)	0 (9)	0 (4)
Number of Convictions	All (Somalia)	0 (9)	0 (4)
Imposed Penalties for Violations Related to the Worst Forms of Child Labor	All (Somalia)	No (9)	No (4)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services		No (9)	No (4)

The Somali National Police remained understaffed and undertrained, and lacked the capacity to investigate or enforce laws on the worst forms of child labor. (4) Research also found that child labor referral mechanisms only address children in armed conflict. (45) In addition, there were reports that in 2019, the Somali National Police recruited and used at least 99 children in police activities. (20,44) Generally, the FGS lacks the capacity and resources to fully implement laws that are technically in force. (4)

Somaliland, Galmudug, and other semiautonomous regions rely on their own police and military forces, some of whom are not answerable to the FGS. (46)

Despite a 2016 general staff order prohibiting the enlistment of children under age 18, reporting confirms SNA recruitment and use of children continued in 2019. (4,17-19) The Defense Ministry's Child Protection Unit (CPU) theoretically prosecutes these violations in the military justice system. (4) However, research found no evidence that the CPU investigated or prosecuted SNA officials who recruited or used child soldiers during the reporting period. (1,4,47) In 2019, state security forces detained at least 257 children, at times in the company of adults, for their alleged association with non-state armed groups. (19-21,48,49) Children who were detained under suspected affiliation with non-state armed groups were sometimes interrogated without legal representation and coerced into signing or recording confessions. Moreover, these children were at times threatened or physically harmed in ways that amount to torture. (21) In addition, although the Provisional Constitution defines a child as anyone under age 18, more than 30 children were given sentences ranging from 8 years to life imprisonment for association with Al-Shabaab. (21,31) Moreover, the Juvenile Justice Law of Puntland defines a child as anyone age 14 and under; consequently, the government detained and issued prison sentences, including life imprisonment, to children over age 14 for their association with armed groups. (21,45)

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IV. COORDINATION OF GOVERNMENT EFFORTS ON CHILD LABOR

The FGS has established mechanisms to coordinate its efforts to address child labor (Table 7). However, gaps exist that hinder the effective coordination of efforts to address child labor, including efforts to address all forms of child labor.

Table 7. Key Mechanisms to Coordinate Government Efforts on Child Labor

Coordinating Body	Role & Description
CPU, Ministry of Defense	Raises awareness of child soldier issues and works with UNICEF to implement standard operating procedures on protecting children associated with armed conflict. (11,40,41) In 2019, with support from the UN Assistance Mission in Somalia, trained 179 SNA soldiers and officers on screening for and preventing the recruitment of children into armed conflict. Trainees included child protection focal points from various regions, as well as officers at sector headquarters. (4,22) With support from the UN, the African Union Mission to Somalia, and the U.S. Embassy, carried out 6 screening missions that examined more than 1,500 soldiers and resulted in the identification of 4 minors. (22) The CPU established a national Children Associated with Armed Conflict working group (CAACWG). The CPU also coordinated with the Ministry of Women and Human Rights, which oversees an informal child soldier referral system from CPU to NGOs. (4) Throughout the year, CPU developed and disseminated radio and print media content regarding the prevention of child recruitment and conscription in armed conflict. (4,9)
CAACWG	Implements the Child Soldier Action Plan and the Action Plan to End the Killing and Maiming of Children in Contravention of International Law. (4,40,41) Co-Chaired by CPU and UNICEF, includes other Ministry of Defense officials, representatives from the Ministry of Women and other relevant ministries, as well as UN officials. (40,48) In 2019, the government revived activities under the CAACWG by holding three meetings in Mogadishu. Discussions covered the implementation of actions plans on eliminating the use of children in armed conflict. (4)
Human Trafficking Task Forces	The FGS, Puntland, and Somaliland maintain different coordinating bodies to combat human trafficking. The Office of the Special Envoy for Children and Migrants' Rights, which includes a Task Force on Human Trafficking and Smuggling, leads FGS anti-trafficking efforts. (22) The Task Force, which is led by the Ministry of Interior and Federal Affairs, took steps to improve coordination across FGS. (50) Separately, Puntland's Counter Trafficking Board leads the region's anti-trafficking efforts. Somaliland's Counter Human Trafficking Agency coordinates the development of legislation and collection of data in the semi-autonomous region. (22)
Somali National Tripartite Labor Committee*	Manages the implementation of the Labor Code as well as the National Employment Policy. An ILO-recognized body, meets quarterly to review progress and has taken on child labor as an area of special concern. (4) In October 2019, held a workshop that resulted in a draft action plan on eradicating child labor in Somalia. (4) The establishment of the MOL-led Somali National Tripartite Labor Committee, and the inclusion of child labor as a special focus, has enabled the ministry to coordinate efforts within the government and between the government and the private sector. (4)

* Mechanism to coordinate efforts to address child labor was created during the reporting period.

Although Somalia has mechanisms to coordinate efforts to address child soldiering, it does not have coordinating mechanisms to address other forms of child labor, including forced labor in domestic work, agriculture, and herding livestock.

V. GOVERNMENT POLICIES ON CHILD LABOR

The government has established policies related to child labor (Table 8). However, policy gaps exist that hinder efforts to address child labor, including limited scope of existing policies.

Table 8. Key Policies Related to Child Labor

Policy	Description
National Employment Policy†	Provides the Somali National Tripartite Labor Committee with a roadmap for improving labor conditions, including stipulations related to child labor. During the reporting period, the Ministry of Labor, in consultation with ILO, finalized a macroeconomic analysis of the labor market in Somalia and used the data gathered to inform the policy. (4,9,39,51) The policy was designed with ILO support under a Joint UN Project on Youth Employment in Somalia and was adopted in February 2019. (4,5)
Child Soldier Action Plan	Establishes a strategy for identifying and removing children from SNA ranks through education and monitoring of military camps. (40) In 2012, FGS committed to two UN Action Plans to end grave violations against children, including recruitment and use and killing and maiming. In October 2019, the government committed to a UN Roadmap to expedite the implementation of the two Action Plans. (47,52) The adoption of the roadmap will address grave violations, including recruitment and use. (18,53) In 2019, 1,315 children previously associated with armed groups received UNICEF reintegration support under the roadmap. (44)

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Table 8. Key Policies Related to Child Labor (Cont.)

Policy	Description
Somalia Social Protection Policy†	Develops and strengthens components of a national social protection system, including safety net programs. Provisions include a guaranteed income floor for vulnerable households, and families with children under age 5. (54-56) 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. (4)
National Development Plan (2017–2019)†	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. (57,58) In October 2019, the Cabinet of Ministers adopted the National Development Plan for 2020–2024, which replaces the previous iteration. (57,59)
United Nations Strategic Framework (2017–2020)	Establishes a broad strategic framework in support of humanitarian, development, political, and security reform in Somalia. Includes measures to prevent child recruitment, rehabilitate former child soldiers, and mitigate human rights violations, including arbitrary arrest of children. The framework targets 90 percent access to child soldier reintegration services and 70 percent implementation of the 2020 Action Plans on Children Associated with Armed Conflict and Conflict Related Sexual Violence. (60) The government also undertook CPU capacity building through training and enhanced screening measures. (22,26) The framework also seeks to establish a nationwide social protection system, which was operationalized in 2020. (54,55)

† Policy was approved during the reporting period. (58)

‡ The government has other policies that may have addressed child labor issues or had an impact on child labor. (61)

Although the government has some policies that address child soldiers, research found no evidence of any policies to address child labor in agriculture, industry, street work, or domestic work.

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2019, the government funded and participated in programs that include the goal of eliminating child labor (Table 9). However, gaps exist in these social programs, including in their ability to address the problem in all sectors.

Table 9. Key Social Programs to Address Child Labor

Program	Description
National Program for Treatment and Handling of Disengaged Combatants	FGS program in coordination with UNICEF that rehabilitates former combatants, emphasizing the specific needs of child combatants and of female combatants and their dependents. (62) Centers, located in Baidoa, Belet Weyne, Kismayo, and Mogadishu, provide accommodation, psychological counseling, education, and vocational training to former combatants. (63) Research was unable to determine whether activities were undertaken to implement the National Program for Treatment and Handling of Disengaged Combatants during the reporting period.
Joint Program on Youth Employment Somalia	Joint program by the Food and Agriculture Organization, ILO, UNDP, UN-Habitat, and UN Industrial Development Organization that seeks to improve sustainable employment opportunities for youth and develop their skills to respond to needs in the labor market. (64) In 2019, coordinated with the Ministry of Labor and the Ministry of Planning to conduct a labor force survey, resulting in the development of a National Employment Policy. (39,51,65)
Donor-Funded Programs	Programs that aim to improve the resiliency of vulnerable families. The \$267 million UNICEF Country Program (2018–2020), implemented with FGS support, aims to ensure safe, equitable, and quality education for children through a child protection framework. (66) In 2019, assisted 1,315 children formerly associated with armed groups through reintegration programs, including family reunification and access to formal and informal education. (44,67) UNICEF also provided more than 34,000 children, nearly half of whom were girls, with access to formal or non-formal education and vocational training during the reporting period. UNICEF also reached 36,000 children with psychosocial support. (67) Moreover, the \$600 million WFP Country Strategic Plan (2019–2021) provided both conditional and unconditional food or cash-based food assistance to vulnerable children. (68) In 2019, WFP provided 2 meals per day to 200,000 school children enrolled in its school feeding programs. (69)
Peace Building Fund*	\$2 million UN-funded project that supports the prevention of child recruitment and the reintegration of former child soldiers. (52) The project, announced in October 2019 in Baidoa, the capital of the South West State, will supplement SNA child soldier prevention and screening methods. Children identified will be released, rehabilitated, and reintegrated into society. (20,22,52)
ACT to Protect Children Affected by Armed Conflict*†	FGS awareness-raising initiative, launched under the auspices of a global UN advocacy campaign highlighting children in armed conflict. (72) Throughout the year, CPU developed and disseminated radio and print media content regarding the prevention of child recruitment and conscription in armed conflict. (22)

* Program was launched during the reporting period. (22)

† Program was funded partially by the government. (22)

‡ The government had other social programs that may have included the goal of eliminating or preventing child labor. (73)

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Although the FGS implemented programs to address child soldiers and child trafficking, existing programs fail to address the scope of the problem, including street work and forced labor in agriculture.

VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE CHILD LABOR

Based on the reporting above, suggested actions are identified that would advance the elimination of child labor in Somalia (Table 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.	2013 – 2019
	Accede to the UN CRC Optional Protocol on the Sale of Children, Child Prostitution, and Child Pornography.	2013 – 2019
	Accede to the Palermo Protocol on Trafficking in Persons.	2013 – 2019
	Clarify whether the pre-1991 Labor Code is still in effect under the Federal Government of Somalia.	2009 – 2019
	Criminally prohibit child trafficking for the purpose of labor and sexual exploitation.	2009 – 2019
	Criminally prohibit using, procuring, and offering a child for prostitution, pornography, and pornographic performances.	2015 – 2019
	Ensure that penalties for the commercial sexual exploitation of children are sufficiently stringent to deter violations.	2013 – 2019
	Ensure that the law protects children involved in commercial sexual exploitation from criminal charges.	2011 – 2019
	Criminally prohibit the use of children in illicit activities.	2009 – 2019
	Criminally prohibit the recruitment of children under age 18 by non-state armed groups.	2016 – 2019
	Raise the compulsory education age to be commensurate with the minimum age for work.	2009 – 2019
	Ensure that Puntland’s regional laws define a child as anyone under age 18, in accordance with international standards.	2016 – 2019
	Ensure that a legal framework on child labor is in place that includes a minimum age for hazardous work; determines the activities in which light work may be permitted and prescribes the number of hours per week for light work; and, in consultation with employers’ and workers’ organizations, determines the types of hazardous work prohibited for children.	2009 – 2019
Enforcement	Establish a labor inspectorate to investigate, monitor, and enforce laws related to child labor, and include adequate funding, human resources, and training for personnel.	2009 – 2019
	Report information on the training of investigators, as well as the number of investigations conducted, violations found, prosecutions initiated, and convictions achieved in all regions of Somalia.	2016 – 2019
	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 – 2019
	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 – 2019
	Ensure that children associated with armed groups are not detained with adults and refer these children to social service providers. Cease the practice of sentencing children to long prison terms for associating with armed groups.	2015 – 2019
	Establish a referral mechanism between the Somali National Police and social welfare services for children engaged in forced labor and commercial sexual exploitation.	2014 – 2019
	Establish coordinating mechanisms to combat all forms of child labor.	2009 – 2019
Government Policies	Adopt policies to address child labor in agriculture, industry, street work, and domestic work.	2018 – 2019
Social Programs	Enhance efforts to eliminate barriers and make education accessible and safe for all children by removing all armed groups from educational facilities, constructing schools outside Mogadishu, and removing enrollment fees.	2013 – 2019
	Develop programs to address child labor, such as in street work and forced labor in agriculture. Expand existing programs to address the scope of children in armed conflict.	2009 – 2019
	Ensure all social programs are implemented as intended.	2019
	Adopt a country-wide birth registration system to facilitate identification of child labor violations.	2019

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In 2019, South Africa made a minimal advancement in efforts to eliminate the worst forms of child labor. The government launched the Prevention and Combating of Trafficking in Persons National Policy Framework to help government agencies improve capacity and coordination on combatting trafficking in persons. However, children in South Africa engage in the worst forms of child labor, including in commercial sexual exploitation and forced begging, each sometimes as the result of human trafficking. Labor inspectors are not authorized to assess penalties, and social programs are not sufficient to address the scope of child labor. In addition, barriers to education remain, especially among children without proper identification documents and children with disabilities.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in South Africa engage in the worst forms of child labor, including in commercial sexual exploitation and forced begging, each sometimes as the result of human trafficking. (1-3) Table 1 provides key indicators on children's work and education in South Africa. Data on some of these indicators are not available from the sources used in this report.

Table 1. Statistics on Children's Work and Education

Children	Age	Percent
Working (% and population)	5 to 14	Unavailable
Attending School (%)	5 to 14	Unavailable
Combining Work and School (%)	7 to 14	Unavailable
Primary Completion Rate (%)		87.3

Source for primary completion rate: Data from 2016, published by UNESCO Institute for Statistics, 2020. (4)

Data were unavailable from International Labor Organization's analysis, 2020. (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 (6-8)
Industry	Factory work (9)
Services	Domestic work (6)
	Garbage scavenging for food items and recyclable items† (10)
	Food service, activities unknown (2,3,11)
	Street work, including transportation services, vending, and begging (2,3,6,11)
Categorical Worst Forms of Child Labor‡	Use in illicit activities, including gang-related activity (12)
	Use in the production of pornography (13-15)
	Commercial sexual exploitation, sometimes as a result of human trafficking (2-4,15-24)
	Forced labor in domestic work, agriculture, food service, street vending, illicit activities, and begging, each sometimes as a result of human trafficking (2,3,11,25)

† Determined by national law or regulation as hazardous and, as such, relevant to Article 3(d) of ILO C. 182.

‡ Child labor understood as the worst forms of child labor *per se* under Article 3(a)–(c) of ILO C. 182.

South Africa is a source, transit, and destination country for child trafficking. Children are trafficked from poor rural areas or peripheral townships to urban centers, such as Cape Town, Durban, and Johannesburg. (2,3,11,26)

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Girls are mainly victimized for commercial sexual exploitation and domestic work, and boys are forced to work in street vending, food service, and begging. (2,3,11,17,27-29) Refugees, orphans, and children with disabilities are often vulnerable to child labor, such as forced begging. (30)

In South Africa, parents at a given school may vote to pass a resolution authorizing the collection of school fees during a given year. (31) The government waives tuition for the poorest 60 percent of students; however, in practice, some families must still pay for uniforms and other school-related expenses, which may affect children's access to education. (9,32,33) In addition, non-resident children in South Africa may be denied access to education for failure to present identity documents such as birth certificates. (33-35)

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) (31)
Minimum Age for Hazardous Work	Yes	18	Regulations on Hazardous Work by Children in South Africa (36)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Articles 4–10 of the Basic Conditions of Employment Act (36,37)
Prohibition of Forced Labor	Yes		Article 13 of the Constitution; Article 141 of the Children's Amendment Act; Article 48 of the BCEA (37-39)
Prohibition of Child Trafficking	Yes		Article 141 of the Children's Amendment Act (39)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Article 141 of the Children's Amendment Act; Chapter 3 of Criminal Law Amendment Act 32 (39,40)
Prohibition of Using Children in Illicit Activities	Yes		Article 141 of the Children's Amendment Act (39)
Minimum Age for Voluntary State Military Recruitment	Yes	18	Article 52 of the Defense Act (41)
Prohibition of Compulsory Recruitment of Children by (State) Military	N/A*		Article 52 of the Defense Act (41)
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 (42)
Free Public Education	No		Chapter 2, Article 5 and Chapter 4, Article 39 of the South African Schools Act (42)

* No conscription (41)

Article 39 of the South African Schools Act permits any public school to charge fees to ensure a sufficient operating budget if a majority of parents at that school vote to do so at the beginning of the year. (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 the South African Department of Labor (SADOL) that may hinder adequate enforcement of their child labor laws.

Table 5. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
South African Department of Labor (SADOL)	Enforces child labor laws by conducting inspections of worksites and operates 127 labor centers throughout the country where complaints may be lodged. (8,43) Refers victims to social workers and reports violations to the South African Police Service (SAPS) for further investigation and to the South African Department of Justice and Constitutional Development for prosecution. (8,44,45) Convenes the Provincial Child Labor Intersectoral Committee and coordinates child labor programs. (8)
South African Police Service (SAPS)	Enforces the legislative mandate under the Children's Act to investigate cases involving the worst forms of child labor. (46,47) 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. (48) Operates victim-friendly rooms in police stations across the country. (49)
South African Department of Justice and Constitutional Development	Enforces criminal laws on the worst forms of child labor. (1) Through its Children's Court, focuses on litigation involving children accused of or victimized by crimes, and cases involving child abuse, abandonment, and neglect. (50)
National Prosecution Authority (NPA)	Prosecutes criminal cases, including cases of human trafficking and other worst forms of child labor. (48,51)
Department of Social Development (DSD)	Provides child protection and social services to vulnerable children, including victims of human trafficking. (1) Manages shelters for children living and working on the streets. (52)

In November 2019, in a joint operation by SADOL's Inspection and Enforcement Services branch in Gauteng and the South African Police Service (SAPS), authorities arrested seven Chinese nationals—four men and three women—after an anonymous tip that they were trafficking illegal immigrants and subjecting them to forced labor. Authorities found 91 Malawian nationals, 37 of whom were minors. The accused face charges including human trafficking, debt bondage, kidnapping, and labor law violations. (53)

Labor Law Enforcement

In 2019, labor law enforcement agencies in South Africa took actions to combat child labor (Table 6). However, gaps exist within the operations of the SADOL that may hinder adequate labor law enforcement, including the authority to assess penalties.

Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2018	2019
Labor Inspectorate Funding	\$39 million (8)	\$41 million (9)
Number of Labor Inspectors	1,283 (8)	1,378 (9)
Inspectorate Authorized to Assess Penalties	No (31)	No (9)
Initial Training for New Labor Inspectors	Yes (8)	Yes (9)
Training on New Laws Related to Child Labor	Yes (8)	N/A (9)
Refresher Courses Provided	Yes (8)	Yes (9)
Number of Labor Inspections Conducted	214,946 (8)	218,732 (9)
Number Conducted at Worksite	Unknown (8)	Unknown (9)
Number of Child Labor Violations Found	Unknown (8)	15 (9)
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)

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Table 6. Labor Law Enforcement Efforts Related to Child Labor (Cont.)

Overview of Labor Law Enforcement	2018	2019
Unannounced Inspections Permitted	Yes (8)	Yes (9)
Unannounced Inspections Conducted	Yes (8)	Yes (9)
Complaint Mechanism Exists	Yes (8)	Yes (9)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (8)	Yes (9)

The number of labor inspectors is likely insufficient for the size of South Africa’s workforce, which includes more than 22 million workers. According to the ILO’s technical advice of a ratio approaching 1 inspector for every 15,000 workers in developing economies, South Africa would employ about 1,479 inspectors. (54,55)

Sources indicate that the inspectorate has limited resources to carry out its mandates. Although the inspectorate spent approximately \$384,000 on inspection and enforcement training in 2019, SADOL acknowledges that this is insufficient to allow its inspectors to specialize in sectors or occupations. (8) Some labor inspectors encounter difficulties in accessing farms due to concerns for their safety or fear of entering private property. (1) The government did not provide information for inclusion in this report on the number of labor inspections conducted at worksites or penalties imposed and collected.

Criminal Law Enforcement

In 2019, criminal law enforcement agencies in South Africa took actions to combat child labor (Table 7). However, gaps exist within the operations of the criminal enforcement agencies that may hinder adequate criminal law enforcement, including a lack of training for criminal investigators which hindered the number of convictions.

Table 7. Criminal Law Enforcement Efforts Related to Child Labor

Overview of Criminal Law Enforcement	2018	2019
Initial Training for New Criminal Investigators	Yes (8)	Yes (9)
Training on New Laws Related to the Worst Forms of Child Labor	Yes (8)	Yes (9)
Refresher Courses Provided	Yes (8)	Yes (9)
Number of Investigations	30 (8)	22 (9)
Number of Violations Found	3 (8)	5 (9)
Number of Prosecutions Initiated	1 (8)	3 (9)
Number of Convictions	1 (8)	2 (9)
Imposed Penalties for Violations Related to The Worst Forms of Child Labor	Unknown	Unknown
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (8)	Yes (9)

Research indicates that, despite assistance from the NGO community, SAPS had difficulties properly identifying victims of human trafficking during law enforcement activities. Due to improper screening, police sometimes arrested child trafficking victims instead of referring them to social services for assistance. (11) In addition, there were no inspectors exclusively dedicated to child labor law inspections. The number of inspectors was insufficient to carry out inspections, as was a lack of training to identify and investigate child labor trafficking, according conversations with NGOs and statutory bodies. (9)

On February 24, 2020, South Africa’s Commission for Conciliation, Mediation, and Arbitration (CCMA) handed down a historic arbitration award, ordering a supermarket franchisee to pay \$750,000 to a group of 565 workers at 8 of his 10 locations across South Africa. This high-profile case, the result of a vigorous effort by labor inspectors, comes at the same time that prosecutors are adding enhanced criminal charges against seven Chinese principals of a company accused in January 2020 of trafficking workers into South Africa. (53) It is unknown whether either of these cases involved child victims.

IV. COORDINATION OF GOVERNMENT EFFORTS ON CHILD LABOR

The government has established mechanisms to coordinate its efforts to address child labor (Table 8). However, gaps exist that hinder the effective coordination of efforts to address child labor, including efficacy in accomplishing mandates.

Table 8. Key Mechanisms to Coordinate Government Efforts on Child Labor

Coordinating Body	Role & Description
Implementation Committee on Child Labor	Monitors and supports advocacy and awareness raising, mainstreaming of child labor into government policies, and the implementation of child labor programs, legislation, and enforcement. (1) Chaired by SADOL, members include representatives from commercial agriculture, trade unions, and government agencies, including SAPS. (48) Includes provincial-level child labor coordinating structures. (1) Research was unable to determine whether actions were taken by the committee during the reporting period.
Provincial Child Labor Inter-sectoral Support Groups	Facilitate the collection of data and prevention of all types of child labor at the provincial level. Established by SADOL and managed by child labor coordinators in each province; members include the SADOL Head Office, SADOL Provincial Child Labor Coordinators, the Department of Justice and Constitutional Development, the NPA, the Department of Home Affairs (DHA), DSD, the Department of Education, NGOs, and labor federations. (48) The national and provincial task teams lack training on human trafficking, resulting in unlawful arrests and detentions of human trafficking victims. (56)
National Trafficking in Persons Task Team	Coordinates the government's anti-human trafficking efforts, including overseeing strategy, training, and policy decisions made at the provincial level in Gauteng, Mpumalanga, KwaZulu-Natal, Western Cape, Limpopo, and Eastern Cape. Led by NPA's Sexual Offenses and Community Affairs Unit and DOJ's Victim Support Directorate, members include SADOL, DSD, and DHA, as well as other representatives of national law enforcement. (9) Research was unable to determine whether actions were taken by the task team during the reporting period.

There has been a significant increase in anti-labor trafficking coordination, including the SADOL's newly instituted required trafficking in persons training and a trafficking in persons manual. This is a direct result of the Government of South Africa's coordination efforts to encourage the SADOL to demonstrate leadership on trafficking in persons. (57)

V. GOVERNMENT POLICIES ON CHILD LABOR

The government has established policies related to child labor (Table 9). However, policy gaps exist that hinder efforts to address child labor, including mainstreaming child labor issues into relevant policies.

Table 9. Key Policies Related to Child Labor

Policy	Description
National Child Labor Programme of Action for South Africa, Phase IV (2017–2021)	Serves as the primary policy instrument to prevent and eliminate child labor in South Africa. (1) Promotes government activities by outlining the mandate of each agency to combat child labor. (48,58) Provides a reciprocal referral mechanism through which SAPS informs SADOL of suspected child labor cases. (8) Lead agencies identified in the program include Departments of Labor, Basic Education, Justice and Constitutional Development, Social Development, and Water and Sanitation; SAPS; the National Prosecuting Authority; and Statistics SA. (1,58) In 2019, the government provided food packages to child-headed households and poverty-stricken families, and antiretroviral medicine to those living with HIV/AIDS. (8) The policy does not include a timeframe to meet identifiable benchmarks or to assess the progress and adequacy of implementation efforts.
Prevention and Combating of Trafficking in Persons National Policy Framework†	Outlines the development of new procedures and training programs for police and labor inspectors on human trafficking for labor exploitation, including child labor. Enhances social assistance programs to address the needs of child victims of human trafficking, including psychological and social support, food and shelter, school and community reintegration, and placement and protection in child and youth care centers. (59) The plan is set to be updated every 3 years (60)

† Policy was approved during the reporting period.

The government has not included child labor elimination and prevention strategies in the South African Education Action Plan or the National Development Plan. (61,62)

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VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2019, the government funded and participated in programs that include the goal of eliminating or preventing child labor (Table 10). However, gaps exist in these social programs, including the adequacy of programs to address the full scope of the problem.

Table 10. Key Social Programs to Address Child Labor

Program	Description
Child Support Grant†	Led by DSD and the South African Social Security Agency, provides monthly direct cash transfers to primary caregivers who have vulnerable children. Helps alleviate economic pressures and lower the cost of raising a child. (1,48) In 2019, the government expanded funding for the Child Support Grant. To date, approximately 12.5 million children have benefited from the program. (8,9,63)
Foster Care Grants†	Encourages children in the foster care system to remain in school as a preventive technique to combat child labor. The government continued the program in 2019 and, to date, about 386,000 children have benefited from the Foster Care Grant. (8,9,63)
Food Relief Program†	DSD and South African Social Security Agency program that provides food assistance to vulnerable and orphaned children, as well as child-headed households with insufficient income. (64,65) The government continued the program in 2019. To date, the program has financially supported 140 community nutrition development centers and provided food to half a million people. (63) There is also a National School Nutrition Program that provides school meals to vulnerable primary and secondary school children from poor families. (1,66,67) The government continued the program in 2019. To date, approximately 88 percent of vulnerable children have benefited from this program. (8,9,63)
Shelters and Care Centers†	DSD program that funds 14 shelters and oversees 17 NGO-operated temporary safe care centers for victims of abuse and human trafficking, including children. (3)
Awareness-raising Campaigns†	Conduct training on anti-human trafficking initiatives and regulations governing social services providers. (9) Research was unable to determine whether actions were taken to implement this program during the reporting period.

† Program is funded by the Government of South Africa

Although South Africa has programs that target child labor, and data collected and reported by the Government of South Africa state that child labor is decreasing, the scope and reach of social programs are insufficient to address the child labor problem, particularly in agriculture and domestic work. (68)

Sources indicate that around 1.8 million children who are most in need of the Child Support Grant have reported difficulties in accessing required application documents. (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 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 – 2019
	Establish by law free basic public education.	2018 – 2019
Enforcement	Authorize the labor inspectorate to assess penalties.	2015 – 2019
	Publish information on the number of child labor inspections conducted at worksites and penalties imposed and collected.	2018 – 2019
	Increase the number of labor inspectors to meet the ILO's technical advice.	2017 – 2019
	Ensure that sufficient resources and training are provided to the labor inspectorate to conduct inspections, including in sectors in which child labor is known to occur; and publish information about penalties on the worst forms of child labor.	2018 – 2019
	Ensure that law enforcement properly identify victims of the worst forms of child labor and human trafficking.	2017 – 2019
Coordination	Ensure that all coordination bodies are able to carry out their intended mandates, which includes allocating funding for permanent staff and training.	2017 – 2019
Government Policies	Include a timeframe and benchmarks in the National Child Labor Programme of Action for South Africa to properly monitor and assess the progress of efforts to combat child labor.	2017 – 2019
	Integrate child labor elimination and prevention strategies into the South African Education Action Plan and the National Development Plan.	2013 – 2019

Table 11. Suggested Government Actions to Eliminate Child Labor (Cont.)

Area	Suggested Action	Year(s) Suggested
Social Programs	Ensure that refugees and children with disabilities have equal access to education and make additional efforts to provide all children with birth documentation.	2016 – 2019
	Collect and publish data on the extent and nature of child labor to inform policies and programs.	2018 – 2019
	Ensure access to education for all children by eliminating school-related fees for basic education.	2009 – 2019
	Institute programs to address the worst forms of child labor in agriculture and domestic work.	2010 – 2019

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In 2019, South Sudan is receiving an assessment of no advancement. Despite initiatives to address child labor, South Sudan is receiving an assessment of no advancement because it demonstrated a practice of being complicit in the use of forced child labor in more than isolated incidents. State forces continued to recruit children, sometimes forcibly, to fight opposition groups. Otherwise, the government made efforts by signing a UN comprehensive action plan to end grave violations against children, and integrating a unit on child protection issues into the army's 2019 civic education curriculum. Children in South Sudan engage in the worst forms of child labor, including in armed conflict and 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 indiscriminately arrest and imprison children engaged in commercial sexual exploitation rather than treating them as victims.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in South Sudan engage in the worst forms of child labor, including in armed conflict and cattle herding. (1-9) Table 1 provides key indicators on children's work and education in South Sudan.

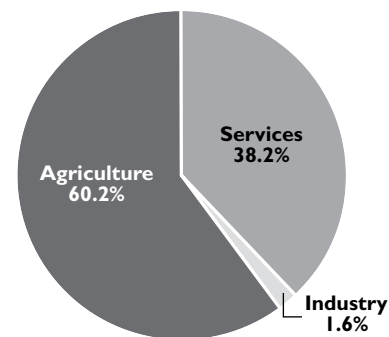
Table 1. Statistics on Children's Work and Education

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, 2020. (10)

Source for all other data: International Labor Organization's analysis of statistics from Fifth Housing and Population Census, 2008. (11)

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, including planting and harvesting crops (1,2)
	Cattle herding† (2,3)
	Gathering firewood (2,4)
Industry	Construction,† including building and transporting materials (2,3)
	Rock breaking† (2,3)
	Making bricks (2,4,5)
	Gold mining,† including carrying soil and panning (2,4,6,7)
Services	Domestic work (2)
	Street work, including vending, polishing shoes, preparing tea, selling black market gasoline, and ticket-taking for group transport companies (2,4)
	Cooking and cleaning in restaurants or food stands (2)
	Scrap metal and empty bottle collection (3,8)
	Work in slaughterhouses, including transporting livestock and meat (3)

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Table 2. Overview of Children’s Work by Sector and Activity (Cont.)

Sector/Industry	Activity
Categorical Worst Forms of Child Labor†	Forced labor in brickmaking, cattle herding, gold mining, and market vending (2,4,9,10)
	Commercial sexual exploitation, sometimes as a result of human trafficking (2,4,6,9)
	Forced recruitment of children by state and non-state armed groups for use in armed conflict (2,9,11-15)

† 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.

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. (13,25) During the reporting period, signatories to the R-ARCSS recommitted to a UN Action Plan to end and prevent all grave violations against children, including recruitment and use in armed conflict. (26) Despite this commitment, evidence suggests that the South Sudan People’s Defense Force (SSPDF) continued to forcibly recruit children through July 2019. (23) The government continued to participate in child soldier release and reintegration ceremonies, but did not hold SSPDF officers criminally accountable for the unlawful recruitment and use of children. (24)

Since the start of the conflict in December 2013, government and opposition forces have recruited more than 19,000 child soldiers and children associated with armed forces and groups. (13,27) A decrease in hostilities led to a reduction in active recruitment, including of children. The number of grave violations fell significantly in the second half of the reporting period, as parties to the R-ARCSS began to observe a ceasefire. (28,29) Many former child combatants have since been released or are no longer classified as children. (13,30) Nevertheless, observers documented systematic recruitment of children through July 2019. Both government and non-state armed groups recruited and use children as young as age 10, sometimes forcibly. (23) Recruitment, use, and re-recruitment of children were documented throughout the country. (13,18,20,23,29,31) Perpetrators included the national army of South Sudan—the South Sudan People’s Defense Forces (SSPDF), previously known as Sudan People’s Liberation Army (SPLA), and the Taban Deng-allied SSPDF—and opposition groups, including the pro-Machar Sudan People’s Liberation Army-In Opposition (SPLA-IO), the National Salvation Front-Khalid Butrus (NAS-KhB), and the South Sudan National Liberation Movement (SSNLM). (29) In some instances, local commissioners carried out recruitment drives on behalf of the state National Security Service and the SSPDF. (23,31,32) In Warrap, elements of South Sudan’s National Security Services and SSPDF leveraged a cattle extortion scheme to procure children and young men of fighting age. Non-signatories to the ceasefire, including Paul Malong’s South Sudan United Front and the National Salvation Front (NAS), also forcibly abducted children from their homes, schools, and communities. (13,21,23,30,31)

Additional reporting indicates that children were subjected to rape and sexual slavery by armed elements; some were forced to serve as “wives” of commanders and members of armed groups. (13,22) Although some children joined voluntarily, they were later unable to leave the groups at will. (9,23,33) Children affiliated with non-state armed groups performed active combat roles, perpetrated violence against civilians, and recruited other children. They also collected firewood, manned checkpoints, and carried out other support roles, including as cooks, porters, spies, and bodyguards to senior officers. (13,18,33)

An even greater number of children fight as part of local community defense forces. (15) Children abducted by armed pastoralists may be forcibly incorporated into heavily militarized cattle rustling networks. Younger children in these communities tend smaller livestock, while teenagers serve as auxiliaries for armed pastoralists or self-defense groups. (34,35) Among certain tribes, cattle raiding marks a rite of passage to adulthood. (34,35)

Across South Sudan, conflict and chronic underfunding of the education sector remains a serious barrier to accessing education. Ongoing fighting impaired the government’s ability to deliver aid, provide education, and address the worst forms of child labor. (13,36) At least 2.2 million children are not receiving an education, one of the highest out-of-school rates in the world. (36) Only an estimated 1 in 13 children will complete a full cycle of primary education if the current situation persists. (7,20) Until a payment of arrears in December 2019, public school teachers had not received salary payments in months, leading to low morale and frequent

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absenteeism. (13) In addition to the abduction and use of children, 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 decreased significantly during the reporting period. (13) Government forces occupied at least two schools at the close of the reporting period. (37)




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. (20,36,38) Additionally, children in pastoralist communities generally lack access to schools, materials, or teachers. (34)

Since the onset of conflict in 2013, over 4.3 million people have been internally displaced or have fled the country, and UNICEF has registered 11,731 unaccompanied minors, who are particularly vulnerable to the worst forms of child labor. (6,8,18,20) As South Sudan has never conducted a comprehensive child labor survey, information about sectors in which child labor occurs is unavailable. (13)

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 the compulsory education age.

Table 4. Laws and Regulations on Child Labor

Standard	Meets International Standards	Age	Legislation
Minimum Age for Work	Yes	14	Section 12 of the Labour Act; Article 25(3) of the Child Act (16,17)
Minimum Age for Hazardous Work	Yes	18	Sections 12 and 13 of the Labour Act; Articles 22(3), 24(1), and 25(1) of the Child Act (16,17)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Article 25(2) of the Child Act (16)
Prohibition of Forced Labor	Yes		Articles 10(1) and 13(2)(a) of the Labour Act; Articles 277–279 of the Penal Code; Article 13 of the Constitution (17-19)
Prohibition of Child Trafficking	Yes		Article 13(2) of the Labour Act; Article 22(3)(b) of the Child Act; Articles 276 and 278–282 of the Penal Code (16-18)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Article 13(2)(b) of the Labour Act; Articles 22(3)(c)–(d), 22(4), and 25(2)(m) of the Child Act; Articles 258 and 276 of the Penal Code (16-18)
Prohibition of Using Children in Illicit Activities	Yes		Article 13(2)(c) of the Labour Act; Article 24(1) of the Child Act; Article 383(3)(d) of the Penal Code (16-18)
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 (16,20)

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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 31(1) of the Child Act; Sections 20, 22(2) and (7) of the Sudan People's Liberation Army Act (16,20)
Prohibition of Military Recruitment by Non-state Armed Groups	Yes		Article 31(1) of the Child Act (16)
Compulsory Education Age	No	13	Article 9.1(b) of the General Education Act; Article 14(1) of the Child Act (16,21)
Free Public Education	Yes		Article 6(a) of the General Education Act; Article 13(4)(b) of the Labour Code; Article 14(1) of the Child Act; Article 29.2 of the Constitution (16,17,19,21)

The Labour Act, published in 2018, appears to have two contradictory standards for prohibiting children from engaging in hazardous work: Articles 12(6) and 13 both state that hazardous work is prohibited for children under the age of 18, in line with international standards. However, by contrast, Article 12(2) also states that children under the age of 14 shall not be permitted to work “in the worst forms of child labor;” and Section 13(1) equates “the worst forms of child labor” with hazardous work, suggesting that only children under the age of 14 are prohibited from engaging in hazardous work. (39) Another key obstacle is a lack of regulations governing the Labour Act’s implementation. In accordance with the Labour Act, the Ministry of Labor, Public Service and Human Resource Development (MOL) must draft and issue regulations to implement key elements related to child labor, including the number of hours and conditions for light work, the exceptions under which 16-year-old children may perform hazardous work, and a complete hazardous work list. (9,39) Drafting regulations will require cooperation between the Ministry of Labor and the Ministry of Justice. (13)

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. (13,39,44)

III. ENFORCEMENT OF LAWS ON CHILD LABOR

The government has established institutional mechanisms for the enforcement of laws and regulations on child labor (Table 5). However, gaps exist within the operations of the Ministry of Labor, Public Service, and Human Resource Development (MOL) that may hinder adequate enforcement of their child labor laws.

Table 5. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
Ministry of Labor, Public Service and Human Resource Development (MOL)	Enforces child labor laws, identifies child labor violations, and conducts workplace inspections. (2,16,17,22)
Ministry of Gender, Child, and Social Welfare	Coordinates activities on children’s rights and acts as the focal ministry for child protection. (2)
South Sudan’s People’s Defense Forces (SSPDF) Directorate for Child Protection	Prevents the recruitment of children into the army, monitors barracks, identifies child soldiers and assists with their release, investigates allegations of child soldiering, and provides training on children’s rights to child protection officers and members of SSPDF. Headed by a Brigadier General, serves as liaison between SSPDF and the international community. (2)
Ministry of Interior’s South Sudan National Police Services	Enforces criminal laws related to the worst forms of child labor. (2)
Ministry of Justice	Oversees all courts and prosecutes violations, including those related to child labor. (2)

In keeping with its commitment to implement the UN Action Plan to end grave violations against children, a unit on child protection issues was integrated into the army’s 2019 civic education curriculum. (30) Additionally, the SSPDF broke ground on a new UNMISS-funded child protection office at SSPDF headquarters in Bilpam. (45)

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Labor Law Enforcement

In 2019, labor law enforcement agencies in South Sudan took actions to combat child labor (Table 6). However, gaps exist within the operations of the Labor Inspectorate that may hinder adequate labor law enforcement, including the inspectorate’s budget.

Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2018	2019
Labor Inspectorate Funding	Unknown (23)	\$11,000 (2)
Number of Labor Inspectors	9 (23)	13 (2)
Inspectorate Authorized to Assess Penalties	Yes (23)	Yes (17)
Initial Training for New Labor Inspectors	Yes (23)	Yes (2)
Training on New Laws Related to Child Labor	No (23)	N/A (2)
Refresher Courses Provided	No (23)	Yes (2)
Number of Labor Inspections Conducted	1 (24)	750 (2)
Number Conducted at Worksite	1 (24)	750 (2)
Number of Child Labor Violations Found	18 (24)	0 (2)
Number of Child Labor Violations for Which Penalties Were Imposed	0 (24)	N/A (2)
Number of Child Labor Penalties Imposed that Were Collected	N/A	N/A
Routine Inspections Conducted	No (23)	750 (2)
Routine Inspections Targeted	N/A	No (2)
Unannounced Inspections Permitted	Yes (17)	Yes (17)
Unannounced Inspections Conducted	No (23)	Yes (2)
Complaint Mechanism Exists	Yes (16,17)	Yes (2)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (16)	Yes (2)

The Ministry of Labor lacked sufficient resources to fulfill its mandate. (13,44) The MOL’s entire 2019/20 budget amounted to \$163,000, leaving scant funding for inspections. (13) While the Labor Inspectorate conducted 3-4 daily worksite inspections during the reporting period, a significant increase from the previous year, detected violations were not referred to legal authorities as required by law. (13,38) Although inspectors may issue a compliance notice to violators, regulations do not specify penalties for infractions. Moreover, Labor Inspectorate staff were paid only sporadically, incentivizing some inspectors to pocket undocumented “fines.” (13) There was also a high level of absenteeism among ministry staff, and civil servants in nearly every ministry were not paid for several months, hindering the Labor Inspectorate’s ability to enforce child labor laws. (9,13) Although statistics on the number of people in South Sudan’s labor force are unavailable, it is unlikely that 13 labor inspectors are sufficient to address the scope of the country’s child labor problem. (13,47,48)

Criminal Law Enforcement

In 2019, criminal law enforcement agencies in South Sudan took actions to combat child labor (Table 7). However, gaps exist within the operations of the criminal enforcement agencies that may hinder adequate criminal law enforcement, including failure 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	2018	2019
Initial Training for New Criminal Investigators	No (23)	Yes (2)
Training on New Laws Related to the Worst Forms of Child Labor	N/A	N/A (2)
Refresher Courses Provided	Yes (4,25)	Yes (2)
Number of Investigations	Unknown (23)	Unknown (2)
Number of Violations Found	934 (23)	580 (2)
Number of Prosecutions Initiated	0 (23)	0 (2)
Number of Convictions	0 (23)	0 (2)
Imposed Penalties for Violations Related to The Worst Forms of Child Labor	No (23)	No (2)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	No (26,27)	No (2)

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South Sudan’s justice system faces enormous challenges, such as low capacity, insufficient funding, interference by the government and the SSPDF, insufficient training for law enforcement personnel, and a scarcity of judges, prosecutors, and defense attorneys. (13,18,51) Research indicates that prosecutors and law enforcement officials are not familiar with legal statutes regarding the worst forms of child labor. (9,18) As a result, police continued to indiscriminately arrest and imprison children engaged in commercial sexual exploitation rather than treating them as victims. (13,18) The government did not provide information on its criminal law enforcement efforts for inclusion in this report.

The United Nations Mission in South Sudan (UNMISS) conducted a number of investigations into reports of children in armed groups, but it is unknown how many total investigations were completed. (9) Although both the 2017 Agreement on the Cessation of Hostilities and the August 2013 Punitive Order commit the SSPDF to hold its military officers accountable for the recruitment or use of children, the government has neither investigated nor prosecuted officers who allegedly committed such crimes. (15,18)

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 coverage of all relevant sectors.

Table 8. Key Mechanisms to Coordinate Government Efforts on Child Labor

Coordinating Body	Role & Description
Technical Taskforce on Anti-Human Trafficking and Smuggling of Persons*	Established in December 2019 with support from IOM, objectives include ratification of the Palermo Protocol and enactment of South Sudan’s migration policy, which is currently in draft form. Members of the task force include the Ministry of Justice (co-chair), Ministry of Interior (co-chair), the National Security Service – Internal Security Bureau (NSS-ISB), Ministry of Labor, and the Ministry of Child, Gender, and Social Welfare. (15)
South Sudan Disarmament, Demobilization, and Reintegration Commission (NDDRC)	Oversees and coordinates all disarmament, demobilization, and reintegration activities with the assistance of UN bodies by convening regular meetings with Disarmament, Demobilization, and Reintegration (DDR) stakeholders. (27) In 2019, SPLA-IO and South Sudan Opposition Alliance (SSOA) joined the commission, along with parties to Resolution of the Conflict in the Republic of South Sudan (R-ARCSS). (2) Responsible for the negotiation of the release, screening, and registration of child soldiers; reunification with family when possible; and educational placement or vocational training. (4) In 2019, facilitated DDR ceremonies resulting in the release and reintegration of 580 children. (2) As part of the implementation of the peace agreement, the NDDRC received an additional allocation of \$2 million from the government of South Sudan for DDR activities through the National Pre-Transitional Committee (NPTC). (2)
UN Country Task Force on Monitoring and Reporting (CTFMR)	Charged with screening and releasing all children associated with armed groups across the country, the CTFMR is co-chaired by UNICEF and leads child protection awareness and sensitization efforts within SSPDF. (2,15,28) The CTFMR formed a Joint Verification Committee in April 2019, consisting of SSPDF, Pro-Machar SPLA-IO, SSOA, the Taban Deng-allied SSPDF, NDDRC, UNMISS, and UNICEF. (29) The committee conducted child protection training for UNMISS personnel, and mobile units were deployed to remote areas and IDP camps to provide additional monitoring and verification training. Between July and December 2019, CTFMR verified 74 grave violations against 73 children. (2,30) As of February 2020, provided sensitization training to over 5,000 members of armed forces and groups, including government security forces, pro-Machar SPLA-IO forces, and SSOA forces. (31,32) Additionally, UNICEF serves as co-chair of the UN Country Task Force for Monitoring and Reporting (CTFMR), which reports on grave violations affecting children in armed conflict. Under this framework, UNICEF coordinated the release of former child combatants in Unity, Western Equatoria, Central Equatoria, Jonglei, and Western Bahr el Ghazal states, along with the UNMISS Child Protection Unit and NDDRC. (33)
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 conflict-affected regions of South Sudan. 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. (2,34) In 2019, assisted NDDRC in identifying and securing the release of at least 580 child soldiers. (2)

*Mechanism was established during the reporting period.

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Although the government has the South Sudan Disarmament, Demobilization, and Reintegration Commission (NDDRC) to coordinate efforts to address children in armed conflict, it does not have coordinating mechanisms to address other forms of child labor, as the National Steering Committee on Child Labor has not been active since it was first constituted in 2012. (9,13) It is unclear what proportion of the NDDRC's 2019 budget will be dedicated to demobilizing and reintegrating child soldiers. (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 funding and implementation of relevant policies.

Table 9. Key Policies Related to Child Labor

Policy	Description
Revitalized Agreement on the Resolution of the Conflict in the Republic of South Sudan (R-ARCSS) (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. (35,36) 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. (35) Although the release of some child soldiers occurred in 2019, the signatories continued to recruit or re-recruit children during the reporting period. (2,14)
General Education Strategic Plan (2017–2022)	Aims to improve access and quality of education by through grants and cash transfers to girls in upper primary and secondary schools, as well as payment of teachers' salaries. The Ministry of Education's Back to Learning program, devised under the strategy, served 1,258,244 children in 2019, and was scheduled to expand into additional states in 2020. (37,38)
Comprehensive Action Plan to Prevent Grave Violations Against Children in South Sudan†	In 2019, all signatories to the R-ARCSS signed the Comprehensive Action Plan to End & Prevent All Grave Violations Against Children. (39) The Action Plan, which applies to all state and non-state groups, came into force under the February 2020 transitional government. Parties to the commitment include the SSPF and Riek Machar's SPLA-IO, which were listed for killing and maiming, abduction of children, and child recruitment and use in armed conflict, as well as the South Sudan Opposition Alliance. (39) It is designed to prevent and mitigate grave violations against children, including the recruitment of child soldiers and attacks on schools. (39) Drafting process was supported by the United Nations Mission in South Sudan (UNMISS) and UNICEF, in collaboration with SSPDF. In February 2019, the Defense Minister announced SSPDF would integrate the Action Plan into its Civic Education unit, which it did in January 2020. (40,41)

† Policy was approved during the reporting period.

South Sudan's education sector is largely donor-subsidized, and sufficient funding was not allocated for the full five-year period of the General Education Strategic Plan. (9,58)

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2019, the government participated in programs that include the goal of eliminating or preventing child labor (Table 10). However, gaps exist in these social programs, including the adequacy to address the problem in all sectors.

Table 10. Key Social Programs to Address Child Labor

Program	Description
Joint Program for Recovery and Resilience	Joint agreement between donors, USAID, UN agencies, local leaders, and NGOs that aims to re-establish access to basic services, including psycho-social support, education, and economic alternatives for children separated from armed groups. (42-44) The Partnership for Recovery and Resilience (PfRR) was inaugurated in Yambio in 2018, and programs in Torit, Wau, and Aweil were launched during the reporting period. (45) In December 2019, more than 200 members of the PfRR gathered in Juba to review progress and expand resilience and capacity-building throughout South Sudan. By 2020, aims to complete construction of seven primary schools; provide learning and teaching materials to all primary schools in Gbudue State; and ensure 100 percent of children associated with armed groups are demobilized and reintegrated into their communities. (46)

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Table 10. Key Social Programs to Address Child Labor (Cont.)

Program	Description
UNICEF and Donor Funded Programs	Programs to improve educational access in areas affected by conflict. Includes: Integrated Essential Emergency Education Services (IEEES), a USAID-funded program that supported children at risk for being recruited into armed groups; and Back to Learning (BTL), a State Ministry of Education, Gender, and Social Welfare-administered, UNICEF-funded program in Yambio and Bentiu which aims to address educational needs in conflict-affected areas and insecure states. BTL reached 1,258,244 children between 2015 and 2019, and the program is set to expand into other states in 2020, with a focus on serving girls and pastoralist communities. (38) IEEES, meanwhile, enrolled 615,840 children out of a target of 729,000 during the reporting period; rehabilitated or established 644 temporary learning spaces; and provided 615,840 children (41 percent girls) with learning materials. The program also trained an additional 5,025 teachers (20 percent female) in teaching methodologies. (31,38) In the Upper Nile region, 365 individuals from Parent Teacher Associations/ School Management Committees, Child Protection Networks, Child Friendly Space facilitators were trained on providing psycho-social skills, life skills, and peace building activities. (47) As of August 2019, UNICEF had trained 4,517 teachers on education-in-emergencies pedagogy. UNICEF also provided early learning, pre-primary, primary or secondary education to 598,518 children, 42 percent of whom were girls. (31) The organization delivered psychosocial support services to 127,000 children. (31)
Dallaire Initiative (2018–2021)	\$2.2 million project funded by Romeo Dallaire Child Soldiers Initiative. Aims to train 1,200 South Sudanese soldiers, police, and prison personnel on combating the use of children in armed conflict through behavior change. (50) Research was unable to establish if the project was active during the reporting period.
Alternative Education System	Aims to improve literacy and provide out-of-school populations an alternative to formal education. Includes: the Accelerated Learning Program (ALP) targeting older teens; Community Girls' Schools (CGS) located in closer proximity to rural communities; and the Pastoralist Education Program (PEP) targeting children and adults in pastoral areas. (37)
Measurement, Awareness-Raising, and Policy Engagement (MAP 16) Project on Child Labor and Forced Labor	U.S. Department of Labor-funded project (2016–2022) implemented by ILO to conduct research and develop new survey methodologies, improve awareness, strengthen policies and government capacity, and promote partnerships to combat child labor and forced labor. (48) Completed work on a three-country study of forced child labor in conflict zones, due to be published in 2020. (49) Additional information is available on the USDOL website.

‡ The government had other social programs that may have included the goal of eliminating or preventing child labor. (9, 18)

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 the existing needs. (9,20,61,68)

VII. SUGGESTED 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 – 2019
	Ensure that the compulsory education age is consistent with the minimum age for work.	2013 – 2019
	Ensure that the worst forms of child labor are prohibited for all children under age 18 by law.	2017 – 2019
	Issue, by national law or regulation, a complete list of hazardous work prohibited for children, after consultation with employers' and workers' organizations.	2017 – 2019
Enforcement	Ensure labor regulations specify monetary penalties for all labor infractions, and that specified penalties are high enough to serve as a deterrent.	2019
	Increase the number of labor inspectors to adequately enforce labor laws throughout the country.	2016 – 2019
	Provide sufficient human and financial resources to ensure labor inspectors carry out routine inspections, including targeted inspections based on analysis of data related to high-risk sectors and patterns of serious incidents; that detected violations are reported, as required by law; and labor inspectorate staff are paid at regular intervals.	2012 – 2019

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Table 11. Suggested Government Actions to Eliminate Child Labor (Cont.)

Area	Suggested Action	Year(s) Suggested
Enforcement	Publish the number of criminal investigations conducted, and prosecute all perpetrators of child labor.	2015 – 2019
	Investigate, prosecute, and/or impose penalties on all parties responsible for the recruitment or use of children in armed conflict, and ensure penalties are sufficiently high to deter future offenders.	2013 – 2019
	Establish referral mechanisms between criminal law enforcement agencies and social services providers for victims of the worst forms of child labor.	2014 – 2019
	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 – 2019
	Ensure that the Child Act's minimum age of 18 years for voluntary military recruitment is enforced by ending all recruitment and use of children under age 18 by the South Sudan Peoples' Defense Forces (SSPDF), the Sudan Peoples' Liberation Movement/Army in Opposition (SPLA-IO), or associated militias.	2012 – 2019
Coordination	Establish coordinating mechanisms to combat all worst forms of child labor.	2013 – 2019
Government Policies	Ensure that policies, such as the Joint Action Plan to Prevent the Use of Child Soldiers, Article 2.1.10 of the Revitalized Agreement on the Resolution of the Conflict in South Sudan, and the General Education Strategic Plan, are adequately funded and fully implemented.	2012 – 2019
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 – 2019
	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 – 2019
	Improve access to education by addressing the lack of school infrastructure, including for pastoralist children; lessening the impact of food insecurity; and registering all children at birth.	2012 – 2019
	Increase the scope of social programs to reach more children at risk of child labor, including in commercial sexual exploitation and child soldiering.	2012 – 2019
	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 – 2019

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In 2019, Sri Lanka made a moderate advancement in efforts to eliminate the worst forms of child labor. The government significantly increased the budget for the labor inspectorate and increased the number of labor inspectors. The Sri Lanka Police also took action to investigate four cases involving the commercial sexual exploitation of children. In addition, the government approved the National Child Protection Policy as a measure to reduce child sex tourism. However, children in Sri Lanka engage in the worst forms of child labor, including in domestic work and commercial sexual exploitation, sometimes as a result of human trafficking. Sri Lanka's hazardous work list is not comprehensive because it does not include domestic work. In addition, the labor inspectorate is not authorized to assess penalties for labor law violations.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Sri Lanka engage in the worst forms of child labor, including in domestic work and commercial sexual exploitation, sometimes as a result of human trafficking. (1,2) Table 1 provides key indicators on children's work and education in Sri Lanka.

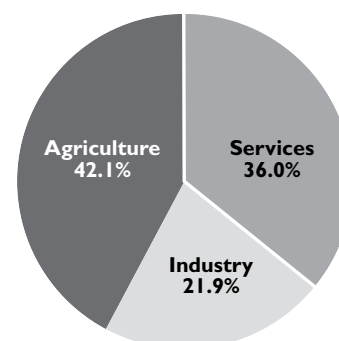
Table 1. Statistics on Children's Work and Education

Children	Age	Percent
Working (% and population)	5 to 14	0.8 (28,515)
Attending School (%)	5 to 14	98.0
Combining Work and School (%)	7 to 14	0.9
Primary Completion Rate (%)		102.6

Source for primary completion rate: Data from 2018, published by UNESCO Institute for Statistics, 2020. (3)

Source for all other data: International Labor Organization's analysis of statistics from Child Activity Survey (CAS), 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, including raising livestock (5-8)
	Fishing, including deep sea fishing,† processing fish, and selling fish (2,6-10)
Industry	Manufacturing, including textiles and garments, and food processing (6,8,11)
	Mining† and construction† (2,6,8,11,12)
Services	Domestic work (2,5,6,8)
	Vending, in stores and on the streets, transportation, and begging (2,5,6,8,9)
	Work in hotels, restaurants, and offices (6,12)
Categorical Worst Forms of Child Labor‡	Commercial sexual exploitation, sometimes as a result of human trafficking (1,2,5,13-17)
	Forced labor in domestic work, sometimes as a result of human trafficking (1,5)
	Use in illicit activities, including drug trafficking (5,11,18,19)

† Determined by national law or regulation as hazardous and, as such, relevant to Article 3(d) of ILO C. 182.

‡ Child labor understood as the worst forms of child labor *per se* under Article 3(a)–(c) of ILO C. 182.

The 2016 Child Activity Survey's definition of child labor does not align with international standards because children ages 5–11 working less than 15 hours per week and children ages 12–14 working less than 25 hours per

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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. (6) 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. (2) Debt distress can be linked to debts that workers owed to the estate for housing and accommodating their families. (20,21) 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. (1,5) 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. (1-3,17) In 2018, the ILO conducted a rapid assessment of the extent of commercial sexual exploitation of children in the coastal areas and found that most of the children were ages 15–17. According to the Sri Lankan Department of Labor, children living in coastal and agricultural areas, mining areas, and firewood-producing areas were vulnerable to child labor. (2)

Although the government provides free, compulsory education to all schoolchildren, 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. (2,5)

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	✓

In 2019, Sri Lanka ratified the Protocol of 2014 to the Forced Labor Convention (C. 29), which requires governments to adopt new measures to prevent all forms of forced labor. (17,22)

The government has established laws and regulations related to child labor (Table 4). However, gaps exist in Sri Lanka’s legal framework to adequately protect children from the worst forms of child labor, including protections for children engaged in domestic work.

Table 4. Laws and Regulations on Child Labor

Standard	Meets International Standards	Age	Legislation
Minimum Age for Work	Yes	14	Sections 7, 9, 13, and 34 of the Employment of Women, Young Persons, and Children Act (23)
Minimum Age for Hazardous Work	Yes	18	Section 20A of the Employment of Women, Young Persons, and Children Act (23)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Hazardous Occupations Regulation No. 47 (23,24)
Prohibition of Forced Labor	Yes		Sections 358A, 360C, 360A(2), and 360A(4) of the Penal Code (25)
Prohibition of Child Trafficking	Yes		Sections 360C, 360A(2), and 360A(4) of the Penal Code (25)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Sections 286A, 360B, 360A(2), and 360A(4) of the Penal Code (25)

Table 4. Laws and Regulations on Child Labor (Cont.)

Standard	Meets International Standards	Age	Legislation
Prohibition of Using Children in Illicit Activities	Yes		Sections 288, 288A, 288B, and 360C of the Penal Code (25)
Minimum Age for Voluntary State Military Recruitment	Yes	18	Sections 20A and 31 of the Employment of Women, Young Persons, and Children Act; Section 2(xviii) of the Hazardous Occupations Regulation No. 47 (23,24)
Prohibition of Compulsory Recruitment of Children by (State) Military	N/A*		
Prohibition of Military Recruitment by Non-state Armed Groups	Yes		358(1)(d) of the Penal Code; Sections 20A and 31 of the Employment of Women, Young Persons, and Children Act; Section 2(xviii) of the Hazardous Occupations Regulation No. 47 (23-25)
Compulsory Education Age	Yes	16	Section 43 of the Education Ordinance; Compulsory Attendance of Children at Schools Regulation No. 1 of 2015 (26,27)
Free Public Education	Yes		Section 47 of the Education Ordinance (26)

* No conscription (28)

The minimum working age is lower than the compulsory education age, which may encourage children to leave school before the completion of compulsory education. (2, 17, 23, 26, 27) The hazardous work list is not comprehensive because it does not include domestic work, in which there is evidence that children are subject to abuse. (1)

III. ENFORCEMENT OF LAWS ON CHILD LABOR

The government has established institutional mechanisms for the enforcement of laws and regulations on child labor (Table 5). However, gaps exist within the Department of Labor that may hinder adequate enforcement of their child labor laws.

Table 5. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
Department of Labor in the Ministry of Skill Development, Employment and Labor Relations	Formerly the Ministry of Labor, Trade Union Relations, and Social Empowerment. Enforces labor law in relation to the employment of children and young persons. (2) Receives public complaints of child labor lodged in national and district-level offices. Receives complaints from other state organizations, including from the National Child Protection Authority. (2) Conducts special investigations in relation to child labor and hazardous labor, and takes legal action as necessary. (2)
Children and Women's Bureau of the Sri Lankan Police	Enforces laws on child labor, child trafficking, commercial sexual exploitation of children, and the use of children in illicit activities. (5,29) Also supervises the NCPA Special Police Investigation Unit, which has approximately 40 police officers who investigate complaints involving children, including complaints of child labor. (2,5,10)
National Child Protection Authority (NCPA) Special Police Investigation Unit	Investigates complaints involving children, including unlawful child labor. (5,30) 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. (2) Has approximately 300 child protection officers based in the districts who are tasked with preventing child exploitation and protecting victims. (2,5,29)
Department of Probation and Child Care Services	Coordinates services for child victims of forced labor, human trafficking, and commercial sexual exploitation who have been referred by the police and the court. (5)

Several ministries, departments, and agencies have legal authority for the enforcement of criminal laws against child labor. The National Child Protection Authority (NCPA), the Criminal Investigations Department of the Sri Lankan Police, and the Attorney General's Department are responsible for the enforcement of criminal laws against child trafficking and forced child labor. (2)

Labor Law Enforcement

In 2019, labor law enforcement agencies in Sri Lanka took actions to combat child labor (Table 6). However, gaps exist within the Department of Labor that may hinder adequate labor law enforcement, including the labor inspectorate's lack of authority to assess penalties.

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Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2018	2019
Labor Inspectorate Funding	\$1,154,000 (5)	\$2,110,932.64 (2)
Number of Labor Inspectors	509 (5)	679 (2)
Inspectorate Authorized to Assess Penalties	No (5)	No (2)
Initial Training for New Labor Inspectors	Yes (5)	Unknown (2)
Training on New Laws Related to Child Labor	N/A (5)	N/A (2)
Refresher Courses Provided	Yes (5)	Yes (2)
Number of Labor Inspections Conducted	91,000 (5)	64,851 (2)
Number Conducted at Worksite	Unknown (5)	64,851 (2)
Number of Child Labor Violations Found	2 (5)	10 (2)
Number of Child Labor Violations for Which Penalties Were Imposed	0 (5)	8 (2)
Number of Child Labor Penalties Imposed that Were Collected	0 (31)	8 (2)
Routine Inspections Conducted	Yes (5)	Yes (2)
Routine Inspections Targeted	Yes (5)	Yes (2)
Unannounced Inspections Permitted	Yes (5)	Yes (2)
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)

In 2019, the government substantially increased funding for the labor inspectorate, including allocating district offices with at least one vehicle with fuel for inspection purposes. The government employed 679 officers who can engage in child labor inspections. (2) Labor inspectors attached to the Women’s and Children’s Division of the Department of Labor are dedicated to inspecting child labor. The number of labor inspectors is sufficient for the size of Sri Lanka’s workforce, according to ILO’s technical advice and the Sri Lanka Department of Labor. (2) However, reports indicate that the labor inspectorate did not have sufficient staffing to carry out inspections, especially inspections of factories in the northern and eastern provinces. During the reporting period, the Department of Labor received 145 child labor complaints from the NCPA child helpline, of which 119 were investigated. (2)

Criminal Law Enforcement

In 2019, criminal law enforcement agencies in Sri Lanka took actions to combat child labor (Table 7). However, gaps exist within the operations of the criminal enforcement agencies that may hinder adequate criminal law enforcement, including the lack of information regarding violations found.

Table 7. Criminal Law Enforcement Efforts Related to Child Labor

Overview of Criminal Law Enforcement	2018	2019
Initial Training for New Criminal Investigators	Unknown (5)	Yes (2)
Training on New Laws Related to the Worst Forms of Child Labor	N/A (5)	N/A (2)
Refresher Courses Provided	Yes (5)	Yes (2)
Number of Investigations	Unknown (31)	7 (2)
Number of Violations Found	Unknown (5)	Unknown (2)
Number of Prosecutions Initiated	Unknown (31)	Unknown (2)
Number of Convictions	Unknown (5)	Unknown (2)
Imposed Penalties for Violations Related to The Worst Forms of Child Labor	Unknown (5)	Unknown (2)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (5)	Yes (2)

The government did not provide information on number of violations, prosecutions initiated, convictions, or penalties for violations related to the worst forms of child labor for inclusion in this report.

NGOs report that investigators did not have adequate facilities or human resources to carry out investigations. Investigators lacked transportation facilities, and the Sri Lankan Police lack facilities to record evidence. (2,5,31)

Although the government publishes some crime statistics, the Sri Lankan Police do not report cases investigated specific to forced child labor, child trafficking, child commercial sexual exploitation, child soldiering, and the use of children in illicit activities. (2,32)

In 2019, four new sex trafficking cases involving the commercial sexual exploitation of children were reported. The Crimes Division of the Sri Lanka Police is investigating the cases. (16) The Department of Labor has also referred eight cases for prosecution stemming from investigations. Seven cases involving child labor crimes were concluded in the courts. (2) Although isolated reports alleged that government officials were complicit in child trafficking at a state-run orphanage, the government did not initiate investigations into these cases during the reporting period. Research also indicates some victims of child trafficking or commercial sexual exploitation may be penalized for prostitution and other offenses rather than treated as victims. (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 Steering Committee on Child Labor	Coordinates efforts to eliminate child labor, including the implementation of the National Policy on Elimination of Child Labor in Sri Lanka. Chaired by the Secretary of the Ministry of Skills Development, Employer and Labor Relations, includes representatives from key government agencies, employer and workers' organizations, ILO, UNICEF, and NGOs. (2,5,34) During the reporting period, National Steering Committee working groups met regularly and took actions to implement strategies to eliminate the worst forms of child labor. The National Steering Committee met once and approved a national-level awareness program, which includes a poster campaign to schools and a media awareness-raising campaign for the World Day Against Child Labor. (2)
NCPA	Coordinates and monitors activities related to the protection of children, including activities to combat child labor. Consults with relevant government ministries, local governments, employers, and NGOs, and recommends policies and actions to prevent and protect children from abuse and exploitation. (34)
National Anti-Trafficking Task Force	Coordinates inter-agency efforts to address all human trafficking issues, including commercial sexual exploitation and forced labor. Led by the Ministry of Justice and includes representatives from a range of government agencies, including the Ministry of Social Services, Ministry of Women and Child Affairs, Department of Labor, NCPA, Department of Probation and Child Care, Police Criminal Division, and Bureau for the Prevention of Abuse to Women and Children. (35,36) Met monthly during the reporting period to share information and best practices. (16)
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. (5)

During the reporting period, the ILO completed a study on coordination mechanisms among ministries and departments. The study's findings show greater cooperation at village and divisional levels and includes recommendations to further strengthen coordination among all agencies. (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
National Policy on Elimination of Child Labor in Sri Lanka	Aims to mainstream child labor issues into national development policies, increase the minimum age for employment, promote the implementation of hazardous work regulations, strengthen capacity to enforce child labor laws, and maintain a complaint procedure. (35) This policy was active during the reporting period. (2)
National Child Protection Policy†	Established by NCPA as a measure to reduce child sex tourism in Sri Lanka. (2)
National Strategic Plan to Monitor and Combat Human Trafficking (2015–2019)	Sought to combat human trafficking by raising stakeholder awareness, improving victim protection services, increasing the prosecution of human trafficking cases, and conducting research and data collection. Also sought to improve coordination among the Anti-Trafficking Task Force members. (36) This policy was active during the reporting period. (33)

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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. (37) This policy was active during the reporting period. (2)

† The policy was approved during the reporting period.

‡ The government had other policies that may have addressed child labor issues or had an impact on child labor. (5,38-40)

During the reporting period, the Ministry of Skill Development, Employment and Labor Relations and the Department of Labor began implementing the draft Action Plan for the Elimination of Worst Forms of Child Labor by 2022, by assigning activities and responsibilities to the appropriate ministries. (2)

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2019, the government funded and participated in programs that include the goal of eliminating or preventing child labor, 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
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 the ILO. (2,11) During the reporting period, developed Child Labor Free Zone Model Guidelines. (2)
Let's Protect Children†	Presidential Secretariat program that seeks to monitor child protection policies implemented by the Ministries of Education, Health, and Labor. Aims to ensure child safety and physical and psychosocial development. (10) This program was active during the reporting period. (2)
School Child Protection Committees	Preventive program established by NCPA to empower children to protect themselves from trafficking and child labor. During the reporting period, NCPA established and strengthened the committees in 510 schools across Sri Lanka. (2) In 2019, the program also distributed education equipment for 2,129 needy students across the island to discourage dropping out of school. (2)
'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. (41) This program was active during the reporting period and referred child labor cases to the Department of Labor. (2)
Shelter for Victims of Human Trafficking	Ministry of Women and Child Affairs shelter that provides children and female victims of human trafficking with safe shelter and access to medical, psychological, and legal assistance. (35,38) The shelter was operational during the reporting period. (5)

† 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. (2)

Through the USDOL-funded Country Level Engagement and Assistance to Reduce Child Labor program, which concluded in 2019, the government strengthened District and Divisional Child Development Committees in all 25 districts and 313 divisional areas. Labor inspectors were formally included in the District and Divisional Child Development Committees. (2)

VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE CHILD LABOR

Based on the reporting above, suggested actions are identified that would advance the elimination of child labor in Sri Lanka (Table 11).

Table 11. Suggested Government Actions to Eliminate Child Labor

Area	Suggested Action	Year(s) Suggested
Legal Framework	Raise the minimum age for work to the age up to which education is compulsory.	2018 – 2019
	Ensure that the hazardous occupations and activities prohibited to children are comprehensive, including domestic work.	2017 – 2019
Enforcement	Authorize the labor inspectorate to assess penalties for labor law violations.	2015 – 2019
	Collect and publish information on labor law enforcement actions, including initial training for new labor inspectors, and on criminal law enforcement actions, including the number of violations, prosecutions, convictions, and on penalties related to the worst forms of child labor.	2014 – 2019
	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 – 2019
	Provide adequate staffing in the northern and eastern provinces for the labor inspectorate to carry out inspections.	2019
	Ensure sufficient efforts are made to investigate isolated reports of officials allegedly complicit in the worst forms of child labor.	2019
	Ensure that victims of child trafficking or commercial sexual exploitation are not punished for their involvement in child labor.	2019
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 – 2019
	Eliminate barriers to education, including difficulties with transportation to schools and an inadequate number of teachers.	2012 – 2019
	Institute programs to address the risks of child labor in tea estates and in coastal, agricultural, mining, and firewood-producing areas.	2019

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In 2019, Suriname made a moderate advancement in efforts to eliminate the worst forms of child labor. The government approved the National Action Plan to Combat Child Labor and drafted, approved, and implemented the National Action Plan to Combat Trafficking in Persons. The Ministry of Labor also adopted a referral network system developed by the Ministry of Social Affairs in collaboration with UNICEF, which aims to address violations of children's rights by not only removing children from exploitative situations, but by seeking solutions to the causes of their exploitation. In addition, the Trafficking in Persons Working Group launched an extensive awareness-raising campaign, including billboards, radio and television messaging, and the distribution of flyers at entry points throughout the country. However, children in Suriname engage in the worst forms of child labor, including in commercial sexual exploitation, sometimes as a result of human trafficking. Children also perform dangerous tasks in mining. Prohibitions related to the use of children for illicit activities do not meet international standards. In addition, the compulsory education age does not reach the minimum age for employment, leaving some children vulnerable to labor exploitation.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Suriname engage in the worst forms of child labor, including in commercial sexual exploitation, sometimes as a result of human trafficking. Children also perform dangerous tasks in mining. (1-4) Table 1 provides key indicators on children's work and education in Suriname. Data on some of these indicators are not available from the sources used in this report.

Table 1. Statistics on Children's Work and Education

Children	Age	Percent
Working (% and population)	5 to 14	7.2 (Unavailable)
Attending School (%)	5 to 14	95.3
Combining Work and School (%)	7 to 14	7.3
Primary Completion Rate (%)		85.1

Source for primary completion rate: Data from 2018, published by UNESCO Institute for Statistics, 2020. (5)

Source for all other data: International Labor Organization's analysis of statistics from Multiple Indicator Cluster Survey 6 (MICS 6), 2018. (6)

Based on a review of available information, Table 2 provides an overview of children's work by sector and activity.

Table 2. Overview of Children's Work by Sector and Activity

Sector/Industry	Activity
Agriculture	Harvesting crops, applying pesticides,† carrying heavy loads† (4) Fishing, hunting and forestry (7,8)
Industry	Mining, particularly gold mining (1,4,7,9,10) Construction,† including carrying heavy loads† (4,8) Wood processing, including carrying heavy loads†(4)
Services	Street work, including vending (4,8) Domestic work (7,8)
Categorical Worst Forms of Child Labor‡	Commercial sexual exploitation, sometimes as a result of human trafficking (1-4,7,11)

† 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.

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Throughout the coastal areas of Suriname, children work in agriculture, whereas in the capital of Paramaribo they primarily engage in street vending. Additionally, children, mostly boys, work at carrying heavy loads in small-scale gold mines in the Southeast region of the country, where they risk exposure to mercury and cyanide, excessive noise, extreme heat, and collapsing sand walls. (1,4,9,12,13) Children have also been reported working in small-scale construction and wood processing companies outside of Paramaribo. (4) Moreover, children, including children from Guyana, are subjected to commercial sexual exploitation, sometimes as a result of human trafficking, including in informal mining camps in Suriname’s remote interior. (2,7,12,13)

Although Suriname’s net attendance percentage for primary school is 95 percent, it is only 53 percent for secondary school, and research indicates that secondary school attendance in the interior is as low as 21 percent. Children from low-income households, particularly in the interior, face difficulties accessing education due to long distances to schools, transportation costs, and school fees. (1,4,14,15)

II. LEGAL FRAMEWORK FOR CHILD LABOR

Suriname has ratified most key international conventions concerning child labor (Table 3).

Table 3. Ratification of International Conventions on Child Labor

Convention	Ratification
 ILO C. 138, Minimum Age	✓
ILO C. 182, Worst Forms of Child Labor	✓
 UN CRC	✓
UN CRC Optional Protocol on Armed Conflict	✓
UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	✓
 Palermo Protocol on Trafficking in Persons	✓

The government has established laws and regulations related to child labor (Table 4). However, gaps exist in Suriname’s legal framework to adequately protect children from the worst forms of child labor, including the compulsory education age, which is below the minimum age for work.

Table 4. Laws and Regulations on Child Labor

Standard	Meets International Standards	Age	Legislation
Minimum Age for Work	Yes	16	Articles 1 (j–l), 3, and 11 of the Children and Youth Persons Labor Act; Article 17 of the Labor Code (16,17)
Minimum Age for Hazardous Work	Yes	18	Articles 1 (k–l) and 11 of the Children and Youth Persons Labor Act; Article 1 of the Decree on Hazardous Labor for Youth (17,18)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Articles 2–3 of the Decree on Hazardous Labor for Youth; Article 11 of the Children and Youth Persons Labor Act (17,18)
Prohibition of Forced Labor	Yes		Article 15 of the Constitution; Article 334 of the Penal Code (19,20)
Prohibition of Child Trafficking	Yes		Articles 307 and 334 of the Penal Code (20)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Articles 293, 303, and 306 of the Penal Code (20)
Prohibition of Using Children in Illicit Activities	No		
Minimum Age for Voluntary State Military Recruitment	Yes	18	Article 9 of the Legal Status of Military Personnel Act (21)
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	12	Article 39 of the Constitution; Article 20 of the Law on Basic Education (19,22)
Free Public Education	Yes		Articles 38–39 of the Constitution (19)

* No conscription (23)

Article 20 of the Law on Basic Education requires children to attend school until they are at least age 12. (22) This leaves children between ages 12 and 16 particularly vulnerable to the worst forms of child labor because they are no longer required to attend school but are not yet legally permitted to work.

The Constitution guarantees free public education for all citizens, and the September 2014 amendment to the Citizenship and Residency Law granted citizenship to children born in Suriname of foreign-born parents. Sources indicate, however, that a small number of children born in Suriname to foreign parents before September 2014 remain ineligible to receive citizenship and free public education. (1,19,24)

The Penal Code establishes penalties for the production and trafficking of drugs, but it does not appear to specifically prohibit the use, procuring, and offering of a child in the production and trafficking of drugs. (20)

III. ENFORCEMENT OF LAWS ON CHILD LABOR

The government has established institutional mechanisms for the enforcement of laws and regulations on child labor (Table 5). However, gaps exist within the authority of the Ministry of Labor that may hinder adequate enforcement of their child labor laws.

Table 5. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
Ministry of Labor	Enforces laws related to child labor. (13) Reports suspected forced labor cases within 45 minutes of identification, including the worst forms of child labor, to the Trafficking in Persons Unit of the Suriname Police Force. (4)
Suriname Police Force	Enforces criminal laws related to child labor. (13) 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 Police Trafficking in Persons Unit, which investigates reports and allegations of human trafficking and forced sexual exploitation nationwide, including cases involving children. (4,11)
Prosecutor's Office	Investigates and prosecutes human trafficking cases, and enforces criminal laws related to the worst forms of child labor. (4)

Labor Law Enforcement

In 2019, labor law enforcement agencies in Suriname took actions to combat child labor (Table 6). However, gaps exist within the operations of the Ministry of Labor that may hinder adequate labor law enforcement, including targeted inspections in risk-prone sectors.

Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2018	2019
Labor Inspectorate Funding	Unknown	Unknown
Number of Labor Inspectors	50 (25)	50 (4)
Inspectorate Authorized to Assess Penalties	Yes (12)	Yes (4)
Initial Training for New Labor Inspectors	Yes (12)	Yes (4)
Training on New Laws Related to Child Labor	Yes (12)	N/A (4)
Refresher Courses Provided	Yes (12)	No (4)

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Table 6. Labor Law Enforcement Efforts Related to Child Labor (Cont.)

Overview of Labor Law Enforcement	2018	2019
Number of Labor Inspections Conducted	Unknown	834 (4)
Number Conducted at Worksite	Unknown	0 (4)
Number of Child Labor Violations Found	0 (26)	3 (4)
Number of Child Labor Violations for Which Penalties Were Imposed	N/A (12)	2 (4)
Number of Child Labor Penalties Imposed that Were Collected	N/A (26)	0 (4)
Routine Inspections Conducted	Yes (12)	Yes (4)
Routine Inspections Targeted	Unknown	Yes (4)
Unannounced Inspections Permitted	Yes (12)	Yes (4)
Unannounced Inspections Conducted	Yes (12)	Yes (4)
Complaint Mechanism Exists	Yes (12)	Yes (4)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	No (12)	Yes (4)

In 2019, the labor inspectorate reported three child labor violations during two separate inspections. Two minors, ages 13 and 15, were found to be working in hazardous conditions in a wood processing company; a third person, whose age was not determined due to lack of identification papers, was reported during another inspection. (4) In the former case, two fines were issued in the amount of \$6,645 per child. The company was given until February 2020 to pay the fine or risk court proceedings. (4) In addition, 17 children were identified engaging in street vending and referred to the Ministry of Social Affairs for assistance. (4)

Labor inspections are mainly conducted near coastal areas. The Ministry of Labor noted that there is an insufficient number of labor inspectors to ensure the enforcement of labor laws in the informal sector, particularly in mining and agricultural areas, fisheries, and the country's interior. (1, 13, 23, 27) All labor inspectors are trained and authorized to enforce child labor laws. (12)

Although the Ministry of Labor does not provide disaggregated funding information, the labor inspectorate did report that its funding is insufficient to adequately cover all sectors in the country, including the formal and informal sectors. In addition, high-risk sectors are not specifically targeted because labor inspectors mainly conduct routine inspections in the formal sectors, which have lower incidences of child labor. (12)

Criminal Law Enforcement

In 2019, criminal law enforcement agencies in Suriname took actions to combat child labor (Table 7). However, gaps exist within the operations of the criminal enforcement agencies that may hinder adequate criminal law enforcement, including allocation of financial and human resources.

Table 7. Criminal Law Enforcement Efforts Related to Child Labor

Overview of Criminal Law Enforcement	2018	2019
Initial Training for New Criminal Investigators	Yes (12)	Yes (4)
Training on New Laws Related to the Worst Forms of Child Labor	N/A (12)	N/A (4)
Refresher Courses Provided	Yes (12)	Yes (4)
Number of Investigations	Unknown	2 (25)
Number of Violations Found	1 (28)	Unknown
Number of Prosecutions Initiated	0 (28)	0
Number of Convictions	7 (29)	Unknown
Imposed Penalties for Violations Related to The Worst Forms of Child Labor	Unknown	Unknown
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (12)	Yes (4)

In 2019, the Ministry of Social Affairs, in collaboration with UNICEF, developed a referral mechanism that aims to address violations of children's rights by not only working toward the removal of children from exploitative situations, but also by seeking solutions to the root causes of their exploitation. (4)

The government did not provide complete data on criminal law enforcement efforts. The number of investigators is insufficient to respond to human trafficking cases, and, according to the Prosecutor's Office, investigations are initiated only as a result of complaints filed and are limited by a lack of resources, especially for travel to the interior of the country. (13,27,30-32) When the Youth Affairs Police find children working on the street, these children are sometimes registered and sent home without referrals to any relevant services. (13,32)

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. (12) Coordinates and monitors efforts to combat child labor, including the execution of the National Action Plan to Combat Child Labor. Also coordinates with the Integrated Child Protection Network to maximize awareness-raising efforts. (4) In 2019, completed the drafting and approval of the National Action Plan to Combat Child Labor and attended a workshop that focused on legislation, awareness raising, planning and activity coordination, and referral systems. (4,25)
Trafficking in Persons Working Group	Coordinates the government's anti-human trafficking efforts. Provides care to victims of human trafficking through government-supported NGOs. (27) Comprises nine government agencies, including organizations that target the worst forms of child labor. (13) In 2019, launched an extensive awareness-raising campaign, including billboards, radio and television messaging, and the distribution of flyers at entry points throughout the country. (4,11)
Integrated Child Protection Network	Prevents child abuse, neglect, and exploitation, including child labor. (13) Is led by the Ministry of Social Affairs and includes the Ministry of Foreign Affairs, Ministry of Justice and Police, Office of the First Lady, National Assembly, and NGO stakeholders, with support from UNICEF. (13) In 2019, along with the Trafficking in Persons Working Group and National Commission on Combating Child Labor, participated in a workshop that focused on legislation, awareness raising, planning and activity coordination, and referral systems. Through its Technical Commission, which was established in 2018, helped draft the referral system in collaboration with UNICEF. (4,25)

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†	Aims to combat child labor by removing children from child labor and by addressing issues that led children to become involved in child labor, including poverty and lack of educational opportunities. Also addresses the social and education reintegration of these children. (4) Was approved by the Council of Ministers in April 2019. (4)
National Action Plan for the Prevention and Response to Trafficking in Persons (2019)†	Aims to combat and prevent human trafficking, including through the prevention, protection, and reintegration of victims, and the prosecution of perpetrators of trafficking in persons. (33) In 2019, the Ministry of Justice and Police conducted an extensive awareness-raising campaign, trained government stakeholders on the identification of human trafficking, and increased its surveillance activities. (4)

† Policy was approved during the reporting period.

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2019, the government funded and participated in programs that include the goal of eliminating child labor (Table 10). However, gaps exist in these social programs, including services for child victims of human trafficking and commercial sexual exploitation.

Table 10. Key Social Programs to Address Child Labor

Program	Description
Child and Youth Hotline†	Government-run hotline that provides confidential advice to children in need, including victims of the worst forms of child labor. (31) Receives approximately 80 calls per day. (30) In 2019, continued to provide support to children, referred victims of child labor to Social Affairs, and expanded this support to include school visits. (4,25)
Anti-Trafficking Hotline†	Government-sponsored hotline through which citizens can provide information to the police about human trafficking cases. (31) In 2019, was taken over by the Command Center of the Directorate of National Security to improve response capacity. (4)

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Table 10. Key Social Programs to Address Child Labor (Cont.)

Program	Description
Second Basic Education Improvement Program (2015–2040)	\$20 million IDB-funded, 25-year loan implemented by the Ministry of Education to develop curriculums and textbooks, provide teacher training, renovate classrooms, build housing for teachers in the interior, and build a center for teacher training and professional development. Aims to benefit 90,000 students and 6,500 teachers. (36,37) In 2019, trained teachers and school leaders on newly developed curriculums. (4)

† Program is funded by the Government of Suriname.

The government continues to support initiatives to eradicate child labor, but existing social programs are inadequate to fully address the problem. In particular, Suriname lacks programs, including shelters, to assist child victims of human trafficking and commercial sexual exploitation, and children who work in mining and agriculture. (13,14,38)

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).

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 – 2019
	Ensure that the law criminally prohibits the recruitment of children under age 18 into non-state armed groups.	2016 – 2019
	Increase the compulsory education age to at least age 16, the minimum age for work.	2009 – 2019
	Ensure that all children, including children of foreign-born parents, have access to free public education.	2015 – 2019
Enforcement	Publish information on labor inspectorate funding.	2012 – 2019
	Ensure inspectors receive periodic refresher training.	2019
	Increase the number of labor inspectors to ensure the enforcement of labor laws, particularly in the mining and agricultural areas, fisheries, and the country's interior.	2019
	Ensure that the labor inspectorate is sufficiently funded to cover labor inspections in both the formal and informal sectors of the labor force.	2018 – 2019
	Strengthen the labor inspectorate by initiating targeted inspections based on the analysis of data related to risk-prone sectors and patterns of serious incidents, such as in fisheries and the interior of the country, particularly in mining and agricultural areas in which child labor is likely to occur.	2015 – 2019
	Publish information on criminal investigations, including the number of violations found, prosecutions initiated, convictions obtained, and penalties imposed.	2019
	Increase the number of investigators responding to human trafficking cases, and allocate sufficient funding to ensure that criminal law enforcement officers have the resources necessary to conduct investigations, particularly in the interior of the country and informal mining areas.	2014 – 2019
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 – 2019
	Strengthen social services and shelters to assist child victims of commercial sexual exploitation and human trafficking.	2014 – 2019

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MINIMAL ADVANCEMENT – EFFORTS MADE BUT CONTINUED PRACTICE THAT DELAYED ADVANCEMENT

In 2019, The United Republic of Tanzania made a minimal advancement in efforts to eliminate the worst forms of child labor. Criminal law enforcement officers prosecuted, achieved convictions, and imposed sentences for two cases related to the worst forms of child labor. However, despite new initiatives to address child labor, Tanzania is receiving an assessment of minimal advancement because it continued to implement a practice that delayed advancement in eliminating the worst forms of child labor. The Mainland government explicitly supports the routine expulsion of pregnant students from public schools, making them more vulnerable to the worst forms of child labor. Children in Tanzania engage in the worst forms of child labor, including in mining, quarrying, and domestic work, each sometimes as a result of human trafficking. Children also perform dangerous tasks in agriculture. Other gaps remain in the legal framework and enforcement of laws related to child labor, including protections for child engagement in illicit activities and domestic work; the lack of authorization for the labor inspectorate to assess penalties; and the likely insufficient number of labor inspectors for the size of Tanzania's labor force.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Tanzania engage in the worst forms of child labor, including in mining, quarrying, and domestic work. (1-3) Children also perform dangerous tasks in agriculture. (1,4) Table I provides key indicators on children's work and education in Mainland Tanzania.

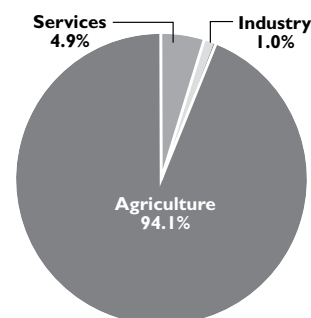
Table I. Statistics on Children's Work and Education

Children	Age	Percent
Working (% and population)	5 to 14	29.3 (3,573,467)
Attending School (%)	5 to 14	74.3
Combining Work and School (%)	7 to 14	24.6
Primary Completion Rate (%)		68.7

Source for primary completion rate: Data from 2018, published by UNESCO Institute for Statistics, 2020. (5)

Source for all other data: International Labor Organization's analysis of statistics from Tanzania National Child Labour Survey (NCLS), 2014. (1,6)

Figure I. Working Children by Sector, Ages 5-14



Based on a review of available information, Table 2 provides an overview of children's work by sector and activity.

Table 2. Overview of Children's Work by Sector and Activity

Sector/Industry	Activity
Agriculture	Plowing, weeding, harvesting, and processing crops including coffee, sisal, tea, tobacco, and cloves (1,7,6-9)
	Seaweed farming (10,11)
	Production of sugarcane† (11,12)
	Livestock herding, including tending cattle (3,13)
	Fishing,† including for Nile perch (1,3,7,14-16)
Industry	Quarrying† stone and breaking rocks to produce gravel (1,15,17)
	Mining,† including gold and tanzanite, and using mercury (1,3-5,4,10,18-22)
	Manufacturing† (4,10)
	Construction,† including digging, drilling, carrying bricks,† bricklaying, and assisting masons (10,15)

Table 2. Overview of Children’s Work by Sector and Activity (Cont.)

Sector/Industry	Activity
Services	Domestic work,† including child care,† cooking, and washing† (1,3,15,23,24)
	Garbage collecting† (4,25,26)
	Street work, including vending,† shoe shining, small business, and scavenging† (2,4,13,14,27)
	Work in bars† (2,28)
Categorical Worst Forms of Child Labor‡	Commercial sexual exploitation, sometimes as a result of human trafficking (3,7,29)
	Forced begging (2,30)
	Forced labor in domestic work, agriculture, mining, fishing, commercial trading, quarrying, shining shoes, pushing carts, and working in factories and bars, each sometimes as a result of human trafficking (2,7,13,15,29,31)

† 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.

Tanzania is a source, transit, and destination country for child trafficking for forced labor and commercial sexual exploitation. Child trafficking is often facilitated by victims’ family members, friends, or intermediaries who promise assistance or employment. (3,30) Girls are often subject to child trafficking, including for domestic work or commercial sexual exploitation; this frequently occurs along the Kenyan border and in tourist, mining, and construction areas, including “megaproject” sites. (3) Impoverished rural children and those orphaned by HIV/AIDS are particularly vulnerable to child trafficking and labor exploitation. (3,32) Child trafficking victims are also exploited for labor on farms, mines and quarries, and on fishing vessels. (3,30) Although most children are victims of domestic human trafficking, children from Burundi and Rwanda are also subject to child trafficking into Tanzania for forced labor. (3,33) According to reports, Burundian refugee children living in Tanzania are increasingly vulnerable to exploitation, including commercial sexual exploitation, sometimes as result of human trafficking, and for work on farms in western Tanzania. (30,34,35)




Children working in mining are exposed to many hazards, such as mercury poisoning and being trapped when tunnels collapse, especially in smaller unlicensed operations. (21,22,36,37) A 2019 report found children grinding and pounding rock for production of gravel in Pemba. The children working at these sites were using dangerous tools and exposed to being hit by rock fragments. (17)

Families are often required to pay for textbooks, uniforms, and school lunches, at costs that are prohibitive for some families. (7,38,39) Schools often lack resources for children with disabilities or learning disorders, which has resulted in many of these students dropping out. (2,40) These barriers can reduce children’s access to school and increase their vulnerability to child labor.

II. LEGAL FRAMEWORK FOR CHILD LABOR

Tanzania has ratified all key international conventions concerning child labor (Table 3).

Table 3. Ratification of International Conventions on Child Labor

Convention	Ratification
 ILO C. 138, Minimum Age	✓
ILO C. 182, Worst Forms of Child Labor	✓
 UN CRC	✓
UN CRC Optional Protocol on Armed Conflict	✓
UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	✓
 Palermo Protocol on Trafficking in Persons	✓

MINIMAL ADVANCEMENT – EFFORTS MADE BUT CONTINUED PRACTICE THAT DELAYED ADVANCEMENT

The government has established laws and regulations related to child labor (Table 4). However, gaps exist in Tanzania's legal framework to adequately protect children from the worst forms of child labor, including the minimum age for work and the compulsory education age.

Table 4. Laws and Regulations on Child Labor

Standard	Related Entity	Meets International Standards	Age	Legislation
Minimum Age for Work	Mainland	No	14	Article 5 of the Employment and Labour Relations Act; Article 77 of the Law of the Child Act (41,42)
	Zanzibar	No	15	Article 6 of the Zanzibar Employment Act; Articles 2 and 98 of the Zanzibar Children's Act (43,44)
Minimum Age for Hazardous Work	Mainland	Yes	18	Article 5 of the Employment and Labour Relations Act; Article 82 of the Law of the Child Act (41,42)
	Zanzibar	Yes	18	Articles 8 and 9 of the Zanzibar Employment Act; Article 100 of the Zanzibar Children's Act (43,44)
Identification of Hazardous Occupations or Activities Prohibited for Children	Mainland	Yes		Article 5 and First Schedule of Regulations of the Employment and Labor Relations Act; Article 82 of the Law of the Child Act; List of Hazardous Child Labour (12,36,41,42)
	Zanzibar	Yes		Articles 8 and 9 of the Zanzibar Employment Act; Article 100 of the Zanzibar Children's Act (43,44)
Prohibition of Forced Labor	Mainland	Yes		Article 25 of the Constitution; Article 80 of the Law of the Child Act; Article 6 of the Employment and Labor Relations Act; Article 4 of the Anti-Trafficking in Persons Act (41,42,45,46)
	Zanzibar	Yes		Article 7 of the Zanzibar Employment Act; Article 102 of the Zanzibar Children's Act (43,44)
Prohibition of Child Trafficking	Mainland	Yes		Article 4 of the Anti-Trafficking in Persons Act (46)
	Zanzibar	Yes		Articles 6 and 7 of the Zanzibar Employment Act; Article 106 of the Zanzibar Children's Act (43,44)
Prohibition of Commercial Sexual Exploitation of Children	Mainland	Yes		Article 138.2.b of the Sexual Offences Special Provisions Act; Article 4 of the Anti-Trafficking in Persons Act (46,47)
	Zanzibar	Yes		Article 155 of the Penal Decree Act of Zanzibar; Article 110 of the Zanzibar Children's Act (43,48)
Prohibition of Using Children in Illicit Activities	Mainland	No		
	Zanzibar	Yes		Article 7.2.c of the Zanzibar Employment Act (44)
Minimum Age for Voluntary State Military Recruitment		Yes	18	Article 29 of the National Defence Act (49)
Prohibition of Compulsory Recruitment of Children by (State) Military		N/A*		
Prohibition of Military Recruitment by Non-state Armed Groups		No		
Compulsory Education Age	Mainland	No	13	Article 35 of the National Education Act (50)
	Zanzibar	No	13	Section 19 of Education Act (51,52)
Free Public Education	Mainland	No		
	Zanzibar	Yes		Section 59 of the Education Act (51, 52)

* No conscription (49)

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. (2,45) 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. (41,43,44) Although Zanzibar has a policy establishing compulsory education through the age of 15, this standard has not been put into law; the Education Act stipulates a compulsory education age of 13, which is below the minimum age for work. (51,52) In the Mainland, there is no free basic education for children as established by law.

Tanzania

MINIMAL ADVANCEMENT – EFFORTS MADE BUT CONTINUED PRACTICE THAT DELAYED ADVANCEMENT

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. (12,36,41-44) In addition, Mainland Tanzania does not clearly provide penalties for using children for illicit activities, including in the production and trafficking of drugs. Zanzibar prohibits the use of children for illicit activities, including the production and trafficking of drugs. (43,44)

A practice that contributes to children being left out of the formal education system stems from Mainland Tanzania’s Education Act, which allows school officials to conduct medical examinations on students; school administrators apply this law in combination with the Mainland’s Education Regulations, which allow for the expulsion of students for moral offenses, to compel female students to undergo pregnancy tests and expel them if they are pregnant. Pregnant girls excluded from the school system have increased vulnerability to the worst forms of child labor. (2,50,53-56) Although pregnant girls are more at risk of expulsion, boys who are found to be sexually active are also expelled from school. (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 the labor ministries of Mainland Tanzania and Zanzibar that may hinder adequate enforcement of their child labor laws.

Table 5. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Related Entity	Role
Minister of State in the Prime Minister’s Office for Policy, Parliamentary Affairs, Labor, Employment, Youth, and the Disabled	Mainland	Enforces child labor laws. Assigns area labor officers to each region to respond to reports of child labor violations, issues non-compliance orders, and reports incidents to police and the Ministry of Health and Social Welfare. (2) 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. (57)
Ministry of Health, Community Development, Gender, Elderly, and Children	Mainland	Enforces child protection laws and regulations, and health and social welfare policies. Employs officers to monitor child labor at the district and village levels, and reports findings to the President’s Office of Regional Administration and to local governments. (2) Promotes community development, gender equality, and children’s rights by formulating policies, strategies, and guidelines in collaboration with stakeholders. (57)
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. (57)
Ministry of Empowerment, Adults, Youth, Women and Children	Zanzibar	Ensures compliance with child protection and child labor laws, including inspections, through its Child Protection Unit. (57) Following a merger with the Ministry of Labor, Economic Empowerment and Cooperatives, investigates child labor cases reported by the police and refers cases to social welfare officers. (58)
Ministry of Health	Zanzibar	Enforces anti-trafficking laws, including cases of child trafficking. (57)
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. (2,57,59)

Labor Law Enforcement

In 2019, labor law enforcement agencies in Tanzania took actions to combat child labor (Table 6). However, gaps exist in the authority of the labor ministries and in the execution of their mandates that may hinder adequate labor law enforcement, including the lack of publicly available enforcement data.

MINIMAL ADVANCEMENT – EFFORTS MADE BUT CONTINUED PRACTICE THAT DELAYED ADVANCEMENT

Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	Related Entity	2018	2019
Labor Inspectorate Funding	Mainland	Unknown (7)	Unknown (2)
	Zanzibar	\$28,193 (7)	\$7,180 (2)
Number of Labor Inspectors	Mainland	79 (7)	Unknown (2)
	Zanzibar	20 (7)	11 (2)
Inspectorate Authorized to Assess Penalties	Mainland	No (7)	No (2)
	Zanzibar	No (7)	No (2)
Initial Training for New Labor Inspectors	Mainland	Unknown (7)	Unknown (2)
	Zanzibar	No (7)	No (2)
Training on New Laws Related to Child Labor	Mainland	N/A	Unknown (2)
Training on New Laws Related to Child Labor	Zanzibar	N/A	No (2)
Refresher Courses Provided	Mainland	Unknown(7)	Unknown (2)
Refresher Courses Provided	Zanzibar	Yes (7)	No (2)
Number of Labor Inspections Conducted	Mainland	Unknown (7)	Unknown (2)
	Zanzibar	360 (7)	500 (2)
Number Conducted at Worksites	Mainland	Unknown (7)	Unknown (2)
Number Conducted at Worksites	Zanzibar	360 (7)	500 (2)
Number of Child Labor Violations Found	Mainland	Unknown (7)	Unknown (2)
	Zanzibar	0 (7)	0 (2)
Number of Child Labor Violations for Which Penalties Were Imposed	Mainland	Unknown (7)	Unknown (2)
Number of Child Labor Violations for Which Penalties Were Imposed	Zanzibar	0 (7)	0 (2)
Number of Child Labor Penalties Imposed that Were Collected	Mainland	Unknown (7)	Unknown (2)
Number of Child Labor Penalties Imposed that Were Collected	Zanzibar	0 (7)	0 (2)
Routine Inspections Conducted	Mainland	Yes (7)	Yes (2)
	Zanzibar	Yes (7)	Yes (2)
Routine Inspections Targeted	Mainland	Yes (7)	Yes (2)
Routine Inspections Targeted	Zanzibar	Yes (7)	Yes (2)
Unannounced Inspections Permitted	Mainland	Yes (7)	Yes (2)
	Zanzibar	Yes (7)	Yes (2)
Unannounced Inspections Conducted	Mainland	Yes (7)	Yes (2)
Unannounced Inspections Conducted	Zanzibar	Yes (7)	Yes (2)
Complaint Mechanism Exists	Mainland and Zanzibar	Yes (7)	Yes (2)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Mainland	Yes (7)	Yes (2)
	Zanzibar	Yes (7)	Yes (2)

The Mainland government did not provide information on labor enforcement efforts for inclusion in this report. (2) 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. (7,60) Based on information from past reporting, the number of labor inspectors is likely insufficient for the size of Tanzania's workforce, which includes nearly 25 million workers. According to the ILO's technical advice of a ratio approaching 1 inspector for every 40,000 workers in least developed economies, Tanzania would employ about 622 inspectors. (61,62) In addition, government-wide budgetary issues resulted in a substantial decrease of funding for the Zanzibar labor inspectorate from \$28,193 to \$7,180, which is insufficient to provide adequate enforcement of labor laws. (2) Although figures on the Mainland labor inspectorate funding remain unavailable, NGOs have noted that labor enforcement efforts could benefit from additional funding and increased numbers of inspections. (57)

Criminal Law Enforcement

In 2019, criminal law enforcement agencies in Tanzania took actions to combat child labor (Table 7). However, gaps exist within the operations of the criminal enforcement agencies that may hinder adequate criminal law enforcement, including training for criminal investigators.

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Table 7. Criminal Law Enforcement Efforts Related to Child Labor

Overview of Criminal Law Enforcement	Related Entity	2018	2019
Initial Training for New Criminal Investigators	Mainland	No (7)	Unknown (2)
	Zanzibar	No (7)	No (2)
Training on New Laws Related to the Worst Forms of Child Labor	Mainland	N/A (7)	Unknown (2)
	Zanzibar	N/A (7)	No (2)
Refresher Courses Provided	Mainland	Unknown (7)	Unknown (2)
	Zanzibar	Yes (7)	No (2)
Number of Investigations	Mainland	Unknown (7)	2 (30)
	Zanzibar	0 (7)	0 (2)
Number of Violations Found	Mainland	Unknown (7)	5 (30)
	Zanzibar	0 (7)	0 (2)
Number of Prosecutions Initiated	Mainland	Unknown (7)	2 (30)
	Zanzibar	0 (7)	0 (2)
Number of Convictions	Mainland	Unknown (7)	2 (30)
	Zanzibar	0 (7)	0 (2)
Imposed Penalties for Violations Related to the Worst Forms of Child Labor	Mainland	Unknown (7)	Yes (30)
	Zanzibar	Unknown (7)	Unknown (2)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Mainland	Yes (7)	Yes (2)
	Zanzibar	Yes (7)	Yes (2)

During the reporting period, 218 law enforcement officials participated in U.S. government-supported trainings related to handling of human trafficking cases, including special methods for interviewing child victims of trafficking. (11,30) However, the Mainland government did not provide information for inclusion in this report on its training for criminal law enforcement officers, including trainings for new investigators, trainings on new laws related to the worse forms of child labor, and refresher courses. (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 inactive coordinating bodies.

Table 8. Key Mechanisms to Coordinate Government Efforts on Child Labor

Coordinating Body	Related Entity	Role & Description
National Education Task Force on Child Labor	Mainland and Zanzibar	Reviews education sector policies and existing laws, regulations, and strategies related to children's issues, including the National Action Plan. Reviews existing curriculum and programs, identifies gaps, and suggests strategies to resolve barriers to accessing education. (4,63) Research was unable to determine whether the National Education Task Force on Child Labor was active during the reporting period. (2)
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. (57) Chaired by Zanzibar's Ministry of Empowerment, Adults, Youth, Women and Children. (60) Research was unable to determine whether the Child Labor Steering Committee was active during the reporting period. (2)
National Protection Steering Committee	Mainland and Zanzibar	Provides overall policy guidance and coordination at the national and local levels of the National Plan of Action to End Violence Against Women and Children (NPA-VAWC) through the merger of the National Inter-Sectoral Coordination Committee and the Multi-Sector Task Force on Violence Against Children. (58,59) Operates the NPA-VAWC National Protection Technical Committee and Thematic Working Groups at the national level. Merges pre-existing committees at the regional and district levels, focusing on violence prevention and response, including the Child Labor Committees, Gender-Based Violence Committees, District Child Protection Teams, and Most Vulnerable Children Committees. (57,59) Research was unable to determine whether the National Protection Steering Committee was active during the reporting period. (2)
National Anti-Trafficking Committee (ATC) and National Anti-Trafficking Secretariat (ATS)	Mainland and Zanzibar	Promotes, defines, and coordinates policy to prevent human trafficking through engagement with local NGOs. (46,58,64) Chaired by the Ministry of Home Affairs, includes representatives from the Prime Minister's Office for Policy, Parliamentary Affairs, Labor, Employment, Youth, and the Disabled. (60) The ATC met once, contributing to the organization of human trafficking awareness events, including a Day of Dialogue and Commemoration Day in July 2019. (11,30)

V. GOVERNMENT POLICIES ON CHILD LABOR

The government has established policies related to child labor (Table 9). However, policy gaps exist that hinder efforts to address child labor, including implementation.

Table 9. Key Policies Related to Child Labor

Policy	Related Entity	Description
National Strategy on Elimination of Child Labour (2018–2022)	Mainland and Zanzibar	Coordinates prevention and responses to the worst forms of child labor at the national level. (65) The government, with the support of the ILO, drafted the National Strategy on Elimination of Child Labor in 2018, but did not launch or take measures to operationalize the policy during the reporting period. (2,66)
National Plan of Action to End Violence Against Women and Children in Tanzania (NPA-VAWC) (2017–2022)	Mainland and Zanzibar	Prevents and responds to all forms of violence against women and children through comprehensive multi-sectoral collaboration at all levels and combining eight national action plans. (59) Details responsible agencies to address multiple challenges, including education and poverty reduction. (57) Research was unable to determine whether activities were undertaken to implement the NPA-VAWC during the reporting period. (2)

‡ The government had other policies that may have addressed child labor issues or had an impact on child labor. (57,58,69)

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. (70,71) 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. (58) Despite the government’s stated intention to phase out the exam by 2021, there is no evidence of government efforts or preparations to do so. (53,58,72) In 2006, Zanzibar adopted and began implementing the Zanzibar Education Policy, which establishes compulsory education through Form 4, which is approximately age 15. (51,73) However, reporting indicates that implementation of this policy has been slow due to limited resources for schools. The government, moreover, has not included child labor elimination and prevention strategies into the Zanzibar Education Policy. (51) More than half of children in Zanzibar leave the formal education system below the minimum age for work, leaving them at increased risk for child labor. (66-68)

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2019, the government funded and participated in programs that may contribute to eliminating or preventing child labor (Table 10). However, gaps exist in these social programs, including the scope and implementation of programs in all relevant sectors.

Table 10. Key Social Programs to Address Child Labor

Program	Description
Tanzania Social Action Fund Conditional Cash Transfer Program, Phase IV (2019–2023)†	Government-funded conditional cash transfer program to provide financial assistance to vulnerable populations, including children. The program is transitioning to begin implementation of Phase IV, running from 2019 to 2023. The first transfer targets 300,000 poor households and is scheduled for July 1, 2020. (7,66)
Promoting Sustainable Practices to Eradicate Child Labor in Tobacco (PROSPER) Umoja (Unity) (2018–2020)	\$900,000 extension project of PROSPER Plus, implemented by Winrock International, the Tanzania Association of Women Leaders in Agriculture and the Environment, and the Tabora Development Foundation Trust, with funding from the Eliminating Child Labor in Tobacco Growing Foundation. Aims to bring together public and private sectors to reduce child labor nationwide, focusing in Kaliua, Sikonge, Tabora, and Urambo. (7,57,74) In 2019, 300 children from families of small-scale tobacco farmers in Taboa, Mbeya, Songwe received scholarships through the PROSPER Umoja program. (26)
Eradicating the Worst Forms of Labor in the Eight Mining Wards of the Geita District, Phase 2 (2015–2019)	\$2 million EU-funded, 3 year project implemented by Plan International Tanzania to enhance social protection mechanisms to prevent and improve awareness of child labor among children, parents, and mining employers near Chato, Geita, and Nywangwale. (7,75) Cumulative figures report that the project provided awareness-raising messages to 5,500 small-scale unregistered miners and supported the removal of 5,472 children from the worst forms of child labor, reintegrating removed children into schools. (2)
Decent Work Country Program (2017–2021)	ILO-supported program that aims to promote job creation, workers’ rights, social protection, and social dialogue. Outcomes include an improved operational environment for the elimination of child labor and its worst forms. (57,75,76)

Table 10. Key Social Programs to Address Child Labor (Cont.)

Program	Description
Addressing Decent Work Deficits in the Tobacco Sector in Tanzania (2019–2023)*	ILO-funded program that aims to address decent work deficits, including elimination of child labor, under the ILO's multi-country Integrated Strategy to Address Decent Work Deficits in the Tobacco Sector. (2,79) The project is being implemented in Urambo and Tabora through March 2020. (2) The government provides support for the project by coordinating and providing guidance to stakeholders. (11)

* 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. (57)

The scope of government-funded social programs is inadequate in that it does not cover construction, mining and quarrying, domestic service, fishing, and informal sectors in which children engage in child labor.

VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE CHILD LABOR

Based on the reporting above, suggested actions are identified that would advance the elimination of child labor in Tanzania (Table 11).

Table 11. Suggested Government Actions to Eliminate Child Labor

Area	Related Entity	Suggested Action	Year(s) Suggested
Legal Framework	Mainland and Zanzibar	Criminalize the recruitment of children under age 18 by non-state armed groups.	2016 – 2019
	Mainland and Zanzibar	Ensure that minimum age protections apply to all children, including those engaged in domestic work.	2013 – 2019
	Mainland and Zanzibar	Establish by law a compulsory age for education, which leaves no gap between the age of compulsory education and minimum age for work.	2017 – 2019
	Mainland	Establish by law free basic public education.	2016 – 2019
	Mainland	Continue to expand the list of hazardous occupations and activities prohibited for children to ensure that the list includes weeding and processing in the production of tobacco, cloves, coffee, sisal, and tea.	2016 – 2019
	Mainland	Criminalize the use of children in illicit activities, particularly in producing and trafficking drugs.	2012 – 2019
	Mainland	Ensure that the law does not prohibit access to education for pregnant girls and sexually active boys.	2017 – 2019
Enforcement	Mainland and Zanzibar	Authorize the Mainland Tanzania and Zanzibar labor inspectorates to assess penalties.	2017 – 2019
	Zanzibar	Institutionalize training for labor inspectors, including training new labor inspectors at the beginning of their employment, trainings on laws related to the worst forms of child labor, and refresher courses.	2019
	Mainland	Publish information on child labor law enforcement efforts.	2011 – 2019
	Mainland and Zanzibar	Ensure that a dedicated labor officer is appointed to each region, and publish this information.	2013 – 2019
	Mainland and Zanzibar	Increase the number of labor inspectors to meet ILO's technical advice.	2013 – 2019
	Mainland and Zanzibar	Provide sufficient funding to ensure adequate enforcement of labor laws.	2013 – 2019
	Zanzibar	Institutionalize training for criminal law enforcement investigators, including by training new investigators, trainings on new laws related to the worst forms of child labor, and refresher courses.	2019
	Zanzibar	Publish information on penalties imposed for crimes related to the worst forms of child labor.	2019
Mainland	Mainland	Publish information on training for criminal law enforcement officials, including training for new investigators, training on laws related to the worst forms of child labor, and refresher courses.	2012 – 2019
	Mainland and Zanzibar	Ensure that coordinating committees are active and able to carry out their intended mandates.	2018 – 2019

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Table 11. Suggested Government Actions to Eliminate Child Labor (Cont.)

Area	Related Entity	Suggested Action	Year(s) Suggested
Government Policies	Mainland and Zanzibar	Ensure the implementation of the National Strategy on Elimination of Child Labor and National Plan of Action to End Violence Against Women and Children in Tanzania.	2018 – 2019
	Mainland	Eliminate provisions in the Primary School Leaving Examination that are barriers to education, such as the no re-take policy.	2016 – 2019
	Zanzibar	Incorporate child labor prevention and elimination strategies, and ensure the full implementation of the Zanzibar Education Policy to limit dropouts.	2018 – 2019
Social Programs	Mainland and Zanzibar	Ensure the implementation of government-funded social programs.	2019
	Mainland and Zanzibar	Enhance efforts to eliminate barriers and make education accessible for all children by eliminating or defraying prohibitive related costs, such as books, school meals, and uniforms, while ensuring schools have adequate resources for students with disabilities and learning disorders.	2010 – 2019
	Mainland and Zanzibar	Integrate programs that include the construction, mining, quarrying, domestic service, fishing, and informal sectors to address children engaged in child labor.	2017 – 2019

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In 2019, Thailand made a moderate advancement in efforts to eliminate the worst forms of child labor. The government increased its total number of labor inspections by six percent, and it worked to ensure migrant students educated at Migrant Learning Centers receive a government accredited certificate to allow them to pursue additional educational opportunities in Thailand or back in their native countries. The Ministry of Education issued a new regulation that allows non-Thai children to enroll in the formal school system and ensures that these children have access to free education and health services. The government also published the first nationally representative survey of working children in Thailand. Thailand was also the first country in Asia to ratify ILO Convention 188, which came into force in January; Thailand also passed the 2019 Fishery Workers Protection Act and drafted regulations in the high-risk fishing sector. However, children in Thailand are engaged in the worst forms of child labor, including in commercial sexual exploitation, sometimes as a result of human trafficking. Children, including those under 12, also participate in Muay Thai competitions, an area of hazardous work in which there is evidence of serious head injuries. Although the government made meaningful efforts in all relevant areas during the reporting period, it does not meet the international standard for the minimum age for work because the law does not grant protections to children working outside a formal employment relationship. Enforcement of child labor laws remains a challenge due to an insufficient number of inspectors and resources to physically inspect remote workplaces in informal sectors.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Thailand are engaged in 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 *Muay Thai* fighting competitions for remuneration. (1-12) Thailand published the Thai language results of the *National Working Children Survey* of 2018, its first nationally representative survey of working children, conducted according to international standards in coordination with the ILO, which preliminarily found approximately 177,000 children engaged in child labor, of which a subset of 133,000 children are engaged in hazardous work. While the initial results demonstrate progress in the Government of Thailand's work to combat child labor, the CEACR noted the number of children engaged in child labor remains significant. (13,14) An official English translation of the 2018 survey results has not yet been published, and the analysis is awaiting final validation by the ILO. (13,15) 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 (%)		93.4

Source for primary completion rate: Data from 2018, published by UNESCO Institute for Statistics, 2020. (16)

Source for all other data: International Labor Organization's analysis of statistics from Multiple Indicator Cluster Survey 3 (MICS 3), 2005–2006. (17)

Based on a review of available information, Table 2 provides an overview of children's work by sector and activity.

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Table 2. Overview of Children’s Work by Sector and Activity

Sector/Industry	Activity
Agriculture	Processing shrimp and seafood† (4,13,18-20)
	Fishing, including work performed on sea vessels† (4,18,21)
	Planting and harvesting sugarcane (13,22)
	Production of rubber and pineapples (23)
Industry	Manufacturing, including garment production (4,24)
	Working in poultry factories, and working on pig farms (15,25,26)
	Construction, including transporting cement and bricks (4,13,27-29)
Services	Domestic work (23,30)
	Work in restaurants, motorcycle repair shops, and gas stations (4,13)
	Street work, including begging and vending (4,30,31)
	<i>Muay Thai</i> fighting (2-4,6-12)
Categorical Worst Forms of Child Labor‡	Commercial sexual exploitation, including use in the production of pornography, sometimes as a result of human trafficking (1,4,5,32-36)
	Forced labor in vending, begging, and domestic work, each sometimes as a result of human trafficking (4,5,24)
	Forced labor in the production of garments, in agriculture, and in shrimp and seafood processing (4,33)
	Fishing as a result of human trafficking (4,21,24,37)
	Use in the production and trafficking of drugs, including amphetamines, kratom, and marijuana (4,23,33)

† Determined by national law or regulation as hazardous and, as such, relevant to Article 3(d) of ILO C. 182.

‡ Child labor understood as the worst forms of child labor *per se* under Article 3(a)–(c) of ILO C. 182.

Thai children and children from Burma, Cambodia, and Laos are subjected to commercial sexual exploitation in Thai massage parlors, bars, karaoke lounges, hotels, and private residences. In addition, children are increasingly being individually lured by predators online through social media and private chat rooms, and being coerced to produce pornography and perform sexual acts. (4,5,30,32,38,39)

Incidents of child labor in the shrimp and seafood processing industry have decreased in recent years, but children, particularly migrants from the Greater Mekong Subregion, continue to engage in hazardous work in this industry. (4,18,40,41) Children engaged in shrimp and seafood processing work late hours cleaning and lifting heavy loads of seafood and experience health problems such as physical injuries and chronic diseases. (20,42) Similarly, children working in agriculture face health risks from lifting heavy loads, risks of injury from operating dangerous machinery and using sharp equipment, exposure to pesticides, sun, and heat, and long hours from very early in the morning until nighttime. (23) Thai and migrant children who accompany their parents working in the construction sector are exposed to child labor at and around construction sites, including performing construction work or working as caretakers for younger children or as housekeepers. (4,28,29,43)







Children, including those under 15, also participate for remuneration—in the form of prize money or wages—in *Muay Thai* competitions, an area of work in which there is evidence of serious head injuries, including brain hemorrhages and deteriorated nerve fibers around the brain stem. Additionally, research found that betting and illegal gambling on the outcome of children’s matches occurs often during *Muay Thai* competitions. (2-4,6-12) The Royal Thai Government has begun drafting its Boxing Act Amendment in 2018 in response to the death of a 13-year old boy participating in *Muay Thai*, but research has been unable to determine the types of changes the draft Boxing Act amendment proposes or what progress was made toward enacting this legislation in 2019. (4,44)

Although Order No. 28/2559 of the National Council for Peace and Order ensures 15 years of free education for all children in Thailand, language barriers cause some children, particularly migrants and ethnic minorities, to struggle to access basic education. (4,33,45) Although children without identity documents or a registered address cannot be denied enrollment in public schools, research found that there is a lack of clarity among school officials regarding the type of documentation non-Thai students need to possess to enroll in school, which may be a barrier to education access. (4,46,47) The government published an Education Ministerial Proclamation and the Guideline on Enrollment of Non-Thai Children to help clarify the rules and regulations pertaining to enrollment of children in school. (15,48,49) In addition, as school applications are only available in Thai, this may be a barrier for migrant and ethnic minority children’s access to education. (4,44)

II. LEGAL FRAMEWORK FOR CHILD LABOR

Thailand has ratified all key international conventions concerning child labor (Table 3).

Table 3. Ratification of International Conventions on Child Labor

Convention	Ratification
 ILO C. 138, Minimum Age	✓
 ILO C. 182, Worst Forms of Child Labor	✓
 UN CRC	✓
 UN CRC Optional Protocol on Armed Conflict	✓
 UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	✓
 Palermo Protocol on Trafficking in Persons	✓

The government has established laws and regulations related to child labor (Table 4). However, gaps exist in Thailand's legal framework to adequately protect children from the worst forms of child labor, including not meeting the international standard for the minimum age for work.

Table 4. Laws and Regulations on Child Labor

Standard	Meets International Standards	Age	Legislation
Minimum Age for Work	No	15	Chapter 4, Section 44 of the Labor Protection Act; Section 148/1 of the Labor Protection Act (No. 5) (50,51)
Minimum Age for Hazardous Work	Yes	18	Chapter 4, Sections 49–50 of the Labor Protection Act; Section 148/2 of the Labor Protection Act (No. 5); Chapter 2, Article 26(6) of the Child Protection Act; Chapter 4, Section 20 of the Home-based Worker Protection Act (50-53)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Chapter 4, Sections 49–50 of the Labor Protection Act; Clause 4 of the Ministerial Regulation concerning Labor Protection in Sea Fishery Work; Clause 2 of the Ministerial Regulation Identifying Tasks that may be Hazardous to the Health and Safety of Pregnant Women or Children Under the Age of Fifteen Years (50,54,55)
Prohibition of Forced Labor	Yes		Sections 312 and 312 bis of the Penal Code; Section 6/1 of the Anti-Trafficking in Persons Act (No. 3) (56-59)
Prohibition of Child Trafficking	Yes		Sections 282–283 of the Penal Code; Section 6 of the Anti-Trafficking in Persons Act (No. 3) (56,58)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Section 8 of the Prevention and Suppression of Prostitution Act; Section 6 of the Anti-Trafficking in Persons Act (No. 3); Sections 282 and 285–287 of the Penal Code; Section 26 of the Child Protection Act; Amendment to the Penal Code Act No. 24 (52,56,57,60,61)
Prohibition of Using Children in Illicit Activities	Yes		Section 26 of the Child Protection Act; Section 93 of the Narcotics Act; Section 84 of the Penal Code; Section 22 of the Beggar Control Act (52,62-64)
Minimum Age for Voluntary State Military Recruitment	Yes	18	Section 25 of the Military Service Act (65)
Prohibition of Compulsory Recruitment of Children by (State) Military	Yes		Section 25 of the Military Service Act (65)
Prohibition of Military Recruitment by Non-state Armed Groups	No		
Compulsory Education Age	Yes	16	Section 17 of the National Education Act (66)
Free Public Education	Yes		Section 10 of the National Education Act (66)

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The Thai Government ratified ILO Convention 188 Work in Fishing Convention—the first country in Asia to do so—which came into force in January 2019 and requires that Thailand abide by international standards for work onboard fishing vessels, including child labor standards. Regulations related to the implementation of the 2019 Fishery Workers Protection Act have not yet been approved. (4,67,68) Further, an amendment to the 2008 Anti-Trafficking in Persons Law that took effect in April, separately criminalizes forced labor, including forced child labor. (59) No cases were filed under the amendment by the end of 2019 as the implementing regulations had not yet been enacted. (4)

The minimum age for work does not comply with international standards because the law does not grant protections to children working outside of employment relationships. In addition, because the minimum age for work is lower than the compulsory education age, some children may be encouraged to leave school before the completion of compulsory education. (50,51,66)

The types of hazardous work prohibited for children do not cover professional *Muay Thai* competitions, an area of work where there is evidence of exposure to serious physical injury. (2,4,6-12)

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 Ministry of Labor (MOL) and criminal law enforcement agencies that may hinder adequate enforcement of their child labor laws.

Table 5. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
Department of Labor Protection and Welfare (DLPW) of the Ministry of Labor (MOL)	Enforces child labor laws through workplace inspections. (23) Operates Hotline 1509 and staffs 86 labor protection and welfare offices in every province to answer questions about working conditions and receive complaints from the public about child labor. (4,44,68) In 2019, DLPW inspectors identified 43 child labor violations, including employing children under the minimum age for work and minimum age for hazardous work. DLPW call centers also received 453 calls related to possible child labor violations. (4)
Anti-Human Trafficking Units	The Anti-Trafficking in Person Division of the Royal Thai Police (RTP) enforces laws related to forced labor, human trafficking, child pornography, and commercial sexual exploitation of children, and operates Hotline 191 to receive complaints on human trafficking and violence against children. (68,69) 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. In 2019, the OAG's Department of Trafficking in Persons Litigation collected data on child labor for the Royal Thai Government's (RTG) annual report on the worst forms of child labor. (4,15,43) The Thailand Anti-Trafficking in Persons Taskforce (TATIP) investigates and enforces laws against human trafficking in the sex trade and mainstream industries. TATIP teams comprise police officers, social workers, and selected NGO representatives. (44,70,71) In 2019, the RTP developed a mobile application ("Police I lert u") that will allow individuals to report possible human trafficking violations, including those related to the sexual exploitation of children, to a 24/7 operations center for analysis and on-site investigations. (4,5,15,70,72) The Department of Special Investigation's (DSI) Bureau of Human Trafficking Crime is tasked with enforcing and investigating human trafficking cases. In 2019, DSI's Bureau of Human Trafficking Crime was active and assisted with multiple investigations. (4,43)
Thailand Internet Crimes Against Children Taskforce (TICAC)	Investigates and enforces laws against child trafficking and the online sexual exploitation of children, including the distribution and production of child pornography. (4,5) Comprises police officers, DSI agents, social workers, and selected NGO representatives. In 2019, TICAC investigated 26 cases of internet-facilitated child sex trafficking and co-hosted a seminar on enhancing the effectiveness of anti-sex trafficking education provided to students in schools. (4,15,43,70,72)
Ministry of Social Development and Human Security (MSDHS)	Enforces child protection laws through close collaboration with the RTP, DSI, DLPW, and the Ministry of Foreign Affairs; operates Hotline 1300, which receives human trafficking and child labor complaints. Operates 76 temporary shelters located in every province and 9 long-term shelters for human trafficking victims, including a shelter dedicated solely boys. (4,5,35,52,72) In 2019, MSDHS organized 5 victim identification trainings for 1,000 participants on victim identification, particularly in forced labor, in accordance with the 2019 Amendment of the Anti-TIP Act. (15,70)

Even though the incidence of child labor law violations has decreased in the shrimp and seafood processing sectors, Thailand continues to closely monitor the industry for child labor through 32 Port In-Port Out (PIPO)

Centers and 19 Forward Inspection Points (FIP) along the coasts. These Centers enforce laws related to fishing, forced labor, child labor, and human trafficking. (4,15,19,21,41,43)

Labor Law Enforcement

In 2019, labor law enforcement agencies in Thailand took actions to combat child labor (Table 6). However, gaps exist within the operations of the MOL that may hinder adequate labor law enforcement, including an insufficient number of labor inspectors.

Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2018	2019
Labor Inspectorate Funding	\$921,068 (44)	\$992,428 (4)
Number of Labor Inspectors	1,900 (44)	1,813 (4)
Inspectorate Authorized to Assess Penalties	Yes (50)	Yes (50)
Initial Training for New Labor Inspectors	Yes (44)	Yes (4)
Training on New Laws Related to Child Labor	Yes (44)	Yes (4)
Refresher Courses Provided	Yes (44)	Yes (4)
Number of Labor Inspections Conducted	40,568 (44)	42,956 (4)
Number Conducted at Worksite	40,568 (44)	42,956 (4)
Number of Child Labor Violations Found	83 (44)	360 (4)
Number of Child Labor Violations for Which Penalties Were Imposed	53 (44)	65 (15)
Number of Child Labor Penalties Imposed that Were Collected	53 (44)	16 (15)
Routine Inspections Conducted	Yes (44)	Yes (4)
Routine Inspections Targeted	Yes (44)	Yes (4)
Unannounced Inspections Permitted	Yes (50)	Yes (50)
Unannounced Inspections Conducted	Yes (44)	Yes (4)
Complaint Mechanism Exists	Yes (44)	Yes (4)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (44)	Yes (4)

In 2019, the government increased its labor inspectorate budget by more than \$70,000. The number of labor inspections also increased in 2019 despite employing fewer inspectors, which the government remarked was a result of using fewer inspectors from agencies outside the MOL. (4) The government also hired 2 additional interpreters to assist labor inspectors, for a total of 126 interpreters. All labor inspectors are authorized to inspect and enforce child labor laws. (4,44) Nonetheless, the number of labor inspectors is likely still insufficient for the size of Thailand's workforce, which includes approximately 38.45 million workers. According to the ILO's technical advice of a ratio approaching 1 inspector for every 15,000 workers in developing economies, Thailand would employ about 2,558 labor inspectors. (76,77) More than 94 percent of unannounced child labor inspections targeted high-risk worksites that employed children in the garment, shrimp and seafood processing, poultry and pig farming, services, auto repair, and construction sectors. In 2019, 32 child labor violations were found in high-risk worksites. (4) Inspectors who find a child labor violation must immediately assess a penalty on the employer and refer the case to the Royal Thai Police (RTP). (4) Research found that NGOs have recommended that the Royal Thai Government create a comprehensive standard operating procedure to refer and protect children rescued at night from child labor situations. NGOs suggest this standard operating procedure also include additional compensation for social workers providing care throughout the night. (4)

In 2019, the Command Center for Combating Illegal Fishing (CCCIF) organized a training for 184 new labor inspectors that included preventing child labor in the fishing industry. (4) The National Marine Preservation Act took effect in 2019, which established the Thai Maritime Enforcement Command Center (Thai-MECC) and granted Thai-MECC oversight authority over the CCCIF's PIPO and FIP operations. Thai-MECC has the authority and 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. (4,5,15,68,78) The Department of Labor Protection and Welfare (DLPW) continued to use mobile inspection teams that consisted

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of labor inspectors, a legal affairs officer, interpreters, and sometimes employees from the Departments of Special Investigation; Employment; and Fisheries. These teams conducted targeted monthly child labor inspections using information shared by NGOs and child protection networks, and they are authorized to file criminal lawsuits when child labor violations are found. (23,45) In 2019, mobile inspection teams found 24 child labor violations, all of which were issued citations. (15) Although the CCCIF and the DLPW have made efforts to actively exchange information with NGOs, it is reported that the CCCIF and the DLPW have not made efforts to reach out to migrant community NGOs or networks to exchange information on high-risk workplaces or provide training on child labor issues. (23,44) The number of labor inspections conducted in agricultural and domestic work was insufficient due to labor inspectors' inability to physically access remote work places and inspector safety. (4,15)

Criminal Law Enforcement

In 2019, criminal law enforcement agencies in Thailand took actions to combat child labor (Table 7). However, gaps exist within the operations of the criminal enforcement agencies that may hinder adequate criminal law enforcement, including fully reporting criminal enforcement data.

Table 7. Criminal Law Enforcement Efforts Related to Child Labor

Overview of Criminal Law Enforcement	2018	2019
Initial Training for New Criminal Investigators	Yes (44)	Yes (4)
Training on New Laws Related to the Worst Forms of Child Labor	Yes (44)	Yes (4)
Refresher Courses Provided	Yes (44)	Yes (4)
Number of Investigations	2,582† (44,35)	Unknown (4)
Number of Violations Found	205† (44)	2,425 (4)
Number of Prosecutions Initiated	172† (44)	71 (4)
Number of Convictions	Unknown (44)	Unknown (4)
Imposed Penalties for Violations Related to The Worst Forms of Child Labor	Yes (44)	Yes (4)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (44)	Yes (4)

† Data are from October 1, 2017, to September 30, 2018.

In 2019, the RTP investigated 100, and public prosecutors issued indictments in 71 cases against 66 alleged suspects for violations involving the worst forms of child labor. The RTP Anti-Trafficking in Person Division found 111 victims of child trafficking for the purposes of commercial sexual exploitation and production of child pornography, and an additional 141 individuals were prosecuted for other child labor-related crimes. (4,15,68) The Department of Juvenile Observations and Protection reported 2,314 cases of children involved in the narcotic production and trade. (4,68) During the reporting period, 343 RTP police investigators were trained on polices and laws and criminal investigative and prosecutorial techniques related to the worst forms of child labor. The Thailand Internet Crimes Against Children Taskforce and the Thailand Anti-Trafficking in Persons Taskforce collaborated closely with international law enforcement agencies and NGOs, including the National Center for Missing and Exploited Children, to identify and arrest suspects engaged in online child commercial sexual exploitation. (4,44,43)

Research indicates that there is a lack of understanding of the use of male children in commercial sexual exploitation among some provincial government and court officials due to the preconceived notion that boys are stronger than girls and should be able to defend themselves against perpetrators. In addition, there is no training provided to officials specifically covering victim assistance for boys. (15) Research found that some law enforcement officials may underreport human trafficking incidences for fear that reporting them would demonstrate law enforcement deficiencies. (5)

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 the MOL, with representation from other government agencies, employer and worker associations, and civil society groups. (77) Oversees a subcommittee responsible for monitoring the National Policy and Plan to Eliminate the Worst Forms of Child Labor. (33,79) In 2019, the committee met to restructure its subcommittees' monitoring efforts to eliminate the use of child labor from the production of four goods (garments, pornography, shrimp, and sugarcane) on USDOL's <i>List of Goods Produced by Child Labor or Forced Labor</i> . (4)
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. (52) Led by the MSDHS with participation from the DLPW and the ministries of Education and Public Health. (43) In 2019, the committees reviewed current guidelines used to monitor the rights of the child and violations of children's rights. They also developed new guidelines to enhance current monitoring and child protection practices at the local provincial and village levels. (4)
Fishing Regulatory Units	The National Policy Committee on Anti-Trafficking in Persons and Illegal, Unreported, and Unregulated Fishing coordinates anti-trafficking in persons policies and activities and oversees five subcommittees, including the Subcommittee on Child Labor, Forced Labor, and Migrant Workers. Chaired by the MOL. (33) The Provincial Coordination Center for Sea Fishery Workers (operated jointly by the MOL, Marine Police, Provincial Administration, and Fishers' Association) compiles registration records and information on work permits for migrants working on fishing vessels, and works with vessel owners to ensure that undocumented migrant workers are registered. Also monitors and coordinates inspections of working conditions on fishing vessels, provides trainings on labor protection, receives human trafficking complaints, and coordinates with other agencies to provide assistance, remedy, and rehabilitation services for victims. (15,69) The Thai Maritime Enforcement Command Center (Thai-MECC), which is replacing the Command Center for Combating Illegal Fishing, oversees government efforts to combat illegal fishing and human trafficking in the fishing industry, including searching, investigating, and arresting vessel operators who are suspected of using illegal labor onboard; the Department of Fisheries operates 32 Port In-Port Out (PIPO) Centers and 19 Forward Inspection Points (FIP) in every coastal province. (15,68,69,78) Carries out inspections in the fishing industry. (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, Marine Department, DLPW, Department of Employment, and interpreters. (15,44) In 2019, PIPO Centers inspected 72,939 fishing vessels for child labor violations. DLPW also provided training to 60 fishing industry workers on Thai labor standards. (4)
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. (33,69) 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 the MSDHS. (5,33) This division was active in 2019. (5)

V. GOVERNMENT POLICIES ON CHILD LABOR

The government has established policies that are consistent with relevant international standards on child labor (Table 9).

Table 9. Key Policies Related to Child Labor

Policy	Description
National Policy and Plan to Eliminate the Worst Forms of Child Labor Phase II (2015–2020)	Seeks to eliminate the worst forms of child labor in Thailand in accordance with international labor standards. Focuses on (a) preventing the worst forms of child labor, (b) rescuing and protecting children from the worst forms of child labor, (c) developing and enforcing relevant laws, (d) enhancing inter-agency cooperation, and (e) developing management and monitoring systems. (79) In 2019, held training workshops to enhance care and protection quality provided to child labor victims. It also assisted with the development of the 2019 Fishery Workers Protection Act, including enhancing laws and implementation regulations in the fishing industry. (4)
Cyber Tipline Remote Access Policy	Seeks to combat the online sexual exploitation of children in Thailand by partnering with the U.S. National Center for Missing and Exploited Children. Supports TICAC by permitting the RTP to request warrants to search the residences and electronic equipment of individuals for child pornography and initiate criminal prosecution. (80-83) In 2019, 2 seminars trained 146 participants from TICAC, TATIP, NGOs, and social workers on improving victim-centric and forensic interview techniques regarding investigating and prosecuting commercial sexual exploitation of children online. (4)
National Strategic Plan (2018–2037)†	Aims to improve education access, particularly for vulnerable and poor children in remote areas, by increasing transportation to school, reforming the school subsidy program for poor families, and providing scholarships for children who stay in school. (4,84)

† Policy was approved during the reporting year.

‡ The government had other policies that may have addressed child labor issues or had an impact on child labor. (23,85,86)

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VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2019, the government funded and participated in programs that include the goal of eliminating or preventing child labor (Table 10). However, gaps exist in these social programs, including the adequacy of programs to address child labor in high-risk sectors.

Table 10. Key Social Programs to Address Child Labor

Program	Description
Government Welfare Protection Centers for Victims of Trafficking†	Operates nine long-term human trafficking shelters that offer medical care, psychosocial services, education, and life skills education. (87,88) In 2019, Save the Children and the Thailand Association of Social Workers provided training for shelter staff and case managers on how to provide support to child trafficking victims and decrease their risk of being re-victimized during the judicial processes. (5)
Combating Unacceptable Forms of Work in the Thai Fishing and Seafood Industry (2016–2019)	3.5 year, EU- and ILO-funded Ship to Shore Rights project implemented by ILO, the government of Thailand, and other stakeholders to prevent and reduce forced labor and child labor in the Thai fishing and seafood processing sectors, including by withdrawing children engaged in the worst forms of child labor and enhancing their access to support services. (89,90) In 2019, a joint training between the ILO and the MOL taught 180 newly recruited labor inspectors about child labor and child protection laws. (68)
Migrant Learning Centers (MLCs)†	NGO and government-operated centers that provide basic education, life skill training, and vocational training to children in migrant communities along Thailand's borders. In 2019, the Ministry of Education partnered with UNICEF and NGOs to improve MLC standards and provide government accreditation certificates to MLC students, which will help them continue their education in Thailand or pursue education opportunities in their native countries. (4,44,69)
Child Advocacy Centers (CAC)†	Provide social, legal, and repatriation services to children who are survivors or vulnerable to human trafficking, including children trafficked for commercial sexual exploitation. (35,92) In 2019, all five CACs were operational and provided services for 104 child survivors in 80 investigations. (5)
USDOL-Funded Projects	USDOL projects in Thailand that aim to eliminate child labor in its worst forms by improving the capacity of the national government in its criminal investigations and carrying out child labor research. These projects include From Protocol to Practice: A Bridge to Global Action on Forced Labor (2015–2019), a global project implemented by ILO to support global and national efforts to combat the forced labor of adults and children under the 2014 ILO Protocol and supporting Recommendation to ILO C.29 on Forced Labor. (93) In 2019, USDOL continued to fund ILO technical support for the questionnaire and survey design, as well as the analysis, of the <i>National Working Child Survey 2018</i> . (15,33,94) The second project is Attaining Lasting Change for Better Enforcement of Labor and Criminal Law to Address Child Labor, Forced Labor, and Human Trafficking (ATLAS)*, implemented by Winrock International. (4,95) For additional information, please see the USDOL website.

* Project was launched during the reporting year.

† 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. (44,68,79,91,92,96)

The lack of available research and data on the prevalence of child labor in high-risk sectors, such as agriculture, garment manufacturing, domestic work, and construction, makes it difficult for the Government of Thailand to design appropriate programs to address these issues. Migrant children are not eligible for Equal Education Fund—scholarships to support disadvantaged children's access to education—distributions, which increases their vulnerability to labor exploitation. (4,44,68) While access to education for migrant children has increased, some Migrant Learning Centers (MLCs) lack accreditation. (4,43,85) In 2019, the Ministry of Health launched the Health Service System Development to Rescue and Protect Against the Worst Forms of Child Labor training program. This training program helps educate public health workers to identify and refer child labor victims to the appropriate authorities and rehabilitation services. (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 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 – 2019
	Ensure that the law criminally prohibits the recruitment of children under age 18 by non-state armed groups.	2016 – 2019
	Raise the minimum age for work to the age up to which education is compulsory.	2018 – 2019
	Ensure that the hazardous occupations and activities prohibited for children are comprehensive and include sectors in which child labor is known to occur, including paid participation in <i>Muay Thai</i> , in which there is evidence that children are exposed to physical dangers.	2018 – 2019
Enforcement	Increase the number of labor inspectors responsible for enforcing laws related to child labor to meet the ILO's technical guidance.	2015 – 2019
	Collect and publish comprehensive data on the number of investigations conducted and convictions for all crimes related to child labor, including the worst forms of child labor.	2015 – 2019
	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 as girls.	2018 – 2019
	Ensure law enforcement officials report all human trafficking incidences.	2019
	Ensure labor inspectors are provided training necessary to conduct inspections at remote informal sector workplaces.	2019
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.	2012 – 2019
	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 – 2019
	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 – 2019
	Ensure migrant learning centers are accredited.	2018 – 2019

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MINIMAL ADVANCEMENT – EFFORTS MADE BUT REGRESSION IN PRACTICE THAT DELAYED ADVANCEMENT

In 2019, Timor-Leste made a minimal advancement in efforts to eliminate the worst forms of child labor. In October, the government released an analytical report on the findings of its 2016 National Child Labor Survey in conjunction with the Mini Labor Force Survey. Additionally, the government funded the Vulnerable Persons Unit to help support children who were victims of child labor and human trafficking. However, despite new initiatives to address child labor, Timor-Leste is receiving an assessment of minimal advancement due to a regression in practice that delayed advancement in eliminating the worst forms of child labor. While no law or policy prohibits pregnant girls from attending school, reports during the reporting period indicate that orders from school principals forced girls to leave school when they became pregnant, making them more vulnerable to the worst forms of child labor. Children in Timor-Leste engage in the worst forms of child labor, including in commercial sexual exploitation, sometimes as a result of human trafficking. Children also perform dangerous tasks in agriculture. In addition, Timor-Leste's Penal Code and Labor Code only protect children under the age of 17, leaving children age 17 vulnerable to the worst forms of child labor.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Timor-Leste engage in the worst forms of child labor, including in commercial sexual exploitation, sometimes as a result of human trafficking. Children also perform dangerous tasks in agriculture. (1,2) Table 1 provides key indicators on children's work and education in Timor-Leste.

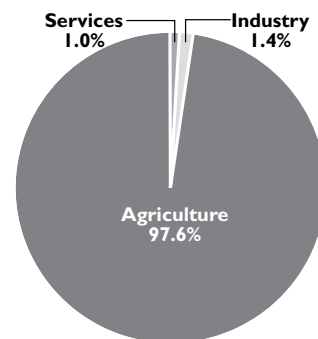
Table 1. Statistics on Children's Work and Education

Children	Age	Percent
Working (% and population)	10 to 14	19.9 (26,268)
Attending School (%)	7 to 14	69.7
Combining Work and School (%)	10 to 14	12.6
Primary Completion Rate (%)		103.8

Source for primary completion rate: Data from 2018, published by UNESCO Institute for Statistics, 2020. (3)

Source for all other data: International Labor Organization's analysis of statistics from Timor-Leste Survey of Living Standards (TLSLS), 2007. (4)

Figure 1. Working Children by Sector, Ages 10-14



Based on a review of available information, Table 2 provides an overview of children's work by sector and activity.

Table 2. Overview of Children's Work by Sector and Activity

Sector/Industry	Activity
Agriculture	Farming, including cultivating and processing coffee† and growing vegetables and other crops (1,2,5) Fishing,† including work on boats and repairing nets (1,2,6,7)
Industry	Construction,† including brickmaking (1) Operating weaving and knitting machines (5,8)
Services	Domestic work† (1,2,9,10) Street work, including vending, begging, and scavenging (1,7,11) Shopkeeping and selling goods in markets (5)
Categorical Worst Forms of Child Labor‡	Commercial sexual exploitation, sometimes as a result of human trafficking (2,7,10,12,13) Domestic and agricultural work, each sometimes as a result of human trafficking (2,7,14)

† 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.

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MINIMAL ADVANCEMENT – EFFORTS MADE BUT REGRESSION IN PRACTICE THAT DELAYED ADVANCEMENT

In October 2019, the government released its first-ever Timor-Leste National Child Labor Survey 2016 Analytical Report in conjunction with the Mini Labor Force Survey, aligning with the 2030 Agenda for Sustainable Development under Goal 8.7, which calls for the elimination of child labor, including its worst forms. Data from the Child Labor Survey, covering 1,755 households in all 13 municipalities, found that 55.5 percent of children in child labor are involved in hazardous work; key findings such as this will be used for future development of relevant policies and programs in the country. (6,7,9,15-18)

In Timor-Leste, some children are trafficked from rural areas to the capital city, Dili, and subjected to commercial sexual exploitation, domestic work, or forced labor in the fishing industry. (2,7,10,14,19) Research indicates that data on human trafficking vary across government institutions and are not centralized in a clearinghouse for stakeholder agencies to access, making it difficult to accurately assess the human trafficking issues on the ground. (10,14) Other children are trafficked transnationally, including to Indonesia. (2,10,20) Although data are limited, it is anecdotally reported that children are sometimes directed to work on family farms against their wishes to supplement family incomes. (7,10,14,21)




The law requires 9 years of compulsory education; however, in practice, children must pay additional fees to attend school. Commonly required fees include school uniforms and supplies, which can hinder access to education, particularly for children from poor and rural areas. (6,7,22) In addition, the lack of sanitation facilities at schools can result in girls dropping out of school upon reaching puberty. (7,23)

Although there is no government policy prohibiting girls from attending school while pregnant, research indicates that some school principals force girls to leave school when they become pregnant. 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. (7,23-25) 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. (24)

II. LEGAL FRAMEWORK FOR CHILD LABOR

Timor-Leste has ratified most key international conventions concerning child labor (Table 3).

Table 3. Ratification of International Conventions on Child Labor

Convention	Ratification
 ILO C. 138, Minimum Age	
ILO C. 182, Worst Forms of Child Labor	✓
 UN CRC	✓
UN CRC Optional Protocol on Armed Conflict	✓
UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	✓
 Palermo Protocol on Trafficking in Persons	✓

The government has established laws and regulations related to child labor (Table 4). However, gaps exist in Timor-Leste's legal framework to adequately protect children from the worst forms of child labor, including the minimum age for hazardous work.

Table 4. Laws and Regulations on Child Labor

Standard	Meets International Standards	Age	Legislation
Minimum Age for Work	Yes	15	Article 68 of the Labour Code (26)
Minimum Age for Hazardous Work	No	17	Article 67 of the Labour Code (26)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		List of Hazardous and Prohibited Activities to Children Under the Age of 18 (27)
Prohibition of Forced Labor	Yes		Articles 155, 162–163, and 166 of the Penal Code; Articles 8 and 67 of the Labour Code (26,28)
Prohibition of Child Trafficking	Yes		Article 81 of the Immigration and Asylum Act; Articles 162–164 and 166 of the Penal Code; Article 67 of the Labour Code; Article 18 of the Law on Preventing and Combating Human Trafficking (26,28-30)
Prohibition of Commercial Sexual Exploitation of Children	No		Articles 155 and 174–176 of the Penal Code; Article 67 of the Labour Code (26,28)
Prohibition of Using Children in Illicit Activities	No		Article 155 of the Penal Code; Article 67 of the Labour Code (26,28)
Minimum Age for Voluntary State Military Recruitment	Yes	18	Article 17 of the Law on Military Service (31)
Prohibition of Compulsory Recruitment of Children by (State) Military	Yes		Article 14 of the Law on Military Service (31)
Prohibition of Military Recruitment by Non-state Armed Groups	Yes		Article 125 of the Penal Code (28)
Compulsory Education Age	Yes	16	Article 11 of the Education System Framework Law (32)
Free Public Education	Yes		Section 59 of the Constitution of the Democratic Republic of Timor-Leste; Article 11 of the Education System Framework Law (32,33)

Research indicates that various sections of the Penal Code only criminalize the use, procuring, and offering of a child for prostitution, production of pornography, and for pornographic performances when the child victim is younger than 17 years of age. Research also shows that the Labor Code only protects minors younger than 17 in its prohibitions on the use of child labor in hazardous work. (22,23,26,28,34)

The minimum age of 17 for hazardous work is not in compliance with international standards because Timor-Leste fails to ensure that children receive adequate training, in accordance with international standards where the minimum age identified is below 18. (22,26,28) Although Timor-Leste has adopted the List of Hazardous and Prohibited Activities to Children Under the Age of 18, it is uncertain how this law will interact with the Labor Code which only considers those under age 17 as children. (2,22,27,35) 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. (26)

The minimum age for work is lower than the compulsory education age, which may encourage children to leave school before the completion of compulsory education. (32,33)

III. ENFORCEMENT OF LAWS ON CHILD LABOR

The government has established institutional mechanisms for the enforcement of laws and regulations on child labor (Table 5). However, gaps exist within the operations of the Secretariat of State for Professional Training and Employment Policy (SEPFPOE) that may hinder adequate enforcement of their child labor laws.

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Table 5. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
Secretariat of State for Professional Training and Employment Policy (SEPFPOE)	Receives child labor complaints, and passes complaints to the Timor-Leste National Police (PNTL) for further investigation. (6) Enforces laws related to child labor. Administers the General Labor Inspectorate Directorate, which is responsible for investigating incidents of forced labor. (6)
PNTL	Enforces criminal laws against forced labor, commercial sexual exploitation, and human trafficking. Includes: the Vulnerable Persons Unit (VPU), the immigration police, and the border police. (6)
Ministry of Social Solidarity and Inclusion	Receives referrals from agencies, including SEPFPOE, that are responsible for conducting child labor investigations and providing child victims with appropriate support services. (24) Maintains at least 1 technical officer in each of the country's 13 districts and 2 child protection officers in each of the 65 subdistricts, all trained to follow the government's standard operating procedures for identifying and referring victims to service providers. (10,37,38)

Labor Law Enforcement

In 2019, labor law enforcement agencies in Timor-Leste took actions to combat child labor (Table 6). However, gaps exist within the operations of SEPFPOE that may hinder adequate labor law enforcement, including labor inspector training.

Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2018	2019
Labor Inspectorate Funding	\$279,000 (6)	\$432,074 (7)
Number of Labor Inspectors	26 (6)	26 (7)
Inspectorate Authorized to Assess Penalties	Yes (26)	Yes (26)
Initial Training for New Labor Inspectors	N/A (6)	N/A (7)
Training on New Laws Related to Child Labor	N/A (6)	N/A (7)
Refresher Courses Provided	No (39)	N/A (7)
Number of Labor Inspections Conducted	1,600 (6)	2,000 (7)
Number Conducted at Worksite	Unknown (6)	Unknown (7)
Number of Child Labor Violations Found	0 (6)	0 (7)
Number of Child Labor Violations for Which Penalties Were Imposed	0 (6)	0 (7)
Number of Child Labor Penalties Imposed that Were Collected	0 (6)	0 (7)
Routine Inspections Conducted	Yes (6)	Yes (7)
Routine Inspections Targeted	Yes (6)	Yes (7)
Unannounced Inspections Permitted	Yes (26)	Yes (26)
Unannounced Inspections Conducted	Yes (6)	Yes (7)
Complaint Mechanism Exists	Yes (6)	Yes (7)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (6)	Yes (7)

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, SEPFPOE reported that the number of labor inspectors is insufficient to conduct the required labor inspections. (6,7,23) SEPFPOE stated its intention to hire additional labor inspectors in 2020. During the reporting period, the government did not provide enough funds to SEPFPOE to allow for staff training during the year. (7)

Research found that there are insufficient child labor enforcement protections for children working on family farms or in domestic work, because SEPFPOE investigators are only empowered to inspect formal workplaces. (2,7) SEPFPOE also had limited capacity to conduct inspections in Timor-Leste's rural areas, where child labor in the agriculture sector is prevalent, due to a lack of available transportation, including funds to pay for fuel for government vehicles. (6,7,9,40)

The government did not provide information on the number of inspections conducted at worksites for inclusion in this report.

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Criminal Law Enforcement

In 2019, criminal law enforcement agencies in Timor-Leste took actions to combat child labor (Table 7). However, gaps exist within the operations of the Timor-Leste National Police (PNTL) that may hinder adequate criminal law enforcement, including training for criminal investigators.

Table 7. Criminal Law Enforcement Efforts Related to Child Labor

Overview of Criminal Law Enforcement	2018	2019
Initial Training for New Criminal Investigators	Yes (6)	Yes (7)
Training on New Laws Related to the Worst Forms of Child Labor	N/A (6)	N/A (7)
Refresher Courses Provided	No (6)	No (7,25)
Number of Investigations	0 (6)	0 (7)
Number of Violations Found	0 (6)	0 (7)
Number of Prosecutions Initiated	0 (6)	0 (7)
Number of Convictions	0 (6)	0 (7)
Imposed Penalties for Violations Related to The Worst Forms of Child Labor	Unknown (6,21)	No (24)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (6)	Yes (7)

The Vulnerable Persons Unit (VPU) of the PNTL had a staff of 97 investigators charged with the enforcement of criminal laws related to the worst forms of child labor. (7,10,14,24,38)

All new PNTL officer recruits continued to receive training on how to identify human trafficking victims as a part of their standard onboarding curriculum, which teaches officers how human trafficking differs from smuggling and immigration violations, and includes a summary of the Law on Preventing and Combatting Human Trafficking. (10) However, this training was not specific to child trafficking issues. (7,9,24,38) The curriculum for new and existing members of the judiciary includes trainings on human trafficking that teach steps that criminal prosecutors can use to develop new trafficking investigations and prosecutions. These include methods for handling evidence and questions prosecutors can ask of witnesses and victims to more clearly delineate whether a case is trafficking-related, thus increasing chances of conviction. (10,14,41)

In 2019, the VPU received \$8,088 to support women who were victims of domestic violence, as well as children who were victims of child labor and human trafficking. (7) The VPU lacked sufficient funding to carry out investigations, including an insufficient number of vehicles. (7,42)

During the reporting period, the case against a Liquica District Administrator for allegedly raping a 15-year-old trafficking victim in 2018 remained under investigation. (10,14) There are only 33 judges to handle the criminal and civil caseload of the entire country, and as a result, cases can exist without a court date for long periods of time. (10) In addition, potential human trafficking cases are often misclassified due to a lack of evidence confirming trafficking. (10,14)

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 continued delays in establishing the Anti-Human Trafficking Commission.

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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. (40) 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. (24) Disseminates formal systematic information on the normative and technical framework applicable to child labor. Elaborates, approves, and periodically reviews the hazardous work list of jobs prohibited to children under age 18. (24) Chaired by SEPFPOE. (7,40,43) Other members include PNTL, the Timorese Labor Union Confederation, the youth empowerment NGO Forum Tau Matan, the Ministry of Commerce and Industry, the Ministry of Social Solidarity and Inclusion, the Ministry of Education, the Ministry of Justice, and the Coordinating Ministry for Economic Affairs. (7) Met semi-regularly during the reporting period. SEPFPOE's 3-year term as the Technical Secretariat concluded in 2019. (7)
Inter-Agency Trafficking Working Group	Coordinates the government's efforts to combat human trafficking, develops and implements the National Action Plan on Combating Human Trafficking, and promotes the development of comprehensive anti-trafficking legislation. Chaired by the Ministry of Justice, and includes the participation of the Prime Minister's office. (9,10,14) Met six times during the reporting period and continued to spread awareness about the threat of trafficking in persons. In coordination with the IOM, published the Timor-Leste Migration Governance Indicators, which summarize well-developed and underdeveloped areas of migration governance in Timor-Leste. (24,44) Continued to advocate the establishment of the Anti-Trafficking Commission as mandated in the Law on Preventing and Combating Human Trafficking. (10) Developed a government-wide standard operating procedure on victim identification composed of 25 questions to determine whether a case is human trafficking, which is awaiting formal approval for use from the Ministry of Justice. (10,41)
Ministry of Social Solidarity and Inclusion (MSSI)—National Commission for Children's Rights	Overseen by MSSI. Responsible for conducting awareness-raising campaigns related to child labor. (7) Works to ensure the well-being and healthy development of children. (24) Body was active during the reporting period. (25)
Provedor for Human Rights and Justice	Assumes responsibility for sharing information related to child labor to CNTI, SEPFPOE, and PNTL. (7) Members include SEPFPOE, PNTL, the National Commission for Children's Rights, MSSI, the Ministry of Justice, and the Ministry of State and Administration. (24) During the reporting period, drafted legislation to provide protections to people with disabilities, including children. Monitored and promoted access to education and children's rights in the justice system. (25)

The Government of Timor-Leste drafted implementation plans to replace the Inter-Agency Trafficking Working Group with an Anti-Human Trafficking Commission. The government has not yet established the new Anti-Human Trafficking Commission, which will have oversight on the Law on Preventing and Combatting Human Trafficking. (9,10,14,39)

V. GOVERNMENT POLICIES ON CHILD LABOR

The government has established policies related to child labor (Table 9). However, policy gaps exist that hinder efforts to address child labor, including implementation.

Table 9. Key Policies Related to Child Labor

Policy	Description
Timor-Leste Project for the Elimination of the Worst Forms of Child Labor	Aims to strengthen implementation of ILO C. 182 by establishing the Child Labor Commission Working Group, developing a hazardous work list, and creating a national action plan against child labor. Launched in 2009 in partnership with ILO and the Government of Brazil. (40) Policy was implemented during the reporting period. (24)
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. (45) Policy was implemented during the reporting period. (25)

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 has yet to approve it. (2,7,17,39,43,48) However, key stakeholders, such as community based organizations, NGOs, and donor nations, have begun to implement the plan. (7,39)

Although the Inter-Agency Trafficking Working Group drafted an extension to the National Action Plan Combating Human Trafficking that ended in 2018, the Council of Ministers has not yet approved it. (10,14)

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VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2019, the government funded and participated in programs that include the goal of eliminating or preventing child labor (Table 10). However, gaps exist in these social programs, including the adequacy to address the problem in all sectors.

Table 10. Key Social Programs to Address Child Labor

Program	Description
Child Labor Education and Outreach Program†	SEPFPOPE and CNTI education and awareness-raising program, located in five primary schools in Dili that target children who are at risk for involvement in child labor. (40) Research was unable to determine specific activities undertaken relative to the project.
Services for Street Children‡	Government-funded safe house and support services for street children provided by the Youth Communication Forum. (49) Program was active during the reporting period. (24)
Mother's Purse (<i>Bolsa Mãe</i>)‡	Ministry of Social Solidarity and Inclusion 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. (40,50) Program was active during the reporting period. (24)
Casa Vida‡	Joint program between the Timor-Leste Ministry of Social Solidarity and Inclusion 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. (9) Provides specialized assistance for girls up to age 18 who have escaped situations of sexual violence. (24) Receives referrals from civil society organizations as well as PNTL/VPU. (51) Program was active during the reporting period. (24)
Measurement, Awareness-Raising, and Policy Engagement Project on Child Labor and Forced Labor (MAPI6)*	USDOL-funded global project implemented by ILO to conduct research and develop new survey methodologies, improve awareness, strengthen policies and government capacity, and promote partnerships to combat child labor and forced labor. (52) During the reporting period, provided support for finalization and launch of the national child labor survey. (18) 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, including its worst forms. (53-57)

Although the government has implemented programs to address child labor, research found no evidence that it has developed programs to assist children working in agriculture and on family farms, or children involved in the worst forms of child labor, including commercial sexual exploitation.

VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE CHILD LABOR

Based on the reporting above, suggested actions are identified that would advance the elimination of child labor in Timor-Leste (Table 11).

Table 11. Suggested Government Actions to Eliminate Child Labor

Area	Suggested Action	Year(s) Suggested
Legal Framework	Raise the minimum age for work to the age up to which education is compulsory.	2018 – 2019
	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 – 2019
	Ensure that the law protects children between the ages of 17 and 18 from engagement in all the worst forms of child labor, such as commercial sexual exploitation and illicit activities.	2013 – 2019
	Ensure that the List of Hazardous Occupations and Activities Prohibited for Children are harmonized with the Labor Code and Penal Code.	2017 – 2019
	Ensure that the law's light work provisions specify the activities in which light work may be undertaken.	2016 – 2019
Enforcement	Publish labor law enforcement information, including the number of labor inspections conducted at worksites.	2015 – 2019
	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 – 2019
	Ensure that the Secretariat of State for Professional Training and Employment Policy is staffed with the appropriate number of labor inspectors to conduct the targeted number of labor inspections.	2018 – 2019

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Table 11. Suggested Government Actions to Eliminate Child Labor (Cont.)

Area	Suggested Action	Year(s) Suggested
Enforcement	Ensure that the Secretariat of State for Professional Training and Employment Policy has the legal authority to inspect in the informal sector.	2017 – 2019
	Ensure that labor and criminal law enforcement officials receive sufficient training so they are able to correctly identify and classify violations related to the worst forms of child labor, including child trafficking.	2016 – 2019
	Ensure that criminal and civil cases are tried in a timely manner and that cases of human trafficking are properly classified.	2019
Coordination	Ensure the establishment of the Anti-Human Trafficking Commission.	2018 – 2019
Government Policies	Adopt a national policy to combat child labor.	2016 – 2019
	Adopt a national policy to combat human trafficking.	2017 – 2019
Social Programs	Create a centralized database to capture human trafficking data that is accessible to all relevant government stakeholders.	2019
	Improve access to education by eliminating school related fees, and by providing safe and healthy sanitation facilities, especially for girls.	2018 – 2019
	Ensure that pregnant girls have access to education, including transfer documents.	2019
	Ensure that social programs are fully implemented, including the Child Labor Education and Outreach Program.	2018 – 2019
	Institute programs to address child labor and the worst forms of child labor, including in agriculture and commercial sexual exploitation.	2017 – 2019

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In 2019, Togo made a minimal advancement in its efforts to eliminate the worst forms of child labor. The government signed a tripartite agreement with the Governments of Benin and Burkina Faso to increase cooperation on efforts to combat child trafficking. However, children in Togo engage in the worst forms of child labor in commercial sexual exploitation, sometimes as a result of human trafficking. Children also engage in child labor in domestic work. The government has not devoted sufficient resources to combat child labor, and labor inspectors are not authorized to assess penalties for child labor violations. Coordinating bodies to combat child labor were not active during the reporting period, and the government does not collect and publish data related to its efforts to enforce child labor laws.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Togo engage in the worst forms of child labor in commercial sexual exploitation, sometimes as a result of human trafficking. Children also engage in child labor in domestic work. (1-7) Table 1 provides key indicators on children's work and education in Togo.

Table 1. Statistics on Children's Work and Education

Children	Age	Percent
Working (% and population)	5 to 14	29.6 (2,131,395)
Attending School (%)	5 to 14	86.1
Combining Work and School (%)	7 to 14	29.5
Primary Completion Rate (%)		89.7

Source for primary completion rate: Data from 2018, published by UNESCO Institute for Statistics, 2020. (8)

Source for all other data: International Labor Organization's analysis of statistics from Demographic and Health Survey, 2013–2014. (9)

Based on a review of available information, Table 2 provides an overview of children's work by sector and activity.

Table 2. Overview of Children's Work by Sector and Activity

Sector/ Industry	Activity
Agriculture	Working in agriculture, including spraying pesticides (5,10)
	Production of charcoal† (10)
Industry	Working in quarries and sand mines, including excavating, crushing rocks, sifting gravel, and carrying heavy loads† (1,6,10-12)
	Working in tailoring (10)
	Construction (6,10,13)
Services	Domestic work† (1,2,4,5,10,12,13)
	Carrying heavy loads,† and small-scale vending in markets (9,10,14)
	Work as motorcycle repairmen (6,10,15,16)
	Garbage scavenging (6,10,15)
Categorical Worst Forms of Child Labor‡	Forced begging (10,14,15)
	Commercial sexual exploitation, sometimes as a result of human trafficking (6,7,10,12,17)
	Forced labor in agriculture, including in coffee, cocoa, and cotton; domestic work; quarries; and markets, including carrying heavy loads; each sometimes as a result of human trafficking (2,14,17)

† Determined by national law or regulation as hazardous and, as such, relevant to Article 3(d) of ILO C. 182.

‡ Child labor understood as the worst forms of child labor *per se* under Article 3(a)–(c) of ILO C. 182.

Togo is a source and transit country for victims of human trafficking to neighboring countries, primarily for domestic work, work in agriculture, and commercial sexual exploitation. (2,4,18,19) Parents may be complicit in child trafficking as a result of *confiage*, which involves sending a child to a relative or friend to attend school in a larger town or city, a practice that may place children at risk of exploitation as a result of internal human trafficking. (3,7,10,13,19,20)




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Although education is free and compulsory by law, parents must pay for associate fees, uniforms, and school supplies, which makes education prohibitively expensive for many families. (21-24) Research found that long distances to schools, as well as physical and sexual abuse in schools, also posed barriers to education for some children. (7,21,23-27)

II. LEGAL FRAMEWORK FOR CHILD LABOR

Togo has ratified all key international conventions concerning child labor (Table 3).

Table 3. Ratification of International Conventions on Child Labor

Convention	Ratification
 ILO C. 138, Minimum Age	✓
ILO C. 182, Worst Forms of Child Labor	✓
 UN CRC	✓
UN CRC Optional Protocol on Armed Conflict	✓
UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	✓
 Palermo Protocol on Trafficking in Persons	✓

The government's laws and regulations are in line with relevant international standards (Table 4).

Table 4. Laws and Regulations on Child Labor

Standard	Meets International Standards	Age	Legislation
Minimum Age for Work	Yes	15	Article 150 of the Labor Code; Article 262 of the Children's Code; Article 881.1a of the Penal Code (28-30)
Minimum Age for Hazardous Work	Yes	18	Article 151 of the Labor Code; Articles 6–12 of Ministerial Order No. 1464 Determining the Work Prohibited to Children (28,31)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Articles 6–12 of Ministerial Order No. 1464 Determining the Work Prohibited to Children; Articles 263–264 of the Children's Code; Articles 319.9 and 882 of the Penal Code; Article 151 of the Labor Code (28-31)
Prohibition of Forced Labor	Yes		Articles 4 and 151 of the Labor Code; Articles 264 and 411 of the Children's Code; Articles 150.3 and 151 of the Penal Code (28-30)
Prohibition of Child Trafficking	Yes		Article 151 of the Labor Code; Articles 2–6 of Law No. 2005-009 Suppressing Child Trafficking in Togo; Articles 264 and 411–414 of the Children's Code; Articles 150.3, 151, 317–323, and 882 of the Penal Code (28-30,32)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Article 151 of the Labor Code; Articles 264, 276.f, and 387–390 of the Children's Code; Article 224 of the Penal Code (28-30)
Prohibition of Using Children in Illicit Activities	Yes		Article 151 of the Labor Code; Articles 264, 276.i, and 405 of the Children's Code; Articles 317.7, 319.9, and 329.8 of the Penal Code (28-30)
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 (29,33)
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 (29,30)
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 (29,30)
Compulsory Education Age	Yes	15	Article 35 of the Constitution; Article 255 of the Children's Code (29,34)
Free Public Education	Yes		Article 35 of the Constitution (34)

* No conscription (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 the Ministry of Civil Service, Labor, and Administrative Reform (MOL) that may hinder adequate enforcement of their child labor laws.

Table 5. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
Ministry of Civil Service, Labor, and Administrative Reform (MOL)	Enforces all labor laws, including child labor laws. (13,24) Through its Unit to Combat Child Labor (CNLTE), withdraws children from child labor situations, raises awareness, and collects data. (35)
Ministry of Justice and Government Relations	Enforces criminal laws related to the worst forms of child labor and prosecutes violators. (35)
Ministry of Social Action, Promotion of Women and Literacy (MASPFA), Director General for the Protection of Children	Raises awareness of child labor issues, enforces laws against the worst forms of child labor, provides technical assistance, and leads government efforts to combat human trafficking. (13,16,36) Supports a network of 42 foster families in 4 regional capitals. (37) Operates the <i>Allo 1011</i> hotline for reporting child abuse, including child trafficking. (13,17,37,38) In 2019, <i>Allo 1011</i> received 13,769 calls, 187 of which were related to child trafficking or economic exploitation. (10)
Ministry of Security's Division of Drugs, Morals, and Pimping	Investigates crimes involving child victims, including child trafficking. Operates as part of the National Police in all five regions of Togo. (39)

Labor Law Enforcement

In 2019, labor law enforcement agencies in Togo took actions to combat child labor (Table 6). However, gaps exist within the authority of MOL that may hinder adequate labor law enforcement, including the authority to assess penalties.

Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2018	2019
Labor Inspectorate Funding	\$77,193 (35)	\$71,851 (10)
Number of Labor Inspectors	131 (35)	128 (10)
Inspectorate Authorized to Assess Penalties	No (28)	No (10)
Initial Training for New Labor Inspectors	Yes (37)	Yes (10)
Training on New Laws Related to Child Labor	N/A	N/A (10)
Refresher Courses Provided	Unknown	Yes (10)
Number of Labor Inspections Conducted	385 (35)	Unknown (10)
Number Conducted at Worksite	385 (35)	Unknown (10)
Number of Child Labor Violations Found	Unknown (35)	716 (40)
Number of Child Labor Violations for Which Penalties Were Imposed	Unknown (35)	Unknown (10)
Number of Child Labor Penalties Imposed that Were Collected	Unknown(35)	Unknown (10)
Routine Inspections Conducted	Yes (35)	Yes (10)
Routine Inspections Targeted	Unknown (35)	Unknown (10)
Unannounced Inspections Permitted	Yes (28)	Yes (10)
Unannounced Inspections Conducted	Yes (35)	Yes (10)
Complaint Mechanism Exists	Yes (37)	Yes (10)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (37)	Yes (10)

In addition to the 128 labor inspectors, MOL employs 60 tax and health inspectors who may report labor infractions, but none of these inspectors are authorized to assess penalties. (10) MOL lacks sufficient resources for transportation, which may hinder its ability to conduct investigations. (10,24) In addition, the Labor Code makes labor inspectors responsible for reconciliation and arbitration in collective disputes, which may detract from their primary duties of conducting inspections and enforcing the Labor Code. (28,41) Togo allocated fewer resources to labor enforcement than the previous year. (10) Routine inspections were conducted, however the majority of child labor occurs in the informal sector, where inspectors are legally allowed to inspect, but rarely do. (10,28)

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Criminal Law Enforcement

Research did not find information on whether criminal law enforcement agencies in Togo took actions to combat child labor.

Table 7. Criminal Law Enforcement Efforts Related to Child Labor

Overview of Criminal Law Enforcement	2018	2019
Initial Training for New Criminal Investigators	Yes (37)	Yes (10)
Training on New Laws Related to the Worst Forms of Child Labor	N/A (35)	N/A
Refresher Courses Provided	Yes (20)	Unknown (10)
Number of Investigations	Unknown (35)	Unknown (10)
Number of Violations Found	118 (20)	Unknown (10)
Number of Prosecutions Initiated	Unknown (35)	Unknown (10)
Number of Convictions	Unknown (35)	Unknown (10)
Imposed Penalties for Violations Related to The Worst Forms of Child Labor	Unknown (35)	Unknown (10)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (37)	Yes (10)

Investigators lacked the resources to adequately enforce the law. Research also indicates that poor record keeping, a shortage of physical copies of existing child labor laws throughout the country, and high investigator turnover result in gaps in knowledge and enforcement capacity. (10) Cases involving child trafficking may be settled outside of court due to difficulties gathering evidence. Additionally, judges may be reluctant to impose fines or prison sentences in cases in which parents are involved due to a fear of perpetuating the poverty that originally led them to violate child trafficking laws. (14)

The Ministry of Labor confirmed that they did not send any cases to the Ministry of Justice to investigate in 2019. This is why there are no investigations or convictions. (40) The Ministry of Labor settles cases with mediation rather than bringing criminal charges, and in 2019 all cases were resolved by mediation. (40)

IV. COORDINATION OF GOVERNMENT EFFORTS ON CHILD LABOR

The government has established mechanisms to coordinate its efforts to address child labor (Table 8). However, gaps exist that hinder the effective coordination of efforts to address child labor, including funding constraints.

Table 8. Key Mechanisms to Coordinate Government Efforts on Child Labor

Coordinating Body	Role & Description
National Steering Committee for the Prohibition and Elimination of the Worst Forms of Child Labor	Coordinating government body for child labor issues. Comprises representatives from 17 ministries and NGOs; the Ministry of Civil Service, Labor, and Administrative Reform's Unit to Combat Child Labor serves as the permanent secretariat. (10) Operates at the community level. (10,15)
Local Vigilance Committees (LVCs)	Aim to address the worst forms of child labor, and are overseen by the National Steering Committee for the Prohibition and Elimination of the Worst Forms of Child Labor and composed of local government officials and community members. During the reporting period, LVCs rescued trafficked children and attempted to detain alleged traffickers and bring them to the authorities. (10)

The Government of Togo does not reliably disburse the allocated budget for the National Steering Committee for the Prohibition and Elimination of the Worst Forms of Child Labor, limiting its ability to combat child labor and support data collection efforts. (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 implementation.

Table 9. Key Policies Related to Child Labor

Policy	Description
National Policy of Social Protection	MASPFA policy that aims to improve social safety nets, strengthen mechanisms to combat the exploitation of children, and promote systematic birth registration. (42) During the reporting period MASPFA evaluated the effectiveness of previous National Action Plan Against Child Labor. (40)
Multilateral Agreements to Combat Child Trafficking†	In December 2019, the Governments of Togo, Benin, and Burkina Faso signed a trilateral agreement to combat child trafficking. (10,43)
National Development Plan (2018–2022)	Aims to improve economic growth, structurally transform the Togolese economy, and strengthen social protection and inclusion measures, including the implementation of a national biometric identification system. (10,44) During the reporting period, the government created a technical committee to reorganize the registry office to ensure that all births are recorded. (20)

† Policy was approved during the reporting period.

‡ The government had other policies that may have addressed child labor issues or had an impact on child labor. (26,45)

Research was unable to determine whether all policies were implemented during the reporting period. (10) A National Plan of Action Against Child Labor is undergoing technical validation, but has yet to be adopted. (23,46) The Ministry of Social Action, Promotion of Women and Literacy's Anti-Trafficking in Persons Cell is working on a draft national action plan to combat human trafficking, and the Council of Ministers is reviewing a draft decree to create a coordinating body that would oversee its implementation. (20) The government has not included child labor elimination and prevention strategies in the Education Sector Plan (2010–2020). (47) Although the Government of Togo has adopted a policy addressing child trafficking, research found no evidence of a policy on other worst forms of child labor. (10)

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2019, the government funded and participated in programs that may contribute to preventing child labor (Table 10). However, gaps exist in these social programs, including the adequacy of programs to address the full scope of the problem.

Table 10. Key Social Programs to Address Child Labor

Program	Description
National Development Plan (2018–2023)	During the reporting period, the government continued the implementation of the 5-year plan with a social development pillar that expands child related programs, including increasing school enrollment, providing additional food and drug supplies to orphaned and vulnerable children, and expanding immunization coverage. Continues to offer shelters for vulnerable children, including those referred by <i>Allo 1011</i> . (10)
World Bank-Funded Programs	World Bank programs that aim to combat child labor by improving social safety nets for vulnerable families and increasing access to education. These projects include the Education and Institutional Strengthening Project 2 (2015–2019), a \$27.8 million project that aimed to revise course textbooks for grades one through three, provide teacher training, identify recipients of school grants, and select 80 sites for promoting girls' education. This project closed in September 2019 with noted success, fulfilling five of its six objectives. The Safety Nets and Basic Services Project (2017–2020), a \$29 million project implemented by MASPFA and the Ministry of Grassroots Development, aims to provide social safety nets to poor communities. (10,16,49-53) Research was unable to determine whether the Social Safety Nets was active during the period.
Forum of Traditional and Religious Chiefs of Togo on the Harmful Social and Cultural Practices that Affect Children†	MASPFA-funded program that aims to eliminate traditional practices that may contribute to child trafficking by educating local leaders on child labor issues and the importance of education. (35) Research was unable to determine whether activities were undertaken to implement this program during the reporting period.

† Program is funded by the Government of Togo

‡ The government had other social programs that may have included the goal of eliminating or preventing child labor. (24,37,49)

Social programs focus on alleviating poverty and promoting education rather than targeting specific sectors of child labor, such as domestic work. The government relies heavily on NGOs and international organizations for the implementation of social programs. (10,54) A shortage of funds may hinder program implementation. (10) As a result, the scope of existing programs is insufficient to fully address the extent of the problem, including in commercial sexual exploitation and domestic work. (10)

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VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE CHILD LABOR

Based on the reporting above, suggested actions are identified that would advance the elimination of child labor in Togo (Table I I).

Table I I. Suggested Government Actions to Eliminate Child Labor

Area	Suggested Action	Year(s) Suggested
Enforcement	Strengthen the labor inspectorate by authorizing the inspectorate to assess penalties.	2014 – 2019
	Publish information about the number and type of inspections conducted, as well as the number of child labor penalties that were imposed and collected.	2010 – 2019
	Ensure that labor inspectors have the time and resources to carry out their primary duties of inspection and monitoring of labor laws throughout the country, including in the informal sector.	2009 – 2019
	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 – 2019
	Ensure that criminal investigators have sufficient financial and physical resources to adequately enforce criminal laws against child labor.	2017 – 2019
	Ensure that criminal labor law enforcement officials receive refresher courses and that all regional offices have copies of relevant laws related to child labor.	2009 – 2019
	Enforce legal penalties for criminal violations, such as child trafficking.	2014 – 2019
Coordination	Provide coordinating bodies with sufficient resources to implement their mandates to combat child labor.	2009 – 2016; 2018 – 2019
Government Policies	Ensure child labor is integrated into all relevant policies.	2016 – 2019
	Integrate child labor elimination and prevention strategies into the Education Sector Plan.	2013 – 2019
	Adopt a policy that addresses all relevant worst forms of child labor, such as a National Action Plan.	2019
Social Programs	Increase access to education by eliminating school-related fees; ensuring that schools are free from sexual and physical violence; and increasing the number of schools.	2010 – 2019
	Ensure that all social programs are implemented and that data is published on their activities.	2019
	Ensure that social protection programs to combat child labor receive adequate funding, are sufficient to address the scope of the problem in all relevant sectors.	2009 – 2019
	Ensure that social programs focus on targeting specific sectors of child labor in addition to alleviating poverty and promoting education.	2019

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Research found no evidence that child labor exists in Tokelau, and in 2019, 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.

Although education in Tokelau is free, some children struggle to access reliable transportation to attend school. (1,2)

II. LEGAL FRAMEWORK FOR CHILD LABOR

Tokelau is a territory of New Zealand; however, New Zealand statutory law does not apply to Tokelau unless it is expressly extended to Tokelau. (3) International treaties are applied only with the consent of the Government of Tokelau. New Zealand's ratification of conventions does not apply automatically to Tokelau. (2,3) None of the key international child labor conventions ratified by New Zealand have been made applicable to Tokelau, including ILO Convention 138, Minimum Age of Work; ILO Convention 182, Worst Forms of Child Labor; the UN Convention on the Rights of the Child (CRC); the UN CRC Optional Protocol on Armed Conflict; the UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography; and the Palermo Protocol on Trafficking in Persons.

The government has established laws and regulations related to child labor (Table I). 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 I. Laws and Regulations on Child Labor

Standard	Meets International Standards	Age	Legislation
Minimum Age for Work	No		
Minimum Age for Hazardous Work	No		
Identification of Hazardous Occupations or Activities Prohibited for Children	No		
Prohibition of Forced Labor	No		
Prohibition of Child Trafficking	No		
Prohibition of Commercial Sexual Exploitation of Children	No		
Prohibition of Using Children in Illicit Activities	No		
Minimum Age for Voluntary State Military Recruitment	Yes	17	Article 33 of the Government of New Zealand's Defence Act (4)
Prohibition of Compulsory Recruitment of Children by (State) Military	N/A*†		
Prohibition of Military Recruitment by Non-state Armed Groups	No		
Compulsory Education Age	Yes	16	Article 63(1) of the Tokelau Crimes, Procedures, and Evidence Rules Act (5,6)
Free Public Education	Yes		Part 1, Section 3 of the Government of New Zealand's Education Act (7)

* No conscription (8)

† No standing military (1)

NO ADVANCEMENT

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

Although there is no evidence of a problem, the government has established institutional mechanisms for the enforcement of laws and regulations on child labor (Table 2).

Table 2. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
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 Ombudsmen	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.

Criminal Law Enforcement

As there is no evidence of a problem, there appears to be no need for criminal law enforcement actions to address child labor.

IV. COORDINATION OF GOVERNMENT EFFORTS ON CHILD LABOR

As there is no evidence of a problem, there appears to be no need for mechanisms to coordinate efforts to address child labor.

V. GOVERNMENT POLICIES ON CHILD LABOR

As there is no evidence of a problem, there appears to be no need for policies to address child labor. However, the Government of Tokelau has established a policy related to child labor (Table 3).

Table 3. Key Policies Related to Child Labor

Policy	Description
United Nations Pacific Strategy (2018–2022)	A multinational strategic framework program consisting of 14 South Pacific nations to address, develop, and implement strategic economic development priorities in the South Pacific, including eliminating child labor and the worst forms of child labor. (10) Research was unable to determine whether activities were undertaken to implement the United Nations Pacific Strategy during the reporting period.

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

As there is no evidence of a problem, there appears to be no need for programs to address child labor.

VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE CHILD LABOR

Based on the reporting above, the following actions would advance the continued prevention of child labor in Tokelau (Table 4).

Table 4. 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 – 2019
	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 – 2019
	Establish laws that criminally prohibit forced labor, including debt bondage, the sale and trafficking of children, and slavery.	2013 – 2019
	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 – 2019
	Ensure that laws criminally prohibit the use, procuring, and offering a child for prostitution, the production of pornography, and pornographic performances.	2017 – 2019
	Ensure that laws criminally prohibit the use of children for illicit activities, including for the production and trafficking of drugs.	2017 – 2019
	Ensure that the law criminally prohibits the recruitment of children under age 18 by non-state armed groups.	2016 – 2019
Government Policies	Publish activities undertaken to implement the United Nations Pacific Strategy.	2019
Social Programs	Establish a reliable transportation program to ensure that children are able to attend school.	2018 – 2019

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MINIMAL ADVANCEMENT – EFFORTS MADE BUT CONTINUED PRACTICE THAT DELAYED ADVANCEMENT

In 2019, Tonga made a minimal advancement in efforts to eliminate the worst forms of child labor. The Ministry of Education continued its program to increase access to education for children with disabilities. However, despite new initiatives to address child labor, Tonga is receiving an assessment of minimal advancement because it continued to implement a practice that delayed advancement in eliminating the worst forms of child labor. Research indicates 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 engage in the worst forms of child labor, including in commercial sexual exploitation, sometimes as a result of human trafficking. Children also engage in child labor in farming and fishing. Gaps in the legal framework also remain; the country has no laws specifying a minimum age for work or defining hazardous forms of work for children under age 18, leaving children unprotected from labor exploitation. In addition, the government has not integrated child labor elimination and prevention strategies into a policy or program to address child labor, including its worst forms.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Tonga engage in the worst forms of child labor, including in commercial sexual exploitation, sometimes as a result of human trafficking. Children also engage in child labor in farming and fishing. (1) Table 1 provides key indicators on children's work and education in Tonga. Data on some of these indicators are not available from the sources used in this report.

Table 1. Statistics on Children's Work and Education

Children	Age	Percent
Working (% and population)	5 to 14	Unavailable
Attending School (%)	5 to 14	Unavailable
Combining Work and School (%)	7 to 14	Unavailable
Primary Completion Rate (%)		116.1

Source for primary completion rate: Data from 2013, published by UNESCO Institute for Statistics, 2020. (2) Data were unavailable from International Labor Organization's analysis, 2020. (3)

Based on a review of available information, Table 2 provides an overview of children's work by sector and activity.

Table 2. Overview of Children's Work by Sector and Activity

Sector/Industry	Activity
Agriculture	Subsistence farming, fishing (1,4,5)
Services	Vending (4)
Categorical Worst Forms of Child Labor‡	Forced domestic work (4-8)
	Commercial sexual exploitation, sometimes as a result of human trafficking (4-6,8) Use in illicit activities, including the trafficking of drugs (4,9,10)

‡ Child labor understood as the worst forms of child labor *per se* under Article 3(a)–(c) of ILO C. 182.

The Government of Tonga has not published data on child labor. The Ministry of Trade and Economic Development (MTED) (formerly the Ministry of Commerce, Consumer, Innovation, Trade, and Labor) labor study, which was conducted from December 2012–January 2013 and resulted in an internal “Report of a Spot Survey on the Worst Forms of Child Labor in Tonga,” has yet to be published. (4,5,11)

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-aged children to assist with drug deliveries, while also getting them addicted to the drug. (4,9,10) There have been media reports of children as young as age 13 being arrested for possession of drugs for the purposes of distribution. (5)

Many school buildings remain inaccessible to students with physical disabilities, resulting in the attendance rates of children with disabilities, at all educational levels, to be lower than children without disabilities. (4,5,12)

II. LEGAL FRAMEWORK FOR CHILD LABOR

Tonga has ratified some key international conventions concerning child labor (Table 3).

Table 3. Ratification of International Conventions on Child Labor

Convention	Ratification
 ILO C. 138, Minimum Age	
ILO C. 182, Worst Forms of Child Labor	✓
 UN CRC	✓
UN CRC Optional Protocol on Armed Conflict	
UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	
 Palermo Protocol on Trafficking in Persons	

The government has established laws and regulations related to child labor (Table 4). However, gaps exist in Tonga's legal framework to adequately protect children from the worst forms of child labor, including the minimum age for work.

Table 4. Laws and Regulations on Child Labor

Standard	Meets International Standards	Age	Legislation
Minimum Age for Work	No		
Minimum Age for Hazardous Work	No		
Identification of Hazardous Occupations or Activities Prohibited for Children	No		
Prohibition of Forced Labor	No		Sections 69–70 of the Counter Terrorism and Transnational Organized Crime Act (13)
Prohibition of Child Trafficking	No		Section 69 of the Counter Terrorism and Transnational Organized Crime Act (13)
Prohibition of Commercial Sexual Exploitation of Children	No		Sections 115A and 125–126 of the Criminal Offenses Act (14,25)
Prohibition of Using Children in Illicit Activities	No		
Minimum Age for Voluntary State Military Recruitment	Yes	16	Section 25 of the Defense Services Act (15)
Prohibition of Compulsory Recruitment of Children by (State) Military	Yes*		Section 25 of the Defense Services Act (15)
Prohibition of Military Recruitment by Non-state Armed Groups	No		
Compulsory Education Age	Yes	18	Section 98 of the Education Act 2013 (16)
Free Public Education	No		Section 95 of the Education Act 2013 (16)

* No conscription (15)

MINIMAL ADVANCEMENT – EFFORTS MADE BUT CONTINUED PRACTICE THAT DELAYED ADVANCEMENT

During the reporting period, the Government of Tonga noted that it was in the process of ratifying ILO C. 138. Consultations were underway in 2019, but progress was derailed by the formation of a new government following the death of the prime minister in September 2019. (4,5)

The MTED has not passed the revised Employment Relations Bill, which would establish a minimum age for non-hazardous and hazardous work and would prohibit the categorical worst forms of child labor. Furthermore, the Parliament has not determined the types of hazardous work prohibited for children. (1,4,5,11,17,18) Once the bill is passed, the labor inspectorate will also be given legal authority to conduct labor inspections. (11,18)

The Counter Terrorism and Transnational Organized Crime Act is insufficient to meet the international standard for the prohibition of child trafficking because it does not specifically prohibit the domestic trafficking of children. (6,13,19)

The Criminal Offenses Act prohibits the procurement and use of women and girls under age 21 for “unlawful carnal connection[s];” it is not clear if that prohibition encompasses child prostitution for children over the age of 16. It also does not criminalize the procurement or use of boys in commercial sexual exploitation. (14,20,25) In addition, the Act does not sufficiently prohibit commercial sexual exploitation, because the use, procurement, or offering of children under age 14 in the production of pornography and the use, procurement, or offering of children of any age in live pornographic performances are not criminally prohibited. (14,20,21) The Act does not specifically prohibit using children in illicit activities, particularly in the production and trafficking of drugs. In addition, the Defense Services Act does not prohibit the recruitment of children by non-state armed groups. (15)

Although it does not appear that there are any laws that provide free basic education, there is a policy that sufficiently provides for free basic education to all children between the ages of 6 and 14. (4)

III. ENFORCEMENT OF LAWS ON CHILD LABOR

The government has established institutional mechanisms for the enforcement of laws and regulations on child labor (Table 5). However, the absence of labor inspectors and labor inspections at the national level in Tonga may impede the enforcement of child labor laws.

Table 5. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
Ministry of Trade and Economic Development (MTED)	Enforces labor laws, including those related to child labor and the worst forms of child labor, through business license inspectors and a chief labor inspector. The position of Chief Labor Inspector is currently vacant. (1,4,18)
Tonga Police, Transnational Crime Unit, and Domestic Violence Unit	Enforce criminal laws related to the worst forms of child labor. (1) With NGOs, handle and coordinate cases related to women and children. (4)
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. (1,4)

There is no labor inspectorate and no legal authority to conduct labor inspections in Tonga. (5)

Labor Law Enforcement

In 2019, the absence of labor inspectors and labor inspections at the national level in Tonga may have impeded the enforcement of child labor laws (Table 6).

MINIMAL ADVANCEMENT – EFFORTS MADE BUT CONTINUED PRACTICE THAT DELAYED ADVANCEMENT

Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2018	2019
Labor Inspectorate Funding	\$0 (18)	\$0 (5)
Number of Labor Inspectors	0 (18)	0 (5)
Inspectorate Authorized to Assess Penalties	N/A (18)	N/A (5)
Initial Training for New Labor Inspectors	N/A (18)	N/A (5)
Training on New Laws Related to Child Labor	N/A (18)	N/A
Refresher Courses Provided	N/A (18)	N/A (5)
Number of Labor Inspections Conducted	0 (18)	0 (5)
Number Conducted at Worksite	0 (18)	0 (5)
Number of Child Labor Violations Found	0 (18)	0 (5)
Number of Child Labor Violations for Which Penalties Were Imposed	0 (18)	0 (5)
Number of Child Labor Penalties Imposed that Were Collected	0 (18)	0 (5)
Routine Inspections Conducted	N/A (18)	N/A (5)
Routine Inspections Targeted	N/A (18)	N/A (5)
Unannounced Inspections Permitted	N/A (18)	N/A (5)
Unannounced Inspections Conducted	N/A (18)	N/A (5)
Complaint Mechanism Exists	Yes (18)	Yes (5)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	No (4)	No (5)

Inadequate resources, including a lack of funding to hire and train the labor inspectors needed to target sectors in which child labor is present, hamper the government’s capacity to enforce child labor laws in Tonga. (1,21) Child labor inspections are complaint-driven, with police called in for suspected cases of child labor. In addition, the government has yet to establish an adequate referral mechanism among the labor authorities, the police, and social welfare services. (4,5)

Criminal Law Enforcement

Research did not find information on whether criminal law enforcement agencies in Tonga took actions to combat child labor (Table 7).

Table 7. Criminal Law Enforcement Efforts Related to Child Labor

Overview of Criminal Law Enforcement	2018	2019
Initial Training for New Criminal Investigators	Unknown (18)	No (5)
Training on New Laws Related to the Worst Forms of Child Labor	N/A (4)	N/A (5)
Refresher Courses Provided	Unknown (4)	Unknown (5)
Number of Investigations	Unknown (18)	Unknown (5)
Number of Violations Found	Unknown (18)	Unknown (5)
Number of Prosecutions Initiated	Unknown (18)	Unknown (5)
Number of Convictions	Unknown (18)	Unknown (5)
Imposed Penalties for Violations Related to The Worst Forms of Child Labor	Unknown (18)	Unknown (5)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (20)	Yes (5)

The government did not provide information on its criminal law enforcement efforts for inclusion in this report. (5) The Tonga Police coordinate with NGOs to handle labor abuse cases relating to women and children. In addition, government maintains and operates a 24-hour hotline for emergency assistance, which is available to victims of child labor, forced labor, and human trafficking. (22) However, no formal referral mechanism exists. (4,5)

IV. COORDINATION OF GOVERNMENT EFFORTS ON CHILD LABOR

Research found no evidence that the government has established mechanisms to coordinate its efforts to address child labor.

V. GOVERNMENT POLICIES ON CHILD LABOR

The government has established policies related to child labor (Table 8). However, policy gaps exist that hinder efforts to address child labor, including mainstreaming child labor issues into relevant policies.

Table 8. Key Policies Related to Child Labor

Policy	Description
United Nations Pacific Strategy (2018–2022)	A multinational strategic framework program consisting of 14 South Pacific nations to address, develop, and implement strategic economic development priorities in the South Pacific, including eliminating child labor and the worst forms of child labor. (23) Research was unable to determine whether activities were undertaken to implement this policy during the reporting period.

The Tonga Strategic Development Plan Nine indirectly addresses the root causes of child labor as it seeks to improve economic opportunities in the country, including those for youth. In addition, the Tonga Education Policy Framework, supported by the Governments of Australia and New Zealand through 2019, focuses on improving school quality, achieving universal basic education, and improving management within the Ministry of Education, thereby having a positive impact by reducing child labor through universal education. (4,5) Although the Government of Tonga has adopted the Tonga Strategic Development Plan Nine and the Tonga Education Policy Framework, strategies to prevent and eliminate child labor have not been integrated into those plans.

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2019, the government funded and participated in programs that included the goal of eliminating child labor (Table 9). However, gaps exist in these social programs, including adequacy to address the problem in all sectors.

Table 9. Key Social Programs to Address Child Labor

Program	Description
UNICEF Pacific Multi-Country Child Protection Program (2018–2022)	Multi-country program in 14 Pacific Island countries. (24) Prioritizes children's rights including the elimination of the worst forms of child labor. Aligned with the UN Pacific Strategy 2018–2022. (24) Research was unable to determine whether activities were undertaken to implement the program during the reporting period.

During the reporting period, the Ministry of Education and Training continued its program to bring children with disabilities into primary schools. (5) Although the Government of Tonga has implemented a program that addresses the elimination of the worst forms of child labor, research found no evidence that it has carried out programs specifically designed to assist children in commercial sexual exploitation, agriculture, and fishing.

VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE CHILD LABOR

Based on the reporting above, suggested actions are identified that would advance the elimination of child labor in Tonga (Table 10).

Table 10. Suggested Government Actions to Eliminate Child Labor

Area	Suggested Action	Year(s) Suggested
Legal Framework	Accede to the UN CRC Optional Protocol on Armed Conflict.	2017 – 2019
	Accede to the UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography.	2017 – 2019
	Ratify the Palermo Protocol.	2017 – 2019
	Establish labor regulations that include a minimum age of 15 for employment and a minimum age of 18 for hazardous work, in accordance with international standards.	2009 – 2019
	Create and publish a list of hazardous occupations and activities that are prohibited for children.	2009 – 2019
	Ensure that laws specifically prohibit domestic human trafficking of children.	2014 – 2019
	Ensure that laws prohibit all forms of commercial sexual exploitation for both girls and boys under the age of 18.	2009 – 2019
	Ensure that the law prohibits the use of children in illicit activities, including in the production and trafficking of drugs.	2014 – 2019

Table 10. Suggested Government Actions to Eliminate Child Labor (Cont.)

Area	Suggested Action	Year(s) Suggested
Legal Framework	Ensure that the law criminally prohibits the recruitment of children under the age of 18 by non-state armed groups.	2016 – 2019
	Establish by law free basic public education.	2016 – 2019
Enforcement	Hire and train labor inspectors to conduct workplace inspections and enforce child labor laws, including the position of Chief Labor Inspector.	2016 – 2019
	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
	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 refresher courses.	2013 – 2019
	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 – 2019
	Publish information on criminal law enforcement activities, efforts, and relevant data.	2014 – 2019
Coordination	Establish a coordinating mechanism to combat the worst forms of child labor.	2009 – 2019
Government Policies	Integrate child labor elimination and prevention strategies into relevant policies.	2017 – 2019
Social Programs	Collect and publish data on the extent and nature of child labor, including its worst forms, to inform policies and programs.	2017 – 2019
	Update all school buildings to ensure accessibility for students with disabilities.	2018 – 2019
	Implement social programs to address all forms of child labor, including its worst forms.	2010 – 2019

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In 2019, Tunisia made a moderate advancement in efforts to eliminate the worst forms of child labor. The government drafted a bill regulating the work of private recruitment agencies that send Tunisians to work abroad, creating new positions to monitor the activities of these agencies and note any fraud committed. It also published a new hazardous work list. In addition, it investigated allegations of child trafficking—including forced labor—at the Koranic association in Regueb, subsequently shutting down 11 other associations operating unauthorized Koranic schools in 6 different governorates. However, children in Tunisia engage in the worst forms of child labor, including in forced labor in domestic work and begging, each sometimes as a result of human trafficking. Children also perform dangerous tasks in scavenging for garbage and in street work. The law’s minimum age protections cannot be enforced with respect to children who are engaged in work in the informal sector on inhabited premises, such as private homes, without permission of the property owner or a court order to access the property. The government also failed to provide data on its criminal law enforcement efforts.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Tunisia engage in the worst forms of child labor, including in forced labor in domestic work and begging, each sometimes as a result of human trafficking. Children also perform dangerous tasks in scavenging for garbage and in street work. (1-5) Table 1 provides key indicators on children’s work and education in Tunisia.

Table 1. Statistics on Children’s Work and Education

Children	Age	Percent
Working (% and population)	5 to 14	3.0 (50,364)
Attending School (%)	5 to 14	94.2
Combining Work and School (%)	7 to 14	2.8
Primary Completion Rate (%)		95.1

Source for primary completion rate: Data from 2017, published by UNESCO Institute for Statistics, 2020. (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 (2,8-12)
	Fishing (2)
	Animal husbandry (2)
	Forestry (2)
Industry	Construction (2,3,12)
Services	Domestic work (2,3,5,10,13)
	Street work, including shining shoes, begging, vending, auto washing and repairing, and scavenging garbage† (2,8,11,14,15)
Categorical Worst Forms of Child Labor‡	Commercial sexual exploitation, sometimes as a result of human trafficking (3,9,15-21)
	Use in illicit activities, including stealing, smuggling, and drug trafficking (3,9,11,12,14-17,20,21)
	Forced labor in domestic work and begging, each sometimes as a result of human trafficking (2-4,9,11,15,22,23)

† 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




Migrants and child migrants from Sub-Saharan countries, fleeing unrest in neighboring countries, and young girls from Tunisia’s northwest and other interior regions are particularly vulnerable to human trafficking. (4,15-17,23) A 2017 National Child Labor Survey indicated that 7.9 percent of all children are engaged in child labor, with 63.2 percent of those involved in hazardous work. The northwest region—consisting of the governorates of Béja, Jendouba, Kef, and Siliana—noted the highest incidence of child labor at 27.7 percent. (2) Figures from the report indicated that children work below the country’s minimum age of employment with 48.8 percent in agriculture and fishing, 20.2 percent in commerce, 10.9 percent in manufacturing, 6.4 percent in domestic labor, and 4.7 percent in construction. (2,3) The government has not yet made the full dataset from the survey publicly available or allowed other government agencies to access it, leaving the nature and causes of children’s involvement in specific forms of child labor unknown.

Students face barriers to education, especially in rural areas, due to inadequate transportation and household poverty. (3,8,9,11,13) It is estimated that approximately 100,000 students, including a disproportionate number of girls, drop out each year, some because of physical violence in schools. (10,11,24-26)

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 has established laws and regulations related to child labor (Table 4). However, gaps exist in Tunisia’s legal framework to adequately protect children from the worst forms of child labor, including the lack of comprehensive hazardous work prohibitions for children.

Table 4. Laws and Regulations on Child Labor

Standard	Meets International Standards	Age	Legislation
Minimum Age for Work	Yes	16	Article 53 of the Labor Code (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 (29)
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 (30,31)
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 (31)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Articles 226 <i>ter</i> and 232–234 of the Penal Code; Article 25 of the Child Protection Code; Article 2.7 of the Law on the Prevention and the Fight Against the Trafficking of Persons (30-32)
Prohibition of Using Children in Illicit Activities	Yes		Articles 5 and 11 of Law No. 92.52 on Narcotics (33)

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 2 of the National Service Law (34)
Prohibition of Compulsory Recruitment of Children by (State) Military	Yes		Article 2 of the National Service Law (34)
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 (31,32)
Compulsory Education Age	Yes	16	Section 1 of the Law on Education (35)
Free Public Education	Yes		Articles 38 and 46 of the Constitution; Law on Education (35,36)

The Ministry of Vocational Training and Employment drafted a bill related to job placement efforts for Tunisians abroad by private employment agencies. The draft law provides for the creation of a new body of inspectors, whose task will be to monitor the activities of and note any fraud committed by these private employment agencies. (20) In 2019, Tunisia became the 45th state to accede to the Council of Europe's Convention on the Protection of Children Against Sexual Exploitation and Sexual Abuse, with the Convention entering into force February 1, 2020. (20,37)

The list of hazardous work first adopted in 2000 and revised in 2019 was published in the official register in April 2020, thereby bringing it into effect. (29) Article 1 of the new hazardous work list prevents the employment of children in street work, specifically the itinerant sale of items in public streets, on beaches, and in public transport. (3,29,38-40) However, the government acknowledges, as evident from the high rates of recidivism, that the fines and penalties for child labor law violations are not dissuasive. (41)

III. ENFORCEMENT OF LAWS ON CHILD LABOR

The government has established institutional mechanisms for the enforcement of laws and regulations on child labor (Table 5). However, gaps exist within the authority of the Ministry of Social Affairs (MSA) that may hinder adequate enforcement of their child labor laws.

Table 5. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
Ministry of Social Affairs (MSA)	Conducts labor inspections and assesses fines and penalties for infractions. (9,27) Employs social workers and medical inspectors to assist in addressing issues of child labor. (3) Collaborates with the Ministry of Education (MOE) and the Ministry of Health (MOH) to identify and provide support to children vulnerable to child labor. (9,11,18) Monitors the implementation of labor legislation, inspects violations, and initiates prosecutions through the General Directorate of Labor Inspection. (21) Inspects cases of children working under the age of 18, provides medical testing for children, and provides individual authorizations to enable children to appear in public concerts or participate as actors or supporting actors in ads or movies through the General Administration for Medicine and Safety Inspection. (21) Implements social and orientation programs in the field through the General Administration for Social Development. (21)
Ministry of Women, Family, and Childhood (MWFC)	Gathers evidence and conducts investigations on child welfare cases; conducts needs assessments and intervention plans. Acts as judicial police in cases of imminent danger to children through its Delegates for the Protection of Children. (11,32)
Ministry of the Interior (MOI)	Investigates reports of the worst forms of child labor as a criminal violation, including complaints that are outside of the labor inspectorate's mandate and complaints in the informal sector. (14) Through its Child Protection Service in the National Police, addresses the commercial sexual exploitation of children and coordinates with MSA and MWFC regarding violations. (9,11,42) Through its Judicial Police, coordinates with MSA to refer cases of at-risk youth. (9,43-45)
Ministry of Justice (MOJ)	Coordinates anti-human trafficking efforts and the criminal enforcement of child labor laws. (18)
Ministry of Education (MOE)	Alerts parents and authorities to truancy in an effort to ensure children attend required schooling. (3)

In 2019, Tunisia became a Pathfinder country under Alliance 8.7. This involves accelerating commitments towards achieving Sustainable Development Target 8.7, which calls for the eradication of forced labor, modern slavery,

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human trafficking, and child labor by 2025, and forced labor, modern slavery, and human trafficking by 2030. (46) The Government of Tunisia created an action plan, which includes the goal, among others, of establishing a database to collect and share data among various public agencies that intervene on issues of child labor. (46)

Labor Law Enforcement

In 2019, labor law enforcement agencies in Tunisia took actions to combat child labor (Table 6). However, gaps exist within the authority of the MSA that may hinder adequate labor law enforcement, including the lack of authority to conduct inspections and enforce minimum age protections for children on inhabited premises, such as private homes, without permission of the property owner or a court order to access the property.

Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2018	2019
Labor Inspectorate Funding	\$4,400,000 (3)	\$5,310,000 (47,48)
Number of Labor Inspectors	347 (3)	331 (21)
Inspectorate Authorized to Assess Penalties	Yes (3)	Yes (21)
Initial Training for New Labor Inspectors	Yes (3)	Yes (47,48)
Training on New Laws Related to Child Labor	N/A (3)	N/A (21)
Refresher Courses Provided	Yes (3)	Yes (47,48)
Number of Labor Inspections Conducted	17,699 (48)	11,960† (21)
Number Conducted at Worksite	17,699 (48)	11,960† (21)
Number of Child Labor Violations Found	92 (39)	39 (21)
Number of Child Labor Violations for Which Penalties Were Imposed	Unknown (3)	Unknown
Number of Child Labor Penalties Imposed that Were Collected	Unknown (3)	Unknown
Routine Inspections Conducted	Yes (3)	Yes (21)
Routine Inspections Targeted	Yes (3)	Yes (21)
Unannounced Inspections Permitted	Yes (3)	Yes (21)
Unannounced Inspections Conducted	Yes (3)	Yes (21)
Complaint Mechanism Exists	Yes (3)	Yes (21)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (3)	Yes (47,48)

† Data are from January to October 2019.

Labor law enforcement mechanisms do not exist to enforce the minimum age protections for children on inhabited premises, such as private homes, without permission of the property owner or a court order. (3,9,11) The government noted that the budget for staffing and logistics, such as fuel and transportation, were inadequate to carry out inspections, especially in remote areas of the country. Ministry officials noted that the labor inspectorate lacked resources to monitor the informal economy, estimated to constitute 38 percent of the country's GDP, and employ 54 percent of the country's total workforce. (3,9,11,12,26,49)

Over the course of the first 6 months of 2019, the MSA intervened in 45 cases of child exploitation, providing assistance to victims. (20) The government did not provide information on the number of child labor violations for which penalties were imposed and collected. (21,48)

Criminal Law Enforcement

In 2019, criminal law enforcement agencies in Tunisia took actions to combat child labor (Table 7). However, gaps exist within the operations of the criminal enforcement agencies that may hinder adequate criminal law enforcement, including the lack of publication of criminal law enforcement efforts related to the worst forms of child labor.

Table 7. Criminal Law Enforcement Efforts Related to Child Labor

Overview of Criminal Law Enforcement	2018	2019
Initial Training for New Criminal Investigators	Yes (39)	Unknown
Training on New Laws Related to the Worst Forms of Child Labor	Yes (39)	Unknown
Refresher Courses Provided	Yes (39)	Unknown
Number of Investigations	191 (39)	Unknown
Number of Violations Found	Unknown	Unknown
Number of Prosecutions Initiated	11 (39)	Unknown
Number of Convictions	Unknown	Unknown
Imposed Penalties for Violations Related to The Worst Forms of Child Labor	Unknown	Unknown
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (39)	Unknown

During 2019, UNODC trained 40 judges, 13 investigating magistrates, 13 public prosecutors, and 12 police officers. (20) IOM assisted in training 83 officials from MSA on trafficking in persons crimes, detection techniques, and victim protection. There were also various workshops for 36 officials from the MSA on care for survivors of trafficking and listening techniques. (20) The MSA conducted training for 25 labor inspectors and 24 social workers on specialized points of contact for child trafficking victims. (5) The Ministry of Justice reported on the ongoing prosecution of a number of cases with 34 related to the commercial sexual exploitation of children. (21) However, the government did not provide information on its criminal law enforcement efforts for inclusion in this report.

Following a Ministry of the Interior (MOI) investigation of allegations of child trafficking—including forced labor—at the Koranic association in Regueb in 2019, Tunisian authorities shut down 11 other associations operating unauthorized Koranic schools in 6 different governorates. (5)

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 (PAN-TN)	Coordinates efforts to combat child labor. Led by MSA, includes membership of 11 other ministries and 3 unions, with support from ILO. (14,50,51) In 2019, research was unable to determine whether additional efforts were undertaken related to the prior year's draft bylaw to create a Fight Against Child Labor Unit and an accompanying Operational Strategic Plan within MSA, requiring the Minister's approval. Moreover, research was unable to determine whether efforts were undertaken to coordinate actors on these issues, participate in studies, analyze information, publish and collect data, and prepare and implement work plans and national reports. Nevertheless, the Leadership Committee continued to meet and play an active role in planning and coordinating activities. (3,52)
National Authority on Trafficking in Persons (Instance Nationale de Lutte Contre la Traite des Personnes)	Coordinates anti-human trafficking efforts and raises awareness of human trafficking issues. Includes membership of 12 ministries, 2 members of civil society, a media representative, and a member of the National Commission of Human Rights. (18,44,53-55) In 2019, the National Authority conducted a number of trainings for government officials and enforcement officials on the issues of trafficking in persons. (20) During the reporting period, the National Authority took a number of steps to activate and enhance international and judicial cooperation in trafficking in persons through leadership within policy networks and hosting visiting delegations and exchanges with other countries in Sub-Saharan Africa. (48)

In 2019, the government established an ad-hoc committee to review proposed and existing laws related to child exploitation. (20)

During the reporting period, the government established two participatory work teams in Jendouba and Sfax comprising child protection representatives, doctors, labor inspectors, and social workers, representatives of the MOI, and social parties. Teams are under the supervision of the Regional Director of Social Affairs. The team in Sfax focuses on child labor in the service sector, whereas the team in Jendouba focuses on child labor in agriculture. (21)

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V. GOVERNMENT POLICIES ON CHILD LABOR

The government has established policies that are consistent with relevant international standards on child labor (Table 9). However, policy gaps exist that hinder efforts to address child labor, including implementation.

Table 9. Key Policies Related to Child Labor

Policy	Description
Child Labor National Action Plan (PAN-TN) (2015–2020)	Aims to raise awareness, build the capacity of stakeholders, encourage action from NGOs and the public, improve policies, and promote the implementation of existing laws and policies. (14,42,50,56) In 2019, PAN-TN continued to operate, with the Leadership Committee meeting and continuing work on training and development documents. (52)
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. (4,15) In 2019, the Government of Tunisia continued to implement its National Strategy and coordinated with civil society organizations and the IOM to raise awareness about the National Strategy and trafficking in persons in general. (48)
UNICEF Country Program Document (2015–2019)	Aimed to improve quality of education, decrease dropout rates, increase access to early education, teach life skills to adolescents, and improve access to information that protects children against violence and economic exploitation. (57) In 2019, research indicated project activities continued. (48)

The National Authority on Trafficking in Persons and IOM organized an event in June 2019, with 11 other civil society organizations to discuss trafficking in persons and to publicize the 2018–2023 National Strategy for the Combat of Trafficking in Persons. Other partner organizations of the National Authority also conducted awareness campaigns throughout the reporting period, including *Avocats sans Frontières* (Lawyers without Borders), *Terre d’Asile*, and the Amal Association. (48) As part of the implementation of the national strategy, the National Agency for Employment and Independent Work (ANETI) raised awareness among job seekers through its online platform and during job consultations. ANETI also advised job seekers to avoid communicating with unauthorized placement agencies, as these may provide fake employment contracts. (48)

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2019, the government funded and participated in programs that include the goal of eliminating or preventing child labor (Table 10). However, gaps exist in these social programs, including the adequacy of programs to address the full scope of the problem.

Table 10. Key Social Programs to Address Child Labor

Program	Description
USDOL-Funded Projects	USDOL projects in Tunisia aim to conduct research on child labor and strengthen Tunisia’s ability to implement its Child Labor National Action Plan, a multi-stakeholder effort involving government, business, and civil society. These projects include PROTECTE (2016–2021), \$3 million project implemented by ILO; and Global Research on Child Labor Measurement and Policy Development (MAP), \$7 million project implemented in at least 10 countries by ILO. (9,14,52,58,59) 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 MWFC. Includes three objectives: (1) build the capacity of relevant institutions and agencies to identify and assist victims of human trafficking based on their individual needs; (2) strengthen cross-sector cooperation and the sharing of information through the implementation of a national referral mechanism; and (3) conduct an awareness-raising campaign to keep children in school and discourage illegal migration that could lead to human trafficking. (42) In 2019, IOM continued to implement program activities, including its support of the government’s efforts to implement the National Strategy for the Combat of Trafficking in Persons. (48)
American Bar Association Rule of Law Initiative	USDOS-funded project to assist the Government of Tunisia’s National Authority to Combat Trafficking in Persons and enhance capacity of legal actors to prosecute, investigate, and adjudicate human trafficking cases in a victim-centered manner, which began activities in 2018. (55) In 2019, research indicated that project activities continued. (48)
Shelters and Services for Victims of Human Trafficking†	The Government of Tunisia operates shelters to serve victims of human trafficking, predominantly children, which provide lodging, food, clothing, psychological services, legal aid through a network of pro bono lawyers, and free medical care in collaboration with MOH. Adults and unaccompanied children are placed in dedicated centers to receive schooling. (16,45,60–62) In 2019, these shelters operated and continued to provide services. (5)
Centers to Provide Aid to Victims of Child Labor†	The government maintains 79 youth centers that can serve up to 6,000 children engaged in child labor or vulnerable to child labor. (42,63) In 2019, these centers operated and continued to provide services. (48)

Table 10. Key Social Programs to Address Child Labor (Cont.)

Program	Description
Programs to Reduce School Dropout Rates†	MOE-funded School Dropout Prevention Program maintains about 2,300 social protection units in schools and mobile units in rural areas to monitor students and prevent school dropout. (63) The Ministry of Vocational Training and Employment continued to operate a project to incorporate students who have dropped out into vocational training programs. (21)

† 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. (44,60)

Although Tunisia has programs that target child labor, the scope of these programs is insufficient to fully address the extent of the problem, including in agriculture and fishing, commerce, manufacturing, domestic labor, and construction. (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 Tunisia (Table 11).

Table 11. Suggested Government Actions to Eliminate Child Labor

Area	Suggested Action	Year(s) Suggested
Enforcement	Provide adequate resources, including fuel and transportation, for the labor inspectorate to conduct additional inspections, particularly in remote areas and in the informal economy.	2015 – 2019
	Ensure that mechanisms exist to enforce the minimum age protections for children on inhabited premises, such as private homes, without permission of the property owner or a court order.	2014 – 2019
	Collect and publish information related to the criminal enforcement of child labor laws.	2013 – 2019
	Collect and publish information on the number of child labor violations for which penalties were imposed and collected.	2019
	Increase penalties for those who employ children in violation of child labor law protections to reduce recidivism.	2016 – 2019
Social Programs	Publish the microdata of the 2017 National Child Labor Survey so that they can be used to inform programming and policies.	2017 – 2019
	Address barriers to education, especially for girls in rural areas, such as unreliable transportation, household poverty, and physical violence.	2015 – 2019
	Expand existing programs to address the scope of the child labor problem, including in agriculture, fishing, commerce, manufacturing, domestic labor, and construction.	2015 – 2019

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In 2019, Tuvalu made a moderate advancement in efforts to eliminate the worst forms of child labor. The government ratified ILO Convention 182 on the Worst Forms of Child Labor and conducted a baseline survey to map and assess its child protection system. Tuvalu also significantly increased the budget for its labor inspectorate during the reporting period. However, although research is limited, there is evidence that children in Tuvalu engage in child labor in fishing and domestic work. The government has not specified, by national law or regulation, the types of hazardous work prohibited for children, leaving children vulnerable to the worst forms of child labor. In addition, Tuvalu lacks data to determine the prevalence and nature of child labor in the country.

I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Although research is limited, there is evidence that children in Tuvalu engage in child labor in fishing and domestic work. (1-3) Table 1 provides key indicators on children's work and education in Tuvalu. Data on some of these indicators are not available from the sources used in this report.

Table 1. Statistics on Children's Work and Education

Children	Age	Percent
Working (% and population)	5 to 14	Unavailable
Attending School (%)	5 to 14	Unavailable
Combining Work and School (%)	7 to 14	Unavailable
Primary Completion Rate (%)		78.7

Source for primary completion rate: Data from 2018, published by UNESCO Institute for Statistics, 2020. (4)

Source for all other data were unavailable from International Labor Organization's analysis, 2020. (5)

Based on a review of available information, Table 2 provides an overview of children's work by sector and activity.

Table 2. Overview of Children's Work by Sector and Activity




Sector/Industry	Activity
Agriculture	Fishing, activities unknown (1,3,6)
Services	Domestic work (3,6)

Tuvalu lacks data to determine the prevalence and nature of child labor in the country. (3,6,7)

II. LEGAL FRAMEWORK FOR CHILD LABOR

Tuvalu 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	

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The government ratified ILO Convention 182, Worst Forms of Child Labor, in June 2019. The government is also in the process of ratifying the UN CRC Optional Protocol on the Sale of Children, Child Prostitution, and Child Pornography. (3)

The government has established laws and regulations related to child labor (Table 4). However, gaps exist in Tuvalu's legal framework to adequately protect children from the worst forms of child labor, including the identification of hazardous occupations or activities prohibited for children.

Table 4. Laws and Regulations on Child Labor

Standard	Meets International Standards	Age	Legislation
Minimum Age for Work	Yes	15	Article 42 of the Labor and Employment Relations Act (6,8)
Minimum Age for Hazardous Work	Yes	18	Article 44 of the Labor and Employment Relations Act (6,8)
Identification of Hazardous Occupations or Activities Prohibited for Children	No		
Prohibition of Forced Labor	Yes		Articles 46 and 48 of the Labor and Employment Relations Act; Articles 244 and 249 of the Penal Code; Article 69 of the Counter Terrorism and Transnational Organized Crime Act; Article 18 of the Constitution of Tuvalu (6,8-11)
Prohibition of Child Trafficking	Yes		Article 68 of the Counter Terrorism and Transnational Organized Crime Act; Articles 136 and 244 of the Penal Code (9,11)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Article 46 of the Labor and Employment Relations Act; Articles 136–143, and 166 of the Penal Code (6,8,9)
Prohibition of Using Children in Illicit Activities	Yes		Article 46 of the Labor and Employment Relations Act; Articles 141–142 of the Penal Code (6,8,9)
Minimum Age for Voluntary State Military Recruitment	N/A†		
Prohibition of Compulsory Recruitment of Children by (State) Military	N/A†		
Prohibition of Military Recruitment by Non-state Armed Groups	Yes		Section 46 of the Labor and Employment Relations Act (8)
Compulsory Education Age	Yes	15	Education Order (12)
Free Public Education	No		Free Education Policy (6)

† No standing military (13)

During the reporting period, the Department of Labor, along with the ILO, conducted consultations on ratifying international labor conventions and implementing its international commitments with the government and NGO stakeholders. (3) Additionally, the government undertook consultations on the draft Child Protection and Welfare Bill, with support from UNICEF. This will be the first law in Tuvalu to make comprehensive provisions for issues related to the rights, protection, and welfare of children. (3)

The Government of Tuvalu has not specified, by national law or regulation, the types of hazardous work prohibited for children; previous provisions only applied to a male person under the age of 18 in the industrial, mining, and fishing sectors. (2,8,14)

Although child trafficking is prohibited in Tuvalu, the law prescribes a harsher punishment for individuals involved in the trafficking of adults than for those involved in the trafficking of children. (11)

Research did not find any laws in Tuvalu that provide free basic education; however, there is a policy that provides for free basic education. (2,3,6,15-17)

III. ENFORCEMENT OF LAWS ON CHILD LABOR

The government has established institutional mechanisms for the enforcement of laws and regulations on child labor (Table 5). However, gaps exist within the operations of the Department of Labor that may hinder adequate enforcement of their child labor laws.

Table 5. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
Department of Labor	Enforces labor laws, including those related to child labor. (15)
Tuvalu Police Force	Investigates and enforces criminal laws related to the worst forms of child labor. (3,6,15)

Labor Law Enforcement

In 2019, labor law enforcement agencies in Tuvalu took actions to combat child labor (Table 6). However, gaps exist within the operations of the Department of Labor that may hinder adequate labor law enforcement, including the lack of information on labor law enforcement.

Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2018	2019
Labor Inspectorate Funding	\$43,000 (3)	\$62,000 (3)
Number of Labor Inspectors	4 (6)	4 (3)
Inspectorate Authorized to Assess Penalties	Unknown (6)	Unknown (3)
Initial Training for New Labor Inspectors	Unknown (6)	Unknown (3)
Training on New Laws Related to Child Labor	N/A (6)	N/A (3)
Refresher Courses Provided	Yes (6)	Yes (3)
Number of Labor Inspections Conducted	Unknown (6)	Unknown (3)
Number Conducted at Worksite	Unknown (6)	Unknown (3)
Number of Child Labor Violations Found	0 (6)	0 (3)
Number of Child Labor Violations for Which Penalties Were Imposed	0 (6)	0 (3)
Number of Child Labor Penalties Imposed that Were Collected	0 (6)	0 (3)
Routine Inspections Conducted	Yes (6)	Yes (3)
Routine Inspections Targeted	Yes (6)	Yes (3)
Unannounced Inspections Permitted	Yes (6)	Yes (3)
Unannounced Inspections Conducted	Unknown (6)	Unknown (3)
Complaint Mechanism Exists	Yes (6)	Yes (3)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (6)	Yes (3)

In 2019, the Government of Tuvalu increased its funding for the labor inspectorate from \$43,000 in 2018 to \$62,000. While there is no breakdown information available of the allocation to the labor inspectorate, Tuvalu's small population and the concentration of child labor occurring in its capital, Funafuti, suggests that the financial resource allocation appeared to be adequate in addressing child labor in Tuvalu. (3)

The government did not provide information on its labor law enforcement, including ability to assess penalties, initial training for new labor inspectors, the number of labor inspections conducted, and the number of unannounced inspections. (3)

Criminal Law Enforcement

Research did not find information on whether criminal law enforcement agencies in Tuvalu took actions to combat child labor (Table 7).

Table 7. Criminal Law Enforcement Efforts Related to Child Labor

Overview of Criminal Law Enforcement	2018	2019
Initial Training for New Criminal Investigators	Unknown (6)	Unknown (3)
Training on New Laws Related to the Worst Forms of Child Labor	N/A (6)	Unknown (3)
Refresher Courses Provided	Unknown (6)	Unknown (3)
Number of Investigations	Unknown (6)	0 (3)
Number of Violations Found	0 (6)	0 (3)
Number of Prosecutions Initiated	0 (6)	0 (3)
Number of Convictions	0 (6)	0 (3)
Imposed Penalties for Violations Related to The Worst Forms of Child Labor	Unknown (17)	0 (3)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (6)	Yes (3)

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IV. COORDINATION OF GOVERNMENT EFFORTS ON CHILD LABOR

The government has established mechanisms to coordinate its efforts to address child labor (Table 8).

Table 8. Key Mechanisms to Coordinate Government Efforts on Child Labor

Coordinating Body	Role & Description
National Advisory Committee on the Convention on the Rights of the Child	Coordinates child protection issues and implements the Convention on the Rights of the Child. Led by the Ministry of Education, and includes the Police and Ministries of Labor and Social Welfare. (3) Maintains a Child Protection Desk to support and coordinate the implementation of child protection efforts, and ensures coherence of child protection intervention efforts. (3,6,17,18)

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
United Nations Pacific Strategy (2018–2022)	A multinational strategic framework program consisting of 14 South Pacific nations to address, develop, and implement strategic economic development priorities in the South Pacific, including eliminating child labor and the worst forms of child labor. (20)
Tuvalu Human Rights National Action Plan (2016–2020)	Consolidates the government’s human rights coordination and delivery of services, including implementation of the UN CRC. (19) This policy was active during the reporting period. (17)
Child Protection Work Plan	Includes the drafting of a Child Protection Bill and a Child Protection in Schools Policy, with implementation plans and cost estimates. Involves public relations activities, such as awareness raising and advocacy. (21) During the reporting period, the government continued to engage researchers to undertake child protection baseline research as part of its 2017 Child Protection Work Plan. The research is expected to determine the prevalence and causes of child protection issues. (3)
Free Education Policy	Provides free primary education for all children in Tuvalu. (6) This policy was active during the reporting period. (3)

‡ The government had other policies that may have addressed child labor issues or had an impact on child labor. (3,22)

During the reporting period, the government coordinated with UNICEF for technical assistance in social welfare policy to assist the Ministry of Home Affairs and Rural Development to implement the Child Protection Policy and Plan. (3)

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2019, the government funded and participated in programs that include the goal of eliminating or preventing child labor (Table 10). However, gaps exist in these social programs, including the lack of programs addressing child labor in the fishing sector.

Table 10. Key Social Programs to Address Child Labor

Program	Description
UNICEF Pacific Multi-Country Child Protection Program (2018–2022)	Multi-country program in 14 Pacific Island countries. (23) Prioritizes children’s rights, including the elimination of the worst forms of child labor. Aligned with the UN Pacific Strategy 2018–2022. (23) During the reporting period, the Office of the Attorney General and Ministry of Education, Youth and Sports, with support from UNICEF Pacific, began implementing various child protection interventions that align with the 2018–2022 UNICEF Pacific Multi-Country Child Protection Program. (3,6) Also in 2019, consultants were hired to conduct child protection baseline research. (17)

‡ The government had other programs that may have addressed child labor issues or had an impact on child labor. (3,17,18,26)

During the reporting period, the government conducted a child protection baseline survey to provide a comprehensive child protection system map and assessment, with support from UNICEF. (3) 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 I I).

Table I I. Suggested Government Actions to Eliminate Child Labor

Area	Suggested Action	Year(s) Suggested
Legal Framework	Accede to the UN CRC Optional Protocol on Armed Conflict, UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography, and the Palermo Protocol.	2013 – 2019
	Determine the types of hazardous work prohibited for all children in consultation with employers' and workers' organizations.	2017 – 2019
	Establish by law free basic public education.	2019
	Ensure that the law prescribes a harsher punishment for individuals involved in the trafficking of children than for those involved in the trafficking of adults.	2019
Enforcement	Publish information about the training system for investigators.	2017 – 2019
	Publish labor law enforcement information, including ability to assess penalties, initial training for new labor inspectors, the number of labor inspections conducted, and the number of unannounced inspections.	2016 – 2019
Social Programs	Collect and publish data on the extent and nature of child labor to inform policies and programs.	2010 – 2019
	Institute programs to address child labor in the fishing sector.	2009 – 2019

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In 2019, Uganda made a minimal advancement in efforts to eliminate the worst forms of child labor. The government adopted a new National Action Plan for the Elimination of Child Labor, and the Anti-Human Trafficking National Task Force published updated regulations to prevent trafficking in persons and drafted a new national action plan against human trafficking. In addition, the government approved funding to increase services to street children working in Kampala. However, despite new initiatives to address child labor, Uganda is receiving an assessment of minimal advancement because it implemented a regression in practice that delayed advancement to eliminate child labor. The government failed to take active measures to prosecute, convict, and sentence public officials, including police and immigration officers, who participate in or facilitate the worst forms of child labor, including child trafficking. Despite public acknowledgement by the Speaker of Parliament of official complicity in child trafficking, no government officials have been held accountable for their role in facilitating child trafficking. Children in Uganda engage in the worst forms of child labor in commercial sexual exploitation, sometimes as a result of human trafficking. Children also perform dangerous tasks in gold mining. The lack of a centralized supervisory authority, and inadequate funding, training, and resources, hampered the capacity of law enforcement agencies to conduct child labor inspections and investigations. Gaps in the legal framework persist, including insufficient laws regulating the minimum age for employment and hazardous work. In addition, existing programs are inadequate to address child labor in the country.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Uganda engage in the worst forms of child labor in commercial sexual exploitation, sometimes as a result of human trafficking. (1-3) Children also perform dangerous tasks in gold mining. (4-7) Table I provides key indicators on children’s work and education in Uganda.

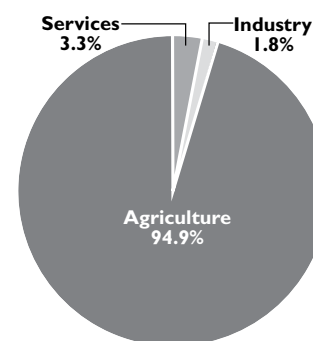
Table I. Statistics on Children’s Work and Education

Children	Age	Percent
Working (% and population)	5 to 14	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, 2020. (8)

Source for all other data: International Labor Organization’s analysis of statistics from Labour Force Survey (LFS), 2016–17. (9)

Figure I. Working Children by Sector, Ages 5-14



Based on a review of available information, Table 2 provides an overview of children’s work by sector and activity.

Table 2. Overview of Children’s Work by Sector and Activity

Sector/Industry	Activity
Agriculture	Cultivating and harvesting cocoa, coffee, corn, tea,† tobacco,† rice,† sugarcane,† and vanilla, and acting as scarecrows in rice fields (10-16)
	Working with livestock, including herding cattle† (3,11,16-18)
	Fishing,† including catching, smoking,† and selling fish, and paddling† and loading boats† (3,4,11,17,19)
	Producing charcoal (11)
	Collecting grasshoppers (3,17,18)
Industry	Construction,† including making and laying bricks (3,16,17)
	Quarrying stone† and mining gold, sand,† and salt (3-5,11,17,20-22)
	Manufacturing, including in steel rolling mills† and carpentry workshops† (3,11,17)
Services	Domestic work† (1,3,4,16-18,23,24)
	Street work, including vending,† begging,† car washing,† working as porters,† scavenging,† and collecting and selling scrap metal (1,3,11,17,18,25-28)
	Working in hair salons, hotels,† restaurants,† bars,† and video halls† (3,11,16,17,25)
	Collecting firewood for sale (29)
	Producing alcoholic beverages (3,17,30)
Categorical Worst Forms of Child Labor‡	Commercial sexual exploitation, sometimes as a result of human trafficking (1-3,17,18,25)
	Forced labor in agriculture, fishing, cattle herding, working in bars and restaurants, begging, brickmaking, mining, stone quarrying, street vending, and domestic work, each sometimes as a result of human trafficking (2,17,18,28,30-32)
	Use in the production of pornography and pornographic performances (3,17,33)
	Use in illicit activities, including smuggling, burglary, and car and house break-ins, each sometimes as a result of human trafficking (3,11,17)

† Determined by national law or regulation as hazardous and, as such, relevant to Article 3(d) of ILO C. 182.

‡ Child labor understood as the worst forms of child labor *per se* under Article 3(a)–(c) of ILO C. 182.

The results from the last National Labour Force Survey, published in 2018, show that an estimated 2,057,000 children are in child labor, which is a slight increase from the previous 2011/2012 survey. (34) Children in Uganda, including boys and girls, are vulnerable to human trafficking for commercial sexual exploitation. (2) While child victims of human trafficking in Uganda have typically been trafficked internally from rural to urban areas, recent media reports highlighted the trafficking of children to countries such as Kenya and Somalia, some of whom were rumored in unverified media reports to have ended up in the hands of the terrorist group Al-Shabaab. (35,36) Some children were also trafficked as far as the Middle East and South Central Asia. (37) Children from rural areas, especially the Karamoja region, are vulnerable to human trafficking, and at times willingly migrate to Kampala and other urban centers, where they engage in begging, street vending, domestic work, and commercial sexual exploitation. (1,2,28) 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, herding, and commercial sexual exploitation. (3,38,39) Networks of traffickers run by “elders” force children into street begging and, for girls, into commercial sexual exploitation. These children are often physically abused for failing to meet quotas. (2) Children from neighboring countries are exploited in forced agricultural labor and commercial sexual exploitation in Uganda. (2)

Although the law provides for free compulsory education, the costs of school supplies, uniforms, and other materials often prohibit children from attending school. (3,4,7,40-42) Research also found that children experience physical and sexual abuse at school by teachers and classmates. (33,41) Furthermore, a lack of teachers and school infrastructure, and poor transportation in remote rural areas, have created barriers to children’s access to education. (3,17,43) Although laws on free compulsory education apply equally to refugee children, a UNHCR report from 2018 notes that 149,806 refugee children are either not enrolled in or not attending school. Girls, 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. (37,44,45) In addition to the same obstacles faced by Ugandan children, refugee children may face discrimination from fellow pupils and teachers due to their refugee status, and they may also experience language




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barriers. (46) For a number of refugee settlements, such as Nakivale, schools are often located far from where refugees live and are inadequately equipped to meet the needs of the large student population. (47)

II. LEGAL FRAMEWORK FOR CHILD LABOR

Uganda has ratified most key international conventions concerning child labor (Table 3).

Table 3. Ratification of International Conventions on Child Labor

Convention	Ratification
 ILO C. 138, Minimum Age	✓
ILO C. 182, Worst Forms of Child Labor	✓
 UN CRC	✓
UN CRC Optional Protocol on Armed Conflict	✓
UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	✓
 Palermo Protocol on Trafficking in Persons	

The government has established laws and regulations related to child labor (Table 4). However, gaps exist in Uganda's legal framework to adequately protect children from the worst forms of child labor, including the minimum age for work.

Table 4. Laws and Regulations on Child Labor

Standard	Meets International Standards	Age	Legislation
Minimum Age for Work	No	16	Section 7 of the Children (Amendment) Act (48)
Minimum Age for Hazardous Work	No	18	Section 7 of the Children (Amendment) Act; Section 32 of the Employment Act; and Regulations 5 and 8 of the Employment (Employment of Children) Regulations (48-50)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Regulation 6 and the First Schedule of the Employment (Employment of Children) Regulations; Section 7 of the Children (Amendment) Act (48,50)
Prohibition of Forced Labor	Yes		Sections 2 and 5 of the Employment Act; Sections 3–5 of the Prevention of Trafficking in Persons Act (49,51)
Prohibition of Child Trafficking	Yes		Section 8 of the Children (Amendment) Act; Sections 2–5 of the Prevention of Trafficking in Persons Act (48,51)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Section 8A of the Children (Amendment) Act; Sections 2–5 of the Prevention of Trafficking in Persons Act; Sections 131 and 139 of the Penal Code; and Section 14 of the Anti-Pornography Act (48,51-53)
Prohibition of Using Children in Illicit Activities	Yes		Article 5(d) of the Prevention of Trafficking in Persons Act; Narcotic Drugs and Psychotropic Substances (Control) Act (51, 85)
Minimum Age for Voluntary State Military Recruitment	Yes	18	Article 52(2)(c) of the Defence Forces Act (54)
Prohibition of Compulsory Recruitment of Children by (State) Military	N/A*		
Prohibition of Military Recruitment by Non-state Armed Groups	Yes		Section 5(b) of the Prevention of Trafficking in Persons Act (51)
Compulsory Education Age	No	13‡	Sections and 10(3)(a) of the Education Act (40)
Free Public Education	No		Section 10(3)(a) of the Education Act (40)

* No conscription (54)

‡ Age calculated based on available information (40)

In 2018, the government began a process to harmonize the country's legal provisions and bring the allowable minimum age for work in line with international standards. (17) The process will require approval from the

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cabinet, parliament, and the president before enactment and was expected to conclude in 2019. However, the finalization is now expected in 2020. (3)

Uganda's Prevention of Trafficking in Persons Act complies with international standards on prohibiting child trafficking. However, the Children (Amendment) Act of 2016 conflicts with the Prevention of Trafficking in Persons Act in that it defines child trafficking as requiring force, fraud, or coercion. (48,51)

The law's minimum age protections do not apply to children working without a formal employment relationship, which does not conform to international standards that require all children to be protected by the minimum age to work. (49) Although Uganda has a list of hazardous occupations prohibited to children under age 18, Section 8 of the Employment of Children Regulations permits a commissioner to allow children age 12 and older enrolled in an educational training or apprenticeship program to engage in hazardous work, in violation of international standards. (50)

Children in Uganda are required to attend school only up to age 13. 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. (40) Finally, although Uganda has adopted policies to extend universal education through secondary level, by law free education is limited to the primary level. (40, 86)

III. ENFORCEMENT OF LAWS ON CHILD LABOR

The government has established institutional mechanisms for the enforcement of laws and regulations on child labor (Table 5). However, gaps exist within the authority of the Ministry of Gender, Labor, and Social Development (MGLSD) that may hinder adequate enforcement of their child labor laws.

Table 5. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
Ministry of Gender, Labor, and Social Development (MGLSD)	Sets labor inspection priorities and inspection guidelines. (43,55) Includes the Industrial Court, which judges labor dispute cases that are referred by labor officers. (11) Operates the Uganda Child Helpline known as <i>Sauti</i> . (56)
Ministry of Internal Affairs	Enforces criminal laws on the worst forms of child labor. The Uganda Police Force's Child and Family Protection Unit (CFPU) investigates forced labor cases, the Special Investigations Division and the Anti-Human Trafficking Desk investigate cases related to human trafficking and the use of children in illicit activities, and the Sexual Offenses Desk investigates commercial sexual exploitation. (11)
Ministry of Local Government	Oversees district labor officers who refer cases to the Industrial Court. (11) Deploys community development officers at the district level when district labor officers are not available. (29)
Directorate of Public Prosecutions	Prosecutes criminal cases related to the worst forms of child labor that are referred by the Uganda Police Force. (57)

Labor Law Enforcement

In 2019, labor law enforcement agencies in Uganda took actions to combat child labor (Table 6). However, gaps exist within the authority of the MGLSD that may hinder adequate labor law enforcement, including the ability to assess penalties.

Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2018	2019
Labor Inspectorate Funding	Unknown (17)	Unknown
Number of Labor Inspectors	73 (17)	81 (3)
Inspectorate Authorized to Assess Penalties	No (17)	No (3)
Initial Training for New Labor Inspectors	Yes (17)	Yes (3)
Training on New Laws Related to Child Labor	No (17)	N/A
Refresher Courses Provided	Yes (17)	Yes (3)
Number of Labor Inspections Conducted	Unknown (17)	Unknown
Number Conducted at Worksite	Unknown (17)	Unknown

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Table 6. Labor Law Enforcement Efforts Related to Child Labor (Cont.)

Overview of Labor Law Enforcement	2018	2019
Number of Child Labor Violations Found	Unknown (17)	Unknown
Number of Child Labor Violations for Which Penalties Were Imposed	Unknown (17)	Unknown
Number of Child Labor Penalties Imposed that Were Collected	Unknown (17)	Unknown
Routine Inspections Conducted	Yes (17)	Yes (3)
Routine Inspections Targeted	Yes (17)	Yes (3)
Unannounced Inspections Permitted	Yes (17)	Yes (3)
Unannounced Inspections Conducted	Yes (17)	Yes (3)
Complaint Mechanism Exists	Yes (17)	Yes (3)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (17)	Yes (3)

In 2019, the government held three child labor-specific inspections in gold mining areas as part of World Day Against Child Labor. The government provided initial training for new inspectors during the reporting period, while existing inspectors received training at two stakeholder engagements held in February and August of 2019. (3) However, research indicates that the training was not sufficient because labor inspectors still lacked the expertise to follow through on child labor cases. Labor unions meanwhile noted that the number of inspections was insufficient and that inspections were only carried out when complaints were received. (3) Labor inspectors in Uganda have the authority to inspect private farms and residences, but the MGLSD noted that inspectors rarely exercise this authority despite the prevalence of child domestic labor in the country. (3)

Uganda is signatory to ILO Convention 81 that requires labor inspection to be placed under the supervision and control of a central authority. (58,59) 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 of the MGLSD. (60,61) 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. (55) In addition, due to budgetary limitations and a lack of child labor prioritization at the district level, the majority of districts in Uganda did not have labor officers and did not have sufficient funds to carry out inspections. (3,43) Research also found that follow-up inspections rarely happen due to insufficient funding at the district level. (55) Given the lack of resources for inspections, local civil society organizations often train labor inspectors and even assist them in conducting inspections. (17,30)

Research found that child labor cases rarely reach the Industrial Court because of poor monitoring and the court's limited access to communities outside of urban centers, where child labor is most likely to occur. (59) Finally, the number of labor inspectors is likely insufficient for the size of Uganda's workforce, which includes more than 15 million workers. According to the ILO's technical advice of a ratio approaching 1 inspector for every 40,000 workers in less developed countries, Uganda would employ about 400 inspectors. (62-65)

Criminal Law Enforcement

In 2019, criminal law enforcement agencies in Uganda took actions to combat child labor (Table 7). However, gaps exist within the operations of the criminal enforcement agencies that may hinder adequate criminal law enforcement, including training for criminal investigators.

Table 7. Criminal Law Enforcement Efforts Related to Child Labor

Overview of Criminal Law Enforcement	2018	2019
Initial Training for New Criminal Investigators	Yes (17)	No (3)
Training on New Laws Related to the Worst Forms of Child Labor	No (17)	N/A
Refresher Courses Provided	Yes (17)	No (3)
Number of Investigations	30 (62)	Unknown
Number of Violations Found	155 (62)	Unknown
Number of Prosecutions Initiated	Unknown (17)	Unknown

Table 7. Criminal Law Enforcement Efforts Related to Child Labor (Cont.)

Overview of Criminal Law Enforcement	2018	2019
Number of Convictions	Unknown (17)	Unknown
Imposed Penalties for Violations Related to The Worst Forms of Child Labor	Unknown (63)	Unknown
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (17)	Yes (3)

In October 2019, Uganda’s Parliamentary Speaker acknowledged that immigration officials are complicit and involved in human trafficking, including the trafficking of children. (35) Research has also found that some police are allegedly complicit in the commercial sexual exploitation of child refugees. Meanwhile, other high-level government officials own or are associated with labor recruitment companies and networks of traffickers run by “elders” that engage in child trafficking. (2,35,63) The involvement of government officials in 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, nor has it arrested any government officials. (35) Although complicity in trafficking in persons by officials has long been a concern in Uganda, the government has made very limited efforts to investigate such allegations and failed to initiate any prosecutions or achieve any convictions of complicit government officials. (2)

Reports have also indicated that investigators rarely follow up on domestic child labor claims. When child domestic workers complain to their employers for not being paid, the employers report the children to the police for theft and police subsequently treat them as criminals rather than as victims who have not been paid for their work. (3)

Research found that street children, including potential human trafficking victims and child laborers, have faced conflict with local authorities and are sometimes detained and beaten by police. (2,39,64,66) 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. (67,68)

In December 2019, Ugandan authorities prevented 96 teenage girls from being trafficked to Kenya. In January of 2020, Ugandan and Kenyan authorities cooperated to investigate the trafficking of another group of 96 Karamajong teenage girls who were identified in Nairobi and placed in the care of the Ugandan Ministry for Gender, Labour and Social Development for family reunification. (35,37,69,70)

Research indicates there is not a sufficient number of criminal law enforcement officials responsible for investigating child labor. (11) The Uganda Police Force’s Child and Family Protection Unit also noted that none of its investigators received training in child labor issues in 2019, though the Kampala Capital City Authority indicated it provided training for its own officers and for officers in other Ugandan agencies on conducting rescues of street children. (3) Training is insufficient, in part due to regular staff turnover and transfers. Some criminal law enforcement officials were not aware of key human trafficking laws, and some officers misclassified cases, conducted insufficient investigations, or encouraged victims to accept payment from their traffickers to settle cases. (2,30,35)

IV. COORDINATION OF GOVERNMENT EFFORTS ON CHILD LABOR

The government has established mechanisms to coordinate its efforts to address child labor (Table 8). However, gaps exist that hinder the effective coordination of efforts to address child labor, including funding.

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Table 8. Key Mechanisms to Coordinate Government Efforts on Child Labor

Coordinating Body	Role & Description
National Steering Committee on the Elimination of Child Labor	Coordinates child labor issues and implements the National Action Plan for the Elimination of Child Labor. Led by MGLSD, includes members from several ministries, CFPU, trade unions, development organizations, civil society, and media agencies. (17) Met quarterly in 2019 and coordinated World Day Against Child Labor activities in Busia district. (3)
Uganda Parliament Forum for Children (UPFC)	Multi-partisan body of Members of Parliament focused on issues affecting Ugandan children, particularly those in vulnerable situations, including street children. In 2019, the UPFC conducted a fact-finding mission to eastern Uganda to investigate reports of children sold at a local market. (3)
Anti-Human Trafficking National Taskforce	Coordinates government efforts on human trafficking. Led by the Ministry of Internal Affairs, includes 30 members from government agencies and civil society. (69) Met eight times in 2019. In collaboration with the Coordination Office for Prevention of Trafficking in Persons, the Taskforce published the Prevention of Trafficking in Persons Regulations in 2019, and worked to finalize the National Referral Guidelines and national action plan. (3) The Taskforce also organized the World Day Against Trafficking in Persons event in conjunction with local NGOs and held on July 30th, which was the first time Uganda had marked the day. (3)
National Child Protection Working Group	Monitors the quality of services provided to orphans and vulnerable children. Led by MGLSD, includes members from five government agencies and civil society organizations. (11) Members met quarterly in 2019 to share respective activities over the course of the reporting period. (3)
National Children's Authority	Works to ensure that member organizations integrate child labor concerns into their policies and budgets. Members include 10 government agencies. (11) The National Children's Authority was inactive during the reporting period due to a lack of funding, according to MGLSD. (3)

The Stop Child Labor Partners Forum, which was created to coordinate, monitor and evaluate child labor-related programs and policies in Uganda, met one time in 2019; the MGLSD noted that additional meetings were not possible due to a lack of funding. (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 implementation.

Table 9. Key Policies Related to Child Labor

Policy	Description
National Action Plan for the Elimination of Child Labor 2017/2018–2021/2022†	Aims to reduce child labor in Uganda by 4 percent by 2022 through strengthening governmental frameworks on child labor, increasing coordination, expanding access to social services for children, enhancing research and advocacy, and improving the Monitoring and Evaluation System for the elimination of child labor. The government approved the plan in February 2019 and it was officially launched in April 2019. (3,71,72)
National Social Protection Policy	Aims to reduce poverty and socioeconomic inequalities for inclusive development by targeting vulnerable people, including child laborers. (74) In November 2019, the Kampala Capital City Authority, in collaboration with UNICEF, launched “Girls Empowering Girls,” an urban social protection program for 1,500 adolescent girls in Kampala. (3)
National Strategy for Girls' Education in Uganda (2015–2019)	Promoted girls' education and identified child labor, particularly domestic work, as a key barrier to girls' access to education. (70) The policy ended in 2019. During the reporting period, the Ministry of Education began drafting a new plan for 2020–2025 that is expected to be completed in 2020. (3)
National Multi-Sectoral Coordination Framework for Adolescent Girls (2017/2018–2021/2022)	Coordinates government, civil society, and community efforts to provide services and programs that focus on issues affecting adolescent girls ages 10 to 19, including exploitation in domestic work and gender-based violence in schools. (17,75) Research was unable to determine whether activities were undertaken to implement the National Multi-Sectoral Coordination Framework for Adolescent Girls 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. (76,77)

Uganda launched a new National Action Plan on the Elimination of the Worst Forms of Child Labor, but 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. (59)

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2019, the government funded and participated in programs that include the goal of eliminating or preventing child labor (Table 10). However, gaps exist in these social programs, including the adequacy of efforts to address the problem in all sectors.

Table 10. Key Social Programs to Address Child Labor

Program	Description
Combating Child Labor in Tobacco Growing (2013–2021)	Eliminating Child Labor in Tobacco Growing Foundation (ECLT)-funded program implemented by ILO that improves the capacity of the government and social partners to develop and implement policies to combat child labor in agriculture. (71,78) The ECLT indicated during the reporting period that it had prevented or withdrawn 2,800 children from engaging in child labor and reached 3,400 households through livelihood and literacy programs. (3)
Uganda Child Helpline (<i>Sauti</i>)†	Funded primarily by UNICEF with in-kind contributions from MGLSD, comprises District Action Centers (DACs) and a physical call center located in Wakiso that screens all calls on reported cases of child abuse. Caseworkers at DACs follow up directly on cases of child abuse, including child labor and exploitation, assigned to them by the National Call Center and liaise with local authorities to address the reported incidents. (56) In 2019, reported receiving 71 calls related to child labor, including 2 involving commercial sexual exploitation of children, and 42 child trafficking cases. The Helpline coordinated with law enforcement and local authorities to initiate investigations into cases. (3,35)
Realizing Livelihood Improvement Through Savings and Education 2019–2021*‡	NGO-implemented program in partnership with the government that focuses on addressing child labor issues in tobacco-growing regions. (33,79) The project was relaunched during the reporting period to cover more areas in the Hoima and Kikube districts. (79) ECLT, through its implementing partners Uganda Women's Effort to Save Orphans and the Uganda ECLT Affiliate Office, worked with 12 schools, with an average of 400 children per school, in 2019. The program trained teachers, held community meetings to discuss child labor, and dispersed learning materials and sanitary products. (3)
Back Home Campaign for Karamoja Children‡	Government program that rescues Karamoja street children working in Kampala and places them in newly completed rehabilitation centers in Wakiso and Moroto districts before reuniting them with their families. (17,80) In 2019, the Ugandan cabinet approved approximately \$1.5 million in funding as part of a strategic action plan that aims to expand efforts to remove street children working in Kampala and provide services. (81)

* Program was launched during the reporting period.

† Program is funded by the Government of Uganda.

‡ The government had other social programs that may have included the goal of eliminating or preventing child labor. (82-84)

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 agriculture 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. (3) Furthermore, the MGLSD has noted that programs are concentrated in specific districts and thus do not cover child labor issues throughout the country. (3)

VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE CHILD LABOR

Based on the reporting above, suggested actions are identified that would advance the elimination of child labor in Uganda (Table 11).

Table 11. Suggested Government Actions to Eliminate Child Labor

Area	Suggested Action	Year(s) Suggested
Legal Framework	Ratify the Palermo Protocol on Trafficking in Persons.	2013 – 2019
	Ensure that all children are protected by the minimum age law, including children who do not work under a formal employment relationship.	2016 – 2019
	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 – 2019
	Align the definition of child trafficking in the Children (Amendment) Act with international standards by ensuring that force, fraud, or coercion are not required elements in child trafficking cases.	2019
	Ensure that the law requires free, compulsory education up to age 16 so that it is commensurate with the minimum age for work.	2009 – 2019

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Table 11. Suggested Government Actions to Eliminate Child Labor (Cont.)

Area	Suggested Action	Year(s) Suggested
Enforcement	Publish information on the labor inspectorate's funding, number of labor inspections conducted, number of child labor violations found, number of child labor penalties imposed, and number of penalties collected.	2013 – 2019
	Enhance the authority of the labor inspectorate by enabling it to assess penalties and ensure the inspectorate is utilizing its existing authorities to inspect private farms and homes and to conduct sufficient routine and unannounced inspections.	2017 – 2019
	Provide sufficient training to labor inspectors, initial training to new criminal investigators, and refresher training to existing investigators, to ensure officials understand and are able to identify, categorize, and investigate child labor cases.	2019
	Ensure coordination between the Ministry of Gender, Labor, and Social Development and the Ministry of Local Government so that labor dispute cases are referred to the Industrial Court.	2015 – 2019
	Provide the labor inspectorate with sufficient funding and resources at the district level to ensure inspectors are present in all districts and are able to carry out their duties.	2013 – 2019
	Improve coordination between national and district level child labor enforcement bodies to ensure that relevant data is shared, child labor inspections are prioritized across the country, and funding for labor inspectorate operations is adequate in all districts.	2019
	Ensure that child labor cases reach the Industrial Court and that penalties are assessed by addressing monitoring issues, combating corruption, and improving the court's reach outside of urban centers.	2019
	Significantly increase the number of labor inspectors to meet the ILO's technical advice and increase the number of personnel responsible for investigating criminal violations of laws related to child labor.	2009 – 2019
	Publish disaggregated data on prosecutions initiated, convictions achieved, number of investigations, and number of violations for the worst forms of child labor.	2017 – 2019
	Investigate, prosecute, and where appropriate, convict and sentence government officials for their role in the worst forms of child labor, including child trafficking.	2019
Coordination	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 by police.	2015 – 2019
Government Policies	Ensure that coordinating mechanisms are active and sufficiently funded to be able to operate and carry out their mandates.	2019
	Ensure that district labor action plans reflect the Ministry of Gender, Labor, and Social Development's priorities.	2018 – 2019
Social Programs	Ensure that existing policies addressing child labor are implemented as intended.	2018 – 2019
	Enhance efforts to eliminate barriers and make education accessible for all children by eliminating costs for supplies, uniforms and materials; addressing physical and sexual violence; and ensuring sufficient teachers, infrastructure and transportation in rural areas.	2012 – 2019
	Enhance efforts to ensure that refugee children have equal access to educational opportunities by addressing gender-based violence, harassment, and refugee discrimination; accommodating the language needs of refugee students; and ensuring that there are well-equipped schools accessible to refugee settlements.	2012 – 2019
	Ensure the availability of shelters for victims of child labor, including child trafficking victims.	2017 – 2019
	Expand existing social programs to address the scope of the child labor problem, particularly in agriculture and commercial sexual exploitation, in all areas of the country.	2009 – 2019

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In 2019, Ukraine made a minimal advancement in efforts to eliminate the worst forms of child labor. The government adopted the Resolution on the Social Protection of Children and Urgent Measures to Protect the Rights of the Child, which includes a provision to address the participation of children in armed conflict. The government also cooperated with municipal leaders and international organizations to conduct mine safety education programs for children and provide security guarantees for demining activities near educational facilities. However, despite new initiatives to address child labor, Ukraine is receiving an assessment of minimal advancement because it implemented a regression in law that delayed advancement in eliminating the worst forms of child labor. In August 2019, the government issued Cabinet of Ministers Decree No. 823, which requires that businesses receive notification at least 5 working days in advance of an onsite labor inspection; this decree prevents Ukraine’s State Labor Inspectorate from conducting unannounced inspections. Children in Ukraine engage in 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. Children living in Russian-controlled areas in the east of the country are increasingly vulnerable to exploitation, and the Government of Ukraine does not have capacity to address the worst forms of child labor in these areas due to the ongoing conflict.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Ukraine engage in the worst forms of child labor, including in the production of pornography. Children also perform dangerous tasks in mining. (1-6) Table I provides key indicators on children’s work and education in Ukraine.

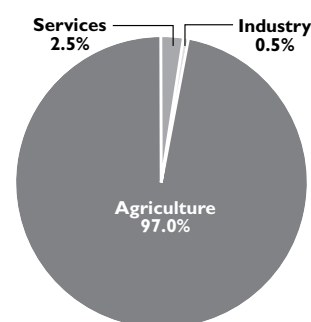
Table I. Statistics on Children’s Work and Education

Children	Age	Percent
Working (% and population)	5 to 14	9.7 (385,204)
Attending School (%)	5 to 14	97.2
Combining Work and School (%)	7 to 14	12.0
Primary Completion Rate (%)		102.6

Source for primary completion rate: Data from 2014, published by UNESCO Institute for Statistics, 2020. (7)

Source for all other data: International Labor Organization’s analysis of statistics from National Child Labour Survey (NCLS), 2015. (8)

Figure I. Working Children by Sector, Ages 5-14



Based on a review of available information, Table 2 provides an overview of children’s work by sector and activity.

Table 2. Overview of Children’s Work by Sector and Activity

Sector/Industry	Activity
Agriculture	Farming, activities unknown (1,2,5,9-11)
	Raising livestock, activities unknown (12)
Industry	Construction, activities unknown (2-4)
	Mining,† including loading, transporting, and sorting coal, and extracting amber (3,5,9,11,13)
Services	Street work, including distributing advertising leaflets, sales activities in kiosks, washing cars, and begging (1,2,9,10)

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Table 2. Overview of Children’s Work by Sector and Activity (Cont.)

Sector/Industry	Activity
Categorical Worst Forms of Child Labor†	Commercial sexual exploitation, sometimes as a result of human trafficking (2,4,14)
	Use in the production of pornography (1,3-6)
	Recruitment of children by non-state armed groups for use in armed conflict (3,15,16)
	Forced begging, sometimes as a result of human trafficking (3,4,11,14,17)

† Determined by national law or regulation as hazardous and, as such, relevant to Article 3(d) of ILO C. 182.

‡ Child labor understood as the worst forms of child labor *per se* under Article 3(a)–(c) of ILO C. 182.

In 2019, the conflict with Russia-led forces in the east of the country continued. The conflict limited the government’s financial and institutional capacity to address the worst forms of child labor throughout Ukraine, especially in the areas of Donetsk and Luhansk under the control of Russia-led forces. (3) Russian aggression in eastern Ukraine has created more than 1.4 million IDPs currently registered, including more than 190,000 children. (18,19) IDP children, particularly those who are unaccompanied, are especially vulnerable to exploitation in the worst forms of child labor. (20)

Children from Ukraine are trafficked both internationally and domestically for commercial sexual exploitation and forced begging. (4,14) Children with disabilities and homeless, orphaned, and poor children, especially those living in state-run institutions, are at high risk of being trafficked. (1,14,20) Children in institutions are also vulnerable to exploitation in child labor in agriculture, markets, and construction. (4,12) 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, and experience heightened vulnerability to child trafficking. (20,21)

During the reporting period, Russian-backed groups continued to recruit children to take part in armed combat. (3,15,16) Children were trained in weapons use and organized into reserve militia battalions at militant-run camps and school programs located in territory controlled by Russian-backed groups. The government was unable to enforce national prohibitions against the use of children in armed conflict in these areas. (3,15,16)

Children in areas of Donetsk and Luhansk face challenges being registered at birth, which can prevent them from receiving Ukrainian identity documents. This, in turn, limits their ability to enroll in school and puts them at risk of statelessness. (22) Although a judicial procedure exists to provide children born in the areas of Donetsk and Luhansk under the control of Russia-led forces 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. Additionally, while a law adopted in 2018 provides for any civil registry office to issue a Ukrainian birth registration on the basis of a birth certificate issued in the areas of Donetsk and Luhansk under the control of Russia-led forces, the government has yet to establish a procedure to ensure implementation of this provision. (23) In addition, up to a third of children from Roma communities also lack birth registration, impeding their access to education. (20)







In recent years, positioning of armed forces, shelling, and mines within one kilometer of educational facilities near the line of contact between Ukrainian government and Russia-led forces has hindered children’s access to education. During the reporting period, the Government of Ukraine cooperated with municipal leaders and international organizations, including the OSCE Special Monitoring Mission, to conduct mine safety education programs for children and provide security guarantees for demining activities near educational facilities in some areas of Donetsk and Luhansk. (24) However, limited access has impeded similar efforts in areas under the control of Russia-led forces. As a result, children living near the line of contact remain limited in their ability to access education due to the risk from active hostilities and unexploded ordnance. (24)

II. LEGAL FRAMEWORK FOR CHILD LABOR

Ukraine has ratified all key international conventions concerning child labor (Table 3).

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Table 3. Ratification of International Conventions on Child Labor

Convention	Ratification
 ILO C. 138, Minimum Age	✓
 ILO C. 182, Worst Forms of Child Labor	✓
 UN CRC	✓
 UN CRC Optional Protocol on Armed Conflict	✓
 UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	✓
 Palermo Protocol on Trafficking in Persons	✓

The government has established laws and regulations related to child labor (Table 4). However, gaps exist in Ukraine's legal framework to adequately protect children from the worst forms of child labor, including minimum age for work.

Table 4. Laws and Regulations on Child Labor

Standard	Meets International Standards	Age	Legislation
Minimum Age for Work	Yes	16	Article 188 of the Labor Code; Article 150 of the Criminal Code; and Article 21 of the Law on the Protection of Childhood (25-27)
Minimum Age for Hazardous Work	Yes	18	Article 190 of the Labor Code; Article 21 of the Law on the Protection of Childhood (26,27)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Order of the Ministry of Health No. 46 on the approval of the list of heavy work and work with dangerous and harmful working conditions, in which the employment of minors is prohibited; Article 150-1 of the Criminal Code (25,28)
Prohibition of Forced Labor	Yes		Article 43 of the Constitution of Ukraine; Article 1 of the Law on Employment; and Articles 149 and 172–173 of the Criminal Code (25,29,30)
Prohibition of Child Trafficking	Yes		Article 149 of the Criminal Code; Article 32 of the Law on the Protection of Childhood (25,27)
Prohibition of Commercial Sexual Exploitation of Children	No		Articles 301–303 of the Criminal Code; Articles 10 and 21 of the Law on the Protection of Childhood; Law on Amendments to Certain Legislative Acts of Ukraine on Combating the Distribution of Child Pornography; and Articles 1 and 6–7 of the Law on the Protection of Public Morality (25,27,31,32)
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 (25,27)
Minimum Age for Voluntary State Military Recruitment	Yes	17	Articles 15 and 20 of the Law on Military Duty and Military Service (33)
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 (33,34)
Prohibition of Military Recruitment by Non-state Armed Groups	Yes		Article 30 of the Law on the Protection of Childhood (27)
Compulsory Education Age	Yes	17‡	Articles 3, 12, and 20 of the Law on General Secondary Education (35)
Free Public Education	Yes		Article 53 of the Constitution of Ukraine; Article 2 of the Law on General Secondary Education (29,35)

‡ Age calculated based on available information (35)

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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. (25-27,35) Furthermore, the Order of the Ministry of Health Number 46 permits children to engage in hazardous work at age 14 as part of a vocational training program for four hours a day, with safety standards in place, which is not in compliance with international standards. (36, 57)

Articles 302 and 303 of the Criminal Code of Ukraine criminalize involvement of a minor in prostitution and pimping involving minors. However, no law criminalizes the users (clients) of prostitution involving children. (25)

III. ENFORCEMENT OF LAWS ON CHILD LABOR

The government has established institutional mechanisms for the enforcement of laws and regulations on child labor (Table 5). However, gaps exist within the operations of the State Labor Service that may hinder adequate enforcement of their child labor laws.

Table 5. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
State Labor Service (SLS) within the Ministry of Economic Development, Trade and Agriculture (MEDTA)	Enforces labor laws, including laws on child labor, by conducting inspections. In December 2019, SLS was transferred from the Ministry of Social Policy to the Ministry of Economic Development, Trade and Agriculture. (3)
Ministry of Internal Affairs (MOIA)	Enforces criminal laws against the worst forms of child labor, including child trafficking. Through the National Police and Prosecutor General's Office, investigates and prosecutes cases related to the worst forms of child labor. (3)
Security Service of Ukraine (SBU)	Tracks recruitment and use of children in armed conflict. (3)
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.(37) Informs the public about children's rights.(37)
National Referral Mechanism (NRM)	Identifies victims of human trafficking, including children, and refers victims to appropriate government agencies for assistance and services. Implemented by the Ministry of Social Policy in its capacity as the National Coordinator for Counter-Trafficking Policy. (4)

In May 2019, an appellate court overturned Cabinet of Ministers Decree No. 295, which had placed limitations on the State Labor Service's (SLS) authority to conduct unannounced inspections. (38-40) Under Decree No. 295, inspectors could only conduct unannounced inspections to detect informal employment, and could only forego notifying businesses about the inspection if they believed that such notice would be detrimental to detecting informal employment. (39) After Decree No. 295 was overturned, labor inspection was governed by Act No. 877, which regulates state inspections of businesses in general and, as such, does not establish specific guidelines for labor inspections. However, provisions in Act No. 877 permit only unannounced inspections of private businesses in response to complaints or to a workplace accident, or one of several other very limited circumstances. (38,40,41)

In August 2019, the government issued Cabinet of Ministers Decree No. 823, which outlined procedural rules specifically for labor inspections conducted by the SLS. These procedural rules clarified labor inspectors' authority to conduct inspections, including site visits, both proactively and in response to complaints. (42) However, Decree No. 823 also requires that businesses are notified at least 5 working days in advance of an onsite inspection. (42,43) This restriction on unannounced labor inspections limited the government's ability to detect child labor during the reporting period.

Labor Law Enforcement

In 2019, labor law enforcement agencies in Ukraine took actions to combat child labor (Table 6). However, gaps exist within the operations of the SLS that may hinder adequate labor law enforcement, including the ability of labor inspectors to conduct unannounced inspections.

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Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2018	2019
Labor Inspectorate Funding	\$21 million (10)	\$23.4 million (3)
Number of Labor Inspectors	Unknown (10)	727 (3)
Inspectorate Authorized to Assess Penalties	Yes (10)	Yes (3)
Initial Training for New Labor Inspectors	Yes (10)	Yes (3)
Training on New Laws Related to Child Labor	Yes (10)	Yes (3)
Refresher Courses Provided	Yes (10)	Yes (3)
Number of Labor Inspections Conducted	15,890 (10)	16,150† (3)
Number Conducted at Worksite	15,514 (10)	16,150† (3)
Number of Child Labor Violations Found	142 (10)	146† (3)
Number of Child Labor Violations for Which Penalties Were Imposed	140 (10)	25† (3)
Number of Child Labor Penalties Imposed that Were Collected	8 (10)	Unknown
Routine Inspections Conducted	Unknown (10)	Yes (44)
Routine Inspections Targeted	Unknown (10)	Yes (44)
Unannounced Inspections Permitted	Yes (10)	No (43)
Unannounced Inspections Conducted	Yes (10)	Yes (45)
Complaint Mechanism Exists	Yes (10)	Yes (3)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (10)	Yes (3)

† Data are from January to November 2019.

The number of labor inspectors is likely insufficient for the size of Ukraine's workforce, which includes over 17.99 million workers. (46) According to the ILO's technical advice of a ratio approaching 1 inspector for every 20,000 workers in transition economies, Ukraine would employ about 900 labor inspectors. (47,48) In 2019, the State Labor Inspection Service conducted some unannounced inspections prior to the entry into force of Decree no. 823, which restricted unannounced worksite inspections. (45) Labor inspectors conducted 3,067 child labor-related inspections and detected 146 child labor violations involving 140 children working in the service sectors, heavy industry, and agriculture. The majority of violations were cases of illegal informal work (75 cases) and children working without contracts permitting the employment of minors (47 cases). (3) Inspectors also identified two children working at night and three working hours in excess of that permitted for minors. The SLS referred 16 cases to criminal law enforcement agencies for investigation. (3) Although the SLS imposed a total of approximately \$220,000 in financial penalties, it collected only \$480 of that sum during the reporting period. The SLS is not authorized to compel payment of delinquent fines without a court proceeding, which can delay the collection of penalties. (3)

During the reporting period, the ILO conducted multiple trainings for labor inspectors across Ukraine. (3) However, sources note that training for labor inspectors on child trafficking may be inadequate, especially outside of Kyiv. (20) In addition to the 727 labor inspectors working at the SLS, regional governments employ 531 labor inspectors. Although these local inspectors are certified by the SLS, their training may be inadequate and inconsistent with the training given to inspectors employed directly by the SLS. (43) Although the funding allocated to the SLS in Ukraine's 2019 state budget increased compared to 2018, NGOs assessed the funding as insufficient. NGOs also expressed concern that the number of labor inspectors was inadequate. (3)

Criminal Law Enforcement

In 2019, criminal law enforcement agencies in Ukraine took actions to combat child labor (Table 7). However, gaps exist within the authority of the criminal enforcement agencies that may hinder adequate criminal law enforcement, including authority for investigators to enter businesses.

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Table 7. Criminal Law Enforcement Efforts Related to Child Labor

Overview of Criminal Law Enforcement	2018	2019
Initial Training for New Criminal Investigators	Yes (10)	Yes (3)
Training on New Laws Related to the Worst Forms of Child Labor	Yes (10)	Yes (3)
Refresher Courses Provided	Yes (10)	Yes (3)
Number of Investigations	Unknown (10)	Unknown (3)
Number of Violations Found	Unknown	8† (3)
Number of Prosecutions Initiated	Unknown	33‡ (3)
Number of Convictions	Unknown (10)	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 (10)	Yes (3)

† Data are from January to September 2019.

‡ Data are from January to November 2019.

Between January and September 2019, the Ministry of Internal Affairs (MOIA) identified eight criminal violations for the worst forms of child labor. Information regarding the number of investigations initiated related to child labor was not available for inclusion in this report. In addition, the Prosecutor General’s Office (PGO) reported 33 cases referred for prosecution between January and November related to the worst forms of child labor, including 12 cases of criminal exploitation of child labor, 6 cases of forced begging, 5 cases of the use of children for the production of pornography, and 10 cases of child trafficking. (3) The outcome of these cases is unknown, as the PGO does not specifically track convictions in cases related to the worst forms of child labor. (3)

The Ministry of Social Policy provided services to 13 children who were victims of child trafficking, including 3 boys subjected to labor trafficking in Ukraine and 10 Ukrainian girls who were subjected to sexual exploitation in Ukraine and abroad. (4) IOM provided services to six Ukrainian children, three of whom were victims of commercial sexual exploitation, one of whom was a victim of forced begging, and two of whom were victims of labor exploitation. (3)

MOIA reported that all new investigators receive specialized training on how to handle cases and investigations involving minors. During the reporting period, MOIA investigators received training on child labor as part of the government’s National Action Plan for Countering Human Trafficking. (3)

IV. COORDINATION OF GOVERNMENT EFFORTS ON CHILD LABOR

The government has established mechanisms to coordinate its efforts to address child labor (Table 8). However, gaps exist that hinder the effective coordination of efforts to address child labor, including efforts to address all forms of child labor.

Table 8. Key Mechanisms to Coordinate Government Efforts on Child Labor

Coordinating Body	Role & Description
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. In 2019, the Council’s policy working group met bimonthly, and MSP working groups for the identification of victims of human trafficking met 75 times. (4)

Although Ukraine has established the Inter-Ministerial Counter-Trafficking Coordination Council to coordinate efforts to address child trafficking, it does not have coordinating mechanisms to address other forms of child labor, including in mining and agriculture.

V. GOVERNMENT POLICIES ON CHILD LABOR

The government has established policies related to child labor (Table 9). However, policy gaps exist that hinder efforts to address child labor, including covering all worst forms of child labor.

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Table 9. Key Policies Related to Child Labor

Policy	Description
National Action Plan for Countering Human Trafficking (2016–2020)	Guides the work of the National Coordinator on Countering Human Trafficking, located under MSP, through specific actions and timetables for preventing, protecting against, and prosecuting human trafficking crimes. (49,51) In 2019, social workers received training on child labor as part of this National Action Plan. (3)
National Action Plan for Implementation of UN CRC (2017–2021)	Identifies priorities in the area of child protection, including improving measures to address the worst forms of child labor and increasing coordination between government agencies and NGOs. (9,10,52,53) Research was unable to determine whether activities were undertaken to implement this policy during the reporting period.
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. (3,54)

† Policy was approved during the reporting period.

Although the Government of Ukraine has adopted the National Action Plan for Countering Human Trafficking, the National Action Plan for Implementation of UN CRC, and the Resolution on the Social Protection of Children, research found no evidence of a policy on other worst forms of child labor, including hazardous child labor in mining. (3)

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2019, 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
Shelters and Centers for Socio-Psychological Rehabilitation of Children†	Serve children in need, including child victims of trafficking, through 82 centers, which include 8 shelters. Children are provided with individual assistance programs that involve social, psychological, pedagogical, medical, legal, and other types of assistance. (4,20) These centers continued to provide services in 2019. (4) Government officials report that there is a lack of resources and specialized personnel to serve child victims of sexual exploitation through these centers. (20)
Centers for Social Services for Family, Youth, and Children†	Administered in coordination with municipal authorities to provide social services for vulnerable children and families, including victims of human trafficking. These centers were active during the reporting period. (51,55)

† Program is funded by the Government of Ukraine.

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. (56) Although the Government of Ukraine has implemented programs to assist child victims of trafficking, research found no evidence that it has carried out programs specifically designed to assist children in other forms of child labor, including hazardous work in mining.

VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE CHILD LABOR

Based on the reporting above, suggested actions are identified that would advance the elimination of child labor in Ukraine (Table 11).

Table 11. Suggested Government Actions to Eliminate Child Labor

Area	Suggested Action	Year(s) Suggested
Legal Framework	Raise the minimum age for work to the age up to which education is compulsory.	2018 – 2019
	Prohibit all children under age 16 from working in hazardous occupations during vocational training.	2011 – 2019
	Criminally prohibit and penalize the use of a child for prostitution.	2019
Enforcement	Strengthen the labor inspection system by removing restrictions on labor inspectors' authority to conduct unannounced onsite inspections, both proactively and in response to complaints.	2019
	Increase the number of labor inspectors to meet the ILO's technical advice.	2019

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Table 11. Suggested Government Actions to Eliminate Child Labor (Cont.)

Area	Suggested Action	Year(s) Suggested
Enforcement	Authorize the State Labor Service to enforce collection of delinquent penalties to ensure that all penalties imposed are collected.	2019
	Ensure that all labor inspectors, including those working outside the capital, receive training on child trafficking.	2019
	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
	Increase the personnel and funding for the State Labor Service to ensure the labor inspectorate has adequate capacity to address the scope of the child labor problem.	2019
	Track and publish data on the number of investigations, convictions, and penalties imposed for criminal violations of child labor laws.	2014 – 2019
Coordination	Establish coordinating mechanisms to combat all worst forms of child labor.	2019
Government Policies	Adopt a policy that addresses all relevant worst forms of child labor, including hazardous child labor in mining.	2018 – 2019
	Implement all policies addressing child labor, including the National Action Plan for Implementation of UN CRC.	2019
Social Programs	Conduct research to gather comprehensive data on child labor, including the activities carried out by children working in farming, raising animals, and construction, to inform policies and programs.	2019
	Ensure refugee children are allowed to receive services at state-run children's shelters and can be registered at birth.	2019
	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 areas of Donetsk and Luhansk under the control of Russia-led forces.	2019
	Develop programs to ensure that Roma children are registered at birth and are able to access education.	2010 – 2019
	Ensure there are sufficient resources for Centers for Social Services for Family, Youth, and Children for child victims of human trafficking.	2013 – 2019

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In 2019, Uzbekistan made a moderate advancement in efforts to eliminate the worst forms of child labor. The government took active measures to prevent the use of child labor in the cotton harvest, including by introducing criminal penalties for repeat violations of hazardous work prohibitions, doubling the number of labor inspectors, and conducting extensive awareness-raising on child labor laws and penalties for violations. The government also established a new National Commission on Combating Trafficking in Persons and Forced Labor and adopted a new roadmap to combat trafficking in persons and forced labor. However, children in Uzbekistan engage in the worst forms of child labor, including in commercial sexual exploitation. Although the government made meaningful efforts in all relevant areas, laws prohibiting the commercial sexual exploitation of children do not meet international standards. Uzbekistan also has not carried out a national child labor survey to determine the prevalence of child labor in sectors other than cotton production.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Uzbekistan engage in the worst forms of child labor, including in commercial sexual exploitation. (1-3) Uzbekistan has not carried out a national child labor survey to determine the prevalence of child labor in sectors other than cotton production. (3) Table 1 provides key indicators on children's work and education in Uzbekistan.

Table 1. Statistics on Children's Work and Education

Children	Age	Percent
Working (% and population)	5 to 14	4.3 (244,095)
Attending School (%)	5 to 14	84.1
Combining Work and School (%)	7 to 14	5.0
Primary Completion Rate (%)		103.0

Source for primary completion rate: Data from 2018, published by UNESCO Institute for Statistics, 2020. (4)

Source for all other data: International Labor Organization's analysis of statistics from Multiple Indicator Cluster Survey 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	Cultivating silk cocoons; preparing land for crop planting (6,7)
Services	Street work, including vending, car washing, and begging (8-10)
	Collecting scrap metal (6,8)
	Public works, including refurbishing school grounds and facilities (3,6,11)
	Vending in markets (7)
Categorical Worst Forms of Child Labor‡	Commercial sexual exploitation, sometimes as a result of human trafficking (1,3,8)
	Forced labor in cultivating silk cocoons (1,6,12,13)
	Forced labor in construction, non-cotton agriculture, and cleaning parks, streets, and buildings (1,6)

‡ Child labor understood as the worst forms of child labor *per se* under Article 3(a)–(c) of ILO C. 182.

Traffickers exploit Uzbek children in sex trafficking transnationally, and also internally in brothels, clubs, and private residences. Children in institutions are also vulnerable to sex trafficking. (1,14)

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Although a quota system governed cotton production in some areas of Uzbekistan in 2019, the Government of Uzbekistan announced in February 2020 that it had abolished quotas for cotton production, effective as of the 2020 harvest. (15) Under the quota system, regional and local officials were held responsible for mobilizing sufficient labor to meet production targets assigned to farmers. (16,17) Harvest monitoring reports found that the ban on child labor in the 2019 cotton harvest was generally upheld. ILO harvest monitoring found children present on 43 out of 290 fields visited. (18,19) In 18 cases, children were identified in the field, but were not involved in any work-related activities, while in 25 cases monitors observed or suspected that the children present were helping with cotton harvesting. Observers noted that some pickers who could not access childcare brought their young children to the fields while the parents picked. (18) Families also sometimes brought older children to assist in the harvest to earn extra income for the family. In both types of cases, ILO observers held explanatory conversations with parents and asked them to remove children from the fields. (18) During the 2019 harvest, the government identified four instances of children present in the fields for limited periods of time. (3,11)

Children in Uzbekistan sometimes participate in public works projects, including refurbishing school grounds and facilities. (3,6) Limited evidence suggests that in isolated cases, school officials may compel students to assist in harvesting silk cocoons, sometimes characterizing the work as traditional communal labor (*khashar*). (6,12,13) Although there is free public education in Uzbekistan, schools may charge informal fees, which can render education inaccessible to children from low-income families. (3)

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	✓

In 2019, the government ratified ILO C. 81, Labor Inspection; ILO C. 129, Labor Inspection (Agriculture); and ILO P029, Protocol of 2014 to the Forced Labor Convention. (11)

The government has established laws and regulations related to child labor (Table 4). However, gaps exist in Uzbekistan's legal framework to adequately protect children from the worst forms of child labor, including the prohibition of commercial sexual exploitation of children.

Table 4. Laws and Regulations on Child Labor

Standard	Meets International Standards	Age	Legislation
Minimum Age for Work	Yes	16	Article 77 of the Labour Code; Article 20 of the Law on the Guarantees of the Rights of the Child; Article 49-1 of the Administrative Code (20-23)
Minimum Age for Hazardous Work	Yes	18	Articles 241 and 245 of the Labour Code (22)

Table 4. Laws and Regulations on Child Labor (Cont.)

Standard	Meets International Standards	Age	Legislation
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		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 (24,25)
Prohibition of Forced Labor	Yes		Article 37 of the Constitution; Article 7 of the Labour Code; Article 51 of the Administrative Code; Articles 135 and 148(2) of the Criminal Code (22,23,26,27)
Prohibition of Child Trafficking	Yes		Article 14 of the Law on Guarantees of the Rights of the Child; Article 135 of the Criminal Code (21,27)
Prohibition of Commercial Sexual Exploitation of Children	No		Articles 130–131 and 135 of the Criminal Code (27)
Prohibition of Using Children in Illicit Activities	Yes		Article 10 of the Law on Guarantees of the Rights of the Child; Articles 127, 270, 273, and 276 of the Criminal Code (21,27)
Minimum Age for Voluntary State Military Recruitment	Yes	18	Article 24 of the Law on Universal Military Service (28)
Prohibition of Compulsory Recruitment of Children by (State) Military	Yes		Articles 4 and 46 of the Law on Universal Military Service (28)
Prohibition of Military Recruitment by Non-state Armed Groups	No		
Compulsory Education Age	Yes	18‡	Article 3 of the Law on Education (29)
Free Public Education	Yes		Article 4 of the Law on Education; Article 41 of the Constitution(26,29)

‡ Age calculated based on available information (29)

Articles 131 and 135 of the Criminal Code of the Republic of Uzbekistan criminalize pimping, procuring, involving, or inducing children into prostitution, and criminalize the actions of those who profit from prostitution involving children. (27) However, no law criminalizes the users (clients) of prostitution involving children. (27) In addition, although Uzbekistan has policies at the national level prohibiting all Uzbek citizens, including children, from joining non-state armed groups, the recruitment of children by such groups is not explicitly punishable by law. (11)

Because the minimum age for work is lower than the compulsory education age, children may be encouraged to leave school before the completion of compulsory education. (20-23,29)

In 2019, the upper and lower chambers of Uzbekistan's parliament adopted amendments to the Administrative Code that increased penalties for violation of child labor laws, and amendments to the Criminal Code that established criminal penalties for repeat violations of laws prohibiting hazardous child labor. (27,30) Parliament also adopted additional amendments to the Criminal Code that introduced criminal penalties for forced labor violations, including official complicity in forced labor. These amendments were approved by the president in January 2020 and entered into force three months later. (3,11,18,27,30-32) However, although Article 148(2) of the Criminal Code now establishes criminal penalties for forced labor violations, these only apply to repeat offenders; administrative fines are applied in the first instance. (27) The government also drafted a new law on combating trafficking in persons. (33)

III. ENFORCEMENT OF LAWS ON CHILD LABOR

The government has established institutional mechanisms for the enforcement of laws and regulations on child labor (Table 5). However, gaps exist within the operations of the Ministry of Employment and Labor Relations (MOELR) that may hinder adequate enforcement of their child labor laws.

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Table 5. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
Ministry of Employment and Labor Relations (MOELR)	Conducts labor inspections, including inspections for compliance with child labor laws. (3,8) Leads the National Sub-Commission on Combating Forced Labor. (34,35)
Ministry of Internal Affairs (MOIA)	Investigates crimes related to child trafficking, which may then be prosecuted by the Prosecutor General's Office. (3,8) Leads the National Sub-Commission on Combating Trafficking in Persons. (34,35)
Prosecutor General's Office	Prosecutes criminal violations involving the worst forms of child labor, including human trafficking, forced labor, and commercial sexual exploitation. (8)
Youth Union	Monitors school attendance to ensure that students do not miss class during the cotton harvest. (9) Participates in mobile monitoring groups to monitor violations of labor laws during the annual cotton harvest. (36)
Women's Committee of Uzbekistan	Participates in mobile monitoring units to monitor violations of labor laws during the annual cotton harvest. (36)
Human Trafficking Hotlines	Receive reports of incidents of human trafficking and refer reports to the relevant agencies. The MOIA-led National Sub-Commission on Combating Trafficking in Persons administers one hotline, and an NGO maintains a second foreign donor-funded hotline. (1)
Feedback Mechanisms	Receive complaints on the violation of workers' rights and labor laws. MOELR can receive complaints through a telephone hotline with a short, easy-to-remember number; a web portal; and a Telegram messenger bot. (37) Reports indicate that only the Telegram bot is anonymous. Hotline callers are required to provide personal information to register a complaint, which may limit public confidence in this mechanism. (19) Labor inspectors are required to investigate all complaints submitted to MOELR within 7 days. In 2019, ILO was given real-time access to this feedback mechanism during the cotton harvest season to monitor the efficacy of the government's response. (14,37) The Federation of Trade Unions also continued to operate its own independent feedback mechanism, accessible online or over the phone, and a legal clinic that assists workers in remediating issues. (14,38)

Labor Law Enforcement

In 2019, labor law enforcement agencies in Uzbekistan took actions to combat child labor (Table 6). However, gaps exist within the operations of the MOELR that may hinder adequate labor law enforcement, including human resource allocation.

Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2018	2019
Labor Inspectorate Funding	Unknown	\$300,000 (11)
Number of Labor Inspectors	200 (8)	400 (3)
Inspectorate Authorized to Assess Penalties	Yes (8)	Yes (3)
Initial Training for New Labor Inspectors	Yes (8)	Yes (3)
Training on New Laws Related to Child Labor	Yes (8)	Yes (3)
Refresher Courses Provided	Yes (8)	Yes (3)
Number of Labor Inspections Conducted	4,517 (39)	5,392 (11)
Number Conducted at Worksite	4,517 (39)	5,392 (11)
Number of Child Labor Violations Found	35 (39)	21 (11)
Number of Child Labor Violations for Which Penalties Were Imposed	20 (39)	21 (11)
Number of Child Labor Penalties Imposed that Were Collected	20 (39)	21 (11)
Routine Inspections Conducted	Yes (8)	Yes (3)
Routine Inspections Targeted	Yes (8)	Yes (3)
Unannounced Inspections Permitted	Yes (40-42)	Yes (3)
Unannounced Inspections Conducted	Unknown	Yes (36)
Complaint Mechanism Exists	Yes (8)	Yes (3,43)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (8)	Yes (3)

In 2019, the number of labor inspectors at the MOELR doubled, from 200 to 400. (3,43) Despite this, the number of labor inspectors is likely insufficient for the size of Uzbekistan's workforce, which includes more than 17.8 million workers. According to the ILO's technical advice of a ratio approaching 1 inspector for every 20,000 workers in transitioning economies, Uzbekistan would employ about 890 inspectors. (44-46) During

the reporting period, the government instituted standards under which new labor inspectors receive a 2-week mandatory introductory training course on Uzbek labor law, and all inspectors must take additional training on labor laws and undergo a re-certification process every 3 years. (11,43,47) In addition, in August 2019, labor inspectors received specialized training on detecting forced labor and addressing forced labor cases ahead of the annual autumn cotton harvest. (3,36)

During the reporting period, the government enhanced penalties for violations of labor laws. Fines for forced labor violations increased tenfold, with additional increases in fines for forced labor violations involving minors. (30,36) Labor inspectors identified 21 child labor violations, all of which involved children working in refurbishment of school grounds and facilities. The government imposed fines for all 21 of these cases, collectively totaling approximately \$5,160 (49,300,000 UZS). (11)

The government authorized unscheduled inspections of public-sector enterprises in all sectors. While inspectors also have some authority to conduct unscheduled short-term inspections of private-sector worksites, reports suggest inspectors only do so in response to complaints or requests from the tax service. (3,11,48) Research was unable to determine how many of the inspections MOELR staff conducted during the reporting period were unannounced, or whether unannounced, self-initiated inspections occurred in all sectors. The government made active efforts to both respond to complaints and proactively monitor organizations and populations that have historically been at high risk for forced labor in the cotton harvest. MOELR increased routine inspections of public-sector organizations, at which workers were historically forced to participate in the cotton harvest. (14,43) The government reported that during the cotton harvest season, MOELR responded to approximately 1,200 complaints and conducted oversight of 3,000 organizations and farms involved in the harvest. (49) Due to these efforts, 259 government officials, heads of organizations, and managers were punished for forced labor violations during the 2019 cotton harvest, including 3 regional and municipal *hokims* (mayors) and 15 deputy *hokims* (deputy mayors). (18,50,51) The government also penalized 56 individuals for failure to provide cotton pickers with adequate working conditions. (11) The government and the Federation of Trade Unions established four mobile monitoring groups to monitor the cotton harvest. These groups, managed by the Federation of Trade Unions, conducted a minimum of three unannounced site visits per day based on random GPS coordinates. (3,36) Each mobile monitoring group consisted of a trade union representative, an employers' organization representative, and a Women's Committee and Youth Organization representative. The individuals representing these entities within each mobile monitoring group rotated on a regular basis. (36)

In the 2019 cotton harvest, MOELR piloted a new initiative in the Syrdarya region to create temporary camps to house cotton pickers. The pilot facilities had a capacity of 400 pickers and provided heated living quarters, meals, access to showers and toilets, and medical care. (14,17,36) Independent harvest monitors and a majority of cotton pickers reported improvements in working conditions in the 2019 harvest compared to 2018. (18)

During the reporting period, MOELR, in coordination with the National Sub-Commission on Combating Forced Labor, established an outreach plan to raise awareness specifically about its feedback mechanism. In addition, it distributed tens of thousands of brochures devoted to educating the public on prohibitions against forced labor and resources for victims. (43) MOELR also tracked its efforts to respond to complaints, and reported taking action in response to over 90 percent of complaints submitted between January and September 2019. (43)

Criminal Law Enforcement

In 2019, criminal law enforcement agencies in Uzbekistan took actions to combat child labor (Table 7). However, only limited information on the activities of criminal law enforcement authorities was available.

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Table 7. Criminal Law Enforcement Efforts Related to Child Labor

Overview of Criminal Law Enforcement	2018	2019
Initial Training for New Criminal Investigators	Unknown	Yes (3)
Training on New Laws Related to the Worst Forms of Child Labor	N/A	Yes (3)
Refresher Courses Provided	Yes (8)	Yes (3)
Number of Investigations	Unknown	2 (2,11)
Number of Violations Found	14 (8)	33 (3)
Number of Prosecutions Initiated	Unknown	2† (2)
Number of Convictions	Unknown	1† (2)
Imposed Penalties for Violations Related to The Worst Forms of Child Labor	Unknown	Yes (2)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (8)	Yes (3)

† Data are from January – August 2019.

In 2019, the government reported that 33 children received services as victims of human trafficking, but research was unable to determine further details about the cases involving these victims. (3) Law enforcement investigated two cases of commercial sexual exploitation, each involving one victim. Both of these cases were referred for prosecution. (2,11,51) One of these cases resulted in a conviction of 3 years of imprisonment. (52)

During the reporting period, judges received training from OSCE on handling human trafficking and forced labor cases. In addition, law enforcement investigators, prosecutors, and judges received training from civil society organizations on best practices for addressing forced labor and human trafficking cases and identifying and assisting victims. (38) Criminal investigators participated in training courses on trafficking in persons designed by senior Ministry of Internal Affairs staff and anti-trafficking NGO Istiqbolli Avlod. (11)

IV. COORDINATION OF GOVERNMENT EFFORTS ON CHILD LABOR

The government has established mechanisms to coordinate its efforts to address child labor (Table 8). However, gaps exist that hinder the effective coordination of efforts to address child labor, including coordination with civil society organizations.

Table 8. Key Mechanisms to Coordinate Government Efforts on Child Labor

Coordinating Body	Role & Description
National Commission on Combating Trafficking in Persons and Forced Labor (National Commission)*	Coordinates state and local entities' efforts to combat trafficking in persons and forced labor; analyzes and monitors efficacy of government programs to address trafficking in persons and forced labor; organizes international cooperation on combating human trafficking and forced labor; and provides legal and policy recommendations for improvement of government efforts in these areas. (34,35) Chaired by the National Rapporteur on Combating Trafficking in Persons and Forced Labor. (34) Comprises the two sub-commissions on combating human trafficking and on forced labor, respectively. The Minister of Internal Affairs heads the Sub-Commission on Combating Trafficking in Persons and the Minister of Labor heads the Sub-Commission on Combating Forced Labor. (3,34,35) In 2019, the National Commission drafted and adopted a roadmap to combat trafficking in persons and forced labor, and roadmaps for the cotton harvest, a national plan for work with international organizations, and a media plan. (14,53,54)
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 trafficking in persons and forced labor issues, government efforts to punish perpetrators, and services for victims of human trafficking and forced labor crimes. (34,35) Conducts public awareness-raising activities related to human trafficking and forced labor. (35) In 2019, the National Rapporteur convened the National Commission monthly. (38)
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 trafficking in persons and forced labor. (30) Local Commissions mirror the structure of the National Commission, with sub-commissions on trafficking in persons and on forced labor, respectively. Local Commissions are chaired by the regional <i>hokim</i> (governor) and provide monthly reports to the National Commission. (14,30) Sources indicated that in 2019, in at least one region, the Local Commission met regularly every 2 weeks. (14)

* Mechanism to coordinate efforts to address child labor was created during the reporting period.

In 2019, the government overhauled its system for coordinating efforts to combat human trafficking and forced labor. A July 30, 2019 presidential decree established the new National Commission on Combating Trafficking in Persons and Forced Labor and the new office of the National Rapporteur on Trafficking in Persons and Forced Labor. (34) In November, the National Commission promulgated an ambitious national roadmap to combat trafficking in persons and forced labor that incorporated suggestions from the international community and civil society activists. (3,53,55)

During the reporting period, MOELR met with human rights activists in Tashkent, and a government delegation met in Washington with civil society stakeholders from the Cotton Campaign. (43,55) Government officials and civil society stakeholders from the Cotton Campaign also met in early 2020 in Tashkent to discuss labor conditions in the 2019 cotton harvest. (56)

There were no reports of reprisals against individuals for monitoring labor conditions during the 2019 harvest. (18) However, at the end of the reporting period and during the first weeks of 2020, the labor and human rights NGO “Chiroq” in Karakalpakstan was denied official registration, allegedly for three grammatical errors in its registration application, and its founding members were reportedly harassed and intimidated by regional security forces. (57)

V. GOVERNMENT POLICIES ON CHILD LABOR

The government has established policies related to child labor (Table 9). However, policy gaps exist that hinder efforts to address child labor, including implementation of cotton clusters.

Table 9. Key Policies Related to Child Labor

Policy	Description
Memorandum of Understanding Between the ILO and the Republic of Uzbekistan (2014–2020)	Establishes terms of agreement between ILO and the government on cooperation to implement the Decent Work Country Program in Uzbekistan. (58) In 2019, the Government of Uzbekistan and ILO continued to work together under this agreement. (36)
Senate Resolution on Measures to Ensure Guaranteed Labor Rights to the Citizens of Uzbekistan	Establishes a plan to harmonize national legislation with the requirements of ILO conventions, including through developing relevant organizational structures and national programs, strengthening state and civil society capacity to guarantee the provision of labor rights, and carrying out an information campaign to inform citizens of their rights. (59) In 2019, the government further increased the minimum wage for cotton pickers over 2018 levels to attract voluntary participation in the annual cotton harvest. (3,30,36)
Plan of Immediate Measures in the Area of Combating Trafficking in Persons and Forced Labor (“Roadmap”) (2019–2020)†	Establishes a plan for updating legislation on trafficking in persons and forced labor, building government capacity to combat trafficking in persons and forced labor, enhancing transparency of conditions in the annual cotton harvest, raising awareness on human trafficking and forced labor issues, and reforming the agriculture and textile industries. (53)
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. (30) Includes a specific action item to end state intervention in agriculture, including cotton production, by 2023. (60)

† Policy was approved during the reporting period.

In 2019, the government continued to implement policies aimed at attracting a greater number of voluntary workers to assist with the cotton harvest. These included raising wages for cotton pickers, raising the price offered to farmers for cotton, and continuing to transition to a system of private business partnerships called “clusters” along the cotton value chain (from farm to finished products). (3,18,30,43) Under the cluster model, land concessions are provided by the government to cotton sector enterprises. In some cases, these clusters farm cotton directly, and in others, they enter into contracts with local cotton farmers. (14,43,62) Reports indicate that in some regions or districts, only one cluster has been given a land concession, essentially providing that cluster with a monopoly on entering into cotton production contracts with farmers. Some clusters may also have close ties to local administrators. (19,62-64) In such cases, there is limited evidence that farmers may be pressured into entering contracts that have poor terms, such as a low purchase price for cotton or a high price for inputs like seeds and fertilizer. There have also been allegations of clusters that never pay farmers for delivered crops. (63,64) Observers have noted that these practices can mimic the pressures on farmers and

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officials that historically created high risks for forced labor under the quota system. (19) Some clusters are investing in mechanical harvesting equipment and methods, which reduce the need for manual labor during the harvest. (43) However, in cases in which clusters still need to hire seasonal labor, they can work with MOELR-run Population Employment Facilitation Centers to advertise vacancies and recruit workers. (37) Limited reports suggest that during the 2019 harvest, local officials may have forcibly mobilized pickers to work on cluster-run or cluster-affiliated farms. (65)

During the reporting period, the government adopted a new strategy for agricultural development that includes an action item to end the state's practical involvement in crop production by 2023. Officials clarified that this would include an end to cotton production quotas. (14,60) In early March 2020, President Mirziyoyev signed a decree formally ending the practice of imposing state production plans in the cotton sector. Under these plans in previous harvests, local and regional officials were held responsible for meeting production targets, which observers reported was a root cause of forced labor and increased the risk of child labor. (18,66-68)

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2019, the government funded and participated in programs that included the goal of eliminating or preventing child labor (Table 10). However, gaps exist in these social programs, including the adequacy of programs to address the full scope of the problem.

Table 10. Key Social Programs to Address Child Labor

Program	Description
Efforts to Prevent Child and Forced Labor in the Cotton Harvest†	Include initiatives to raise awareness about the prohibition of child and forced labor in the cotton harvest. (43,59) In the first 9 months of 2019, as part of these efforts, the State Labor Inspectorate under MOELR conducted 7,181 awareness-raising events with workers and employers about the elimination of forced labor, ILO conventions, and penalties for violating labor laws. In total, 136,596 participants attended these events. (43)
National Rehabilitation Center†	MOELR-operated shelter that provides human trafficking victims with emergency medical and social services and assists in social rehabilitation. (3,8,59) In 2019, this center provided services to 220 victims. (51)
MOELR Fund for Community Works†	Offers the unemployed opportunities for paid public works, including seasonal agricultural work. Matches job seekers with labor needs in the cotton harvest to reduce the risk of forced labor. (3,42,70) The government continued to operate this program in 2019 to attract workers to areas of Uzbekistan in which there were insufficient local populations to meet cotton harvest quotas. (3,8,39)
Support for the Implementation of the Decent Work Country Program in Uzbekistan (2014–2019)	\$6 million USDOL-funded project awarded to ILO to enhance the capacity of the government and workers' and employers' representatives to prevent and reduce child and forced labor and promote decent work in Uzbekistan. (36,71,72) During the reporting period, the project trained fair recruitment working groups in pilot districts on collective bargaining for remuneration and working conditions. (36) Additional information is available on the USDOL website.

† Program is funded by the Government of Uzbekistan.

In 2019, the government established 197 new regional centers across the country for rehabilitation of human trafficking victims, including child victims. (51)

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	Criminally prohibit and penalize the use of a child for prostitution.	2015 – 2019
	Criminally prohibit the recruitment of children under age 18 by non-state armed groups.	2016 – 2019
	Raise the minimum age for work to the age up to which education is compulsory.	2018 – 2019
Enforcement	Establish criminal penalties for forced labor violations in the first instance.	2019
	Continue to increase the number of labor inspectors to meet the ILO's technical advice.	2015 – 2019
	Ensure that complaints of labor abuse in the cotton harvest can be registered anonymously over the phone.	2019
	Ensure that labor inspectors conduct self-initiated unannounced inspections in all sectors, even if no complaint has been filed.	2018 – 2019
	Publish data on criminal law enforcement efforts related to all forms of child labor, including child victims of human trafficking.	2011 – 2019
Coordination	Ensure that local NGOs monitoring child labor, forced labor, and other labor rights issues are able to register, and sanction officials who harass or intimidate labor rights activists.	2017 – 2019
Government Policies	Monitor implementation of the new cluster system to ensure farmers are not coerced to enter into contracts with certain clusters or produce cotton under terms that create high risk for exploitative labor.	2019
Social Programs	Collect and publish data on the extent and nature of child labor to inform policies and programs.	2013 – 2019
	Ensure that schools do not charge informal fees to students or their families.	2019
	Expand programs to address the worst forms of child labor in sectors other than cotton harvesting.	2009 – 2019

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In 2019, Vanuatu made a minimal advancement in efforts to eliminate the worst forms of child labor. During the reporting period, Vanuatu acceded to ILO C. 138, setting the minimum age for work at 14. Although research is limited, children in Vanuatu engage in the worst forms of child labor, including in forced domestic work and commercial sexual exploitation, sometimes as a result of human trafficking. Children also engage in dangerous tasks in forestry. Vanuatu's minimum age for hazardous work of age 15 is too low to comply with international standards. Vanuatu also lacks a referral mechanism between criminal authorities and social service providers. In addition, the Government of Vanuatu did not respond to requests for information for this report.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Although research is limited, there is evidence that children in Vanuatu engage in dangerous tasks in forestry. (1) Table 1 provides key indicators on children's work and education in Vanuatu. Data on some of these indicators are not available from the sources used in this report.

Table 1. Statistics on Children's Work and Education

Children	Age	Percent
Working (% and population)	5 to 14	Unavailable
Attending School (%)	5 to 14	Unavailable
Combining Work and School (%)	7 to 14	Unavailable
Primary Completion Rate (%)		91.7

Source for primary completion rate: Data from 2013, published by UNESCO Institute for Statistics, 2020. (2) Data were unavailable from International Labor Organization's analysis, 2020. (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	Forestry, including logging (1,4)
Services	Street vending, including selling newspapers (1,4)
Categorical Worst Forms of Child Labor‡	Forced domestic work, sometimes as a result of human trafficking (5) Commercial sexual exploitation, sometimes as a result of human trafficking (5,6)


‡ 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. (1,4) Children living in remote areas face difficulties accessing education, increasing the risk of children's involvement in child labor. (7) Families sometimes send children to live with relatives in nearby towns or cities, and these children are subjected to forced labor as domestic workers. (5)

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	✓

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Table 3. Ratification of International Conventions on Child Labor (Cont.)

Convention	Ratification
 UN CRC	✓
UN CRC Optional Protocol on Armed Conflict	✓
UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	✓
 Palermo Protocol on Trafficking in Persons	

In 2019, Vanuatu acceded to ILO C. 138 setting the minimum age for work at 14 and bringing it into compliance with international standards. The convention will come into force in 2020. (8,9)

The government has established laws and regulations related to child labor (Table 4). However, gaps exist in Vanuatu's legal framework to adequately protect children from the worst forms of child labor, including hazardous work.

Table 4. Laws and Regulations on Child Labor

Standard	Meets International Standards	Age	Legislation
Minimum Age for Work	Yes	14	Section 38 of the Employment Act (8)
Minimum Age for Hazardous Work	No	15	Section 40 of the Employment Act (8)
Identification of Hazardous Occupations or Activities Prohibited for Children	No		Section 40 of the Employment Act (8)
Prohibition of Forced Labor	Yes		Sections 7 and 78(2) of the Employment Act; Section 102 of the Penal Code; Organized Crime Act (8,10,11)
Prohibition of Child Trafficking	Yes		Section 35 of the Counter Terrorism and Transnational Organized Crime Act (11)
Prohibition of Commercial Sexual Exploitation of Children	No		Sections 101B-D of the Penal Code (10)
Prohibition of Using Children in Illicit Activities	No		Section 35 of the Penal Code (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	No		
Compulsory Education Age	No		
Free Public Education	No		

† No standing military (12)

Vanuatu's hazardous work prohibitions do not comply with international standards that require all children under age 18 to be protected from work that could jeopardize their health and safety, and Vanuatu has yet to determine by law the types of hazardous work prohibited for children. (7,8,13,14) In addition, the Employment Act 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. (8,15) The Penal Code does not include heightened penalties for inciting children to engage in illicit activities, including drug production and drug trafficking. (10) Although the government acknowledges these gaps and is developing a Child Protection Bill, research was unable to determine the status of the bill. (4,16)

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. The policy was active in 2019, but parents still needed to pay school fees to ensure that their children had access to education, which could leave some children unable to access education vulnerable to child labor. (6,17,18)

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 the Ministry of Justice and Community Services that may hinder adequate enforcement of their child labor laws.

Table 5. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
Department of Labor	Enforces provisions set forth in the Employment Act, including child labor laws. (1)
Ministry of Justice and Community Services	Supports agencies that review laws, draft new laws, and implement relevant UN Conventions. (17) The Child Desk strengthens national planning, integrates international goals (e.g., UN Convention on the Rights of the Child), develops a system of protection for children, and supports community efforts to prevent child abuse. (1,17)
Vanuatu Police Force	Enforces all criminal laws related to the worst forms of child labor, and collaborates with the Vanuatu Tourism Office to combat commercial sexual exploitation of children. Prosecutes child labor cases. (1,6)
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. (5)

*Agency responsible for child labor enforcement was created during the reporting period.

The Child Desk does not have adequate financial and human resources to develop and integrate national planning initiatives into child protection policies. (1)

Labor Law Enforcement

In 2019, research did not find information on whether labor law enforcement agencies in Vanuatu took actions to combat child labor (Table 6).

Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2018	2019
Labor Inspectorate Funding	Unknown (19)	Unknown (1)
Number of Labor Inspectors	Unknown (19)	4 (6)
Inspectorate Authorized to Assess Penalties	No (8)	No (8)
Initial Training for New Labor Inspectors	Unknown (19)	Unknown (1)
Training on New Laws Related to Child Labor	Unknown (19)	Unknown (1)
Refresher Courses Provided	Unknown (19)	Unknown (1)
Number of Labor Inspections Conducted	Unknown (19)	Unknown (1)
Number Conducted at Worksite	Unknown (19)	Unknown (1)
Number of Child Labor Violations Found	Unknown (19)	Unknown (1)
Number of Child Labor Violations for Which Penalties Were Imposed	Unknown (19)	Unknown (1)
Number of Child Labor Penalties Imposed that Were Collected	Unknown (19)	Unknown (1)
Routine Inspections Conducted	Unknown (19)	Unknown (1)
Routine Inspections Targeted	Unknown (19)	Unknown (1)
Unannounced Inspections Permitted	Yes (8)	Yes (8)
Unannounced Inspections Conducted	Yes (19)	Yes (1)
Complaint Mechanism Exists	Yes (19)	Yes (1)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	No (19)	No (1)

The Government of Vanuatu did not provide information on its labor law enforcement efforts for inclusion in this report. Vanuatu’s referral mechanism lacks inter-agency referral and coordination protocols to connect enforcement authorities—including the Department of Labor and the Vanuatu Police Force—to social welfare services. (1,4,5)

Criminal Law Enforcement

Research did not find information on whether criminal law enforcement agencies in Vanuatu took actions to combat child labor (Table 7).

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Table 7. Criminal Law Enforcement Efforts Related to Child Labor

Overview of Criminal Law Enforcement	2018	2019
Initial Training for New Criminal Investigators	Unknown (19)	Unknown (1)
Training on New Laws Related to the Worst Forms of Child Labor	Unknown (19)	Unknown (1)
Refresher Courses Provided	Unknown (19)	Unknown (1)
Number of Investigations	Unknown (19)	Unknown (1)
Number of Violations Found	Unknown (19)	Unknown (1)
Number of Prosecutions Initiated	Unknown (19)	Unknown (1)
Number of Convictions	Unknown (19)	Unknown (1)
Imposed Penalties for Violations Related to The Worst Forms of Child Labor	Unknown (19)	Unknown (1)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	No (19)	No (1)

The Vanuatu Police Force employed 50 investigators that enforce the criminal law, including laws on the worst forms of child labor. (6) The Government of Vanuatu did not respond to requests for information on its criminal law enforcement efforts for inclusion in this report. Although the police have established standard operating procedures to attend to child victims, there is no formal referral mechanism between the police and social services. (1,4) 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. (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 efforts to address all forms of child labor.

Table 8. Key Mechanisms to Coordinate Government Efforts on Child Labor

Coordinating Body	Role & Description
National Children Protection Working Group	Serves as the primary forum for exchanging information on child protection and the commercial sexual exploitation of children. Chaired by the Director General of the Ministry of Justice and Community Services and comprises representatives from the government, UN agencies, civil society organizations, and NGOs. (1,20-23) Research was unable to determine whether the National Children Protection Working Group was active during the reporting period.
<i>Kastom</i> (custom)	Serves as the primary informal method to handle child protection issues in Vanuatu. Comprises informal service providers, including religious leaders, women's groups, and NGOs, to whom children are referred through <i>Kastom</i> for services. (1,4) Although there are no formal reports generated from this service being used during the reporting period, it may have been used in rural areas. (24)

Although the government has established a National Child Protection Working Group to combat the commercial sexual exploitation of children, research found no evidence that there is a coordinating mechanism to address all forms of child labor. (20) Although *Kastom* is a common mechanism used to address child protection issues, research found that there is a lack of established inter-agency protocols and procedures between *Kastom* and governmental offices—including the Vanuatu Police Force—to sufficiently coordinate and ensure that child protection services are provided. (1,4)

V. GOVERNMENT POLICIES ON CHILD LABOR

The government has established policies related to child labor (Table 9). However, policy gaps exist that hinder efforts to address child labor, including in implementation.

Table 9. Key Policies Related to Child Labor

Policy	Description
National Children Protection Policy (2016–2026)	Aims to protect children from the worst forms of child labor, including commercial sexual exploitation and human trafficking. Provides children with equitable access to services to support reintegration and recovery when needed. (6,20,22)

Table 9. Key Policies Related to Child Labor (Cont.)

Policy	Description
Child Safeguarding Policy (2017–2020)	Provides guidelines for protecting children from abuse, including child labor, violence, sexual abuse, neglect, and exploitation. Maintains a presence in capacity building, emergency preparedness and response, and coordination of services related to child protection. (1,25)
United Nations Pacific Strategy (2018–2022)	A multinational strategic framework, comprising 14 South Pacific nations, created to address, develop, and implement strategic economic development priorities in the South Pacific, including eliminating child labor and the worst forms of child labor. (27)

‡ The government had other policies that may have addressed child labor issues or had an impact on child labor. (26)

Research was unable to determine whether any policies were active during the reporting period. The National Children Protection Policy does not have a dedicated budget, and the offices responsible for its implementation suffer from a lack of human and financial resources. (4,19)

There is no register of civil society organizations tasked with protecting children, and social services providers are not required to be registered with the state. Furthermore, there are no standards or requirements that child protection agents or social services providers must follow when addressing children's issues. (1,4,22)

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2019, the government funded and participated in programs that include the goal of eliminating or preventing child labor (Table 10). However, gaps exist in these social programs, including sufficient funding.

Table 10. Key Social Programs to Address Child Labor

Program	Description
Education School Fee Grant†	Funded by the Government of Vanuatu's Ministry of Education; provides funding directly to primary schools to manage. Funds are disbursed to students in Years 1 through 6 to offset education costs. (28) While active in 2019, research was unable to determine whether activities were undertaken to implement the Education School Fee Grant program during the reporting period or whether this program was funded.

† Program is funded by the Government of Vanuatu

Research was unable to determine whether the Vanuatu Education School Fee Grant program contained child labor elimination policies or efforts.

VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE CHILD LABOR

Based on the reporting above, suggested actions are identified that would advance the elimination of child labor in Vanuatu (Table 11).

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 – 2019
	Ensure that the minimum age for hazardous work is age 18.	2016 – 2019
	Determine by national law or regulation the types of hazardous work prohibited for children after consultation with employers' and workers' organizations.	2009 – 2019
	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 – 2019
	Ensure that the law specifically prohibits the use of children in illicit activities, including in the production and trafficking of drugs.	2016 – 2019
	Ensure that the law criminalizes the recruitment of children under age 18 by non-state armed groups.	2016 – 2019
	Establish a law providing free basic public education.	2016 – 2019
	Establish by law an age up to which education is compulsory that extends to the minimum age for work.	2016 – 2019
Enforcement	Publish information on child labor law enforcement efforts undertaken, including labor inspectorate funding, the number and type of labor inspections conducted, violations found, and penalties imposed and collected.	2012 – 2019
	Strengthen the labor inspectorate by ensuring the ability to assess penalties and initiating targeted inspections based on analysis of data related to risk-prone sectors and patterns of serious incidents.	2016 – 2019

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http://www.mjcs.gov.vu/images/policy/Vanuatu_National_Child_Protection_Policy_2016-2026_FINAL_Nov16.pdf.
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- 24 U.S. Embassy- Port Moresby official. E-mail communication to USDOL official. February 14, 2020.
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https://www.unicef.org/about/execboard/files/Final_UNPS_2018-2022_Pacific.pdf.
- 28 Tabimasmas, Charlot Salwai. Schools Grants Scheme. Government of Vanuatu Ministry of Education. January 22, 2010. Source on file.

For the 2019 reporting period, no assessment has been made regarding Wallis and Futuna's efforts to prevent the worst forms of child labor because there is no evidence of a worst forms of child labor problem and the country has a good legal and enforcement framework on child labor.




I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Research found no evidence that child labor exists in Wallis and Futuna. (1) Wallis and Futuna has a population of 15,854 inhabitants. (2)

II. LEGAL FRAMEWORK FOR CHILD LABOR

Wallis and Futuna is a French overseas collectivity, and, as such, cannot ratify international conventions. However, France's ratification of such conventions applies to Wallis and Futuna. (1,3) France has ratified all key international conventions concerning child labor (Table 1).

Table 1. Ratification of International Conventions on Child Labor

Convention	Ratification
 ILO C. 138, Minimum Age	✓
ILO C. 182, Worst Forms of Child Labor	✓
 UN CRC	✓
UN CRC Optional Protocol on Armed Conflict	✓
UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	✓
 Palermo Protocol on Trafficking in Persons	✓

French law applies in Wallis and Futuna. (1,3) 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 (4)
Minimum Age for Hazardous Work	Yes	18	Article 115 of the Labor Code of Wallis and Futuna (4)
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 (5,6)
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 (4,7)
Prohibition of Child Trafficking	Yes		Articles 225-4-1 to 225-4-9 and 711-1 of the Penal Code (7)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Articles 225-5 to 12 and 711-1 of the Penal Code (7)
Prohibition of Using Children in Illicit Activities	Yes		Articles 222-35, 227-15 to 227-28-3, and 711-1 of the Penal 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	Yes		Articles 461-7 of the Penal Code (7)

Wallis and Futuna

NO ASSESSMENT

Table 2. Laws and Regulations on Child Labor (Cont.)

Standard	Meets International Standards	Age	Legislation
Compulsory Education Age	Yes	16	Articles L131-1 and L161-1 of the Education Code of France (8)
Free Public Education	Yes		Articles L132-1, L132-2, and L161-1 of the Education Code of France (8)

* No conscription (9)

† No standing military (2)

III. ENFORCEMENT OF LAWS ON CHILD LABOR

Although there is 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.

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)
Defender of Rights	Promotes children's rights, including through the prohibition of child labor. (10)
French National Police	Oversees the health and safety of children. (10)

As there is no evidence of a problem, there appears to be no need for enforcement actions to address child labor.

IV. COORDINATION OF GOVERNMENT EFFORTS ON CHILD LABOR

As there is no evidence of a problem, there appears to be no need for mechanisms to coordinate efforts to address child labor.

V. GOVERNMENT POLICIES ON CHILD LABOR

As there is no evidence of a problem, there appears to be no need for policies to address child labor.

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

As there is no evidence of a problem, there appears to be no need for programs to address child labor.

VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE CHILD LABOR

Based on the reporting above, there are no actions needed to advance the continued prevention of child labor in Wallis and Futuna.

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- 5 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>.
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West Bank and the Gaza Strip

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In 2019, the Palestinian Authority made a minimal advancement in efforts to eliminate the worst forms of child labor in the areas of the West Bank under its control. It cooperated with the United Nations Children’s Fund and the United Nations Relief and Works Agency for Palestine Refugees in the Near East to provide educational services to 325,000 students and psychosocial support to over 97,000 children. However, children in the West Bank and the Gaza Strip engage in the worst forms of child labor, including in construction and illicit activities. Children also engage in child labor in street vending. The Palestinian Authority’s legal framework does not criminally prohibit all elements of child trafficking, and labor inspectors are not authorized to assess penalties. In addition, Palestinian Authority programs to prevent or eliminate child labor are insufficient.

I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in the West Bank and the Gaza Strip engage in the worst forms of child labor, including use in illicit activities including smuggling drugs and commercial sexual exploitation. (1,16,25) Table 1 provides key indicators on children’s work and education in the West Bank and the Gaza Strip. Data on some of these indicators are not available from the sources used in this report.

Table 1. Statistics on Children’s Work and Education

Children	Age	Percent
Working (% and population)	5 to 14	Unavailable
Attending School (%)	5 to 14	Unavailable
Combining Work and School (%)	7 to 14	Unavailable
Primary Completion Rate (%)		96.9

Source for primary completion rate: Data from 2018, published by UNESCO Institute for Statistics, 2020. (3)
Data were unavailable from International Labor Organization’s analysis, 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	Cultivating asparagus, dates, eggplants, grapes, marijuana, olives, onions, sweet peppers, and tomatoes (5-13)
	Fishing,† including working on fishing boats and repairing nets (1,8,14,15)
Industry	Construction,† including demolishing buildings and collecting rubble and gravel for construction purposes (1,2,8,10,13,17,18)
	Manufacturing, including working in pottery workshops (1,2,9)
	Working in factories (8,19)
	Mining and quarrying (9,20)
Services	Street vending, portering, and cleaning cars (1,2,8,10,17,19,21)
	Begging (8,10,19)
	Working in auto body shops and metal workshops (2,19)
	Working in shops, hotels, restaurants, and bakeries (1,9,13,15)
	Domestic work (1,8,18)
	Transporting goods (8)
	Collecting scrap metal, cement bricks, and solid waste† (6,8,16)
Scavenging garbage, steel, and gravel at trash pits (13,15,18,21,22)	
Categorical Worst Forms of Child Labor‡	Use in illicit activities, including smuggling drugs and food (1,23)
	Begging as a result of human trafficking (16,24)
	Commercial sexual exploitation (16,25)

† Determined by national law or regulation as hazardous and, as such, relevant to Article 3(d) of ILO C. 182.

‡ Child labor understood as the worst forms of child labor *per se* under Article 3(a)–(c) of ILO C. 182.

Children are vulnerable to child labor in the agricultural sector, partly because the Palestinian Authority (PA) does not have jurisdiction or the resources to enforce laws in Area C’s agricultural fields and Israeli settlements in the West Bank. (1,6,7,23) West Bank Palestinian girls are vulnerable to being exploited for sex and labor in

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Israel after family members force them into marriages with older men; these girls experience physical and sexual abuse, threats of violence, and restricted movement. (25)

In the Gaza Strip, most schools operate on a split schedule, offering only four hours of instruction per day. (8,26-28) Overcrowded classrooms, violence in schools, and damaged schools susceptible to disruption due to weather contribute to children dropping out. (1,8,13,27,28) In the West Bank, school closures, demolition and military raids of schools, delays and harassment at checkpoints, and settler violence directed at students and schools prevent children from attending school. (29,30)

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). (31) The PA has established laws and regulations related to child labor (Table 4). However, gaps exist in the West Bank and the Gaza Strip's legal framework to adequately protect children from the worst forms of child labor, including child trafficking.

Table 4. Laws and Regulations on Child Labor

Standard	Meets International Standards	Age	Legislation
Minimum Age for Work	Yes	15	Article 93 of the Labor Law for the West Bank and the Gaza Strip; Article 14 of the Palestinian Child Law for the West Bank and the Gaza Strip (32,33)
Minimum Age for Hazardous Work	Yes	18	Article 95 of the Labor Law for the West Bank and the Gaza Strip (33)
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 (34)
Prohibition of Forced Labor	No		Article 1 of Minister of Labor's Decree on Hazardous Work for the West Bank and the Gaza Strip (34)
Prohibition of Child Trafficking	No		Article 1 of Minister of Labor's Decree on Hazardous Work for the West Bank and the Gaza Strip (34)
Prohibition of Commercial Sexual Exploitation of Children	No		Articles 306 and 310 of the Jordanian Penal Code for the West Bank; Articles 167 and 172(5) of the Penal Code for the Gaza Strip (32,35,36)

Table 4. Laws and Regulations on Child Labor (Cont.)

Standard	Meets International Standards	Age	Legislation
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 (32,35,36)
Minimum Age for Voluntary State Military Recruitment	Yes†	18	Article 46 of the Palestinian Child Law for the West Bank and the Gaza Strip (32)
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 (32)
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 (32,37)
Free Public Education	Yes		Articles 3 and 15 of the Palestinian Education Act for the West Bank and the Gaza Strip; (37)

* No conscription in the West Bank and the Gaza Strip (23)

† No standing military in the West Bank (23)

As the minimum age for work is lower than the compulsory education age, children may be encouraged to leave school before the completion of compulsory education.

Although human trafficking and forced labor are on the hazardous work list, the law does not criminally prohibit child trafficking or forced labor in accordance with international standards. (33,34) 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. (32,35,36) Further, there are no criminal penalties for recruiting children into non-state armed groups. (32)

III. ENFORCEMENT OF LAWS ON CHILD LABOR

The PA has established institutional mechanisms for the enforcement of laws and regulations on child labor (Table 5). However, gaps exist within the authority of the Ministry of Labor (MOL) that may hinder adequate enforcement of their child labor laws.

Table 5. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
Ministry of Labor (MOL), General Administration of Labor Inspection and Protection	Enforces labor laws, including those related to child labor. (10,38)
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. (10)
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. (10)
Office of the Public Prosecutor for Children	Investigates and prosecutes cases of child exploitation, including child labor. (10)

In the West Bank, under the terms of the Oslo-era agreements between the Palestine Liberation Organization and the Israeli Government, the PA has civil law jurisdiction in the areas of the West Bank designated Area A and Area B, which represent approximately 39 percent of the West Bank's land area and contain approximately 94 percent of the Palestinian population. The Israeli Government has full administrative and security control over the city of Jerusalem and Area C; the latter represents 61 percent of the West Bank's land area and approximately 6 percent of the Palestinian population and the vast majority of the West Bank's agricultural areas. (39-42)

West Bank and the Gaza Strip

MINIMAL ADVANCEMENT

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 limited means in the Gaza Strip, in which Hamas exercises de facto control and does not enforce PA laws and regulations. (40,42,43)

Labor Law Enforcement

Research did not find information on whether labor law enforcement agencies in the West Bank took actions to combat child labor (Table 6).

Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2018	2019
Labor Inspectorate Funding	Unknown	Unknown
Number of Labor Inspectors	90 (44)	Unknown
Inspectorate Authorized to Assess Penalties	No (33)	No (33)
Initial Training for New Labor Inspectors	Unknown	Unknown
Training on New Laws Related to Child Labor	N/A	N/A
Refresher Courses Provided	Unknown	Unknown
Number of Labor Inspections Conducted	Unknown	Unknown
Number Conducted at Worksite	14350 (44)	Unknown
Number of Child Labor Violations Found	882 (20)	Unknown
Number of Child Labor Violations for Which Penalties Were Imposed	Unknown	Unknown
Number of Child Labor Penalties Imposed that Were Collected	Unknown	Unknown
Routine Inspections Conducted	Yes (20)	Unknown
Routine Inspections Targeted	Unknown	Unknown
Unannounced Inspections Permitted	Yes (33)	Yes (33)
Unannounced Inspections Conducted	Unknown	Unknown
Complaint Mechanism Exists	Yes (16)	Yes (10)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (16)	Yes (10)

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. (1,16)

Criminal Law Enforcement

Research did not find information on whether criminal law enforcement agencies in the West Bank took actions to combat child labor (Table 7).

Table 7. Criminal Law Enforcement Efforts Related to Child Labor

Overview of Criminal Law Enforcement	2018	2019
Initial Training for New Criminal Investigators	Unknown	Unknown
Training on New Laws Related to the Worst Forms of Child Labor	N/A	N/A
Refresher Courses Provided	Unknown	Unknown
Number of Investigations	Unknown	Unknown
Number of Violations Found	Unknown	Unknown
Number of Prosecutions Initiated	Unknown	Unknown
Number of Convictions	Unknown	Unknown
Imposed Penalties for Violations Related to The Worst Forms of Child Labor	Unknown	Unknown
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (16)	Yes (10)

PA officials previously stated that insufficient resources hampered their capacity to enforce criminal laws related to the worst forms of child labor. (1)

IV. COORDINATION OF GOVERNMENT EFFORTS ON CHILD LABOR

The PA has established mechanisms to coordinate its efforts to address child labor (Table 8). However, gaps exist that hinder the effective coordination of efforts to address child labor, including the efficacy in accomplishing mandates.

Table 8. Key Mechanisms to Coordinate Government Efforts on Child Labor

Coordinating Body	Role & Description
MOSD Child Protection Networks	Monitor cases of child labor, ensuring that the MOL's services are provided to withdraw children from child labor. Include eight technical committees throughout the West Bank to provide psychological and social support to children and caregivers. (10) Coordinate with the Ministry of Education on cases of school drop-outs and child labor. Work with MOSD's 13 Youth Social Rehabilitation Centers that provide children who have dropped out of school with social, education, vocational, and cultural training. (10) Comprising the MOSD, MOL, Ministry of Education, Ministry of Interior, and other Palestinian Authority and non-governmental organizations. (45) Research was unable to determine which activities were conducted during the reporting period.

The National Committee on Child Labor, which intended to create a national policy on child labor and was led by the MOL, does not function based on available information. (46)

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. (47) However, child labor elimination and prevention strategies do not appear to have been integrated into this policy.

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2019, the PA funded and participated in programs that include the goal of eliminating or preventing child labor (Table 9). However, gaps exist in these social programs, including the adequacy of programs to address the full scope of the problem.

Table 9. Key Social Programs to Address Child Labor

Program	Description
MOL's Vocational Centers†	PA program in the West Bank, consisting of 13 employment offices and 9 vocational centers operated by the MOL, for children over the age of 15 to enroll in vocational training courses. The MOL also provides financial assistance to families, ensuring that children return to school and no longer engage in child labor. (10) Research was unable to determine what steps were taken in 2019 to implement this program.
UN Education Programs	UN Relief and Works Agency for Palestine Refugees in the Near East (UNRWA) programs provide educational support for children and youth in refugee camps, and microfinance and other forms of support to families in the West Bank and the Gaza Strip. (48) In the 2018–2019 academic year, UNRWA provided education to over 46,000 students, and vocational training for 1,000 students in the West Bank and approximately 279,000 students in Gaza. (49,50) In 2019, UNICEF provided psychosocial care to 2,600 children; provided safe accompaniment to school for 6,400 children; held a summer camp in Gaza, providing over 95,000 children with psychological counselling, protection services, and recreational activities; and provided remedial education programs to nearly 10,000 children at risk of dropping out of school. (51)

† Program is funded by the PA.

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.

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VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE CHILD LABOR

Based on the reporting above, suggested actions are identified that would advance the elimination of child labor in the West Bank (Table 10).

Table 10. Suggested Government Actions to Eliminate Child Labor

Area	Suggested Action	Year(s) Suggested
Legal Framework	Raise the minimum age for work to the age up to which education is compulsory.	2018 – 2019
	Ensure that the law criminally prohibits of child trafficking, including both domestic and international human trafficking, in accordance with international standards.	2015 – 2019
	Establish laws that criminally prohibit forced labor, including debt bondage and slavery.	2017 – 2019
	Ensure that the use, procurement, and offering of children for all forms of commercial sexual exploitation are criminally prohibited.	2017 – 2019
	Ensure that the law criminally prohibits the recruitment of children under age 18 into non-state armed groups.	2016 – 2019
Enforcement	Ensure that child labor laws are enforced in the Gaza Strip.	2010 – 2019
	Publish information on the labor and criminal enforcement of child labor laws, including the amount of funding, the number of labor inspectors, the number and type of inspections, the training provided to inspectors and investigators, the number of child labor violations, and penalties issued and collected, and the number of investigations, prosecutions, and convictions.	2010 – 2019
	Authorize the labor inspectorate to assess penalties.	2016 – 2019
	Provide further resources and staff to the Ministry of Labor and the Ministry of Social Affairs to conduct labor inspections and criminal investigations.	2010 – 2019
Coordination	Ensure that Child Protection Networks are able to carry out their intended mandates.	2017 – 2019
Government Policies	Integrate child labor elimination and prevention strategies into the National Policy Agenda and ensure that it is implemented.	2017 – 2019
Social Programs	Expand programs to improve access to education; for example, ensure that children are not subject to violence, schools are weather-proof, and delays at checkpoints are not prohibitive.	2011 – 2019
	Ensure that Ministry of Labor's social programs are implemented including vocational centers.	2017 – 2019
	Expand programs to further address child labor, specifically in construction, street work, illicit activities, and agriculture.	2010 – 2019

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In 2019, Morocco made a minimal advancement in efforts to eliminate the worst forms of child labor. The Kingdom of Morocco claims the territory of Western Sahara and administers the area that it controls by the same constitution, laws, and structures as in internationally-recognized Morocco, including laws that deal with child labor. The government adopted Law 51.17, which requires the government to enact compulsory education for children between the ages of 4 and 16 by 2025 and significantly increased the number of prosecutions related to the worst forms of child labor. However, children in Western Sahara engage in the worst forms of child labor, including forced domestic work. Children also engage in child labor in producing artisanal handicrafts. Laws related to the minimum age for work and the use of children for illicit activities do not meet international standards and the scope of government programs that target child labor is insufficient to fully address the extent of the problem.




I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Although research is limited, there is evidence that children in Western Sahara engage in the worst forms of child labor, including in commercial sexual exploitation. Commercial sexual exploitation of migrant girls occurs and is reportedly more prevalent in fishing villages and on fishing boats. (1,2) 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) In general, research has not been conducted to determine the prevalence of child labor in Western Sahara, nor has research found the levels of education among children who are engaged in child labor in Western Sahara. Data on key indicators of children's work and education are not available from the sources used in this report. (4)

II. LEGAL FRAMEWORK FOR CHILD LABOR

The Moroccan-controlled portion of the territory of Western Sahara is subject to the same laws as internationally recognized Morocco. (2,5) The Popular Front for the Liberation of the Saguia el-Hamra and Río de Oro (Polisario Front), an organization that seeks the territory's independence, controls the remaining territory; information on the laws applicable in the remaining portion of the territory is unavailable. (1,2,6-8) Morocco has ratified all key international conventions concerning child labor, which the Government of Morocco extends to the areas in Western Sahara that it controls (Table 1).

Table 1. Ratification of International Conventions on Child Labor

	Convention	Ratification
	ILO C. 138, Minimum Age	✓
	ILO C. 182, Worst Forms of Child Labor	✓
	UN CRC	✓
	UN CRC Optional Protocol on Armed Conflict	✓
	UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	✓
	Palermo Protocol on Trafficking in Persons	✓

The Government of Morocco has established laws and regulations related to child labor that extend to Western Sahara (Table 2). However, gaps exist in Morocco's legal framework to adequately protect children from the worst forms of child labor, including the prohibition of using children in illicit activities.

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Table 2. Laws and Regulations on Child Labor

Standard	Meets International Standards	Age	Legislation
Minimum Age for Work	No	15	Article 143 of the Labor Code (9)
Minimum Age for Hazardous Work	Yes	18	Articles 147 and 181 of the Labor Code (9)
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 (9,10)
Prohibition of Forced Labor	No		Article 10 and 12 of the Labor Code; Article 467-2 of the Penal Code (9)
Prohibition of Child Trafficking	Yes		Articles 448.1, and 448.4-448.5 of the Law on Trafficking in Human Beings (11)
Prohibition of Commercial Sexual Exploitation of Children	No		Article 503-2 of the Penal Code (12)
Prohibition of Using Children in Illicit Activities	No		
Minimum Age for Voluntary State Military Recruitment	Yes	19	Article 4 of Royal Decree of 9 June 1966 (13)
Prohibition of Compulsory Recruitment of Children by (State) Military	Yes		Article 4 of Law No. 44-18 (14)
Prohibition of Military Recruitment by Non-state Armed Groups	Yes		Articles 448.1 and 448.4 of the Law on Trafficking in Human Beings (11)
Compulsory Education Age	Yes	16	Article 1 of Law No. 04-00 (15)
Free Public Education	Yes		Article 1 of Law No. 04-00 (15)

The government adopted Law 51.17, which requires the government to enact compulsory education for children between the ages of 4 and 16 by 2025. (16,17)

Despite regulations to inform agencies on implementing the Law on Setting Up Employment Conditions of Domestic Workers in 2016, there remain enforcement issues, such as the inability of labor inspectors to inspect closed private residences, in which many domestic workers are employed. (22,34) In addition, the law does not provide explicit protections for self-employed children, those who work in the traditional artisan or handicraft sectors for businesses with fewer than five employees, or those who work on private farms or in residences. Despite assurances from the Government of Morocco that inspectors could inspect in the case of any established labor relationship, often verified through witnesses in the absence of contracts, there is an absence of explicit legal protections that conform to international standards, which require all children to be protected under the law establishing a minimum age for work. (6,9,18,21)

In addition, the types of hazardous work prohibited for children do not fully cover sectors in which child labor is known to occur, specifically in domestic work (10) Moroccan law does not define using, procuring, or offering children for the production or trafficking of drugs as a separate crime. (5,22)

III. ENFORCEMENT OF LAWS ON CHILD LABOR

The Government of Morocco has established institutional mechanisms for the enforcement of laws and regulations on child labor (Table 3). Information about labor law and criminal law enforcement in Western Sahara is unavailable. The government does not publicly release information on its labor law enforcement efforts in Western Sahara.

Table 3. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
Ministry of Labor and Vocational Integration	Enforces child labor laws and oversees programs on child labor through its child labor task force. (19,22-24) Provides occupational health and safety services, administers social security, and organizes labor inspections and employment services through nationwide satellite offices. (24)
Ministry of the Interior	Enforces prohibitions on human trafficking, commercial sexual exploitation, and other exploitative crimes involving minors, as established in the Penal Code, through the General Directorate of National Security. (2,19,23)
General Prosecutor	Prosecutes criminal offenses against children and processes cases involving women and children within the court system through the Child Labor Units. (1,2,23)
Ministry of Solidarity, Women, Family, and Social Development (MSWFSD)	Ensures the continuity of child protection and child labor elimination efforts and expands children's access to education. (25) Implements the Integrated Public Policy on the Protection of Children. (19,26) Supports 142 Child Reception Centers that provide services to child victims of violence. (22)
Ministry of Foreign Affairs and International Cooperation	Coordinates efforts to reduce migrant vulnerability to child labor through its Delegate Ministry in Charge of Moroccans Living Abroad and Migration Affairs. Promotes migrant children's access to public education facilities in addition to other social services and assistance. (1,16,24,27)
Ministry of National Education, Vocational Training, Higher Education, and Scientific Research	Provides education and job training to former child workers, including former child domestic workers and migrant youth. (16,19,22)

Following the passage of the Law on Setting Up Employment Conditions of Domestic Workers in 2016, the law entered into force on October 2, 2018. However, despite regulations to inform agencies on implementing the law, there remains enforcement issues, such as the inability of labor inspectors to inspect closed private residences, where many domestic workers are employed. (2,5)

IV. COORDINATION OF GOVERNMENT EFFORTS ON CHILD LABOR

The Government of Morocco has established mechanisms to coordinate its efforts to address child labor (Table 4).

Table 4. Key Mechanisms to Coordinate Government Efforts on Child Labor

Coordinating Body	Role & Description
Technical Committee Under the Special Ministerial Commission for the Protection and Improvement of Childhood	Ensures inter-sectoral coordination and monitoring of the implementation of international conventions on children's issues through a committee of 25 government bodies, chaired by the Head of the Government of Morocco. Establishes strategies and mechanisms to implement national policies and plans in the area of child protection and in coordination efforts managed primarily at the local and regional levels. (22,28) Met regularly in 2019. (16)

V. GOVERNMENT POLICIES ON CHILD LABOR

The government has established policies that are consistent with relevant international standards on child labor (Table 5).

Table 5. Key Policies Related to Child Labor

Policy	Description
MSWFSD's Integrated Public Policy on the Protection of Children in Morocco (PPIPEM)	Promotes an interdisciplinary approach to respond to the exploitation of children, among other issues. (19,24,26,28) Stakeholders in PPIPEM confirmed that formal meetings for review and discussion of progress related to the policy were held during the reporting period. (18) On December 18, 2019, MSWFSD launched an integrated territorial child protection systems pilot-program in 8 provinces. These programs - part of the Integrated Public Child Protection Policy - established provincial child protection committees and child protection support centers at the provincial level. (16)

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2019, the Government of Morocco funded and participated in programs that include the goal of eliminating or preventing child labor, which extended to Western Sahara (Table 6). However, gaps exist in these social programs, including adequacy of efforts to address the problem in all sectors.

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Table 6. Key Social Programs to Address Child Labor

Program	Description
Taysir Conditional Cash Transfer Program†	MSWFSD program that provides direct cash transfers to qualifying families whose children meet school attendance criteria, aiming to increase school enrollment and reduce dropout rates, particularly in rural areas. There were 832,500 project participants in 2015–2016 and 509,475 in 2016–2017. (2,6,24,26,30-32) In 2019, the program provided assistance to 2,087,000 students from low-income families (16)

† 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. (1,5,24,30,31)

In 2019, the Government of Morocco continued a regularization campaign to provide legal status and documentation to foreign migrants. (16) Although the government has programs that target child labor, the scope of these programs is insufficient to fully address the extent of the problem, including with regard to children who are victims of commercial sexual exploitation. (1,5,24)

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 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 are protected by law, including children who are self-employed, work for artisan and handicraft businesses with fewer than five employees, or work on private farms and in residences.	2017 – 2019
	Ensure that the law criminally prohibits the use, procuring, and offering of a child for prostitution	2019
	Prohibit by law all types of types of hazardous work that may harm children's health, safety, and morals, including domestic work.	2016 – 2019
	Ensure that laws prohibit children from being used, procured for, or offered in illicit activities, including for the production and trafficking of drugs.	2014 – 2019
Social Programs	Conduct a comprehensive study of children's work activities to inform policies and practices to determine whether they are engaged in or at risk of becoming involved in child labor, and determine the number of child laborers and their education levels.	2013 – 2019
	Remove barriers to education, such as insufficient facilities, lack of reliable and safe transportation, and unqualified teachers, particularly in rural areas.	2015 – 2019
	Expand existing programs to address the scope of the child labor problem, including child victims of commercial sexual exploitation.	2017 – 2019

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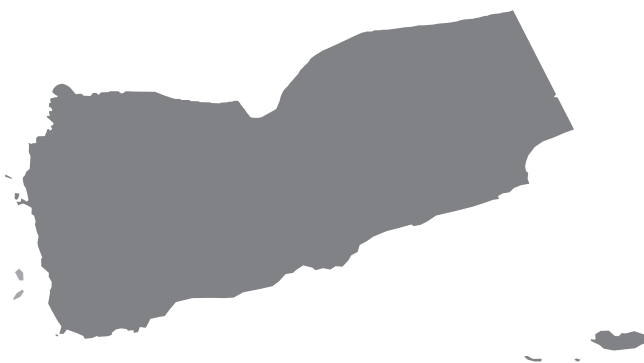
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In 2019, Yemen made a minimal advancement in efforts to eliminate the worst forms of child labor. The Republic of Yemen Government progressed in its implementation of the Action Plan to End and Prevent the Recruitment of Children by the Yemeni Armed Forces by appointing 90 child protection focal points within the Yemeni armed forces and training 40 of them to identify children within their ranks. In addition, the government released 25 children conscripted by Houthi forces and subsequently captured to the Marib interim care center for rehabilitation. Despite these initiatives to address child

labor, Yemen is receiving this assessment because it continued to implement practices that delayed advancement in eliminating the worst forms of child labor. There is evidence of recruitment and use of children in hostilities by state armed forces in contravention of Yemeni law and despite government efforts to counter child soldier recruitment. Furthermore, the government failed to make efforts to address discrimination in schools against children from the Muhamasheen community, leading to their increased vulnerability to child labor. Children in Yemen engage in 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 and other armed groups. Children also engage in child labor in fishing. Research found no evidence of a policy on worst forms of child labor outside of soldiering, such as commercial sexual exploitation and child trafficking.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Yemen engage in 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 and other armed groups. (1,2) Children also engage in child labor in fishing. (3-5) Table I provides key indicators on children's work and education in Yemen.

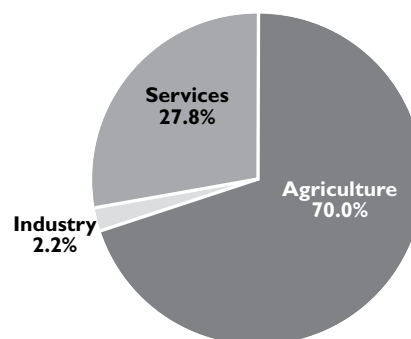
Table I. Statistics on Children's Work and Education

Children	Age	Percent
Working (% and population)	5 to 14	13.6 (834,866)
Attending School (%)	5 to 14	68.0
Combining Work and School (%)	7 to 14	10.3
Primary Completion Rate (%)		72.3

Source for primary completion rate: Data from 2016, published by UNESCO Institute for Statistics, 2020. (6)

Source for all other data: International Labor Organization's analysis of statistics from National Child Labour Survey (NCLS), 2010. (7)

Figure I. Working Children by Sector, Ages 7-14



Based on a review of available information, Table 2 provides an overview of children's work by sector and activity.

Table 2. Overview of Children's Work by Sector and Activity

Sector/Industry	Activity
Agriculture	Farming,† including harvesting dates (8-10)
	Fishing,† activities unknown (3-5,8)
	Hunting, activities unknown (4)
Industry	Quarrying† and mining† (4,5,8)
	Construction† and brick production (3,4,10)
	Working in carpentry† and welding† workshops (3,11,12)

Table 2. Overview of Children’s Work by Sector and Activity (Cont.)

Sector/Industry	Activity
Services	Street work, including selling items, and begging (4,10,13-17)
	Working in auto repair and mechanic shops† and car washes (5,8,10)
	Domestic work† (4,9)
	Selling goods in stores and transporting them (4,10)
	Working in bakeries, and in transportation as fare collectors on taxis (10)
	Voluntarily recruited children used in hostilities by state armed groups (18-22)
Categorical Worst Forms of Child Labor‡	Commercial sexual exploitation, sometimes as a result of human trafficking (1,3,23-26)
	Use in illicit activities, including in trafficking of drugs (3,27-29)
	Domestic work, begging, and working in small shops, each as a result of human trafficking (24,27)
	Recruitment of children by non-state armed groups for use in armed conflict (2,3,18,20,23,30)

† 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.

In 2019, Yemen’s protracted civil war resulted in the world’s worst humanitarian crisis, according to UN reporting. (31,32) The Republic of Yemen Government has lost control to Houthi forces of the northern region of the country, where most of the population resides. (33) As of July 2019, over 24 million Yemenis were in need of humanitarian assistance, including 12.3 million children. (32) Approximately 1.7 million Yemeni children were internally displaced and 4.7 million children were in need of educational assistance. (32) Yemen was also home to approximately 277,000 refugees and asylum seekers, mostly from Somalia and Ethiopia. Approximately 20 percent of these refugees were children. (34) Vulnerable populations, including IDPs and refugees, were at increased risk of child labor and human trafficking. (35,36)

Armed conflict in Yemen intensified in 2019, and security and access restrictions constrained further international observers’ ability to fully monitor grave violations, including the recruitment and use of children. Armed groups, including the Houthis and pro-Coalition militias, recruited for and used child soldiers in armed combat in 2019. (23,29,30,32,37) In addition, the Yemeni Armed Forces recruited and used children, typically ages 15 to 17, for these same purposes, in contravention of Yemeni law. (18,20) The government’s failure to institute effective mechanisms for age verification continued to be a factor in the continuation of this problem. According to UN reporting, the Houthis/Ansar Allah recruited and used 686 children in 2019, the Yemeni Armed Forces recruited and used 136 children, and other armed groups recruited and used an additional 67 children. Nineteen percent of these children were below the age of 15. (22)

There is evidence of chattel slavery, as children are owned, sold, and inherited as property, particularly in Al Hajjah, Al Hudaydah, and Al Mahwit governorates. (38,39) Yemeni children, mostly boys who migrate to Sana’a, Aden, and Saudi Arabia, are engaged in forced labor for domestic work, begging, or work in small shops. (27,38) Moreover, research indicates that commercial sexual exploitation and child trafficking have increased over the past several years. (24) Girls are subjected to human trafficking for the purpose of commercial sexual exploitation within Yemen in hotels and clubs located in Aden, Sana’a, Ta’iz, and other cities. (27,38)

In Yemen, children faced significant barriers to access to education, including in areas under government control. Across the country, there were 2,500 schools that were out of use, some partially or totally destroyed because of armed conflict, and some used as shelters. (40-42) The armed conflict, attacks on schools, and displacement are additional barriers to education. According to UNICEF, more than 2 million children were unable to attend school. (43) Many families could not afford transportation costs to schools. (44) Teachers have not received salaries from the government over the past 2 years, disrupting the education of 3.7 million children. (43) The Republic of Yemen Government stated that Houthi forces have changed the school curricula in areas under their control to teach children about their ideology and have children attend militia events. (45)

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




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societal discrimination, including in distribution of humanitarian aid. (13,27,46-48) They also make up a large proportion of people living as IDPs. (42,47) 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. (46-48) *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. (46) Research did not uncover any government efforts to address discrimination.

II. LEGAL FRAMEWORK FOR CHILD LABOR

Yemen has ratified most key international conventions concerning child labor (Table 3).

Table 3. Ratification of International Conventions on Child Labor

Convention	Ratification
 ILO C. 138, Minimum Age	✓
ILO C. 182, Worst Forms of Child Labor	✓
 UN CRC	✓
UN CRC Optional Protocol on Armed Conflict	✓
UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	✓
 Palermo Protocol on Trafficking in Persons	

The government has established laws and regulations related to child labor (Table 4). However, gaps exist in Yemen's legal framework to adequately protect children from the worst forms of child labor, including laws prohibiting child trafficking.

Table 4. Laws and Regulations on Child Labor

Standard	Meets International Standards	Age	Legislation
Minimum Age for Work	Yes	14	Article 5 of Ministerial Order No. 11 of 2013 (49)
Minimum Age for Hazardous Work	Yes	18	Article 7 of Ministerial Order No. 11 of 2013 (49)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Articles 7–8 and 15 of Ministerial Order No. 11 of 2013 (49)
Prohibition of Forced Labor	No		Articles 6(b) and 26 of Ministerial Order No. 11 of 2013; Article 248 of the Penal Code (49,50)
Prohibition of Child Trafficking	No		Article 26 of Ministerial Order No. 11 of 2013 (49)
Prohibition of Commercial Sexual Exploitation of Children	No		Articles 147 and 163 of the Child Rights Law; Article 279 of the Penal Code; Article 25 of Ministerial Order No. 11 of 2013 (49-51)
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 (49,51)
Minimum Age for Voluntary State Military Recruitment	Yes	18	Article 149 of the Child Rights Law (51)
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 (49)
Compulsory Education Age	Yes	15‡	Article 18 of the General Education Law (52)
Free Public Education	Yes		Article 87 of the Child Rights Law (51)

* No conscription (53)

‡ Age calculated based on available information

While Article 248 of the Penal Code criminalizes buying, selling, and dealing in human beings, the legal framework does not appear to prohibit forced labor. (50)

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The legal framework does not adequately prohibit using, procuring, or offering a child in pornography and pornographic performances, or using a child in prostitution. (49-51)

As the minimum age for work is lower than the compulsory education age, children may be encouraged to leave school before the completion of compulsory education.

III. ENFORCEMENT OF LAWS ON CHILD LABOR

The government has established institutional mechanisms for the enforcement of laws and regulations on child labor (Table 5). However, research found no evidence that law enforcement agencies in Yemen took actions to combat child labor.

Table 5. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
Ministry of Social Affairs and Labor's Child Labor Unit	Enforces child labor laws, conducts inspections, informs the Ministry of the Interior of any violations, and refers children found during inspections to appropriate social services. (5)
Ministry of the Interior	Enforces child labor laws. Police departments within the Ministry of the Interior handle human trafficking investigations. (5)
Ministry of Justice	Enforces child labor laws; prosecutes and adjudicates child labor cases. (5)
Ministry of Human Rights, Ministry of Legal Affairs, Parliament, and the Social Fund for Development	Maintain supporting roles in combating child trafficking. (5)

The Republic of Yemen Government had limited operational control over its ministries and remained unable to enforce regulations. (3)

Labor Law Enforcement

In 2019, labor law enforcement agencies in Yemen took actions to combat child labor (Table 6). However, gaps exist within the operations of the Ministry of Social Affairs and Labor that may hinder adequate labor law enforcement, including a lack of complaint mechanisms.

Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2018	2019
Labor Inspectorate Funding	Unknown	Unknown (3)
Number of Labor Inspectors	Unknown	Unknown (3)
Inspectorate Authorized to Assess Penalties	Unknown	Yes (3)
Initial Training for New Labor Inspectors	Unknown	Yes (3)
Training on New Laws Related to Child Labor	Unknown	Yes (3)
Refresher Courses Provided	Unknown	Yes (3)
Number of Labor Inspections Conducted	Unknown	182 (3)
Number Conducted at Worksites	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	Unknown	Unknown (3)
Routine Inspections Targeted	Unknown	Unknown (3)
Unannounced Inspections Permitted	Unknown	Yes (3)
Unannounced Inspections Conducted	Unknown	Yes (3)
Complaint Mechanism Exists	Unknown	Unknown (3)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Unknown	Unknown (3)

In 2019, the Ministry of Social Affairs and Labor conducted labor inspections and noted several child labor violations; however, inspections remained suspended in conflict-affected areas and the Ministry's capacity in areas it controls is extremely limited. (3) Moreover, specific child labor inspection programs remain

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suspended. (3) Based on available information, in 2019, the Ministry of Social Affairs and Labor removed an unknown number of children who engaged in street work from the streets. No further information is available. (10)

The Ministry of Social Affairs and Labor does not have the authority to enforce child labor laws in casual employment, farming, and domestic work and lacks a referral mechanism for child labor complaints. (3,54)

Criminal Law Enforcement

Research did not find information on whether criminal law enforcement agencies in Yemen took actions to combat child labor. (3)

Table 7. Criminal Law Enforcement Efforts Related to Child Labor

Overview of Criminal Law Enforcement	2018	2019
Initial Training for New Criminal Investigators	Unknown	No (3)
Training on New Laws Related to the Worst Forms of Child Labor	Unknown	Unknown (3)
Refresher Courses Provided	Unknown	Unknown (3)
Number of Investigations	Unknown	Unknown (3)
Number of Violations Found	Unknown	Unknown (3)
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	No (3)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Unknown	Yes (3)

The government was 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. (55)

In 2019, the Republic of Yemen Government did not take any proactive steps to investigate or prosecute the practice of chattel slavery. (3)

IV. COORDINATION OF GOVERNMENT EFFORTS ON CHILD LABOR

The government has established mechanisms to coordinate its efforts to address child labor (Table 8). However, gaps exist that hinder the effective coordination of efforts to address child labor, including efficacy in accomplishing mandates.

Table 8. Key Mechanisms to Coordinate Government Efforts on Child Labor

Coordinating Body	Role & Description
National Steering Committee to Combat Child Labor	Coordinates child labor issues in Yemen. Comprises representatives from the Ministry of Social Affairs and Labor, other state agencies, the ILO, and local NGOs. (5) Research was unable to determine whether the National Steering Committee to Combat Child Labor was active during the reporting period.
National Network for Child Protection	Implements training programs and media awareness campaigns, and advocates for progress on children's issues. (5) 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. (55) In 2019, the Joint Committee supported the implementation of the Action Plan. (30)

V. GOVERNMENT POLICIES ON CHILD LABOR

The government has established policies related to child labor (Table 9). However, policy gaps exist that hinder efforts to address child labor, including covering all worst forms of child labor.

Table 9. Key Policies Related to Child Labor

Policy	Description
Action Plan to End and Prevent the Recruitment of Children by the Yemeni Armed Forces	Ensures that national laws comply with international standards, prohibits the recruitment and use of children in armed forces, investigates allegations of violations, and facilitates UN access to monitor compliance. (22) In 2019, the government appointed 90 child protection focal points within the Yemeni armed forces, 40 of whom were trained to identify associated children. (56) In addition, 20 officers from the National Army and other security units received training on the risks of child recruitment in June 2019. Progress stalled in August 2019, with tensions erupting between the government and the Southern Transitional Council. (30,56)

‡ The government has other policies that may have addressed child labor issues or had an impact on child labor. (57,58)

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. (2) In 2019, the government drafted a National Plan to Reduce Child Labor; however, the plan was pending approval at the end of the reporting period. The government emphasized that it could not implement the plan without donor support. (2)

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2019, the government participated in programs that include the goal of eliminating child labor (Table 10). However, gaps exist in these social programs, including adequacy of services to address the full scope of the problem in all sectors.

Table 10. Key Social Programs to Address Child Labor

Program	Description
Educational Activities	UNICEF-funded programs conducted in cooperation with the Republic of Yemen Government that provide educational support activities and services. (59) In 2019, UNICEF paid incentives to 127,400 teachers, who have not been paid in over 2 years, to cover transportation and other basic expenses. (43) UNICEF and its partners also rehabilitated 13 schools and hygiene facilities in another 37. UNICEF supported the construction of 33 semi-permanent schools for internally displaced children, and provided psychosocial support training for over 1,200 teachers. (32) Over 15,000 children received school bags and essential supplies. (32)

In 2019, the Government of Saudi Arabia, which backs the internationally recognized Republic of Yemen Government, operated at least one rehabilitation center in Marib, a city that is currently under the control of the Republic of Yemen Government, through which former child soldiers are reunited with their families and provided rehabilitation. (20,61,62) During the reporting period, 25 children conscripted by Houthi forces and subsequently captured by Coalition forces were released to the center for rehabilitation. The center also trained its staff on the dangers of child soldier recruitment and how to prevent its occurrence. (56)

Although the Republic of Yemen Government participates in programs that address child labor and access to education, the scope of these programs is insufficient to fully address the extent of the problem, particularly in commercial sexual exploitation, child soldiering, and fishing.

VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE CHILD LABOR

Based on the reporting above, suggested actions are identified that would advance the elimination of child labor in Yemen (Table 11).

Table 11. Suggested Government Actions to Eliminate Child Labor

Area	Suggested Action	Year(s) Suggested
Legal Framework	Accede to the Palermo Protocol on Trafficking in Persons.	2013 – 2019
	Ensure that forced labor is criminally prohibited.	2015 – 2019
	Ensure that trafficking of children, including recruitment, harboring, transportation, transfer, and receipt, for purposes of forced labor and commercial sexual exploitation, is criminalized.	2015 – 2019

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Table 11. Suggested Government Actions to Eliminate Child Labor (Cont.)

Area	Suggested Action	Year(s) Suggested
Legal Framework	Ensure that the law is sufficiently comprehensive to prohibit using a child for prostitution and using, procuring and offering a child for pornography and pornographic performances.	2015 – 2019
	Ensure that the law criminally prohibits the recruitment of children under age 18 into non-state armed groups.	2016 – 2019
	Raise the minimum age for work to the age up to which education is compulsory.	2018 – 2019
Enforcement	Enforce laws prohibiting children under age 18 from joining Yemeni Armed Forces, including by implementing effective 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 – 2019
	Ensure that the labor inspectorate has the capacity to enforce labor laws, including reestablishing a mechanism to receive child labor complaints.	2015 – 2019
	Proactively identify, investigate, and remedy cases of chattel slavery.	2018 – 2019
	Ensure that labor inspectors have proper funding and training to conduct inspections.	2009 – 2019
	Ensure that authorities enforce minimum age protections in all sectors in which the worst forms of child labor are prevalent, including in agriculture and domestic work.	2009 – 2019
	Ensure that criminal law enforcement agencies enforce child labor laws and publish information on enforcement activities.	2015 – 2019
Coordination	Ensure that all coordinating bodies are able to carry out their intended mandates.	2017 – 2019
Government Policies	Adopt a policy that addresses all relevant worst forms of child labor, such as commercial sexual exploitation and child trafficking.	2009 – 2019
Social Programs	Expand programs to improve children's equal access to education, particularly for child survivors of chattel slavery and child <i>Muhamasheen</i> .	2013 – 2019
	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 – 2019

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In 2019, Zambia made a moderate advancement in efforts to eliminate the worst forms of child labor. The government increased the number of prosecutions for crimes related to the worst forms of child labor and expanded the powers of the labor inspectorate to assess penalties for labor violations. The government also established a new National Coordinating Committee for Children to enhance responses on child protection issues, including child trafficking, sexual exploitation of children, and child labor. However, children in Zambia engage in the worst forms of child labor, including in agriculture and commercial sexual exploitation, each sometimes as a result of human trafficking. Children also perform dangerous tasks in agriculture. The Education Act does not specify a compulsory education age, and human trafficking laws are discordant with international standards because they require threats, the use of force, or coercion to establish the crime of child trafficking. In addition, labor inspectors lack sufficient financial and human resources to enforce child labor laws.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Zambia engage in the worst forms of child labor, including in agriculture and commercial sexual exploitation, each sometimes as a result of human trafficking. (1,2) Children also engage in work in agriculture. Table 1 provides key indicators on children's work and education in Zambia.

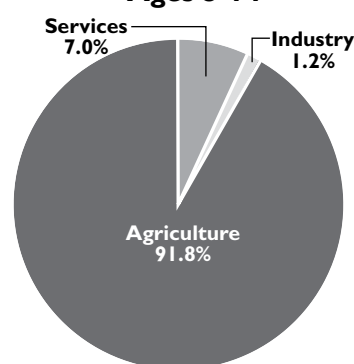
Table 1. Statistics on Children's Work and Education

Children	Age	Percent
Working (% and population)	5 to 14	28.1 (992,722)
Attending School (%)	5 to 14	65.2
Combining Work and School (%)	7 to 14	27.6
Primary Completion Rate (%)		80.0

Source for primary completion rate: Data from 2013, published by UNESCO Institute for Statistics, 2020. (3)

Source for all other data: International Labor Organization's Analysis of Statistics from the Labour Force Survey (LFS), 2008. (4)

Figure 1. Working Children by Sector, Ages 5-14



Based on a review of available information, Table 2 provides an overview of children's work by sector and activity.

Table 2. Overview of Children's Work by Sector and Activity

Sector/Industry	Activity
Agriculture	Work in the production of cotton,† tobacco,† and other cash crops (5-7)
	Raising and herding† cattle (2,8)
	Fishing,† working on boats, and cutting and smoking fish (6,9)
	Production of charcoal† (6,10)
	Production of timber (10)
Industry	Mining of ore and gems (2,10)
	Work in quarries, including carrying heavy loads,† conducting rudimentary mine drilling,† crushing stones,† and scavenging mine dump sites (2,6,8)

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Table 2. Overview of Children’s Work by Sector and Activity (Cont.)

Sector/Industry	Activity
Services	Domestic work (1,2,11)
	Street work, including begging and vending (2,6)
Categorical Worst Forms of Child Labor†	Commercial sexual exploitation, sometimes as a result of human trafficking (1,2,11,12)
	Forced labor in agriculture, herding, construction, domestic work, mining, and textile production, each sometimes as a result of human trafficking (2,11)

† 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.

Child labor in Zambia is most prevalent in the agricultural sector and includes forced labor, sometimes resulting from human trafficking. (1,2,13) Children are primarily trafficked from rural areas in Zambia for domestic work in cities or forced labor on farms. (1,11) 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 and street children are particularly vulnerable to child trafficking. (1,14) In addition, children from neighboring countries are also exploited for forced labor and commercial sexual exploitation in Zambia, as a result of human trafficking. (1)




Illegal mining syndicates in the Copperbelt province called *jerabo* gangs employ children for mining activities, including forcing children to load trucks with stolen copper ore. (1,15) In January 2019, three children, ages 11, 13, and 15, were killed during an accident at a manganese mine in which they were working. (16,17) Commercial sexual exploitation of children is common, particularly along Zambia’s borders and transit corridors. (1,12) The government has conducted regular Labor Force Surveys and published the results in 2011, 2014, and 2016, but these surveys did not include child labor data. The government included a child labor module in its 2018 Labor Force Survey, but these results are not yet available to the public. (18-20)

Long distances to schools, particularly in rural areas, and costs of uniforms and materials are barriers to education. (2,21-23) The inability to access birth certificates and the prevalence of the early marriage of girls increase the vulnerability of children to child labor; children without birth certificates are not able to enroll in school, and once girls marry, they are removed from school and sometimes required to work outside the household. (14,23-25)

II. LEGAL FRAMEWORK FOR CHILD LABOR

Zambia has ratified most key international conventions concerning child labor (Table 3).

Table 3. Ratification of International Conventions on Child Labor

Convention	Ratification
 ILO C. 138, Minimum Age	✓
ILO C. 182, Worst Forms of Child Labor	✓
 UN CRC	✓
UN CRC Optional Protocol on Armed Conflict	✓
UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	✓
 Palermo Protocol on Trafficking in Persons	✓

The government has established laws and regulations related to child labor (Table 4). However, gaps exist in Zambia’s legal framework to adequately protect children from the worst forms of child labor, including an undefined age range for compulsory education and lack of a list of activities considered to be light work, as required by Zambian law.

Table 4. Laws and Regulations on Child Labor

Standard	Meets International Standards	Age	Legislation
Minimum Age for Work	Yes	15	Article 24 of the Constitution; Articles 16 and 81 of the Employment Code Act (26,27)
Minimum Age for Hazardous Work	Yes	19	Article 83 of the Employment Code Act (27)
Identification of Hazardous Occupations or Activities Prohibited for Children	No		
Prohibition of Forced Labor	Yes		Articles 14 and 24 of the Constitution; Articles 143 and 263 of the Penal Code; Article 3 of the Anti-Human Trafficking Act of 2008; Section 8 of the Employment Code Act (26,27-29)
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 of 2008; Sections 80 and 83 of the Employment Code Act (26,27,28,29)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Article 144 of the Penal Code; Sections 80 and 83 of the Employment Code Act (27,29)
Prohibition of Using Children in Illicit Activities	Yes		Sections 80 and 83 of the Employment Code Act (27)
Minimum Age for Voluntary State Military Recruitment	Yes	18	Article 14 of the Defence Act (30)
Prohibition of Compulsory Recruitment of Children by (State) Military	N/A*		
Prohibition of Military Recruitment by Non-state Armed Groups	Yes		Article 3 of the Anti-Human Trafficking Act of 2008 (28)
Compulsory Education Age	No		Article 16 of the Education Act of 2011 (31)
Free Public Education	Yes		Article 15 of the Education Act of 2011 (31)

* No conscription (31)

In 2019, the Government enacted the Employment Code Act, which replaced multiple labor laws, including the Employment Act and the Employment of Young Persons and Children Act. The new law maintains 15 as the minimum age of employment, reaffirms prohibitions against the worst forms of child labor, and strengthens the authority of the labor inspectorate. (2,27,32) Previous regulations identifying hazardous work activities, however, are likely no longer operational because they drew their authority from the Employment of Young Persons and Children Act, which the Employment Code Act repealed. (27)

The law establishes a light work framework for employment of children between ages 13 and 15, but has not identified permitted light work activities. (27,33) In addition, human trafficking provisions remain discordant with international standards because they require threats, the use of force, or coercion to establish a crime of child trafficking. (28)

The Education Act requires that the government provide free education up to the seventh grade and stipulates that education is compulsory for children of “school-going age.” The Act, however, does not set a specific age or define “school-going age,” which may allow children to leave school before they are legally able to work and thereby increase their vulnerability to the worst forms of child labor. (31,33)

III. ENFORCEMENT OF LAWS ON CHILD LABOR

The government has established institutional mechanisms for the enforcement of laws and regulations on child labor (Table 5). However, gaps exist within the operations of the Ministry of Labor and Social Security (MLSS) that may hinder adequate enforcement of their child labor laws.

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Table 5. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
Ministry of Labor and Social Security (MLSS)	Implements, enforces, and regulates child labor laws. (19,34) Advises other government agencies on child labor issues and coordinates government efforts to combat child labor through its Child Labor Unit (CLU). (6,19) The CLU, which falls under the labor inspectorate, carries out inspections related to child labor. (35)
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. (23)
Zambia Police Service	Collaborates with the Ministry of Justice to investigate and prosecute child labor cases. (23) Handles the enforcement of laws against human trafficking, commercial sexual exploitation, and the use of children in illicit activities through its Victim Support Unit. (2,36) Through its Child Protection Unit, works with immigration officials and local officials to respond to child trafficking, enforce child labor laws, and remove vulnerable children from the streets, placing them into families, foster homes, or in safe homes. (2)
Ministry of Justice	Prosecutes criminal law enforcement cases related to the worst forms of child labor through its Office of the Prosecutor. (2,37)
Ministry of Community Development and Social Services	Provides social services to victims of human trafficking or sexual abuse. Operates one government shelter in Luapula province and oversees two NGO shelters. (1,11,38)

Labor Law Enforcement

In 2019, labor law enforcement agencies in Zambia took actions to combat child labor (Table 6). However, gaps exist within the operations of the MLSS that may hinder adequate enforcement of child labor laws, including human and financial resource allocation.

Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2018	2019
Labor Inspectorate Funding	Unknown (23)	\$143,037 (2)
Number of Labor Inspectors	155 (23)	160 (2)
Inspectorate Authorized to Assess Penalties	No (23)	Yes (2,27)
Initial Training for New Labor Inspectors	Yes (23)	Yes (2)
Training on New Laws Related to Child Labor	Yes (23)	Yes (2)
Refresher Courses Provided	Unknown (23)	Yes (2)
Number of Labor Inspections Conducted	1,533 (23)	615 (2)
Number Conducted at Worksite	1,533 (23)	615 (2)
Number of Child Labor Violations Found	511 (23)	Unknown (2)
Number of Child Labor Violations for Which Penalties Were Imposed	Unknown (19)	Unknown (2)
Number of Child Labor Penalties Imposed that Were Collected	Unknown (23)	Unknown (2)
Routine Inspections Conducted	Yes (23)	Yes (2)
Routine Inspections Targeted	Unknown (23)	Yes (2)
Unannounced Inspections Permitted	Yes (23)	Yes (2)
Unannounced Inspections Conducted	Yes (23)	Yes (2)
Complaint Mechanism Exists	Yes (23)	Yes (2)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (23)	Yes (2)

A referral mechanism exists through District Child Labor Committees that allows labor officers to refer cases to NGOs. (23) In 2019, the Child Labor Unit (CLU) within the labor inspectorate had an operational budget of \$10,000; this funding, however, was inadequate to enforce laws related to child labor. (2,39) As a result, the CLU was not able to conduct all of its planned child labor inspections. (2) 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. (2,6,40) Although the government increased the size of its labor inspectorate to 160 inspectors during the reporting period, the number of labor inspectors is likely insufficient for the size of Zambia's workforce, which includes approximately 6.9 million workers. According to the ILO's technical advice of a ratio approaching 1 inspector for every 40,000 workers in less developed economies, Zambia would employ about 172 inspectors. (41,42)

The MLSS conducts labor inspections in registered private institutions only; it does not conduct inspections allowed by law in unregistered institutions in which child labor is more likely to be found. (43) The government did not provide information on the number of child labor violations and whether it imposed and collected penalties for inclusion in this report. (2)

In 2019, Zambia updated its labor code, which strengthened labor inspectors' authority to access facilities and documents during labor inspections and gave inspectors authority to assess penalties for labor code violations, including child labor. (2,27) The IOM launched a program with MLSS to strengthen the capacity of labor inspectors to identify and protect victims of human trafficking for child labor purposes. (2)

Criminal Law Enforcement

In 2019, criminal law enforcement agencies in Zambia took actions to combat child labor (Table 7). However, gaps exist within criminal enforcement agencies that may hinder adequate criminal law enforcement, including training for criminal investigators.

Table 7. Criminal Law Enforcement Efforts Related to Child Labor

Overview of Criminal Law Enforcement	2018	2019
Initial Training for New Criminal Investigators	Yes (44)	No (2)
Training on New Laws Related to the Worst Forms of Child Labor	Unknown (44)	No (2)
Refresher Courses Provided	Unknown (44)	No (2)
Number of Investigations	38 (44)	5 (11)
Number of Violations Found	Unknown (23)	10 (11)
Number of Prosecutions Initiated	3 (44)	6 (11)
Number of Convictions	5 (44)	1 (11)
Imposed Penalties for Violations Related to The Worst Forms of Child Labor	Unknown (44)	Yes (11)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (44)	Yes (2)

The government reported five investigations, involving at least 10 victims, and six prosecutions and one conviction, each related to child trafficking; however, information about other investigations related to other worst forms of child labor was not available. (11) In 2019, the Child Protection Unit of the Zambia Police Service handled 36 cases related to child labor, providing victim counseling and sensitization, but research could not determine the number of cases that resulted in law enforcement investigations and prosecutions. (2)

Government agencies do not have sufficient financial and human resources to address human trafficking, nor do they have consistent procedures to screen and identify human trafficking victims. (11)

In 2019, the government provided training related to trafficking in persons for 2,500 law enforcement officials and 26 magistrates, which included guidance on identifying, responding to, and coordinating with appropriate government agencies that work with victims of child trafficking. (45) The government also partnered with the IOM to train 20 staffers working for an NGO-funded and operated call center to which people can report information related to human trafficking. (11)

IV. COORDINATION OF GOVERNMENT EFFORTS ON CHILD LABOR

The government has established mechanisms to coordinate its efforts to address child labor (Table 8). However, gaps exist that hinder the effective coordination of efforts to address child labor, including efficacy in accomplishing mandates.

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Table 8. Key Mechanisms to Coordinate Government Efforts on Child Labor

Coordinating Body	Role & Description
National Steering Committee on Child Labor (NSCCL)	Advises and oversees child labor matters, including implementation of hazardous work regulations. Chaired by the MLSS and comprises government representatives, employers, trade unions, and civil society members. (2,23,46) The government is currently reconstituting the committee to increase its effectiveness, but the NSCCL did not engage in activities in 2019. (2)
District Child Labor Committees (DCLCs)	Responds to child labor complaints at the district level, file complaints to MLSS, and serve as the main referral mechanism for social welfare services in collaboration with the CLU of the MLSS. Comprises the Zambia Police Service; MLSS; the Ministry of Community Development, Mother, and Child Health; and civil society stakeholders. (2) Coordinates with Community Child Labor Committees, which operate at the community level to raise awareness and refer complaints to DCLCs. DCLCs were active at the local level in 2019. (2)
National Coordinating Committee for Children*	Coordinates the implementation of the National Child Policy and government responses to child protection issues, including child trafficking, sexual exploitation of children, and child labor. Led by the Ministry of Youth, Sport and Child Development in coordination with DCLCs that operate in selected districts. (2)
Inter-Ministerial Committee on Anti-Human Trafficking	Leads efforts to address human trafficking. (44) Chaired by the Ministry of Home Affairs and includes representation from MLSS, the Ministry of Justice, the Ministry of Health, the Ministry of Community Development and Social Services, the Ministry of Local Government, the Ministry of Youth, Sport and Child Development, the Zambia Police Service, the Department of Immigration, the IOM, and a number of NGOs. (2) The Inter-Ministerial Committee on Anti-Human Trafficking did not meet regularly during the reporting period. (11)

* Mechanism to coordinate efforts to address child labor was created during the reporting period.

Overlapping responsibilities and communication lapses among government agencies may hinder coordination and their ability to implement their mandates related to the worst forms of child labor. (6, 11, 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 lack of implementation of 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. (23,49) In 2019, the government held several meetings to revise the National Action Plan for the Elimination of Child Labor under the National Child Labor Policy. (50)
7th National Development Plan (2017–2021)	Outlines Zambia's strategy to promote inclusive economic growth and national development to support Zambia's long-term goal of becoming a "middle income" country, including through the elimination of child labor, by 2030. Seeks to improve access to quality education and reduce poverty by 20 percent by 2021. (51) During the reporting period, the government implemented the 2019 Employment Code, adopted an updated National Employment and Labour Market Policy, and conducted the 2019 Labour Force Survey. (50)
National Youth Policy	Outlines Zambia's strategies to ensure that social programs benefit vulnerable youth, including victims of commercial sexual exploitation and human trafficking. (52) Research could not determine whether activities were undertaken to implement the National Youth Policy during the reporting period. (2)
UN's Sustainable Development Partnership Framework (2016–2021)	\$806 million framework that builds upon the previous UNDAF but with a stronger emphasis on partnership. Aims to prevent the worst forms of child labor and protect children. (53) Research could not determine whether activities were undertaken to implement the Sustainable Development Partnership Framework during the reporting period. (2)

‡ The government has other policies that may have addressed child labor issues or had an impact on child labor. (2,47,54,56)

The government drafted the National Action Plan for the Elimination of Child Labor (2018–2022), which will guide the implementation of the National Child Labor Policy. The draft action plan is under review by key stakeholders across the country, though the government has not yet approved the policy. (57)

The government adopted an updated National Employment and Labour Market Policy in 2019, which outlines objectives for promoting decent work in Zambia, but the policy does not incorporate strategies for prevention and elimination of child labor. (58) Also, the government has not included child labor elimination and prevention strategies in the Education Policy. (59)

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2019, the government funded and participated in programs that include the goal of eliminating or preventing child labor (Table 10). However, gaps exist in these social programs, including the adequacy of programs to address child labor in all relevant sectors.

Table 10. Key Social Programs to Address Child Labor

Program	Description
Social Cash Transfer Program†	Government program to provide funds to families and increase school enrollment. (23,60) Research could not determine whether activities were undertaken to implement the Social Cash Transfer Program during the reporting period. (2)
EMPOWER: Increasing Economic and Social Empowerment for Adolescent Girls and Vulnerable Women in Zambia (2016–2020)	\$5 million, 4-year, USDOL-funded project implemented by Winrock International to address child labor. (61) To date, more than 1,400 adolescent girls have participated in training courses on rural entrepreneurship and leadership life skills. (62) Additional information is available on the USDOL website.
Achieving Reduction of Child Labor in Support of Education (ARISE)	Japan Tobacco International and Winrock International joint-initiative that seeks to combat the worst forms of child labor in tobacco-growing communities in Brazil, Malawi, Tanzania, and Zambia. (21,63) In 2019, the project targeted 30 district communities in Nkeyema District in western Zambia, emphasizing community empowerment through Child Labor Committees. (37)
USAID-Funded Projects	USAID-funded projects to increase protections for vulnerable children. Includes DREAMS, a U.S. President's Emergency Plan for AIDS Relief/USAID project, which supports vulnerable adolescent girls and young women (AGYW) through access to health services, including support for HIV prevention and treatment, family planning, and care for survivors of gender-based violence, as well as economic empowerment activities to promote access to a basic income. (50,64,65) Also includes, Service Efficiency and Effectiveness for Vulnerable Children and Adolescents (SEEVCA), a USAID and UNICEF joint initiative to improve protection services for children and adolescents, including children vulnerable to child labor. (66) During the reporting period, SCEEVA programs worked to develop a standardized, government-led case management system. (50)

† 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. (2,69)

The ILO Integrated Strategy on Tobacco, adopted in 2019, outlines a multi-country framework to address decent work deficits, including the elimination of child labor in tobacco-growing areas of participating countries. (70) As part of implementing the framework, the MLSS, Zambian Federation of Employers, and the Zambia Congress of Trade Unions launched a one-year project in tobacco-growing regions of Kaoma and Nyeyema Districts. (2) The Ministry of Community Development and Social Services, in collaboration with IOM, also provided reintegration support to children who were trafficked for labor exploitation. Reintegration support included supporting children in returning to school, including prioritized assistance with school fees through existing social assistance programs, and providing economic start-up guidance and kits for affected families. (2)

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.	2018 – 2019
	Determine and codify the types of hazardous work prohibited for children.	2020
	Determine through statutory instrument the “school-going age” for compulsory education, in line with the minimum age for work.	2012 – 2019
	Determine list of light work activities for children ages 13 to 15.	2018 – 2019

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Table 11. Suggested Government Actions to Eliminate Child Labor (Cont.)

Area	Suggested Action	Year(s) Suggested
Legal Framework	Ensure that laws prohibiting child trafficking do not require threats, the use of force, or coercion for an act to be considered child trafficking.	2017 – 2019
Enforcement	Ensure that labor inspectors receive adequate training and resources to enforce labor laws throughout the country.	2010 – 2019
	Increase the number of labor inspectors to meet the ILO's technical advice.	2012 – 2019
	Ensure that inspections cover all areas in which children work, including registered and unregistered businesses.	2010 – 2019
	Publish labor law enforcement information on child labor violations found and whether penalties were assessed and collected.	2019
	Ensure that criminal law enforcement investigators receive training on laws related to the worst forms of child labor.	2019
	Develop and implement consistent procedures to screen and identify human trafficking victims.	2018 – 2019
	Publish information on criminal law enforcement efforts, including the number of child labor investigations.	2014 – 2019
Coordination	Ensure that all coordinating committees, including the National Steering Committee on Child Labor and the Inter-Ministerial Committee on Anti-Human Trafficking, are active and able to carry out their intended mandates.	2019
	Improve lines of communication and clarify responsibilities among agencies to improve effectiveness and referrals to social services.	2011 – 2019
Government Policies	Ensure implementation of key national policies, including the National Youth Policy and the UN's Sustainable Development Partnership Framework.	2019
	Finalize and begin implementation of the National Action Plan for Child Labor.	2019
	Integrate child labor elimination and prevention strategies into the Education Policy and the National Employment and Labor Market Policy.	2013 – 2019
Social Programs	Publish child labor data, including the results of the child labor module of the Labor Force Survey, to inform policies and programs.	2011 – 2019
	Enhance efforts to make education accessible for all children by reducing distances children must travel to reach school, eliminating auxiliary school fees, increasing birth certificate registration, and taking measures to ensure that young married girls are able to continue their education.	2012 – 2019
	Ensure the implementation of government-funded social programs, including the Social Cash Transfer Program.	2019
	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 – 2019

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In 2019, Zimbabwe made a moderate advancement in efforts to eliminate the worst forms of child labor. The government approved an updated Trafficking in Persons National Plan of Action for 2019–2021, and with support from UNICEF, published new data on the prevalence of child labor in Zimbabwe. In addition, the government initiated prosecutions related to trafficking of children. However, children engage in the worst forms of child labor, including in commercial sexual exploitation, mining, and tobacco production, each sometimes as a result of human trafficking. Children also engage in child labor in agriculture, including in the harvesting of sugar cane. Law enforcement agencies lack resources to enforce child labor laws. In addition, gaps remain in the country's legal framework against child labor, including the lack of free basic education, which increases children's vulnerability to child labor.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Zimbabwe engage in the worst forms of child labor, including in commercial sexual exploitation, mining, and tobacco production, each sometimes as a result of human trafficking. Children also engage in child labor in agriculture, including in the harvesting of sugar cane. (1-5) Table 1 provides key indicators on children's work and education in Zimbabwe. Data on some of these indicators are not available from the sources used in this report.

Table 1. Statistics on Children's Work and Education

Children	Age	Percent
Working (% and population)	5 to 14	40.4 (Unavailable)
Attending School (%)	5 to 14	90.7
Combining Work and School (%)	7 to 14	42.0
Primary Completion Rate (%)		98.5

Source for primary completion rate: Data from 2013, published by UNESCO Institute for Statistics, 2020. (6)

Source for all other data: International Labor Organization's analysis of statistics from UNICEF, Multiple Indicator Cluster Survey 6 (MICS 6), 2018. (7)

Based on a review of available information, Table 2 provides an overview of children's work by sector and activity.

Table 2. Overview of Children's Work by Sector and Activity

Sector/Industry	Activity
Agriculture	Farming, including the production of tea, cotton, tobacco, corn, and sugarcane (1,8-12)
	Fishing, including casting nets, hauling fish loads, and sorting fish (10,13,14)
	Work in forestry, such as dragging logs from felling sites and loading logs for transport (14,15)
	Cattle herding (11,12)
Industry	Mining and panning of gold and chrome, using dangerous chemicals such as cyanide and mercury, and extracting material from underground passages and quarries† (11,16-18)
Services	Street work, including vending and begging (10,16,19-22)
	Domestic work (5,10,15,16,23)
Categorical Worst Forms of Child Labor‡	Use in illicit activities, including selling drugs (23)
	Commercial sexual exploitation, sometimes as a result of human trafficking (2-4,11,23,24)
	Forced labor in agriculture, mining for the production of gold and chrome, and domestic work, each sometimes as a result of human trafficking (5,23)

† Determined by national law or regulation as hazardous and, as such, relevant to Article 3(d) of ILO C. 182.

‡ Child labor understood as the worst forms of child labor *per se* under Article 3(a)–(c) of ILO C. 182.

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Deteriorating economic conditions, cholera outbreaks, drought, and food shortages likely make children more vulnerable to child labor. (11,25-28) 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. (5) Some families recruit rural children, especially orphans, to work in cities, often with promises of education or adoption. Such children are subject to domestic service or forced to work in mining, drug smuggling, or other illegal activities. (5,29) Girls under the age of 18 are subjected to commercial sexual exploitation, particularly along major transit corridors, due to a combination of factors, including poverty, the breakdown of the family unit, gender-based violence, and sometimes as a result of human trafficking. (3,5,11,23,30)




Children ages 12 to 17 work on tobacco farms, performing activities such as planting, weeding, harvesting, and grading tobacco, tasks which often expose them to toxic chemicals and effects of nicotine from handling tobacco leaves. (9,31) Children also work on sugar plantations in the southeastern part of the country, using dangerous tools and working in hot conditions. (12,32) In 2019, the government, with support from the UNICEF Child Protection Fund, completed and published a Multiple Indicator Cluster Survey, which included data on the percentage and geographic distribution of child labor in Zimbabwe. (33,34) The government also completed an updated labor force and child labor survey in 2019, but results have not been published. (11)

Beginning in grade seven, children are required to show birth registration to sit for exams; however, many children, especially those in rural areas, are not registered at birth due to a lack of awareness of birth registration requirements and poverty. As a result, children may drop out of school, making them more vulnerable to child labor. (10,11,35-37) In addition, prohibitively expensive school fees may limit access to education, and children with disabilities may experience greater abuse, violence, stigma, and exclusion. (11,35,38)

II. LEGAL FRAMEWORK FOR CHILD LABOR

Zimbabwe has ratified all key international conventions concerning child labor (Table 3).

Table 3. Ratification of International Conventions on Child Labor

Convention	Ratification
 ILO C. 138, Minimum Age	✓
ILO C. 182, Worst Forms of Child Labor	✓
 UN CRC	✓
UN CRC Optional Protocol on Armed Conflict	✓
UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	✓
 Palermo Protocol on Trafficking in Persons	✓

The government has established laws and regulations related to child labor (Table 4). However, gaps exist in Zimbabwe's legal framework to adequately protect children from the worst forms of child labor, including access to free public education.

Table 4. Laws and Regulations on Child Labor

Standard	Meets International Standards	Age	Legislation
Minimum Age for Work	Yes	16	Section 9 of the Labor Relations Amendment Act; Section 10A(1) of the Children's Act (39,40, 41)
Minimum Age for Hazardous Work	Yes	18	Section 9 of the Labor Relations Amendment Act and Section 10A(4) the Children's Act (39,41)

Table 4. Laws and Regulations on Child Labor (Cont.)

Standard	Meets International Standards	Age	Legislation
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Section 3(1) of Labour Relations (Employment of Children and Young Persons) Regulations and Section 2 and 10A(4) of the Children's Act (41,42)
Prohibition of Forced Labor	Yes		Sections 54–55 of the Constitution; Section 6 of the Labor Relations Amendment Act (39,43)
Prohibition of Child Trafficking	Yes		Section 3 of the Trafficking in Persons Act (44)
Prohibition of Commercial Sexual Exploitation of Children	No		Sections 61, 83, 86 and 87 of the Criminal Law Act; Section 8(2)a of the Children's Act; Section 3 of the Trafficking in Persons Act (41,44,45)
Prohibition of Using Children in Illicit Activities	Yes		Section 156 of the Criminal Law Act; Section 10 of the Children's Act (41,45)
Minimum Age for Voluntary State Military Recruitment	Yes	16	Sections 5, 9, and 10 of the National Service Act (46)
Prohibition of Compulsory Recruitment of Children by (State) Military	Yes		Section 9 of the National Service Act (46)
Prohibition of Military Recruitment by Non-state Armed Groups	No		
Compulsory Education Age	No	12‡	Section 5 of the Education Act (47)
Free Public Education	No		

‡ Age calculated based on available information (48)

The Cabinet approved an amendment to the Education Act in February 2019, which would establish state-funded education up to grade seven. The bill is under debate within Parliament (11,49,50) Currently, Zimbabwean law does not mandate free basic education for children. (11,51,52) This standard makes children ages 12 to 15 vulnerable to child labor because they are not required to attend school and are not legally permitted to work. (48) In addition, laws do not sufficiently prohibit commercial sexual exploitation, as they do not criminally prohibit the use of children in the production of pornography or for pornographic performances. (45,53,54)

III. ENFORCEMENT OF LAWS ON CHILD LABOR

The government has established institutional mechanisms for the enforcement of laws and regulations on child labor (Table 5). However, gaps exist within the authority of the Ministry of Public Service, Labor, and Social Welfare (MPSLSW) that may hinder adequate enforcement of their child labor laws.

Table 5. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
Ministry of Public Service, Labor, and Social Welfare (MPSLSW)	Enforces labor and anti-human trafficking laws and investigates labor-related complaints, including complaints involving child labor. (11) Also conducts industry and sectoral-based labor inspections through appointed agents of national employment councils, which consist of representation from both employers' associations and trade unions. (55,56) Provides child protection services, including investigating, intervening in, and reporting on child abuse cases through its Department for Child Welfare. (29)
Zimbabwe Republic Police (ZRP)	Enforce laws related to the worst forms of child labor in conjunction with the MPSLSW and the Ministry of Justice, Legal and Parliamentary Affairs. (11) Address issues related to child labor and human trafficking through victim-friendly units in every district. Conduct transnational human trafficking investigations through an anti-trafficking desk at Zimbabwe's INTERPOL office. (29)
Ministry of Justice, Legal and Parliamentary Affairs	Oversees all courts, including labor courts. Addresses human trafficking and child victim cases through victim-friendly courts. (11)

Labor Law Enforcement

Research did not find information on whether labor law enforcement agencies in Zimbabwe took actions to combat child labor.

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Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2018	2019
Labor Inspectorate Funding	Unknown (14)	Unknown (11)
Number of Labor Inspectors	Unknown (14)	Unknown (11)
Inspectorate Authorized to Assess Penalties	No (14)	No (11)
Initial Training for New Labor Inspectors	Unknown (14)	Unknown (11)
Training on New Laws Related to Child Labor	Yes (57)	N/A (11)
Refresher Courses Provided	Unknown (14)	Unknown (11)
Number of Labor Inspections Conducted	Unknown (14)	Unknown (11)
Number Conducted at Worksite	Unknown (14)	Unknown (11)
Number of Child Labor Violations Found	Unknown (14)	Unknown (11)
Number of Child Labor Violations for Which Penalties Were Imposed	Unknown (14)	Unknown (11)
Number of Child Labor Penalties Imposed that Were Collected	Unknown (14)	Unknown (11)
Routine Inspections Conducted	Yes (14)	Unknown (11)
Routine Inspections Targeted	Unknown (14)	Unknown (11)
Unannounced Inspections Permitted	Yes (14)	Yes (11)
Unannounced Inspections Conducted	Unknown (14)	Unknown (11)
Complaint Mechanism Exists	Yes (14)	Yes (11)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (14)	Yes (11)

The government did not provide information on its labor law enforcement efforts for inclusion in this report. (11) Local sources estimate that the labor inspectorate staffs 100-120 inspectors, which is likely insufficient for the size of Zimbabwe's workforce, which includes approximately 7.9 million workers. According to the ILO's technical advice of a ratio approaching 1 inspector for every 15,000 workers in developing economies, Zimbabwe would employ about 527 labor inspectors. (11,58) The limited number of staff may hinder the inspectorate's ability to adequately monitor the agricultural sector, a sector in which children are engaged in child labor, particularly during peak harvest seasons. Furthermore, labor inspectors also oversee arbitration and conciliation, which strains their ability to conduct onsite investigations to combat child labor. (55) Research indicates that the government also lacks sufficient resources, mainly financial, to investigate child labor law violations. (11,59)

Criminal Law Enforcement

In 2019, criminal law enforcement agencies in Zimbabwe took actions to combat child labor (Table 7). However, gaps exist within the operations of the MPSLSW that may hinder adequate criminal and labor law enforcement, including the publication of enforcement data.

Table 7. Criminal Law Enforcement Efforts Related to Child Labor

Overview of Criminal Law Enforcement	2018	2019
Initial Training for New Criminal Investigators	Unknown(29)	Unknown (11)
Training on New Laws Related to the Worst Forms of Child Labor	Unknown (29)	N/A (11)
Refresher Courses Provided	Unknown(29)	Yes (11)
Number of Investigations	0 (29)	1 (23)
Number of Violations Found	0 (29)	1 (23)
Number of Prosecutions Initiated	2 (29)	4 (23)
Number of Convictions	2 (29)	Unknown (11)
Imposed Penalties for Violations Related to The Worst Forms of Child Labor	Yes (29)	Unknown (11)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (14)	Yes (11)

The government did not provide information related to its training of new criminal law enforcement investigators, or the number of convictions related to child labor and whether penalties were imposed. (11) In 2019, law enforcement officials arrested four people in a trafficking case that included child victims. The individuals are currently awaiting trial. (23) The government, in collaboration with the IOM, launched a

new referral system to strengthen protections for vulnerable migrants, which included standard operating procedures to guide officials in identifying, referring, and assisting victims of human trafficking. (23,60) In addition, 264 investigators participated in training on trafficking-in-persons-related legislation, prosecution, and victim protection measures. (23)

IV. COORDINATION OF GOVERNMENT EFFORTS ON CHILD LABOR

The government has established mechanisms to coordinate its efforts to address child labor (Table 8). However, gaps exist that hinder the effective coordination of efforts to address child labor, including the efficacy of coordination activities.

Table 8. Key Mechanisms to Coordinate Government Efforts on Child Labor

Coordinating Body	Role & Description
National Steering Committee to Address the Worst Forms of Child Labor	Addresses the worst forms of child labor. Chaired by the MPSSLW and includes the Ministries of Health and Child Care; Primary and Secondary Education; and Youth Development, Indigenization, and Empowerment. (61) Also includes international organizations and civil society groups, such as workers' and employers' organizations. (61) The National Steering Committee to Address the Worst Forms of Child Labor did not meet in 2019. (11)
Ministry-Level Committee on Children's Issues	Coordinates government ministries' efforts related to children's issues, including child labor. Includes the MPSSLW and the Ministries of Education; Women's Affairs; and Youth Development, Indigenization, and Empowerment. (11,19,61) Includes Child Protection Committees, which operate at the village, ward, district, provincial, and national levels, to discuss issues affecting children, including child labor. (62) Research could not determine whether the Ministry-Level Committee on Children's Issues met in 2019. (11)
Anti-Trafficking Inter-Ministerial Committee (ATIMC)	Coordinates actions to combat human trafficking, including the implementation of the Trafficking in Persons National Plan of Action (NAPLAC). (16,23) In 2019, the ATIMC worked with the IOM to conduct capacity building trainings on provision of direct services to human trafficking victims. (23)
National Task Force on Street Children	Outlines strategies to combat child labor, including feeding street children at drop-in centers, reuniting children with their families, and offering counseling sessions. Chaired by the MPSSLW and includes NGOs that work on street children's issues. (61) Also includes the Ministry of Home Affairs, represented by the ZRP. (62) Research could not determine whether the National Task Force on Street Children had met in 2019. (11)
Child Protection Committees	Operate at the village, ward, district, provincial levels to discuss issues affecting children, including child labor. (11) Representatives include ministries, civil society, local volunteers, and teachers. Report to the ministry-level Committee on Children's Issues. (62) Child Protection Committees were active in 2019, but individual committees' performance was not uniform throughout the country; NGOs filled gaps in services, particularly in rural areas. (11)

Government information on the efforts by coordinating bodies to address child labor is limited. In addition, a lack of resources hindered coordinating bodies, including the National Task Force on Street Children and Child Protection Committees, from carrying out their mandates. (11,63)

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 implementation of key policies.

Table 9. Key Policies Related to Child Labor

Policy	Description
National Action Plan to Combat Child Labor	Strengthens understanding of child labor issues and creates an entity to coordinate responses to the findings. Consists of three focus areas: education assistance, poverty assistance through a cash transfer scheme, and health assistance. Research indicates the government took no actions during the reporting period to implement this policy. (11)
Trafficking in Persons National Plan of Action (NAPLAC) (2019–2021)†	Replaces 2016–2018 NAPLAC. Aims to implement the Palermo Protocol through the development of strategies to combat human trafficking, with emphasis on prevention, protection, prosecution, and partnership. (23,64)
Zimbabwe UN Development Assistance Framework (2016–2020)	Integrates child labor prevention strategies in the Education for All campaign headed by the UN. Promotes gender equality and reduction of HIV/AIDS prevalence, and allocates social resources to address child labor. (65) Research was unable to determine whether activities were undertaken to implement this policy during the reporting period. (11)

† Policy was approved during the reporting period.

‡ The government had other social programs that may have included the goal of eliminating or preventing child labor. (27)

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Although the government approved a new Trafficking in Persons National Plan of Action in 2019, it has yet to launch the policy. (23,64)

The National Social Protection Framework (NSPF) aims to provide strategies that address poverty and labor market interventions, among others, although the policy does not include child labor prevention and elimination measures. Furthermore, there is no indication that the government made efforts to operationalize the NSPF in 2019. (11,27)

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2019, the government funded and participated in programs that may contribute to eliminating or preventing child labor (Table 10). However, gaps exist in these social programs, including the adequacy of programs to address the full scope of the problem.

Table 10. Key Social Programs to Address Child Labor

Program	Description
Harmonized Social Cash Transfer (HSCT)† (2012–2019)	Government-funded unconditional cash transfer program to assist labor-constrained and food-insecure households to avert risk-coping strategies, such as child labor. (11,66) In 2018, the government allocated \$11 million to the HSCT program. (27) The program was set to expire mid-2019, but continued to provide services throughout the entire year. (11)
Basic Education Assistance Module†	Government program, with support by the UK Department of International Development (DFID), that provides basic financial assistance to families for education costs, such as tuition and examination fees. Aims to keep children in school and to enroll children who lack access to school because of economic hardship. (11) In 2019, the program dispersed \$8 million and provided school fees assistance to 415,000 orphans and other vulnerable children. For 2020, the government allocated \$26 million for the program, an increase from previous years, however, severe inflation significantly offset these increases, resulting in a total budget of approximately \$9 million for the program. (11,27,67)
Mobile Birth Registration Program†	Government mobile birth registration program, implemented by the Registrar General's office and some local governments, to ensure that citizens receive identity documents, including birth certificates. (36,68) Every district in the country has mobile teams to support this program. (29) The government continued to implement the Mobile Birth Registration Program during the reporting period. (36)
National Action Plan for Orphans and Vulnerable Children (2016–2020)	UNICEF Child Protection Fund (CPF) program, supported by DFID, that focuses on equity and access to quality education for children and provides child protection services. Provides cash assistance for families to keep children in school. (27,69,70) In 2019, CPF conducted and published the results of a Multiple Indicator Cluster Survey on child protection. (11)
Donor-Funded Programs	International donor-funded programs that aim to increase protections for vulnerable children. Includes DREAMS, a PEPFAR/USAID project that aims to reduce rates of HIV among adolescent girls and young women, including girls vulnerable to commercial sexual exploitation; the Zimbabwe Accountability and Artisanal Mining Program, a German state-owned, DFID bank-funded project that improves occupational safety and health standards in artisanal and small-scale gold mining and raises awareness of child labor among informal gold miners; and the Zimbabwe Education Development Fund Phase II (2012–2019), a DFID bank-funded initiative implemented by UNICEF that promotes equitable and quality education. (71-73)

† Program is funded by the Government of Zimbabwe.

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.

VII. SUGGESTED 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 – 2019
	Establish free basic education for children through age 16.	2009 – 2019
	Ensure that the age up to which education is compulsory is the same as the minimum age for work.	2016 – 2019
	Ensure that the law criminally prohibits the use, procuring, and offering of a child for the production of pornography and pornographic performances.	2019
Enforcement	Authorize the labor inspectorate to assess penalties for labor law violations.	2017 – 2019
	Publish information about the government's labor law enforcement efforts.	2016 – 2019
	Significantly increase the number of labor inspectors to meet the ILO's technical advice.	2016 – 2019
	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 – 2019
	Publish information on the government's criminal law enforcement efforts, including trainings for new investigators, convictions, and whether penalties were assessed for crimes related to the worst forms of child labor.	2015 – 2019
Coordination	Ensure that child labor coordinating committees are active and receive sufficient resources to carry out their intended mandates.	2016 – 2019
Government Policies	Integrate child labor prevention and elimination measures in relevant policies, such as the National Social Protection Framework.	2017 – 2019
	Implement national policies, including National Action Plan to Combat Child Labor, the UN Development Assistance Framework, and the National Social Protection Framework.	2010 – 2019
Social Programs	Ensure that children are registered at birth to facilitate their entrance into secondary school.	2014 – 2019
	Enhance efforts to make education accessible for all children by eliminating or defraying school fees and ensuring children with disabilities have equal access to education.	2016 – 2019
	Expand existing social programs to address child labor, especially child labor in agriculture, commercial sexual exploitation, and mining.	2010 – 2019

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Young girl harvesting coffee.
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Washing coffee in EL CARMEN DE LA FRONTERA - Ecuador border -
Huancabamba. Department of Piura, Peru. July 26, 2017.

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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?

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- **Your investments have a positive social impact** by promoting responsible labor practices.
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