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In 2015, the Republic of the Congo made a moderate advancement in efforts to eliminate the worst forms of child labor. The Government launched a project to expand the network of foster families throughout the nation, continued to implement a school feeding program which served approximately 215,000 children, and undertook a mapping project in Pointe-Noire to identify possible human trafficking rings and hotspots for commercial sexual exploitation. However, children in the Republic of the Congo are engaged in child labor, including in domestic work, and the worst forms of child labor, including in commercial sexual exploitation. The Government has yet to ratify the Palermo Protocol on Trafficking in Persons and there is no mechanism to coordinate the Government's efforts to address child labor, including all its worst forms. Additionally, information on children's work is extremely limited, as 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 engaged in child labor, including in domestic work. Children are also engaged in the worst forms of child labor, including in commercial sexual exploitation.(1-6) Table 1 provides key indicators on children's work and education in the Republic of the Congo.

Table 1. Statistics on Children's Work and Education

Children	Age	Percent
Working (% and population)	5-14 yrs.	27.9 (286,137)
Attending School (%)	5-14 yrs.	90.2
Combining Work and School (%)	7-14 yrs.	29.9
Primary Completion Rate (%)		74.3

Source for primary completion rate: Data from 2012, published by UNESCO Institute for Statistics, 2015.(7)

Source for all other data: Understanding Children's Work Project's analysis of statistics from Deuxième Enquête Démographique et de Santé du Congo (EDSC-II) Survey, 2011–2012.(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	Farming,* including in the production of manioc,* peanuts,* corn,* plantains,* potatoes,* and sugar cane* (3, 9-13)	
	Catching* and smoking fish* (3)	
	Raising livestock* and hunting* wild game (12, 14)	
	Production of charcoal* by burning wood (14)	
Industry	Working in stone quarries,* including breaking stones*(3, 9, 11)	
Services	Domestic work* (3, 9)	
	Working in transportation as bus touts* (9, 11)	
	Market vending and carrying heavy loads* (3, 9, 11)	

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

Sector/Industry	Activity
Categorical Worst	Commercial sexual exploitation, sometimes as a result of human trafficking (1, 3-5, 10, 11, 15-17)
Forms of Child Labor‡	Forced labor in farming,* including the production of cocoa,* domestic work, stone quarries,* fishing,* and market vending, each sometimes as a result of human trafficking (1-3, 6, 10, 11, 15, 17, 18)
	Forced labor of indigenous Baka children in agriculture,* including sugar cane,* fishing,* hunting,* and domestic work* (11, 15)

^{*} Evidence of this activity is limited and/or the extent of the problem is unknown.

Children are trafficked to ROC, mainly from West African countries and the Democratic Republic of the Congo (DRC), for forced labor and commercial sexual exploitation.(1-4, 10, 11, 15, 17, 19-21) Children are also trafficked internally from rural areas to Brazzaville and Pointe-Noire for forced labor.(1, 3, 10, 11, 15) Indigenous children in particular are vulnerable to forced labor in agriculture.(1, 10, 11, 22) Information on children's work is limited, as there has never been a national child labor survey or similar research conducted in ROC.(23)

The Government does not collect fees for examinations and provides free textbooks through secondary school in an attempt to increase children's access to education.(11, 21) Although the Constitution stipulates that education is free until age 16, in practice, some parents are required to pay for books, uniforms, and school fees. This may limit some children's access to education.(3, 22) Over-enrollment, a lack of teachers, and sexual abuse in schools also pose barriers to education for some children.(13, 22, 24) There were no reports that children from the DRC living in Brazzaville were denied access to education during the reporting period. However, many children from the DRC did not attend school in ROC for fear of being deported.(13) Indigenous children, particularly those in remote areas, had difficulty accessing education because of discrimination and linguistic barriers.(13, 25)

II. LEGAL FRAMEWORK FOR THE WORST FORMS OF CHILD LABOR

The Republic of the Congo has ratified most key international conventions concerning child labor (Table 3).

Table 3. Ratification of International Conventions on Child Labor

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

The Government has established laws and regulations related to child labor, including its worst forms (Table 4).

Table 4. Laws and Regulations Related to Child Labor

Standard	Yes/No	Age	Related Legislation
Minimum Age for Work	Yes	16	Article 116 of the Labor Code (26)
Minimum Age for Hazardous Work	Yes	18	Order 2224 of 1953; Article 68 of the Child Protection Code (5, 27)
Prohibition of Hazardous Occupations and/or Activities for Children	Yes		Article 68 of the Child Protection Code; Order 2224 of 1953 (5, 27)
Prohibition of Forced Labor	Yes		Article 33 of the Constitution; Article 4 of the Labor Code; Articles 60 and 68 of the Child Protection Code (26-28)
Prohibition of Child Trafficking	Yes		Article 60 of the Child Protection Code (27)

[‡] 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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Table 4. Laws and Regulations Related to Child Labor (cont)

Standard	Yes/No	Age	Related Legislation
Prohibition of Commercial Sexual Exploitation of Children	Yes		Articles 65–68 and 122 of the Child Protection Code; Articles 334–335 of the Penal Code (27, 29)
Prohibition of Using Children in Illicit Activities	Yes		Articles 68-70 of the Child Protection Code (27)
Minimum Age for Compulsory Military Recruitment	N/A*		
Minimum Age for Voluntary Military Service	Yes	18	Legislation title unknown (23, 30)
Compulsory Education Age	Yes	16	Article 29 of the Constitution (28)
Free Public Education	Yes		Article 29 of the Constitution (28)

^{*} No conscription (23, 30, 31)

In partnership with UNODC, the Government drafted an anti-trafficking law in 2013 that extends greater protection to victims, provides more stringent penalties for offenders, and creates an interministerial coordination mechanism. Although the draft law made some advancement through the legislative process during the reporting period, the Parliamentary Committee has yet to adopt it.(1, 3, 21, 32) Existing penalties for the worst forms of children may not be severe enough to serve as deterrents, as offenses are punishable by 3 to 12 months of imprisonment and a fine of \$85 to \$850.(1, 3, 27) Additionally, research indicates that existing laws regarding child trafficking may not be specific enough to facilitate enforcement.(11)

III. ENFORCEMENT OF LAWS ON THE WORST FORMS OF CHILD LABOR

The Government has established institutional mechanisms for the enforcement of laws and regulations on child labor, including its worst forms (Table 5).

Table 5. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
Ministry of Labor and Social Security (MOL)	Enforce child labor laws and monitor officially registered businesses.(3, 10)
Ministry of Justice and Human Rights (MOJ)	Enforce criminal laws against the worst forms of child labor.(3, 10) Dedicate two judges—one judge in Brazzaville and one in Pointe-Noire—to child protection cases.(3)
National Police	Enforce criminal laws against the worst forms of child labor, including forced labor, human trafficking, and the use of children in illicit activities.(3, 10)
Ministry of Social Affairs, Humanitarian Action and Solidarity (MSA)	Promote the rights of vulnerable groups and contribute to anti-trafficking efforts by identifying and providing social welfare assistance to victims. (3, 22) Through the Departmental Directorate of Social Affairs, lead efforts to combat human trafficking in Pointe-Noire through the Anti-Trafficking Coordinating Committee. (10, 15) Maintain reception centers and assist in repatriating or reintegrating victims. (10)
Ministry of Foreign Affairs and Cooperation	Coordinate with the MSA in repatriating victims of child trafficking and monitor bilateral and multilateral agreements with neighboring countries to combat human trafficking.(10)

Although the two judges dedicated to child protection were appointed in 2013, they have been ineffective due to a lack of funding and support; therefore, no cases have been tried.(3) There have been no further allegations against members of the Anti-Trafficking Coordinating Committee; staff at the Consulate of Benin in Pointe-Noire; or government officials in Cotonou, Benin for being complicit in a child trafficking ring.(13, 15)

Labor Law Enforcement

In 2015, labor law enforcement agencies in the Republic of the Congo took actions to combat child labor, including its worst forms (Table 6).

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Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2014	2015
Labor Inspectorate Funding	Unknown* (3)	Unknown* (3)
Number of Labor Inspectors	12 (3, 33)	12 (3)
Inspectorate Authorized to Assess Penalties	Yes (26)	Yes (26)
Training for Labor Inspectors Initial Training for New Employees Training on New Laws Related to Child Labor Refresher Courses Provided	Unknown N/A No (33)	Unknown N/A No (3)
Number of Labor Inspections Number Conducted at Worksite Number Conducted by Desk Reviews	Unknown (33) Unknown (33) Unknown (33)	Unknown (3) Unknown (3) Unknown (3)
Number of Child Labor Violations Found	Unknown (33)	0 (3)
Number of Child Labor Violations for Which Penalties Were Imposed Number of Penalties Imposed That Were Collected	0 (33) N/A (33)	N/A (3) N/A (3)
Routine Inspections Conducted Routine Inspections Targeted	No (33) N/A	No (3) N/A
Unannounced Inspections Permitted	Yes (26)	Yes (26)
Unannounced Inspections Conducted	No (33)	No (3)
Complaint Mechanism Exists	No (33)	No (33)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	No (33)	No (13)

^{*} The Government does not make this information publicly available.

The MOL employed an unknown number of part-time labor inspectors to supplement the 12 full-time inspectors, which is insufficient to enforce labor laws throughout the country. However, the part-time inspectors did not conduct any investigations during the reporting period because the inspectorate lacked the needed funds and means of transportation.(3, 11, 13, 34) According to the ILO's recommendation of one inspector for every 15,000 workers in industrializing economies, ROC should employ roughly 120 inspectors to adequately enforce labor laws throughout the country.(35-37) Training opportunities for labor inspectors are also very limited.(12) Inspectors in departmental offices were unable to carry out inspections unless the employer being inspected provided transportation.(3, 11, 34) Inspections were typically limited to the formal sector, leaving children in the informal sector without legal protection. Penalties were rarely applied for infractions of the Labor Code.(3, 11)

Criminal Law Enforcement

In 2015, criminal law enforcement agencies in the Republic of the Congo took actions to combat the worst forms of child labor (Table 7).

Table 7. Criminal Law Enforcement Efforts Related to the Worst Forms of Child Labor

Overview of Criminal Law Enforcement	2014	2015
Training for Investigators		
■ Initial Training for New Employees	No (3)	No (3)
 Training on New Laws Related to the Worst Forms of Child Labor 	N/A	N/A
Refresher Courses Provided	Yes (38)	No (3, 39)
Number of Investigations	4 (38)	4 (1, 3)
Number of Violations Found	Unknown	7 (3)
Number of Prosecutions Initiated	0 (1, 33)	0 (3, 15)
Number of Convictions	0 (1, 33)	0 (3)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (3, 38)	Yes (3)

The MSA, MOL, MOJ, and the National Police work together to enforce criminal laws against child trafficking—although their efforts were primarily focused on West African children in the port city of Pointe-Noire. (3, 15) In 2015, the National Police undertook a mapping project in Pointe-Noire to identify possible human trafficking rings and hotspots for commercial sexual exploitation. (15) A local NGO in Pointe-Noire often initiated investigations that were then referred to the Prosecutor's

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Office.(3, 15) The NGO occasionally received police support in rescuing trafficking victims for a fee of \$90 to authorize a rescue operation and an additional \$18 per police officer to staff the operation.(11, 15) After the victims are rescued, the Magistrate of Pointe-Noire works with the Anti-Trafficking Coordinating Committee to assign each victim to one of three MSA-supported foster families for shelter, food, and medical care.(1, 3, 10, 15) The MSA and the MOJ reported it was difficult to prosecute offenders due to a weak judicial system and an uneven knowledge of anti-trafficking legislation and of the Child Protection Code by criminal law enforcement officials and judges.(1, 3, 10, 11, 15) The Police Commander in Pointe-Noire noted that additional training is needed, particularly for lower-level police officers who may be illiterate or have received minimal training.(15)

In an effort to comply with the standards of the Palermo Protocol, the Government mandates that all human trafficking cases be prosecuted as felonies, rather than as *delicts*, a violation that is more severe than a misdemeanor but less severe than a felony. Felony courts meet infrequently and irregularly, due to a lack of resources, and they require more complex prosecution.(15) Rather than prosecuting such cases, the MSA has begun summoning those accused of child trafficking before the Anti-Trafficking Coordinating Committee for Pointe-Noire.(3, 11, 15) While these summons often resulted in the accused trafficker paying for the victim's repatriation and reintegration kit, they did not deter the perpetrators of the practice.(11, 15) In 2015, seven victims were rescued from child trafficking in Pointe-Noire; they were subsequently placed in foster homes and enrolled in school. The Government facilitated the repatriation of two of these children, reintegrated one child within ROC, and is continuing to support the remaining four children as they await finalization of their legal proceedings and repatriation process.(3, 40) The four traffickers were all brought before the Anti-Trafficking Coordinating Committee. Two were detained pending investigations and two were released upon agreeing to pay the cost of their victims' repatriation and reintegration.(15)

IV. COORDINATION OF GOVERNMENT EFFORTS ON THE WORST FORMS OF CHILD LABOR

Although the Government has established a Task Force to combat child trafficking in Pointe-Noire, research found no evidence of mechanisms to coordinate its efforts to address child labor, including all its worst forms (Table 8).

Table 8. Mechanisms to Coordinate Government Efforts on Child Labor

Coordinating Body	Role & Description
MSA Task Force	Coordinate efforts to combat child trafficking, including training law enforcement officials, raising public awareness, and repatriating and reintegrating victims of child trafficking. Composed of the representatives of the MSA, other government agencies, the National Police, border patrol, and NGOs.(14, 33) Track the number of rescued and repatriated victims; maintain files on each victim.(40)
Anti-Trafficking Coordinating Committee for Pointe-Noire	Led by the MSA's Departmental Directorate of Social Affairs, coordinate all efforts to combat child trafficking in Pointe-Noire with UNICEF's support; comprising government representatives and civil society organizations. (3, 10, 15) Prevent, identify, and rescue children of West African origin from situations of child trafficking, including by raising public awareness and by repatriating or reintegrating victims of child trafficking. (3, 15) Relies on a local NGO to bring cases of child trafficking to its attention, and refers cases for prosecution. In 2015 was unable to identify cases for several months following a violent attack on the home of the NGO's president that resulted in the temporary cessation of the NGO's work. (3, 15)

In 2015, the MSA Task Force did not receive any funding to conduct awareness-raising events or training. However, it continues to convene and coordinate with police and a local NGO when child trafficking victims are identified for rescue or repatriation.(40) Although the MSA continues to maintain the Anti-Trafficking Coordinating Committee for Pointe-Noire, it did not receive any of its allocated \$1,670 from the Government in 2015.(3) This is a significant decrease from the \$69,000 received in 2013 and the \$14,000 received in 2014.(38) The Government attributes its decreasing budgetary commitments to falling oil prices, since the national budget relies primarily on oil revenues.(15) Additionally, the MOJ and MSA have expressed concern over the Committee not including a representative from the MOJ.(15) Weak interministerial coordination, reduced funding, and poor recordkeeping continue to challenge the Government's ability to coordinate its efforts to address human trafficking.(1, 3, 10, 15)

V. GOVERNMENT POLICIES ON THE WORST FORMS OF CHILD LABOR

The Government of the Republic of the Congo has established policies related to child labor, including its worst forms (Table 9).

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Table 9. Policies Related to Child Labor

Description
At a select Note of the selection of the
Aims to establish a National Commission to Fight Against Trafficking in Persons; 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 law enforcement officials, and improving enforcement activities related to child trafficking.(33)
Constitutes a bilateral agreement to combat child trafficking between the Republic of the Congo and Benin. Accompanying action plan prioritizes the prevention, identification, and assistance for victims of child trafficking as well as the prosecution of perpetrators.(2, 4, 10, 21, 32)
Develops core strategies to set national priorities for poverty reduction and attainment of the Millennium Development Goals. As part of the strategy, aims to expand employment opportunities for youth; attain universal primary education by 2015; and reduce child mortality.(21, 42, 43)
Aims to improve infrastructure and equipment, access to education, and working conditions for educators.(44)
Permits the issuance of free birth certificates, citizenship, and nationality documents.(15, 21)

^{*} Child labor elimination and prevention strategies do not appear to have been integrated into this policy.

Although the Government has adopted the National Action Plan to Fight Against Trafficking in Persons, the Government failed to allocate resources to the National Action Plan and has not reached its stated benchmarks for 2015.(15) Research found no evidence of a policy on other worst forms of child labor.(10, 45) Despite the signing of the Cooperative Agreement with Benin in 2011, neither government has taken action under this agreement since it was signed.(1, 10, 15)

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2015, the Government of the Republic of the Congo funded and participated in programs that include the goal of eliminating or preventing child labor, including its worst forms (Table 10).

Table 10. Social Programs to Address Child Labor

Program	Description
Awareness-Raising Activities†	MSA program that provides training to community members and social workers on child trafficking issues and offers social assistance to victims of child trafficking. Conducts anti-trafficking awareness-raising activities through television, banners, and public events.(3) In 2015, conducted an awareness campaign that included radio and TV broadcasts, a billboard, and a day-long conference on human trafficking.(3, 15)
Center for Street Children†	MSA program that provides vocational training and family reintegration assistance for street children. Maintains a drop-in center in Brazzaville and monitors privately-run centers throughout the country.(11)
Foster Families Program*†	MSA-funded program that provides small stipends to foster families of child trafficking victims in Pointe-Noire. (15) Families receive approximately \$280 per child per month to cover the cost of food, lodging, transportation, and medical care. (15) In 2015, launched an EU and Embassy of France-funded, 3-year project implemented by Humanitarian Generation Triangle to expand the network of foster families throughout the nation. (3, 15, 46, 47) The MSA also received funding to map existing orphanages throughout the country in order to gain government accreditation, which would enable them to accept foster children. (3)
Improved Border Checkpoints	IOM-supported initiative to improve immigration controls to combat human trafficking.(10, 15, 17)
Safety Net Program (LISUNGI) (2014 – 2018)†	A \$17 million project co-funded by the Government and World Bank that grants improved access to health and education services to poor families in Brazzaville, Cuvette, and Pointe-Noire.(3, 11, 48) Includes a pilot cash transfer program to cover 5,000 households, and an evaluation system to measure the change in situation for beneficiaries.(11, 48-50) In 2015, validated the LISUNGI Program Operations Manual and identified potential beneficiaries in all three cities, resulting in the addition of 10,751 poor households to the social registry that provides social programs. Disbursed regular payments to 3,764 families.(51) Research was unable to confirm whether the Government had allocated \$15 million to the program as planned.(40, 48, 52)
School Feeding Programs†	Co-funded by the Government and the U.S. Government's McGovern-Dole International Food for Education and Child Nutrition Program, and implemented by the International Partnership for Human Development, to provide school lunches and reduce poverty-related dropouts, serving approximately 150,000 students.(3, 11, 12, 14) A second school feeding program partly funded by WFP targets about 100,000 students; it received \$1.66 million from the Government in 2015.(3)

[†] Policy was approved during the reporting period.

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Table 10. Social Programs to Address Child Labor (cont)

Program	Description
Observe, Reflect, Act (ORA) Schools†	Ministry of Education program supported by UNICEF, the EU, and WFP that aims to improve access to education for indigenous children through a 2- or 3-year preparatory program.(21, 53-55) Identifies children who should be added to the civil register, provide school supplies to students, and raise awareness about the importance of education among indigenous families.(21, 53)

^{*} Program was launched during the reporting period.

Although the Government has implemented programs to assist victims of child trafficking, research found no evidence that it has carried out programs specifically designed to assist children engaged in forced labor in domestic work and commercial sexual exploitation. Additionally, current funding levels are not sufficient to address the scope of child labor, including its worst forms, in the Republic of the Congo.(3, 33) In 2014 and 2015, IOM piloted a biometric identification system at the Brazzaville airport. Although it has been effective in combating human trafficking in other countries, the Government declined to implement it throughout the country due to budget constraints.(15) Since the Government failed to meet several funding commitments in 2015, UNICEF has ceased funding to the Foster Families Program as a result. With the exception of the EU and Humanitarian Generation Triangle, other international donors are no longer providing funds for anti-trafficking efforts.(3, 15)

VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE THE WORST FORMS OF CHILD LABOR

Based on the reporting above, suggested actions are identified that would advance the elimination of child labor, including its worst forms, in the Republic of the Congo (Table 11).

Table 11. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms

Area	Suggested Action	Year(s) Suggested
Legal Framework	Ratify the Palermo Protocol on Trafficking in Persons.	2015
	Make publicly available the law establishing the minimum age for voluntary military service.	2015
	Ensure penalties for violating the worst forms of child labor laws are severe enough to serve as deterrents.	2015
Enforcement	Remove barriers to enforcement and prosecution by ensuring police assistance for rescuing trafficking victims is free; strengthening the judicial system; training prosecutors on existing laws; ensuring trafficking cases are prosecuted in a timely manner; and allocating resources to the judges responsible for child protection cases.	2014 – 2015
	Collect and make publicly available information related to enforcement statistics, including the funding level for the labor inspectorate, the number and type of labor inspections conducted, and penalties imposed for child labor violations.	2010 – 2015
	Institutionalize training for labor inspectors and investigators, including by providing training at the beginning of their employment and periodic refresher courses.	2014 – 2015
	Strengthen the labor inspectorate by conducting routine and unannounced inspections, establishing a complaint mechanism for child labor violations, and creating a referral mechanism between labor law enforcement agencies and social services providers.	2015
	Significantly increase the number of labor inspectors and investigators in accordance with the ILO recommendation and ensure they receive adequate resources to effectively enforce labor laws throughout the country, including in the informal sector.	2010 – 2015
	Ensure anti-trafficking efforts protect victims throughout the country, and that prosecutors and law enforcement officials are knowledgeable about existing legislation regarding child trafficking.	2010 – 2015
Coordination	Establish coordinating mechanisms to combat child labor, including in all its worst forms.	2009 – 2015
	Ensure all coordinating bodies receive adequate resources to function as intended and improve interministerial coordination and record keeping to effectively combat human trafficking issues.	2014 – 2015

[†] Program is funded by the Government of the Republic of the Congo.

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Table 11. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms (cont)

Area	Suggested Action	Year(s) Suggested
Government Policies	Integrate child labor elimination and prevention strategies into existing policies.	2009 – 2015
	Adopt a policy that addresses all relevant forms of child labor such as domestic work and the worst forms of child labor in commercial sexual exploitation.	2013 – 2015
	Fulfill the commitments outlined in the Cooperative Agreement with Benin.	2015
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 – 2015
	Improve access to education by eliminating all school-related fees, regulating classroom size, training additional teachers, and ensuring that students are not subject to sexual abuse.	2013 – 2015
	Institute programs to address child labor in domestic work, and the worst forms of child labor in commercial sexual exploitation.	2009 – 2015
	Meet funding commitments to partners in order to ensure the sustainability of social programs.	2012 – 2015

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