

In 2017, Benin made a moderate advancement in efforts to eliminate the worst forms of child labor. The government launched a public awareness campaign and inspection program in the open-air markets of Cotonou, Ouando, and Parakou that identified 822 children in working conditions and referred 77 children to care centers or reunited them with families. The government also established an inter-ministerial task force to coordinate government-wide efforts on trafficking in persons and validated the new national policy for child protection. The First Lady of Benin, along with other leading figures, made a declaration in Abidjan, Côte d'Ivoire, on child protection, including from child trafficking, exploitation, child labor, and all other forms of violence against children. However, children in Benin engage in the worst forms of child labor, including in the production of cotton and crushed granite. Children also perform dangerous tasks in domestic work and street vending. Limited resources for the systematic enforcement of child labor laws impede government efforts to protect children from the worst forms of child labor. Benin continues to lack a national action plan pertaining to 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 Benin engage in the worst forms of child labor, including in the production of cotton and crushed granite. Children also perform dangerous tasks in domestic work and street vending. (1; 2; 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 (%)		81.1

Source for primary completion rate: Data from 2015, published by UNESCO Institute for Statistics, 2018. (4)

Source for all other data: Understanding Children's Work Project's analysis of statistics from Demographic and Health Survey, 2011–2012. (5)

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

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

Sector/Industry	Activity
Agriculture	Production of cotton† and cashew nuts† (6; 7; 3)
	Capturing, cleaning, and descaling fish† (8; 9)
	Raising livestock† (9)
Industry	Collecting,† crushing,† washing,† and sieving stones† for gold mining† and gravel† and granite quarrying† (1; 10; 11)
	Construction, including brickmaking† (2; 8; 11)
Services	Domestic work† (1; 2; 11; 12)
	Working as mechanics† and in the transportation industry† (11; 7)
	Street vending† (11; 13; 14; 15)
	Dressmaking† and carpentry† (9)
	Begging (2)

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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, construction, artisanal mining, fishing, granite quarrying, and agriculture, including in the production of cotton, each sometimes as a result of human trafficking (1; 2; 7; 10; 16)
	Forced begging (17)
	Commercial sexual exploitation, sometimes as a result of human trafficking (2; 13; 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.




Children are trafficked mostly within Benin but also to other countries, primarily Gabon, Nigeria, and the Republic of Congo, for domestic work and commercial sexual exploitation, as well as to work in vending, farming, and stone quarrying. (1; 17; 20; 21; 22; 2) Children working in mines and quarries are subject to long working hours and physical injuries and illnesses from dynamite explosions, falling rocks, collapsing quarry walls, and dust inhalation. (10) Traditionally, under a practice known locally as *vidomegon*, children, up to 95 percent of them girls, live with relatives or family friends to perform household services in exchange for educational opportunities; however, many children become victims of labor exploitation and sexual abuse. (1; 2; 17; 20; 23; 24)

The constitution guarantees free compulsory primary education; nevertheless, some parents are expected to pay school fees because many schools lack funds. (25; 26) In addition, evidence suggests that incidences of physical, psychological, and sexual abuse, including corporal punishment and rape of students by teachers, prevent some children from remaining in school. (2; 13; 17; 18; 27; 28) Children with disabilities have no access to the regular education system, and a lack of reliable transport forces some children to walk long distances to school. (24; 29; 25) In rural areas in particular, children are often unregistered due to limited understanding of procedures to receive a birth certificate and the associated costs. Unregistered children face denial of public services, and 15 percent of children under age 5 continue to be unregistered. (30; 22; 25)

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 child labor, including insufficient penalties.

Table 4. Laws and Regulations on Child Labor

Standard	Meets International Standards: Yes/No	Age	Legislation
Minimum Age for Work	Yes	14	Article 166 of the Labor Code; Article 210 of the Child Code (31; 32)
Minimum Age for Hazardous Work	Yes	18	Article 1 of the Hazardous Occupations List (33)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Hazardous Occupations List (33)

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

Standard	Meets International Standards: Yes/No	Age	Legislation
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 (31; 32; 34)
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 (31; 32; 34)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Article 3 of the Law on the Prevention and Repression of Violence Against Women and Children; Article 4 of the Law Relating to the Transportation and Trafficking of Minors; Articles 212 and 378 of the Child Code (32; 34; 35)
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 (32; 34)
Prohibition of Military Recruitment			
State Compulsory	Yes	18	Article 6 of Law 2005-43; Title II, Article 32 of the Constitution (26; 36)
State Voluntary	Yes	18	Article 6 of Law 2005-43 (36)
Non-state	Yes	18	Articles 2 and 4 of the Law Relating to the Transportation and Trafficking of Minors (34)
Compulsory Education Age	Yes	16	Article 24 of Act No 2003-17; Article 4 of the Law on the Prevention of Violence Against Women and Children (35; 37)
Free Public Education	Yes		Article 13 of the Constitution; Article 114 of the Child Code (32; 26)

During the reporting period, the draft Labor Code was presented to the Supreme Court for consideration and advice. The National Assembly's Law Commission is also examining the new draft Penal Code, set to incorporate specific penalties related to trafficking in persons. (9) Currently, Article 22 of the Law Relating to the Transportation and Trafficking of Minors prescribes insufficient penalties, especially in comparison to punishments for other serious crimes, such as rape. (34; 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 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)	Enforce child labor laws and investigate labor code infractions, including those related to child labor. (13; 18; 38) Provide support to victims of child labor and human trafficking. (2; 18; 39) In 2017, the Ministry of Labor, Civil Service, and Social Affairs split into MOLCS and the Ministry of Social Affairs and Microfinance. (22)
Ministry of Social Affairs and Microfinance	Offer social assistance and social support services to vulnerable populations. Through its Office of Family, Childhood, and Adolescence, provide assistance to trafficking victims by means of Social Promotion Centers. (9)
Ministry of the Interior	Enforce criminal laws related to the protection of minors, including the worst forms of child labor, through the Central Office for the Protection of Minors under the Criminal Police Department. (2; 18; 21) Through its <i>Brigade des Moeurs</i> (vice squad), address human trafficking for sexual exploitation. (23)

Labor Law Enforcement

In 2017, 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.

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Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2016	2017
Labor Inspectorate Funding	\$6,700 (13)	\$42,881 (22)
Number of Labor Inspectors	35 (13)	35 (22)
Inspectorate Authorized to Assess Penalties	Yes (13)	Yes (22)
Training for Labor Inspectors		
Initial Training for New Employees	Yes (13)	No (22)
Training on New Laws Related to Child Labor	N/A (13)	N/A (22)
Refresher Courses Provided	Yes (13)	No (22)
Number of Labor Inspections Conducted	27 (13)	30 (22)
Number Conducted at Worksites	Unknown (13)	Unknown (22)
Number of Child Labor Violations Found	1,278 (13)	812 (22)
Number of Child Labor Violations for Which Penalties were Imposed	Unknown (13)	Unknown (22)
Number of Child Labor Penalties Imposed that were Collected	Unknown (13)	Unknown (22)
Routine Inspections Conducted	Yes (13)	Yes (22)
Routine Inspections Targeted	Yes (13)	Yes (22)
Unannounced Inspections Permitted	Yes (13)	Yes (22)
Unannounced Inspections Conducted	Unknown (13)	Unknown (22)
Complaint Mechanism Exists	Yes (13)	Yes (22)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (13)	Yes (22)

In 2017, 77 children were removed from child labor during inspections conducted in the open-air markets of Cotonou, Ouando, and Parakou. These children were placed in protective care or reunited with families. (22) MOLCS, in partnership with IOM, trained 50 law enforcement agents, magistrates, and civil society activists at a 3-day seminar. The Ministry also held a separate training for trainers on child trafficking prevention in 2017. (22) The number of labor inspectors is likely insufficient for the size of Benin's workforce, which includes over 3 million workers. According to the ILO's technical advice of a ratio approaching 1 inspector for every 40,000 workers in less developed economies, Benin should employ approximately 92 inspectors. (40; 41) The Labor Inspectorate stated that it lacks material and financial resources to adequately conduct inspections. (2; 13) The Central Office for the Protection of Minors (OCPM) under the Ministry of the Interior works together with Social Promotion Centers under MOLCS to provide social services to child victims and ensure criminal investigation of the cases. (42)

Criminal Law Enforcement

In 2017, 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	2016	2017
Training for Investigators		
Initial Training for New Employees	Unknown (13)	No (22)
Training on New Laws Related to the Worst Forms of Child Labor	N/A	N/A
Refresher Courses Provided	Unknown (13)	Yes (22)
Number of Investigations	Unknown (13)	30 (43)
Number of Violations Found	Unknown (13)	Unknown (22)
Number of Prosecutions Initiated	Unknown (13)	Unknown (22)
Number of Convictions	Unknown (13)	6 (43)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (13)	Yes (22)

In September 2017, OCPM, with UNICEF, organized a 2-week training-of-trainers workshop for 26 gendarmes and police on child protection best practices. (44) OCPM, which maintains a transit center for trafficking victims, received 176 child

trafficking victims in 2017. UNICEF worked with police in Alibori, Atlantique, Borgou, and Zou departments to provide police with OCPM-type support services. (22; 9) Yet, OCPM remained understaffed, underfunded, and without adequate office supplies, transportation, and fuel to adequately enforce laws and provide victims with immediate assistance. (2) Police lacked the transportation resources to investigate human trafficking cases and the tools with which to maintain database records. Court officials continued to express difficulties maintaining database records on human trafficking and reported a lack of personnel and infrastructure to efficiently prosecute cases. (20; 44)

IV. COORDINATION OF GOVERNMENT EFFORTS ON CHILD LABOR

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

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

Coordinating Body	Role and Description
National Executive Committee to Combat Child Labor	Provide policy guidance; approve programs; and coordinate, monitor, and evaluate efforts to combat child labor in Benin. (2) Led by the MOLCS, and comprising delegates from multiple ministries, UNICEF, the ILO, trade unions, and NGOs. (18; 45)
National Commission on Children's Rights	Coordinate and promote efforts on children's rights at the national level. Chaired by the Ministry of Justice, with the participation of delegates from multiple other ministries and representatives of civil society groups, who are appointed by the Minister of Justice. (2)
Inter-Ministerial Task Force to Combat Trafficking in Persons*	Coordinate 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. (22; 44; 9)

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

The government formed the Inter-Ministerial Task Force to Combat Trafficking in Persons to consolidate efforts to address trafficking in persons. In 2017, the group organized a 2-day workshop to finalize a national human trafficking policy and action plan, including an implementation plan, and a policy on data collection. (22; 44; 9) The mandates of the National Executive Committee to Combat Child Labor and the National Commission on Children's Rights overlap and are a source of confusion. Moreover, neither committee met in 2017. (2) In addition, although there is an information management system at the national level, data are rarely analyzed or used to effect implementation on the ground. (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 the lack of a National Action Plan to Eliminate the Worst Forms of Child Labor.

Table 9. Key Policies Related to Child Labor‡

Policy	Description
Action Plan to Eradicate Child Exploitation in Markets	Aims to eliminate the worst forms of child labor in the major markets of Benin, including Dantokpa in Cotonou, Ouando in Porto-Novo, and Arzèkè in Parakou; strengthen child labor laws; raise awareness of child labor in markets; and create social programs for children rescued from labor exploitation in the targeted markets. (47; 48; 22) As part of this initiative in 2017, the government launched the "Zero Children in Working Situations in the Markets" campaign, which aims to remove children from these situations. (49; 50)
National Policy for Child Protection (2014–2025)	Aims to improve child protection in Benin. Includes components to improve school feeding programs and combat the worst forms of child labor, with a focus on child trafficking. (13; 48; 51) At the end of 2017, the policy was awaiting final approval by the Council of Ministers. (22)
UN Development Assistance Framework (2014–2018)	Outlines the collective actions and strategies of the UN system for achieving national development goals, including specific activities to address child labor by increasing access to social protection services. (52) In 2017, undertook activities to support a school canteen program and a second-chance education program for children who drop out of school. (9)

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

The First Lady of Benin, along with other leading figures, made a declaration in Abidjan, Côte d'Ivoire, on child protection, including from child trafficking, exploitation, child labor, and all other forms of violence against children. (53; 54)

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Research was unable to determine whether the expired National Action Plan to Eliminate the Worst Forms of Child Labor in Benin was renewed. (22) The government has not included child labor elimination and prevention strategies in the Education Sector Plan. (17; 55)

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2017, the government funded 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
Understanding Children's Work-Action Against Child Labor (2015–2018)	\$750,000 Government of Canada-funded, 3-year project to combat child labor by supporting data collection and policy efforts related to children's work and youth employment. (56) In 2017, research was unable to determine whether any actions were undertaken. (9)
Government-Funded Shelters†	Social Promotion Centers provide food, shelter, education, and vocational training to vulnerable children, including victims of labor exploitation, in 85 centers. The Central Office for the Protection of Minors also operates an interim care facility for human trafficking survivors before their placement in a long-term shelter. (18; 39; 45; 22; 9) In 2017, the Social Promotion Centers continued to provide assistance to trafficking victims in the 77 communes of Benin. (9)
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. (45; 46) In 2017, the two counseling and leisure centers in the markets of Bohicon and Zakpota continued to operate and provide training opportunities to children exposed to labor exploitation. (13; 9)
Benin Global Partnership for Education Program (2014–2018)	Approximately \$42.3 million, World Bank-funded project to provide equity in access to basic education in impoverished districts. In 2017, the project was extended through April 30, 2018. (57; 9)

† 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; 39; 58; 59)

In 2017, the government carried out a public awareness and inspection campaign, “Zero Children in Working Situations in the Markets,” at open-air markets in major cities in Benin. A third phase with increased mobilization is projected for 2018. (22; 44; 9) Although the Government of Benin has implemented programs to protect children from human trafficking and participated in programs focused on child labor in quarrying and mining, research was unable to determine whether the government has conducted programs to assist children engaged in other worst forms of child labor, including in domestic work, commercial sexual exploitation, or agriculture. (13)

VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE CHILD LABOR

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

Table 11. Suggested Government Actions to Eliminate Child Labor

Area	Suggested Action	Year(s) Suggested
Legal Framework	Create meaningful penalties for child trafficking crimes involving labor exploitation.	2014 – 2017
Enforcement	Provide consistent training for criminal and labor law enforcement officials on child labor.	2013 – 2017
	Increase resources, including the number of labor inspectors and criminal investigators, to enforce laws against child labor and provide immediate victim assistance.	2009 – 2017
	Publish data on whether unannounced inspections are conducted, as well as the number of inspections conducted at worksites, child labor violation penalties imposed and collected, violations, and prosecutions related to child labor.	2009 – 2017
	Increase the resources available to law enforcement officials to efficiently investigate child labor cases.	2015 – 2017
	Take measures to coordinate efforts between the National Executive Committee to Combat Child Labor and the National Commission on Children's Rights, ensuring that committees meet and coordinate mandates.	2013 – 2017
Coordination	Analyze the data received from national information management systems and disseminate the results nationwide.	2013 – 2017

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

Area	Suggested Action	Year(s) Suggested
Government Policies	Complete a new National Action Plan to Eliminate the Worst Forms of Child Labor in Benin.	2010 – 2017
	Ensure that child labor elimination and prevention strategies are integrated into the Education Sector Plan.	2010 – 2017
Social Programs	Increase access to education by eliminating school-related fees, ensuring that children with disabilities have access to regular schools, ensuring the safety of children in schools, providing reliable transport, and increasing birth registration rates.	2010 – 2017
	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 – 2017

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