

In 2011, Guinea made a minimal advancement in efforts to eliminate the worst forms of child labor. The country continues to experience political instability, most recently exacerbated by an assassination attempt on its president. Despite this challenge, Guinea created an Office for the Protection of Children and Morals to enforce child labor and trafficking laws. A lack of coordination among existing government committees and a lack of social programs impede the government's capacity to enforce child labor laws. Children continue to work in dangerous activities in agriculture and the trafficking of children persists.



### Statistics on Working Children and Education

Children	Age	Percent
Working	5-14 yrs.	Unavailable
Attending School	7-14 yrs.	Unavailable
Combining Work and School	7-14 yrs.	Unavailable
Primary Completion Rate		64.1

#### Sources:

**Primary completion rate:** Data from 2010, published by UNESCO Institute for Statistics, 2012.(1)

**All other data:** Understanding Children's Work Project's analysis.(2)

### Prevalence and Sectoral Distribution of the Worst Forms of Child Labor

Children in Guinea are engaged in the worst forms of child labor, including in dangerous activities in agriculture or as victims of trafficking for labor, domestic service and commercial sexual exploitation.(3-5) Children work in the agricultural sector in the production of cashews, cocoa and coffee. Although evidence is limited, children also engage in herding and the production of cotton, bananas and mangos. (3, 6-10) Children's work in agriculture often includes using sharp tools, handling pesticides, carrying heavy loads, climbing tall trees to gather fruits and exposure to dangerous animals.(8)

Children also work in gold and diamond mines and quarries. (11-13) Children in this sector work long hours, lack protective gear and are vulnerable to accidents, broken bones and respiratory, skin and other diseases.(8, 10, 12) Although evidence is limited, there is reason to believe that the worst forms of child labor are also used in the production of bauxite, granite, gravel (crushed stones) and sand.(8)

Child trafficking and prostitution also exist.(5, 11) Girls are trafficked internally and to Europe, for commercial sexual

exploitation and domestic service. Girls from neighboring West African countries are trafficked to Guinea for the same purpose. (5) Boys are trafficked within Guinea to work in agriculture and as street vendors, shoe shiners and beggars. Children who work on the streets may be exposed to severe weather, vehicle accidents and crime.(5, 10, 14, 15) Guinean boys and girls are trafficked within West Africa for mining, domestic work, forced labor and begging.(10, 16) Children may be trafficked by family members, friends, influential members of the community or by other persons of economic means who falsely promise a better future for the child.(10, 17)

Through the system of *confrage*, children from rural areas are sent to cities to work or to attend school.(4, 10) To pay their room and board, children, especially girls as young as age 5, work in domestic service. These children are not paid for their work and may be beaten and sexually exploited.(3, 4, 10, 18)

In Guinea, it is traditional practice to send boys, called *talibés*, to Koranic teachers to receive education, which may include vocational training or apprenticeship.(10, 19, 20) While some boys receive lessons, many are forced by their teachers to beg or work in fields and are sometimes beaten or otherwise mistreated if they fail to meet daily quotas.(7, 21)

Although education is free in Guinea, access it is hindered by school fees and the reported sexual assault of students by teachers.(22) Additionally, a significant number of Guinean children were not registered at birth, which may impede access to education, as the age of the child must be known before they may access to state-sponsored education.(10, 23)

Political instability, including an assassination attempt on the country's president in July 2011, and socioeconomic hardship stemming from the 2008 coup continued throughout the reporting period.(24) In addition, Guinea experienced

increased food and fuel process. As a result of these hardships, more children were pushed into exploitive situations, such as trafficking and forced prostitution.(25, 26)

## Laws and Regulations on the Worst Forms of Child Labor

The minimum age for employment, as set by the Labor Code and Child Code, is 16.(11, 27, 28) However, the Child Code allows children under age 16 to work with written parental permission, which is contrary to the provisions of ILO Convention 138.(28) Children may work as apprentices from age 14, or from age 12 for apprenticeships involving light work in domestic service, agriculture and other sectors, with the approval of labor inspectors.(28) Because the Labor Code applies only to employment relationships, its protections do not apply to children under age 18 who do not have a formal employment contract, including in unpaid or temporary work in agriculture or domestic service.(7, 29) The Child Code includes a list of hazardous occupations from which children are prohibited.(28) Order 2791/MTASE/DNTLS/96 Working Conditions for Employees Aged under 18 Years excludes children younger than age 18 from working in hazardous conditions, including in mining.(28, 30) The Mining Code prohibits children under age 16 from working in mines or quarries other than as assistants; however, the role of assistant is not defined.(31) It is unclear if the provisions of Order 2791 extend to children working as assistants in mining.

	C138, Minimum Age	✓
	C182, Worst Forms of Child Labor	✓
	CRC	✓
	CRC Optional Protocol on Armed Conflict	No
	CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	✓
	Palermo Protocol on Trafficking in Persons	✓
	Minimum Age for Work	16
	Minimum Age for Hazardous Work	18
	Compulsory Education Age	13
	Free Public Education	Yes

By law, education is free and compulsory for 6 years.(10, 32) Although the age until which education is compulsory is unclear, the government reported to the UNESCO Institute of Statistics that education is compulsory beginning at age 7.(33) Based on this information, the approximate ending age is 13. Children who finish their schooling before reaching the legal working age are particularly vulnerable to the worst forms of child labor, as they are not required to be in school but are not legally permitted to work.

The Child Code prohibits the use of children in illicit activities and the recruitment and enlistment of children under age 18 into the armed forces.(28) The Child Code also prohibits sex tourism, pornography and forcing children to beg.(28) The Labor Code prohibits forced labor.(11, 27) The Child Code criminalizes child trafficking and prostitution.(28, 34) The Penal code also prohibits trafficking. However, trafficking as defined in the Penal Code is lacking several key elements.(35) For example, the Penal Code does not prohibit the procuring or offering a child for trafficking.(34)

Although the Child Code provides protection from the worst forms of child labor, there is some confusion surrounding the legality of the Child Code as it was not accompanied by implementing text from the president of the country.(15, 36) In addition to rendering the Code legal, the implementing text would lay out penalties for violations of the Child Code.(37) The Ministry of Justice has released an opinion stating that the Child Code is an exception and does not need implementing text. While the implementation text has been drafted, it can only be adopted by Presidential Decree, a vote in the National Transitional Committee or a vote by the National Assembly. (14, 15, 17, 24) However, there is no evidence that steps to implement the Child Code have been taken.

## Institutional Mechanisms for Coordination and Enforcement

Research found no evidence that the Government of Guinea has established a coordinating mechanism to combat the worst forms of child labor. A national committee was created to monitor and protect children's rights and to implement the Child Code. However, the accomplishments of this committee are unknown.(38) On March 17, 2011, President Condé issued a Presidential Decree establishing the National Human Rights Commission. Evidence on whether this Commission will work on the issue of child labor is not yet available.(39)

The National Committee Against Trafficking (CNLTP), led by the Ministry of Social Affairs, coordinates anti-trafficking

efforts.(15, 17, 36) The Committee comprises secretariat member representatives from the Ministries of Promotion of Women and Children, Justice and Security.(36, 38, 40) It also includes various members of governmental agencies, including the Ministry of Labor, the police, NGOs, and other stakeholders involved in trafficking issues. Although the CNLTP is required to meet quarterly on trafficking issues, evidence indicates it met irregularly during the reporting period.(15, 26, 37) The CNLTP coordinates enforcement actions between various actors, including labor inspectors and criminal investigators.(17)

The Ministry of Labor is the lead agency for the enforcement of child labor laws.(26) The Ministry of Labor employs 160 labor inspectors and support staff.(26) There were no labor inspections reported through September 2011.(11) Labor inspections typically are limited to large firms in the formal employment sector, even though the majority of children work in sectors such as agriculture.(11) There is a lack of trained staff, equipment, transportation and finances to conduct effective child labor inspections and legal proceedings.(11, 26)

The Ministry of Justice and the Ministry of Security's Office for the Protection of Children and Morals (OPGEM) lead enforcement efforts related to criminal investigations of the worst forms of child labor.(15, 17, 36) OPGEM employs 56 police officers to investigate crimes of child labor, prostitution and trafficking.(26, 36) Local authorities, police and border agents in individual prefectures can apprehend child traffickers at the country's borders.(17) The Ministry of Labor refers criminal cases to OPGEM, which may also conduct investigations regarding child labor in the formal labor sector. OPGEM coordinates Guinea's security forces, including the police and the *gendarmes*, in their child labor investigations. (36, 40) Reports suggest that the absence of clear coordination between the CNLTP and OPGEM resulted in conflict over limited resources for anti-trafficking activities during the reporting period.(15)

Research does not identify information on the number of investigations conducted, prosecutions, convictions, or criminal punishments handed down during the reporting period. (15, 26) Trafficking victims must be at least 12 years of age to bring suit against their trafficker, thus limiting a child's ability to take legal action against their trafficker.(17)

### **Government Policies on the Worst Forms of Child Labor**

The Government of Guinea does not appear to have a comprehensive policy specifically to combat the worst forms of

child labor. However, in 2007, the Ministries of Social Affairs and the Promotion of Women and Children developed *A World Fit for Children*, a declaration and comprehensive action plan to assist children. It includes general protections and objectives against child labor, mistreatment, exploitation and violence to eliminate trafficking and sexual exploitation.(38) The plan does not specify concrete activities, tangible outcomes or targets to achieve its goals. Research has not identified the extent to which the plan is being implemented.

Guinea has a National Policy on Birth Registration, with a goal of registering 100 percent of children under age 8 by 2015.(41) The Ministry of National Education and Scientific Research has outlined a 7-year (2008-2015) program to address the education sector, which aims to improve access to education, minimize disparities and avoid exclusion from educational opportunities. The Results of program implementation are unknown.(42) The impact of this program on the worst forms of child labor has not been assessed.

Although Guinea has a National Action Plan to Combat Trafficking in Persons, the updated plan, covering years 2009-2013, is still awaiting adoption.(8, 17, 43)

### **Social Programs to Eliminate or Prevent the Worst Forms of Child Labor**

The Government of Guinea continued to work with NGOs and international organizations on anti-trafficking programs. (15, 17) The Government also continued to work with international organizations on projects that created child protection committees, reviewed human trafficking legislation, provided training and awareness raising on trafficking to media and civil society, and provided officials and law enforcement officers with capacity-building training to manage migration and investigate trafficking.(38, 41, 44) The Government also took part in an IOM project that identified, returned and reintegrated minors identified as trafficking victims throughout the region.(44)

The Government of Guinea does not provide social services to trafficking victims.(15) Although there is no formal system to assist trafficking victims, the Government sometimes refers them to NGO service providers. In 2011, the Government implemented a large anti-trafficking and sexual exploitation radio and television awareness campaign in Kindia, Faranah and N'Zérékoré.(24)

Local authorities also took steps to reduce child labor during the reporting period. In Dinguiraye, the authorities decided to ban children from working in the mines through a decree by the prefect.(5) Prefectoral judges also supported community

leaders and security leaders in Guinean Month of the Child events that included discussions on the concepts of child trafficking and sexual exploitation, as well as instructions on how to complete the identification forms for victims, and the roles and responsibilities of the different stakeholders.(24)

The Government sat in as an observer in steering committee meetings of the 3 year, \$3.5 million USDOL funded project that ended in 2011. The project withdrew and prevented 9,819 children, including trafficking victims, from involvement in the worst forms of child labor.(24) The project worked with local authorities in their efforts to develop child labor activities.(24)

The Government of Guinea participated in two regional USDOL-funded projects, including a 4-year, \$7.95 million regional project and a 3-year, \$5 million regional project, both of which assisted ECOWAS member countries to

strengthen regional efforts to combat the worst forms of child labor. In 2011, with the assistance of the project, ECOWAS developed a draft Regional Plan of Action for the elimination of child labor.(45-49)

A \$24 million project funded by multiple donors, with participation from the Government, built 1,000 schools, trained teachers and improved Guinean curricula as a part of Guinea's fast track initiative for Education for All.(50) The impact of this effort on the worst forms of child labor has not been determined.

Current social programs do not provide adequate services to victims of child trafficking or the most prevalent worst forms of child labor, particularly in agriculture, mining and domestic service.

**Based on the reporting above, the following actions would advance the elimination of the worst forms of child labor in Guinea:**

Area	Suggested Actions	Year(s) Action Recommended
Laws and Regulations	Increase the minimum age for compulsory education to correspond with the minimum age for work.	2009, 2010, 2011
	Complete the implementation framework for the Child Code.	2009, 2010, 2011
	Harmonize laws relating to the worst forms of child labor, including the Labor and Mining Codes and the Penal, Labor and Child Codes.	2010, 2011
	Extend protections to children in unpaid, temporary or non-contract work.	2009, 2010, 2011
	Ensure that all children are prohibited from participating in hazardous mining.	2010, 2011
	Allow persons of any age to bring charges against their traffickers.	2010, 2011
Coordination and Enforcement	Assess budgetary priorities with a view toward providing resources to conduct effective labor inspections and legal proceedings concerning the worst forms of child labor.	2009, 2010, 2011
	Ensure labor inspections are conducted in all sectors, including those with a high prevalence of child labor.	2010, 2011
	Establish a coordinating mechanism for the worst forms of child labor.	2010, 2011
	Ensure all cases of child labor are appropriately investigated and prosecuted.	2010, 2011
	Clarify the roles and responsibilities of various committees charged with addressing the worst forms of child labor, including child trafficking.	2011
	Ensure that the National Committee Against Trafficking holds required quarterly meetings.	2011
	Compile and publish information related to child labor-related investigations, prosecutions, convictions and criminal punishments.	2011

Area	Suggested Actions	Year(s) Action Recommended
Policies	Adopt the 2009-2013 National Action Plan to Combat Trafficking in Persons.	2010, 2011
	Set targets and establish concrete outcomes for A World Fit for Children, and other policies related to child labor.	2009, 2010, 2011
	Take measures to ensure children have access to quality education and to ensure children's safety in schools.	2010, 2011
	Assess the impact that existing policies may have on addressing the worst forms of child labor in Guinea.	2010, 2011
	Scale up efforts to implement the birth registration policy.	2011
Social Programs	Expand social programs to provide services to children engaged in or at risk of entering into the worst forms of child labor, particularly in agriculture, trafficking, mining and domestic service.	2009, 2010, 2011
	Ensure the appropriate systems are in place to transfer children from Government authorities to social service protection programs.	2010, 2011
	Assess the impact of the Government's efforts to provide Education for All on the worst forms of child labor.	2011

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