

In 2013, Benin made a moderate advancement in efforts to eliminate the worst forms of child labor. The Government implemented a nationwide anti-child labor awareness campaign and signed a bi-partite agreement with a Beninese worker association to reduce child labor through increased collaboration. Government officials handled 62 child trafficking cases and 11 exploitive child labor cases, referred 23 suspects to the court system on child labor and trafficking charges, and provided shelter to 173 victims of trafficking. However, children in Benin continue to engage in child labor in agriculture, and in the worst forms of child labor in domestic service. Enforcement efforts in Benin are inadequately funded and staffed, and sentences for those who subject children to the worst forms of child labor were reduced to misdemeanors. Furthermore, Benin's national action plan pertaining to the worst forms of child labor remains unfunded and its national action plan pertaining to child protections has not been fully funded.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Benin are engaged in child labor in agriculture and in the worst forms of child labor in domestic service.(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)	7-14 yrs.	31.5 (850,785)
Attending School (%)	5-14 yrs.	58.2
Combining Work and School (%)	7-14 yrs.	20.0
Primary Completion Rate (%)		70.5

Source for primary completion rate: Data from 2012, published by UNESCO Institute for Statistics, 2014.(1)

Source for all other data: Understanding Children's Work Project's analysis of statistics from DHS Survey, 2006.(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	Production of cotton† and cashews,* activities unknown (1, 4, 5)
	Fishing,* activities unknown (6, 7)
Industry	Collecting, crushing, washing, and sieving stones for gold mining*† and granite quarrying† (4, 5, 7-9)
	Crushing stone into gravel*† (5, 8, 9)
Services	Domestic service in third party homes (vidomegon)† (5, 6, 10-15)
	Work as mechanics† and in the transportation industry† (3, 7, 8, 14)
	Street vending,† including gasoline (3-5, 7, 8)
Categorical Worst Forms of Child Labor‡	Dressmaking and carpentry (6)
	Forced, indentured, and bonded labor in agriculture,* including in the production of cotton, sometimes as a result of human trafficking (4, 6, 15-18)
	Forced street begging and forced labor of talibe in construction and agriculture by Koranic teachers (2, 4, 15, 19-23)
	Forced labor in fishing* (6)
	Commercial sexual exploitation sometimes as a result of trafficking (2, 4-6, 15, 24-26)
	Forced or bonded labor in domestic service (vidomegon), sometimes as a result of trafficking (4-6, 10-15, 18, 26-28)
	Trafficking of children for labor in construction, stone quarries,* and markets (6, 11, 23, 25, 26, 29-35)

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

† 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 2013 ILO-IPEC study found 2,553 children working in 102 surveyed mines and quarries across Benin.(9) Children who work in quarries are subject to long working hours and to physical injuries and illnesses from dynamite explosions, falling rocks, collapsing quarry walls, and dust inhalation.(8, 9, 19, 36) A UNICEF study of 3 markets in Benin revealed more than 7,800 children working in the markets; the majority of these children were selling goods.(37) Children working in markets are exposed to injuries, and sexual and physical abuse.(37)

Through the system of *vidomegon*, girls, as young as age 7, work as domestic servants in exchange for housing.(4, 6, 10-13) While such arrangements may be voluntary, some children in domestic service are engaged in forced or bonded labor. Children in domestic service frequently work long hours, receive insufficient food, and are vulnerable to verbal, physical, and sexual abuse.(10, 13, 26, 27) Some boys, placed in the care of Koranic teachers to be educated, are forced by their teachers to beg on the street, work in construction or in agricultural fields, or sell goods in the market.(4, 19-23)




Although trafficking in Benin is primarily conducted internally, Benin is also a source, transit, and destination country for trafficked children.(11, 24, 30, 33) Children are trafficked within Benin for the purpose of domestic service, commercial sexual exploitation, and labor on farms, in stone quarries, and in markets.(29-32) Children are trafficked from Benin to West and Central Africa for domestic work and to work in quarries and in agriculture, including in the production of cocoa. Although evidence is limited, there are reports that children are also trafficked from Benin to Central Africa to work in fishing.(6, 11, 18, 26, 30, 33, 34, 38) Children are also trafficked from Benin to West Africa for commercial sexual exploitation.(30, 38) Research on Beninese children trafficked abroad shows that these children endure sexual and physical abuse, malnourishment, and in some cases, death.(30) Children from West Africa are also trafficked to Benin for commercial sexual exploitation, domestic service, and for labor in agriculture and quarries.(5, 26, 30, 32, 38)

Access to quality education is a critical component in preventing the economic exploitation of children.(2, 30, 39-41) Benin lacks the teaching staff and educational infrastructure to ensure all children have access to education.(42) In addition, limited evidence suggests that schoolchildren are subjected to verbal, physical, psychological, and sexual abuse at school. Abuses range from beatings with sticks, whips, or belts, to sexual abuse by teachers.(5, 43, 44) School-based violence may discourage families from sending their children to school.(43)

II. LEGAL FRAMEWORK ON THE WORST FORMS OF 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 relevant laws and regulations related to child labor (Table 4).

Table 4. Laws and Regulations Related to Child Labor

Standard	Yes/No	Age	Related Legislation
Minimum Age for Work	Yes	14	Labor Code (45)
Minimum Age for Hazardous Work	Yes	18	List of Hazardous Work Activities Prohibited for Children Under Age 18 (46)

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

Standard	Yes/No	Age	Related Legislation
List of Hazardous Occupations Prohibited for Children	Yes		List of Hazardous Work Activities Prohibited for Children Under Age 18 (46)
Prohibition of Forced Labor	Yes		Law Relating to the Transportation and Trafficking of Minors; Penal Code (47, 48)
Prohibition of Child Trafficking	Yes		Law Relating to the Transportation and Trafficking of Minors (47)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Law on the Prevention and Repression of Violence Against Women and Children; Law Relating to the Transportation and Trafficking of Minors; Penal Code (47, 48)
Prohibition of Using Children in Illicit Activities	Yes		Law Relating to the Transportation and Trafficking of Minors; and Penal Code (7, 47)
Minimum Age for Compulsory Military Recruitment	Yes	18	Law Relating to the Transportation and Trafficking of Minors; and Act 63-5 of May 3, 1963 (47)
Minimum Age for Voluntary Military Service	Yes	18	Law Relating to the Transportation and Trafficking of Minors; and Act 63-5 of May 3, 1963 (47)
Compulsory Education Age	Yes	11	Act No 2003-17 of November 11, Article 24 (5, 49)
Free Public Education	Yes	Progressively Free*	Constitution (50)

* Progressive introduction of free education over a period of time.

Beninese law is not completely consistent with international standards regarding child labor. Although Article 4 of the Law Relating to the Transportation and Trafficking of Minors prohibits the use of a child in pornography, the sale or possession of child pornography is not prohibited in Benin.(19, 51, 52) Benin's Child Code is a compilation of existing legislation related to children's rights, education, protection, labor, and health. The Child Code's second volume, which contains a bill on child protection and amendments pertaining to offenses involving minors, has been pending adoption by the National Assembly since 2009.(19, 53) In 2013, the Government of Benin took measures to update the Labor Code. The new Labor Code, still in draft form, proposes to increase penalties for child labor violations and to increase the minimum age of employment from age 14 to age 15.(7)

Although by law primary school is compulsory and progressively free, in practice some parents must pay tuition and the cost of books and uniforms if their schools have insufficient funds.(2, 5, 6, 11, 54-56) The requirement of school fees may prevent children from accessing education.(57) Access to education is also hindered by the lack of birth registration.(6, 38) Forty percent of Beninese children under age 5 remain unregistered. If they are unable to prove citizenship, some children may be denied services such as education.(6, 38) In addition, Beninese children are only required to attend 6 years of primary school, through age 11.(58) Since the minimum age for children to work is 14, children ages 12 to 14 are particularly vulnerable to the worst forms of child labor as they may have completed primary school but are not legally permitted to work.

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 Civil Service (MOLCS)	Enforce labor laws in the formal sector.(3, 51)
The Ministry of Interior's Central Office for the Protection of Minors (OCPM), under the Criminal Police Department	Enforce laws related to the protection of minors, including for child trafficking, child labor, the use of children for illicit activities, and the commercial sexual exploitation of children.(3, 19, 51, 59)

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Criminal law enforcement agencies in Benin took actions to combat child labor, including its worst forms. However, research found no evidence that agencies responsible for labor law enforcement took such actions.

Labor Law Enforcement

The Ministry of Labor and Civil Service (MOLCS) employs 15 labor administrators, 4 labor controllers, and 75 labor officers, 56 of whom are labor inspectors. These personnel are employed in 12 departments across Benin to ensure the application of labor laws, including those on child labor.(3, 7) Labor inspectors can impose sanctions and order payment for labor violations, which can be given to victims as compensation.(7) The Government refers children identified during labor inspections to shelters run by national and international organizations.(7)

During the reporting period, the ILO trained 25 labor inspectors on methods to combat child labor. However, inspectors continue to lack knowledge of child labor issues.(7) For example, the MOLCS and the ILO cite the need for regularized child labor trainings for inspectors.(7) The Government budgeted \$204,500 for the MOLCS to combat child labor in its 2013 budget. This same amount has been budgeted for child labor since 2010.(3, 7, 19, 51) Despite efforts, research indicates that the labor inspectorate lacks adequate staff, material, and financial resources. Moreover, the ILO Committee of Experts notes that Benin's labor inspectors have conducted a steadily decreasing number of workplace inspections due to these inadequacies.(7, 60) In addition, UNICEF reports that child rights laws, including child labor laws, are often not enforced.(48, 61) The Government also does not maintain or publish statistics regarding the number of child labor violations found or the number of victims assisted.(3) The Government does not publish all data related to inspections, investigations, complaints, and prosecutions on the worst forms of child labor.(51) The number of citations issued and the severity of penalties assessed is unknown.

Criminal Law Enforcement

The Ministry of Interior's Central Office for the Protection of Minors (OCPM) maintains one office in Cotonou. (48) OCPM is underfunded and lacks the appropriate facilities and transportation resources, including fuel, necessary to enforce of child protection laws effectively.(7, 56) In rural areas, the police and *gendarmerie* take on OCPM responsibilities. In 2012, the OCPM created teams within rural police and *gendarmes* units that are dedicated to child trafficking issues.(3) There is no formal coordinating mechanism between OCPM and labor inspectors enforcing labor laws. However, both agencies are represented on the National Monitoring and Coordination Working Group for Child Protection (CNSCPE).(7)

The Government has a referral system to ensure care for trafficking victims.(18) In 2013, the OCPM rescued and provided shelter to 173 trafficking victims and subsequently referred the children to local and international NGOs. The OCPM shelter also provided legal, medical, and psychological services to child trafficking victims, including to foreign child trafficking victims before repatriating them to their home countries.(18) The Government maintains social protection centers at the municipal level to provide assistance to victims of child trafficking.(18) In 2012, the Government of Benin established standards for operating protection centers and child centers. In November, 2013 the Government held a kickoff event to publicize and distribute copies of the decree that defined the standards.(18)

The Government handled 62 child trafficking cases and 11 exploitive child labor cases in 2013. It also referred 23 suspected traffickers to court for child labor and trafficking charges.(7) Despite efforts, judges did not consistently apply penalties for perpetrators and applicable penalties were often reduced to misdemeanors.(7) However, fines were imposed and collected against some perpetrators of trafficking.(7) In 2013, the Ministries of Labor and Civil Service, Family, Justice, and of Women and the Child provided child protection awareness training and capacity building to agencies and officials responsible for enforcing child labor laws.(7) The Government also began to differentiate between child labor violations and child trafficking violations.(7) To reduce a backlog of judicial cases against perpetrators of child trafficking, the government of Benin opened five new courts, in addition to the existing nine courts.(18) The Government also assigned statisticians to assist the courts with the computerization of Judicial data.(18)

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

The Government has established mechanisms to coordinate its efforts to address child labor, including its worst forms (Table 6)

Table 6. Mechanisms to Coordinate Government Efforts on Child Labor

Coordinating Body	Role & Description
National Executive Committee to Combat Child Labor (CDN)	Coordinate child labor issues in Benin. Led by the Ministry of Labor and Civil Service. Comprises delegates from multiple Beninese Ministries, UNICEF, the ILO, trade unions, and NGOs.(7)
National Monitoring and Coordination Working Group for Child Protection (CNSCPE)	Serve as a child protection task force, chaired by the Ministry of Family, Social Affairs, and National Solidarity (MFSN). Comprises five technical committees, including committees for trafficking and exploitation.(7, 62) Each committee has an action plan and proposes activities to the CNSCPE.(3) Meets on a quarterly basis and includes 40 members from sector-based ministries, NGO networks, international technical and financial partners, and bilateral partners.(3, 19, 51, 63)

In 2013, the CNSCPE met quarterly to ensure coordination and to share information. It also prepared an annual work plan.(18) The Ministry of Family, Social Affairs, and National Solidarity (MFSN) implements the Government's overall policy to improve children's welfare and leads Government efforts to ensure children's rights.(19, 64) A coordinated report by the MFSN, UNICEF, and Plan and Child Frontiers indicates that the overlapping mandates for the National Executive Committee to Combat Child Labor (CDN) and CNSCPE is a source of confusion. The lack of clarity among national coordination mechanisms affects work on the ground, where a multitude of committees and local commissions comprise of the same actors.(48) In addition, although numerous activities on the ground feed information into Government information management systems, the information remains at the national level, and data are rarely analyzed or used to affect implementation on the ground.(48)

V. GOVERNMENT POLICIES ON THE WORST FORMS OF CHILD LABOR

The Government of Benin has established policies related to child labor, including its worst forms (Table 7).

Table 7. Policies Related to Child Labor

Policy	Description
National Action Plan to Eliminate the Worst Forms of Child Labor in Benin (2012-2015)† (NAP)	Aims to improve child labor by conducting awareness-raising campaigns; increasing access to education and training; reducing socioeconomic vulnerabilities through livelihood strategies; increasing enforcement efforts; strengthening protection and monitoring measures for victims of exploitive child labor; and harmonizing the legal sector by ensuring that judges, police officers, and labor inspectors have access to and understand pertinent laws relating to child labor.(2) Adopted in 2012 and officially launched in July 2013.(7) The Government publicized and disseminated the NAP and began work under the NAP to harmonize legislation relating to the worst forms of child labor.(1, 7, 56) Ministries of Labor, Justice, and Family and National Solidarity conduct activities under the NAP that are also included in each ministry's 2014 activity plans.(7, 56)
National Policy and Action Plan for Child Protection (2009-2013)	Aims to improve child protection in Benin. Includes components to improve school feeding programs and to combat the worst forms of child labor, with a focus on child trafficking.(65)
10-year Education Sector Action Plan*	Aims to reduce poverty and to improve access to primary education, especially for girls.(62)
National Policy and Strategy for Social Protection (2004-2013)*	Aims to provide child labor protections by increasing support for children's education; implementing an outreach campaign on the worst forms of child labor; mainstreaming issues pertaining to the worst forms of child labor in training programs; and building capacity for anti-child labor activists.(19, 51)
Benin and Nigeria Joint Committee to Combat Child Trafficking	Aims to reinforce border security measures and repatriate victims of trafficking between Benin and Nigeria.(63, 66-68) Child victims are not repatriated unless a safe reinsertion program—such as schooling, vocational training, or an apprenticeship—has been arranged in advance.(29) Met twice in 2013.(18)
Anti-Trafficking Accord Between the Republic of Benin and the Republic of the Congo	Targets the identification, prevention, and rehabilitation of cross border trafficked children between Benin and the Congo. Includes components for monitoring and evaluation and for conducting cross-border investigations.(69, 70) In 2013, Beninese law enforcement officials coordinated with officials from the Congo and Gabon on the repatriation of 10 Beninese trafficking victims.(18)

Table 7. Policies Related to Child Labor (cont)

Policy	Description
Bipartite Declaration to Combat Child Labor Between the Government of Benin and the Beninese Worker Associations†	Pledges to promote efforts to reduce the worst forms of child labor and to collaborate at all levels with all parties concerned to combat child labor.(71)
PRSP (2011 – 2015)*	Aims to improve free universal primary education, education quality and student retention rates; improve the provision of social services; and improve access to vocational training and microfinance for youth and women.(66) Includes an implementation plan; the Government has initiated many of the plan's steps.(72)

* The impact of this policy on child labor does not appear to have been studied.

† Policy was launched during the reporting period.

Despite efforts, the National Action Plan to Eliminate the Worst Forms of Child Labor in Benin to Eliminate the Worst forms of Child Labor has not been funded and the National Policy and Action Plan for Child Protection has not been fully funded.(2, 3, 7, 49, 51, 56)

VI. SOCIAL PROGRAMS TO ADDRESS THE WORST FORMS OF CHILD LABOR

In 2013, the Government of Benin funded and participated in programs that include the goal of eliminating or preventing child labor, including its worst forms (Table 8).

Table 8. Social Programs to Address Child Labor

Program	Description
MFSN Social Promotion Centers‡	MFSN run social promotion centers that provide social services to children, including child laborers. Centers have nationwide coverage but vary in functionality.(7, 48)
OCPM Transit Facility‡	OCPM run transit facility for trafficking survivors. Used as interim care prior to placement in a long-term shelter. Capacity to house 160 children (80 boys and 80 girls).(7, 32, 51)
Awareness raising campaigns‡	Government-implemented trafficking awareness campaign and nationwide child labor awareness campaign.(3, 6, 51, 73)
Ministry of Mines' Social Services‡	Program that provides business management training to 125 families, particularly women, involved in mining and quarrying. Also provides protection equipment including boots, gloves, and hammers to mining craftsman in 3 cities.(7)
Vocational School Program for Survivors of Child Trafficking‡	MFSN program, implemented in coordination with UNICEF. Maintains a vocational school program to train survivors of child trafficking in trade.(18)
Anti-Child Trafficking Legislation Publication‡	Ministry of Justice and Family held training sessions on child trafficking laws across the country to help educate the general population.(18)
ECOWAS I	USDOL-funded, 5-year \$7.95 million project implemented by the ILO which supports ECOWAS to strengthen its role in combating the worst forms of child labor in the West Africa sub-region.(74)
ECOWAS II	Linked to the ECOWAS I project, a USDOL-funded, 4-year \$5 million project, implemented by the ILO, which supports ECOWAS to strengthen its role in combating the worst forms of child labor in the West Africa sub-region.(75, 76) In Benin, withdrew or prevented 1,1753 children from the worst forms of child labor in mining and quarrying, including children trafficked to Nigeria. Provided 1,125 families with livelihood services.(77) In coordination with the ECOWAS II project, the Government assisted local child protection committees in 5 communities to design a child labor monitoring system and to develop a community-based response to the worst forms of child labor.(7, 77)
Strengthening Social Dialogue as an Effective Tool to Address the Worst Forms of Child Labour	Ireland-funded, 5-country project. Promotes social dialogue, with the aim of reducing child labor.(78)
Community Teacher Professional Training Program*	\$4.3 million, USAID-funded, 4-year project. Prepares approximately 10,000 unlicensed teachers to enhance their competence as teachers and to pass the teacher certification exam.(79)
Girls Education and Community Participation Project*	\$6.9 million, USAID-funded, 6-year project. Increases girls' access to education and improves community participation in school management.(79)
Second Chance Schools*	\$3.5 million, USAID-funded, 4-year project. Promotes alternative approaches to basic education, providing out-of-school children with basic literacy, numeracy, and life skills.(79, 80)

* The impact of this program on child labor does not appear to have been studied.

‡ Program is funded by the Government of Benin.

Although the Government of Benin has implemented programs to protect children from trafficking and participated in programs focused on child labor in quarrying and mining, research found no evidence that it has carried out programs to assist children engaged in domestic service, commercial sexual exploitation, or agriculture.

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

Based on the reporting above, the following actions would advance the elimination of child labor, including its worst forms, in Benin (Table 9).

Table 9. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms

Area	Suggested Action	Year(s) suggested
Laws	Create and adopt laws to prohibit the sale and possession of child pornography.	2010 – 2013
	Adopt the second volume of the Child Code to bring additional protections for children into force.	2009 – 2013
	Raise the age of compulsory education so it is consistent with the minimum age for employment.	2009 – 2013
	Take measures to ensure all children have access to free primary education.	2010 – 2013
	Adopt the draft Labor Code to increase penalties for child labor violations and to increase the minimum age of employment from 14 to 15 years of age.	2013
Enforcement	Provide labor inspectors with recurrent trainings on the worst forms of child labor.	2013
	Reconsider budgetary priorities with a view toward providing more resources to enforcement investigation, including to appropriate staffing, facilities, funding, and transportation assets.	2009 – 2013
	Collect, analyze, and publish statistics on inspections, investigations, complaints, citations, and prosecutions of the worst forms of child labor, to better target enforcement efforts.	2009 – 2013
	Create a formal coordination mechanism between inspectors enforcing labor laws and officers enforcing criminal laws relating to the worst forms of child labor.	2013
	Ensure offenders of laws relating to the worst forms of child labor are appropriately penalized according to the law.	2010 – 2013
Coordination	Take measures to ensure the CDN and CNSCPE mandates are clear and coordinated with local committees.	2013
	Take measures to coordinate efforts at the national level in order to eliminate duplicative activities, committees, and actors at the local level.	2013
	Analyze the data received from national information management systems and disseminate results nation-wide.	2013
Government Policies	Fully fund and implement the National Action Plan for the Elimination of the Worst Forms of Child Labor in Benin and the National Action Plan for Child Protection.	2010 – 2013
	Assess the impact that existing PRSP, education, and social protection policies may have on addressing the worst forms of child labor in Benin.	2010 – 2013
Social Programs	Conduct research to determine the activities carried out by children working in the production of fish, cotton, and cashews to inform policies and programs.	2013
	Institute programs to address the worst forms of child labor in domestic service, commercial sexual exploitation, and agriculture, and to monitor the progress of the programs.	2010 – 2013
	Take measures to ensure children have access to quality education and ensure children's safety in schools.	2010 – 2013
	Implement birth registration campaigns to increase children's access to education.	2010 – 2013
	Assess the impact that education and training programs may have on addressing the worst forms of child labor in Benin.	2011 – 2013

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