

In 2016, Benin made a minimal advancement in efforts to eliminate the worst forms of child labor. The government established two counseling and rest centers in two markets in central Benin to provide counseling and training opportunities to children exposed to labor exploitation. However, children in Benin are engaged in the worst forms of child labor, including in domestic work and in the production of cotton. Limited resources for the systematic enforcement of child labor laws impede government efforts to protect children from the worst forms of child labor. The national action plan pertaining to the worst forms of child labor expired without the implementation of a new version, 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 domestic work and in the production of cotton.(1-4). 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 (%)		76.3

Source for primary completion rate: Data from 2015, published by UNESCO Institute for Statistics, 2016.(5)

Source for all other data: Understanding Children's Work Project's analysis of statistics from Demographic and Health Survey, 2011–2012.(6)

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

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

Sector/Industry	Activity
Agriculture	Production of cotton [†] and cashew nuts [†] (3, 4, 7, 8)
	Capturing, cleaning, and descaling fish [†] (4, 9, 10)
	Raising livestock [†] (9)
Industry	Collecting, [†] crushing, [†] washing, [†] and sieving stones [†] for gold mining [†] and gravel [†] and granite quarrying [†] (1, 11-13)
	Construction, including brickmaking [†] (2, 4, 10, 13)
Services	Domestic work [†] (1, 2, 4, 13-16)
	Working as mechanics [†] and in the transportation industry [†] (4, 11, 13)
	Street vending, [†] including gasoline (4, 11, 13, 17)
	Dressmaking [†] and carpentry [†] (4, 9)
	Begging [†] (2, 4)
Categorical Worst Forms of Child Labor [‡]	Forced labor in domestic work, construction, mining, fishing, granite quarrying, and agriculture, including in the production of cotton, each sometimes as a result of human trafficking (1, 2, 4, 8, 12, 14, 16, 18)
	Forced begging (16, 19, 20)
	Commercial sexual exploitation, sometimes as a result of human trafficking (2, 16, 17, 21)

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

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

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Children are mostly trafficked within Benin but also to other countries, primarily Gabon, Nigeria, Lebanon, and the Republic of Congo, for domestic work and commercial sexual exploitation, as well as to work in vending, farming, stone quarrying, and the production of handicrafts.(1, 14, 16, 20, 22, 23) Children working in mines and quarries are subject to long working hours and to physical injuries and illnesses from dynamite explosions, falling rocks, collapsing quarry walls, and dust inhalation.(11, 12) A 2016 UNICEF-sponsored survey conducted by the Government of Benin in the cities of Cotonou and Malanville indicated that girls are subjected to sexual exploitation in these two cities.(24, 25)

Traditionally under *vidomegon*, children, up to 95 percent of them girls, live with relatives or family friends to perform domestic chores in exchange for educational opportunities; however, many children become victims of labor exploitation and sexual abuse.(1, 2, 4, 14, 20, 23, 25) In Northern Benin, *marabouts*, Koranic teachers, exploit boys in forced begging on the street or in agricultural work.(2, 19)




The constitution guarantees free compulsory primary education; nevertheless, some parents are expected to pay school fees for registration, uniforms, books, and materials.(4, 14) 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, 17, 20, 21, 26, 27) Children with disabilities have no access to the regular education system.(4)

In January 2016, the Minister of Interior launched a two-week national awareness campaign to increase birth registration of children to ensure that they have access to services such as education, as 19.8 percent of children under age five continue to be unregistered.(2, 20, 23, 28-30)

II. LEGAL FRAMEWORK FOR 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 laws and regulations related to child labor, including its worst forms (Table 4). However, gaps exist in Benin's legal framework to adequately protect children from child labor.

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 Occupation List (33)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Hazardous Occupation List (33)
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)

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

Standard	Meets International Standards: Yes/No	Age	Legislation
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, 352, and 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)
Minimum Age for Military Recruitment			
State Compulsory	Yes	18	Article 6 of Law 2005–43; Title II, Article 32 of the Constitution (36, 37)
State Voluntary	Yes	18	Article 6 of Law 2005-43 (37)
Non-state Compulsory	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, 38)
Free Public Education	Yes		Article 13 of the Constitution; Article 114 of the Child Code (32, 36)

During the reporting period, the Government halted the review process to revise the Labor Code upon a change of administration, and formed a new committee to review the code.(39) Article 22 of the Law Relating to the Transportation and Trafficking of Minors prescribes insufficient penalties, especially in comparison to punishments prescribed for other serious crimes, such as rape. (16, 34)

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). However, gaps in labor law and criminal law enforcement remain and some enforcement information is not available.

Table 5. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
Ministry of Labor, Civil Service, and Social Affairs (MOLCSSA)	Enforce child labor laws and investigate labor code infractions, including those related to child labor.(17, 21, 40) Provide support to victims of child labor and human trafficking.(2, 21, 39) In 2016, the Ministry of Labor and Civil Service and the Ministry of Family, Social Affairs, and National Solidarity were merged.(39)
Ministry of 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 (OCPM) under the Criminal Police Department.(2, 16, 21) Through its <i>Brigade des Moeurs</i> (vice squad), address human trafficking for sexual exploitation.(25)

Labor Law Enforcement

In 2016, labor law enforcement agencies in Benin took actions to combat child labor, including its worst forms (Table 6).

Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2015	2016
Labor Inspectorate Funding	Unknown (28)	\$6,700 (17)
Number of Labor Inspectors	87 (28)	55 (17)
Inspectorate Authorized to Assess Penalties	Yes (28)	Yes (17)
Training for Labor Inspectors		
Initial Training for New Employees	Unknown (28)	Yes (17)
Training on New Laws Related to Child Labor	No (28)	N/A (17)
Refresher Courses Provided	Unknown (28)	Yes (17)

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

Overview of Labor Law Enforcement	2015	2016
Number of Labor Inspections	Unknown (28)	27 (17)
Number Conducted at Worksite	Unknown (28)	Unknown (17)
Number Conducted by Desk Reviews	Unknown (28)	Unknown (17)
Number of Child Labor Violations Found	Unknown (28)	1,278 (17)
Number of Child Labor Violations for Which Penalties Were Imposed	Unknown (28)	Unknown (17)
Number of Penalties Imposed that Were Collected	Unknown (28)	Unknown (17)
Routine Inspections Conducted	No (28)	Yes (17)
Routine Inspections Targeted	Unknown (28)	Yes (17)
Unannounced Inspections Permitted	Yes (28)	Yes (17)
Unannounced Inspections Conducted	Unknown (28)	Unknown (17)
Complaint Mechanism Exists	Yes (28)	Yes (17)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (28)	Yes (30)

In 2016, the Ministry of Labor, Civil Service, and Social Affairs (MOLCSSA) employed 55 labor inspectors, 32 fewer than in 2015, as a result of retirements.(17, 39) The Government, with the assistance of UNICEF, held a four-day workshop to train 50 labor inspectors and child protection agents on child labor prevention and increase participants' capacities to address the worst forms of child labor.(17) With the assistance of the French Embassy, the Central Office for the Protection of Minors (OCPM), in conjunction with MOLCSSA, provided training on child trafficking prevention for four judges, 26 police officers, four members of civil society organizations, and religious and traditional leaders.(25)

The number of labor inspectors is insufficient for the size of Benin's workforce, which includes over 3 million workers. According to the ILO's recommendation of 1 inspector for every 40,000 workers in less developed economies, Benin should employ approximately 92 inspectors.(41, 42) The labor inspectorate stated that it lacks material and financial resources to effectively conduct inspections.(2, 16, 17) The OCPM under the Ministry of the Interior works together with Centers for Social Promotion under MOLCSSA to provide social services to child victims and ensure criminal investigation of the cases.(30)

Criminal Law Enforcement

In 2016, criminal law enforcement agencies in Benin 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	2015	2016
Training for Investigators		
Initial Training for New Employees	Yes (23)	Unknown (17)
Training on New Laws Related to the Worst Forms of Child Labor	No (28)	N/A (17)
Refresher Courses Provided	Yes (23)	Unknown (17)
Number of Investigations	Unknown (28)	Unknown (17)
Number of Violations Found	Unknown (28)	Unknown (17)
Number of Prosecutions Initiated	Unknown (28)	Unknown (17)
Number of Convictions	Unknown (28)	Unknown (17)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (28)	Yes (17)

OCPM remained understaffed, underfunded, and without adequate office supplies, transportation, and fuel to enforce laws effectively and to provide victims with immediate assistance.(2, 16, 28) The police lacked the transportation resources to investigate human trafficking cases and the tools with which to maintain database records. Court officials were also unable to maintain database records on human trafficking, and lacked the personnel and infrastructure to efficiently prosecute cases.(23)

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 8).

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

Coordinating Body	Role & 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 MOLCSSA and comprised of delegates from multiple Beninese ministries, UNICEF, ILO, trade unions, and NGOs.(21, 43) In 2016, the committee met once to discuss how to enhance activities and partnerships.(30, 39, 44)
National Commission on Children's Rights	Coordinate and promote efforts on children's rights at the national level. Chaired by the Ministry of Justice and comprised delegates from multiple other ministries and representatives of civil society groups, who are appointed by the Minister of Justice.(2) In 2016, the commission did not meet.(39, 44)

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.(2) In addition, although there is an information management system at the national level, data are rarely analyzed or used to affect implementation on the ground.(44) The National Monitoring and Coordination Working Group for Child Protection has not met since 2014 and is no longer operational.(39)

V. GOVERNMENT POLICIES ON THE WORST FORMS OF CHILD LABOR

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

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, and to 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.(45, 46) In 2016, MOLCSSA, in conjunction with UNICEF, completed a documentary film that features the economic exploitation of children in five markets of Benin.(17, 39)
National Policy for Child Protection (2014–2025)	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.(17, 46, 47) Implemented by MOLCSSA, which reported in 2016 that it is still in the process of finalizing an action plan for the operationalization of the policy.(17, 30, 46, 47)
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.(48)

† Policy was approved during the reporting period.

Research was unable to determine whether the expired National Action Plan to Eliminate the Worst Forms of Child Labor in Benin was renewed. Research was also unable to determine whether activities were undertaken to implement the UN Development Assistance Framework during the reporting period.(30) The Government has not included child labor elimination and prevention strategies in the Education Sector Plan.(20, 30)

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2016, the Government funded and participated in programs that include the goal of eliminating or preventing child labor, including its worst forms (Table 10).

Table 10. Key Social Programs to Address Child Labor†

Program	Description
Understanding Children's Work-Action Against Child Labor (2015–2018)	Government of Canada-funded, 3-year, \$750,000 project to combat child labor by supporting data collection and policy efforts related to children's work and youth employment.(49) In 2016, research was unable to determine whether any actions were undertaken.(30)
Government-Funded Shelters†	MOLCSSA-operated Social Promotion Centers that provide food, shelter, education, and vocational training to vulnerable children, including victims of labor exploitation, in 85 centers. OCPM also operates an interim care facility for human trafficking survivors before their placement in a long-term shelter.(21, 39, 43) In 2016, social workers from the Social Promotion Center of Kandi and members of the <i>Réseau des Structures de Protection des Enfants en Situation Difficile</i> trained 20 members of civil society organizations committed to the protection of children's rights on the new child code.(2, 16, 17, 21, 39)

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Table 10. Key Social Programs to Address Child Labor[†] (cont)

Program	Description
Government-Funded Re-Training Centers [†]	The Ministry of Mines' Social Services offers business management training to families, particularly women, involved in mining and quarrying, and provides protection equipment, including boots and gloves, to mining craftsmen in three cities.(43, 46) MOLCSSA, with the assistance of UNICEF, maintains a vocational school program to train survivors of child trafficking in a trade.(43, 44) In 2016, the Government, with assistance of UNICEF and Caritas, established two counseling and leisure centers in the markets of Zakpota and Abomey in central Benin to provide counseling and training opportunities to children exposed to labor exploitation.(17)
Benin Global Partnership for Education Program (2014–2017)	Approximately \$42.3-million, World Bank-funded project that aims to improve access and equity to quality basic education in highly impoverished districts. In 2016, the primary completion rate in targeted districts increased to 54.4 percent from 40.4 percent in 2011, and 10,700 teachers were provided with a 10-day in-service training.(50)

[†] 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, including its worst forms.(4, 17, 39, 51, 52)

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.(17)

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 Benin (Table 11).

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

Area	Suggested Action	Year(s) Suggested
Legal Framework	Create meaningful penalties for human trafficking crimes involving labor exploitation.	2014 – 2016
Enforcement	Provide consistent training for law enforcement officials on the worst forms of child labor.	2013 – 2016
	Increase resources, including the number of labor inspectors and criminal investigators, to enforce laws against child labor and provide immediate victim assistance.	2009 – 2016
	Publish data on the type of labor inspections conducted, training for criminal investigators, and the number of criminal investigations, prosecutions, convictions, and penalties related to child labor, including its worst forms.	2009 – 2016
	Increase the resources available to law enforcement officials to efficiently track child labor cases.	2015 – 2016
Coordination	Take measures to coordinate efforts at the national level to eliminate duplicative activities, committees, and actors at the local level.	2013 – 2016
	Analyze the data received from national information management systems and disseminate results nationwide.	2013 – 2016
Government Policies	Complete a new National Action Plan to Eliminate the Worst Forms of Child Labor in Benin.	2010 – 2016
	Undertake activities to implement the UN Development Assistance Framework.	2016
	Ensure child labor elimination and prevention strategies are integrated into the Education Sector Action Plan.	2010 – 2016
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, and increasing birth registration rates to ensure that children have access to services such as education.	2010 – 2016
	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 – 2016
	Implement the Understanding Children's Work–Action Against Child Labor project.	2016

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